

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
May 24 2018 10:28 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

ALAN DEMETRIUS DANIELS,
Appellant(s),

vs.

STATE OF NEVADA,
Respondent(s),

Case No: 10C262523-1

Docket No: 75468

RECORD ON APPEAL VOLUME 3

ATTORNEY FOR APPELLANT
ALAN D. DANIELS # 63982,
PROPER PERSON
P.O. BOX 208
INDIAN SPRINGS, NV 89070

ATTORNEY FOR RESPONDENT
STEVEN B. WOLFSON,
DISTRICT ATTORNEY
200 LEWIS AVE.
LAS VEGAS, NV 89101

I N D E X

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I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
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TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

Alvin J. Johnson
CLERK OF THE COURT

2-22-2010

FILED

DEC 11 8 44 AM '92

Loretta L. ...
CLERK

1 REX BELL
DISTRICT ATTORNEY
2 Nevada Bar #001799
200 S. Third Street
3 Las Vegas, Nevada 89155
(702) 455-4711
4 Attorney for Plaintiff
THE STATE OF NEVADA

5 I.A. 12-15-92
6 DEPT. V
9:00 A.M.
7 PD

DISTRICT COURT
CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,)
12)
Plaintiff,)
13)
vs.)
14)
GARY PICKETT, aka)
15 Cary Jerard Pickett,)
ID#0725059)
16)
Defendant.)
17)

CASE NO. *C109725*
DEPT. NO. V
DOCKET NO. H

INFORMATION

18
19 STATE OF NEVADA)
) ss:
20 COUNTY OF CLARK)

GRAND LARCENY (Felony -
NRS 205.220)

21 REX BELL, District Attorney within and for the County of
22 Clark, State of Nevada, in the name and by the authority of the
23 State of Nevada, informs the Court:

24 That GARY PICKETT, aka Cary Jerard Pickett, the Defendant
25 above named, on or about the 11th day of November, 1992, at and
26 within the County of Clark, State of Nevada, contrary to the form,
27 force and effect of statutes in such cases made and provided, and
28 against the peace and dignity of the State of Nevada, did then and


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1 there wilfully, unlawfully, and feloniously, with intent to deprive
2 the owner permanently thereof, steal, take, and carry away personal
3 property of MERVYNS, 4700 Meadows Lane, Las Vegas, Clark County,
4 Nevada, having a value of \$250.00, or more, to-wit: sweat jackets
5 and sweat pants.

6 REX BELL
7 District Attorney
8 Nevada Bar #001799
9 Nevada Bar #001398

10 BY 
11 RONALD C. BLOXHAM
12 Chief Deputy District Attorney
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27 DA#92F8365X/da
28 LVMPD DR#92-11111354
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CLERK OF THE COURT

2.22.2010

1 REX BELL
2 DISTRICT ATTORNEY
3 Nevada Bar #001799
4 200 S. Third Street
5 Las Vegas, Nevada 89155
6 (702) 455-4711
7 Attorney for Plaintiff
8 THE STATE OF NEVADA

MAR 9 10 30 AM '93

Letitia B. ...
CLERK

DISTRICT COURT

CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,)
8)
9 Plaintiff,)
10 vs.)
11 CARY JERARD PICKETT)
12 aka Cary Jerrold Pickett)
13 #0725059)
14 Defendant.)

CASE NO. C107733X

DEPT. NO. III

DOCKET NO. E

STATE'S
EXHIBIT

6
262513

14 AMENDED
15 JUDGMENT OF CONVICTION (PLEA)

15 WHEREAS, on the 27th day of August, 1992, the Defendant, CARY
16 JERARD PICKETT aka Cary Jerrold Pickett, appeared before the Court
17 herein with his counsel and entered a plea of guilty to the crime
18 of COUNT I - BURGLARY (FELONY), committed on the 9th day of June,
19 1992, in violation of NRS 205.060; and

20 WHEREAS, thereafter, on the 10th day of December, 1992, the
21 Defendant being present in Court with his counsel DEBORAH OWEN, and
22 KAREN L. VAN DE POL, Chief Deputy District Attorney, also being
23 present; the above entitled Court did adjudge Defendant guilty
24 thereof by reason of his plea of guilty and sentenced Defendant, in
25 addition to a \$25 Administrative Assessment Fee, to: three (3)
26 years in the Nevada State Prison with whatever credit for time
27 served defendant is entitled to. Count II dismissed.

28 WHEREAS, on the 2nd day of March, 1993, Defendant not being

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1 present, represented by DEBORAH OWENS and STEVEN S. OWENS, Deputy
2 District Attorney, also being present the Court amended Judgment of
3 Conviction to reflect Defendant given ten (10) days credit for time
4 served.

5 THEREFORE, the Clerk of the above entitled Court is hereby
6 directed to enter this Judgment of Conviction as part of the record
7 in the above entitled matter.

8 DATED this 8 day of March, 1993, in the City of Las Vegas,
9 County of Clark, State of Nevada.


DISTRICT JUDGE

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CLERK OF THE COURT

2.22.2010

1 REX BELL
DISTRICT ATTORNEY
2 Nevada Bar #001799
200 S. Third Street
3 Las Vegas, Nevada 89155
(702) 455-4711
4 Attorney for Plaintiff
THE STATE OF NEVADA

FILED

AUG 12 10 31 AM '92

Lucia Ch...
CLERK

5
6 8-2792 DISTRICT COURT
7 I.A. 8-17-92
Dept. VII
9:00 A.M. CLARK COUNTY, NEVADA
8 PD

9
10 THE STATE OF NEVADA,)
11 Plaintiff,)
12 vs.)
13 CARY JERARD PICKETT,)
14 ID#0725059, aka)
Cary Jerrold Pickett,)
15 Defendant.)

CASE NO. C107733
DEPT. NO. VII
DOCKET NO. P

III
E

INFORMATION

17 STATE OF NEVADA)
18) ss: BURGLARY (Felony - NRS 205.060);
COUNTY OF CLARK) and GRAND LARCENY (Felony - NRS
205.220)

20 REX BELL, District Attorney within and for the County of
21 Clark, State of Nevada, in the name and by the authority of the
22 State of Nevada, informs the Court:

23 That CARY JERARD PICKETT, aka Cary Jerrold Pickett, the
24 Defendant above named, on or about the 9th day of June, 1992, at
25 and within the County of Clark, State of Nevada, contrary to the
26 form, force and effect of statutes in such cases made and provided,
27 and against the peace and dignity of the State of Nevada,

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(R)

1 COUNT I BURGLARY

2 did then and there wilfully, unlawfully, and feloniously
3 enter, with intent to commit larceny, that certain building
4 occupied by MERVYNS, located at 1155 East Twain, Las Vegas, Clark
5 County, Nevada.

6 COUNT II GRAND LARCENY

7 did then and there wilfully, unlawfully, and feloniously, with
8 intent to deprive the owner permanently thereof, steal, take, and
9 carry away personal property of MERVYNS, 1155 East Twain, Las
10 Vegas, Clark County, Nevada, having a value of \$250.00, or more,
11 to-wit: miscellaneous clothing, including shorts and shirts.

12 REX BELL
13 District Attorney
14 Nevada Bar #001799
15 Nevada Bar #000795

16 BY 
17 GARY L. GUYMON
18 Deputy District Attorney
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27 DA#92F4248X/da
28 LVMPD DR#92-06090810
BURG; GL - F

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John J. Sullivan
CLERK OF THE COURT

2-22-2010

CRIMINAL COURT MINUTES

92-C-107733-C STATE OF NEVADA vs Pickett, Cary J

08/27/92 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Joseph S. Pavlikowski, Senior Judge; Dept. VJ30

OFFICERS: PONDA MEADOR, Court Clerk
JAMES HELLESO, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	004232 Carroll, Thomas M.	Y
	0001 D1 Pickett, Cary J	Y
	PUBDEF Public Defender	Y
	004350 Owen, Deborah D.	Y

NEGOTIATIONS: Deft. to plead guilty to Count I, State retains right to argue at sentencing but will not oppose the dismissal of Count II, after sentencing State will dismiss Case #92F-5254. DEFT. PICKETT ARRAIGNED AND PLED GUILTY TO COUNT I. Court accepted plea and adjudged Deft. guilty. Ms. Owen requested an OR release for Deft. State had no objection. COURT ORDERED, Deft. released on his OR through Pre-Trial Services; matter set for sentencing.

CUSTODY

10/27/92 at 9:00 AM for Sentencing-Ct. I/F.P.-Ct. II

10/27/92 09:00 AM 00 SENTENCING-CT. I/F.P.-CT. II

HEARD BY: Joseph S. Pavlikowski, Senior Judge; Dept. VJ30

OFFICERS: PONDA MEADOR, Court Clerk
JAMES HELLESO, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	003151 Salvucci, Dina L.	Y
	0001 D1 Pickett, Cary J	N
	PUBDEF Public Defender	Y
	004350 Owen, Deborah D.	Y

Beverley Cunningham from Dept. of Parole & Probation present. Counsel requested a continuance to have Deft. present. COURT ORDERED, matter continued and if Deft. is not present at next Court date a no bail Bench Warrant will issue.

OR

CONTINUED TO: 11/03/92 09:00 AM 01

CRIMINAL COURT MINUTES

92-C-107733-C STATE OF NEVADA

vs Pickett, Cary J

CONTINUED FROM PAGE: 001

11/03/92 09:00 AM 01 SENTENCING-CT. I/F.P.-CT. II

HEARD BY: Joseph S. Pavlikowski, Senior Judge; Dept. VJ30

OFFICERS: LEONE DUMIRE, Relief Clerk
JAMES HELLESO, Reporter/Recorder

PARTIES:	STATE OF NEVADA	N
000301	Lippis, Deborah J.	Y
0001 D1	Pickett, Cary J	N
PUBDEF	Public Defender	Y
001656	Christiansen, Peter J.	Y

JUANITA TYLER OF THE DEPT. OF P & P PRESENT. MR. CHRISTIANSEN STATED THEY HAD SENT DEFENDANT A LETTER AS TO APPEARING TODAY AND DID NOT KNOW WHY HE WAS NOT PRESENT.

COURT ORDERED: A NO BAIL BENCH WARRANT TO ISSUE FOR THE DEFENDANT.

BENCH WARRANT

12/03/92 09:00 AM 00 BENCH WARRANT RETURN

HEARD BY: Joseph S. Pavlikowski, Senior Judge; Dept. VJ30

OFFICERS: PONDA MEADOR, Court Clerk
JAMES HELLESO, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004352	Owens, Steven S.	Y
0001 D1	Pickett, Cary J	Y
PUBDEF	Public Defender	Y
004350	Owen, Deborah D.	Y

Robert Lawson from Dept. of Parole & Probation present. COURT ORDERED, matter set for sentencing.

CUSTODY

12/10/92 at 9:00 AM for Sentencing-Ct. I/F.P.-Ct. II

CRIMINAL COURT MINUTES

92-C-107733-C STATE OF NEVADA

vs Pickett, Cary J

CONTINUED FROM PAGE: 002

12/10/92 09:00 AM 00 SENTENCING -CT. I/F.P.-CT. II

HEARD BY: Joseph S. Pavlikowski, Senior Judge; Dept. VJ30

OFFICERS: PONDA MEADOR, Court Clerk
LINDA BARRY, Relief Clerk
JAMES HELLESO, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
000795 Van De Pol, Karen L. Y

0001 D1 Pickett, Cary J Y
PUBDEF Public Defender Y
004350 Owen, Deborah D. Y

Darlene Castello from Dept. of Parole and Probation present. Statement in mitigation of sentencing. COURT ORDERED, in addition to the \$25 administrative assessment fee, Deft. sentenced to three (3) years in the Nevada State Prison with whatever credit for time served Deft. is entitled to. Count II dismissed.

CUSTODY

03/02/93 09:00 AM 00 PROPER PERSON MOTION FOR AMENDED
JUDGMENT OF CONVICTION

HEARD BY: Joseph S. Pavlikowski, Senior Judge; Dept. VJ30

OFFICERS: PONDA MEADOR, Court Clerk
JAMES HELLESO, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
004352 Owens, Steven S. Y

0001 D1 Pickett, Cary J N
PUBDEF Public Defender Y
004350 Owen, Deborah D. Y

State advised they had prepared a Response. COURT ORDERED, Deft. given an additional ten (10) days credit for time served.

CUSTODY-NSP (I.S.)

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Alton L. Johnson
CLERK OF THE COURT

2-22-2010

Justice Court, Las Vegas Township

CASE NO. 92F04248X

STATE VS. PICKETT, CARY JERARD aka, CARY JERROID PICKETT

CHARGE BURGLARY & GRAND LARCENY

BAIL

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES — HEARING

CONTINUED TO:

<p>JUNE 16, 1992 W. JANSEN for #3 G. GUYMON, DA P. CHRISTIANSEN, PD K. REMAKEL, CR M. MCCREARY, CLK</p>	<p>INITIAL ARRAIGNMENT DEFENDANT PRESENT IN COURT *IN CUSTODY* DEFENDANT ADVISED/WAIVES COURT ORDERED DEFT RELEASED ON O/R INTAKE SERVICES COURT ORDERED P/H SET WITHIN 15 DAYS P/H DATE SET COURT APPOINTS PD TO REPRESENT DEFT NOTIFY INTAKE SERVICES - INTENSIVE SUPERVISION DEFT TO CHECK IN DAILY IN PERSON/by form-mb</p>	<p>6-26-92 9:00 #3</p>
<p>JUNE 26, 1992 M. ROBINSON FOR #3 M. O'CALLAGHAN, DA S. IMMERMANN, PD D. NARGI, C.R. M. MCCREARY, CLK.</p>	<p>O/R CONTINUES TIME SET FOR PRELIMINARY HEARING DEFENDANT NOT PRESENT IN COURT B/W ISSUED - \$7,000/14,000 - COUNT I \$10,000/20,000 - COUNT II</p>	<p>mb JUN 30 1992 mm</p>
<p>7-21-92 D. AHLSTROM G. GUYMON, DA P. CHRISTIANSEN, PD B. KULISH, CR M. MCCREARY, CLK</p>	<p>Deft PRESENT In Court *IN CUSTODY* PH reset DEFT REMANDED TO THE CUSTODY OF THE SHERIFF</p>	<p>7-31-92 9:00 #3 MS</p>
<p>JULY 31, 1992 D. AHLSTROM G. GUYMON, DA D. OWEN, PD T. FERRIOLA, C.R. M. MCCREARY, CLK.</p>	<p>TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT IN CUSTODY PER NEGOTIATIONS: DEFENDANT UNCONDITIONALLY WAIVES PRELIMINARY HEARING DEFENDANT BOUND OVER AS CHARGED TO DISTRICT COURT APPEARANCE DATE SET DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF</p>	<p>8-27-92 9:00 #7 DISTRICT COURT AUG 4 1992 mm</p>

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John D. Johnson
CLERK OF THE COURT

2.22.2010

1 REX BELL
DISTRICT ATTORNEY
2 Nevada Bar #001799
200 S. Third Street
3 Las Vegas, Nevada 89155
(702) 455-4711
4 Attorney for Plaintiff
THE STATE OF NEVADA
5

FILED
Jan 12 12 03 PM '93

Letitia Brown
CLERK

6 DISTRICT COURT

7 CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA)
9)
Plaintiff,)
10 vs.)

11 CARY JERARD PICKETT,
aka Cary Jerrold Pickett,
12 #0725059, Defendant.)

CASE NO. C107733X
DEPT. NO. III
DOCKET NO. E

13
14 JUDGMENT OF CONVICTION (PLEA)

15 WHEREAS, on the 27th day of August, 1992, the defendant CARY
16 JERARD PICKETT, aka Cary Jerrold Pickett, appeared before the Court
17 herein with his counsel and entered a plea of guilty to the crime
18 of COUNT I - BURGLARY (FELONY) committed on or about the 9th day of
19 June, 1992, in violation of NRS 205.060 and

20 WHEREAS, thereafter on the 10th day of December, 1992, the
21 defendant being present in Court with his counsel DEBORAH OWEN,
22 Deputy Public Defender, and KAREN L. VAN DE POL, Chief Deputy
23 District Attorney, also being present; the above entitled Court did
24 adjudge the defendant guilty thereof by reason of his plea of
25 guilty and sentenced defendant, in addition to the \$25.00
26 Administrative Assessment Fee, to three (3) years in the Nevada
27 State Prison with whatever credit for time served defendant is
28 entitled to. Count II dismissed.

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out. 1/12/93

1 THEREFORE, the Clerk of the above entitled Court is hereby
2 directed to enter this Judgment of Conviction as part of the record
3 in the above entitled matter.

4 DATED this 11 day of January, 1953, in the City of Las
5 Vegas, County of Clark, State of Nevada.

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DISTRICT JUDGE

27 DA#92-107733X/pm (TKJ)
LVMPD DR#9206090810
28 Burg.-P

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Alvin L. Lawrence
CLERK OF THE COURT

2:22-2010

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JUN 24 11 27 AM '91

Letitia Bourne
CLERK

1 REX BELL
2 DISTRICT ATTORNEY
3 Nevada Bar #01799
4 200 South Third Street
5 Las Vegas, NV 89155
6 (702) 455-4711
7 Attorney for Plaintiff
8 STATE OF NEVADA
9

DISTRICT COURT
Clark County, Nevada



10 THE STATE OF NEVADA,
11 Plaintiff

CASE NO. C99915X

DEPT. NO. XIV

12 -vs-

13 CARY JERARD PICKETT
14 #0725059

JUDGMENT OF CONVICTION

(PLEA)

15 Defendant,
16
17

18 (Commitment to Department of Prisons for Regimental Discipline)

19 WHEREAS, on the 24th day of April, 1991, the Defendant CARY
20 JERARD PICKETT, appeared before the Court herein with his coun-
21 sel, LEANNE WELLS-KENDALL, and entered a plea of guilty to the
22 crime of ATTEMPT GRAND LARCENY (F) committed on the 9th day of
23 January, 1991, in violation of NRS 205.220; and

24 WHEREAS, thereafter, on the 3rd day of June, 1991, the
25 defendant being present in Court with his counsel, LEANNE
26 WELLS-KENDALL, and GARY R. BOOKER, Deputy District Attorney,
27 also being present; the above entitled Court did adjudge
28 Defendant guilty thereof by reason of his plea of guilty and

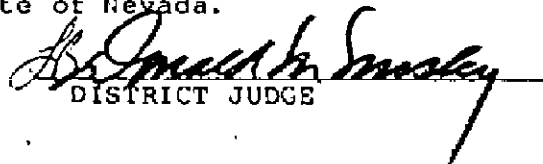
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1 pursuant to NRS 176.2248 committed defendant to the custody of
2 the Director of the Department of Prisons of the State of
3 Nevada for a period of 150 days to undergo a program of regi-
4 mental discipline before sentencing.

5 THEREFORE, the Clerk of the above entitled Court is
6 hereby directed to enter this Judgment of Conviction as part of
7 the record in the above entitled matter.

8 DATED this 18th day of June, 1991, in the City of
9 Las Vegas, County of Clark, State of Nevada.

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11 DISTRICT JUDGE
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27 DA#91F99915X/1k
28 LVNPD DR#9101091173
Att. G/L - F
TK1

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Alvin B. Johnson
CLERK OF THE COURT

222-2010

CRIMINAL COURT MINUTES

91-C-099915-C STATE OF NEVADA vs Pickett, Cary J

04/24/91 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: LOIS BAZAR, Court Clerk
CONNIE MC CARTHY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	N
000101	Henry, William P.	Y
0001 D1	Pickett, Cary J	Y
PUEDEF	Public Defender	Y
003841	Wells, Mary L.	Y

Amended Information filed in open court. NEGOTIATIONS: defendant Pickett to enter plea of guilty to "Attempt Grand Larceny" (F); State agrees to argue for no more than four years and will not file habitual criminal allegations against the defendant. State concurred. DEFENDANT PICKETT ARRAIGNED, ENTERED A PLEA OF GUILTY TO THE AMENDED INFORMATION. Court accepted plea. COURT ORDERED, continued for sentencing; P.S.I. ordered.

CUSTODY

6/03/91 @ 9:00 A.M. SENTENCING (AI)

05/08/91 09:00 AM 00 MOTION FOR RELEASE ON OWN RECOGNIZANCE
OR IN THE ALTERNATIVE BAIL REDUCTION

HEARD BY: Jack Lehman, Judge; Dept. 10

OFFICERS: PAULETTE TAYLOR, Court Clerk
SHARLEEN NICHOLSON, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001802	Jorgenson, Eric G.	Y
0001 D1	Pickett, Cary J	Y
PUEDEF	Public Defender	Y
001104	Austin, Victor J.	Y

Court continued for Judge Mosley to hear.

CUSTODY

5-10-91 @ 9:00 A.M. DEFT'S MOTION FOR O.R. RELEASE OR BAIL REDUCTION

CONTINUED TO: 05/10/91 09:00 AM 01

CRIMINAL COURT MINUTES

91-C-099915-C STATE OF NEVADA

vs Pickett, Cary J

CONTINUED FROM PAGE: 001

05/10/91 09:00 AM 01 MOTION FOR RELEASE ON OWN RECOGNIZANCE
OR IN THE ALTERNATIVE BAIL REDUCTION

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: LOIS BAZAR, Court Clerk
CONNIE KENNEDY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	N
002028	Booker, Gary R.	Y
0001 D1	Pickett, Cary J	Y
PUBDEF	Public Defender	Y
003841	Wells, Mary L.	Y

Ms. Wells-Kendall advised the defendant had already posted a \$3,000 bond he would ask to be released on. Court asked if the defendant wouldn't appear for a traffic matter, why would he appear on a Grand Larceny. Statement by defendant. State submitted scope sheet to the Court. COURT ORDERED, defendant to remain in custody; no bail.

CUSTODY (BAIL)

06/03/91 09:00 AM 00 SENTENCING

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: LOIS BAZAR, Court Clerk
DONNA LITTLE, Reporter/Recorder

PARTIES:	STATE OF NEVADA	N
001799	Bell, Jr., Rex A.	Y
0001 D1	Pickett, Cary J	Y
PUBDEF	Public Defender	Y
003841	Wells, Mary L.	Y

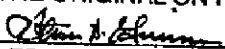
Alexander Konopka, P&P, also present. Defendant Pickett adjudged guilty of "Attempt Grand Larceny" (F). State submitted. Statements by defendant and counsel. COURT ORDERED, the 150-Day Boot Camp is ordered.

CUSTODY

CONTINUED ON PAGE: 003

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2 · 22 · 2010


CLERK OF THE COURT

CRIMINAL COURT MINUTES

91-C-099915-C STATE OF NEVADA

vs Pickett, Cary J

CONTINUED FROM PAGE: 002

07/15/91 09:00 AM 00 SENTENCING 150 DAY RETURN (P&P)

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: LOIS BAZAR, Court Clerk
DONNA LITTLE, Reporter/Recorder

PARTIES:	STATE OF NEVADA	N
000101	Henry, William P.	Y
0001 D1	Pickett, Cary J	Y
PUBDEF	Public Defender	Y
004065	Blaskey, Rebecca A.	Y

Joy Mundy-Neal, P&P, also present. Court stated it understood that defendant Pickett, because of health reasons, was unable to complete boot camp. Statement by State. COURT ORDERED, defendant is sentenced to two (2) years Nevada State Prison with credit for time served of 114 days. Defendant to pay \$231.94 restitution. \$25.00 administrative assessment fee is imposed. Bond, if any, exonerated.

CUSTODY

Justice Court, Las Vegas Township

CASE NO. 1050X-91P

STATE VS. PICKETT, CARY JERALD

CHARGE GRAND LARCENY

BAIL _____

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES — HEARING

CONTINUED TO:

2-20-91 R.E. WOLF L. JOHNSON, DA M. RYAN, CLK	ACTIVATE WARRANT DEFENDANT NOT PRESENT IN COURT	brk
2-24-91	\$3,000 Surety Bond Posted by Danny's Bail Bonds	
2-25-91 R. WOLF O. PORTERFIELD, DA T. FERRIOLA, CR M. RYAN, CLK.	INITIAL ARRAIGNMENT DEFT. NOT PRESENT IN COURT Appearance Date Set BOND CONTINUES	3-18-91 8:00 #1 rt
MARCH 18, 1991 R.E. WOLF L. JOHNSON, DA R. SUROWIEC, CR M. RYAN, CLK	CONTINUED INITIAL ARRAIGNMENT DEFENDANT NOT PRESENT IN COURT B/W AND NOTICE OF INTENT ISSUED: \$5,000/10,000	brk
3-19-91	MOTION TO PLACE ON CALENDAR FILED	
MARCH 27, 1991 R.E. WOLF O. PORTERFIELD, DA R. SUROWIEC, CR M. RYAN, CLK P. JUSTICE, PD APPOINTED	CONTINUED INITIAL ARRAIGNMENT DEFENDANT PRESENT IN COURT IN CUSTODY DEFENDANT ADVISED AND WAIVES COURT ORDERS TO VACATE 4-2-91 8:00 #1 MOTION BY DEFENDANT TO QUASH B/W - MOOT P/H SET FOR DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	4-9-91 9:00 #1 brk
4-9-91 R.E. WOLF O. PORTERFIELD, DA D. NARGI, CR M. RYAN, CLK ML. WELLS-KENDALL, PD	TIME SET FOR PRELIMINARY HEARING Deft PRESENT in court*IN CUSTODY* PER NEGOTIATIONS: Deft UNCONDITIONALLY WAIVES HIS RIGHT TO HIS PRELIMINARY HEARING-Deft BOUND OVER TO DISTRICT COURT AS CHARGED--Appearance Date Set Motion for CR or bail reduction by Defnse--GRANTED Bail Reset 3000/6000 DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	APR 12 1991 DISTRICT COURT APRIL 24, 1991 9:00am Dept #14 mr

M-1 (Criminal)
Rev. 12/88

MINUTES — CRIMINAL

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DOCUMENT ATTACHED IS A
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OF THE ORIGINAL FILED

2.22.2016

~~CLERK OF THE COURT~~

FILED

APR 23 1 26 PM '91

Patricia Thompson
CLERK

1 REX BELL
2 DISTRICT ATTORNEY
3 Nevada Bar #001799
4 200 S. Third Street
5 Las Vegas, NV 89155
6 (702) 455-4711
7 Attorney for Plaintiff
8 THE STATE OF NEVADA

9 IA 4-24-91
10 Dept. XIV
11 9:00 A.M.
12 PD

13 DISTRICT COURT
14 Clark County, Nevada

15 THE STATE OF NEVADA,)
16)
17 Plaintiff)

18 -vs-)

19 CARY JERARD PICKETT,)
20 #0725059)

21 Defendant,)
22)
23)

CASE NO. 099915
DEPT. NO. XIV
DOCKET NO. T

I N F O R M A T I O N

GRAND LARCENY (Felony -
NRS 205.220)

24 STATE OF NEVADA)
25) ss:
26 COUNTY OF CLARK)

27 REX BELL, District Attorney within and for the County of
28 Clark, State of Nevada, in the name and by the authority of the
State of Nevada, informs the Court:


That CARY JERARD PICKETT, the defendant above named, on or
about the 9th day of January, 1991, at and within the County of
Clark, State of Nevada, contrary to the form, force and effect of
statutes in such cases made and provided, and against the peace
and dignity of the State of Nevada, did then and there wilfully,
/ / /

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1 unlawfully, and feloniously, with intent to deprive the owner
2 permanently thereof, steal, take and carry away personal property
3 of SEARS, ROEBUCK AND COMPANY, 4000 Meadows Lane, Las Vegas,
4 Clark County, Nevada, having a value of \$250.00, or more, to-wit:
5 Four (4) pair of Levi jeans, one (1) leather jacket, one (1)
6 canvas jacket and one (1) sweater.

7 REX BELL
8 District Attorney
9 NEVADA BAR #001799
10 NEVADA BAR #004031

11 By 
12 OWEN PORTERFIELD
13 Deputy District Attorney
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27 91F1050X/kjh
28 LVMPD DR#9101091173
Grand Larceny - F

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OF THE ORIGINAL ON FILE

Alvin B. Johnson
CLERK OF THE COURT

2.22.2010

1 REX BELL
2 DISTRICT ATTORNEY
3 Nevada Bar #001799
4 200 S. Third Street
5 Las Vegas, NV 89155
6 (702) 455-4711
7 Attorney for Plaintiff
8 THE STATE OF NEVADA

---FILED IN OPEN COURT---

April 24 19*91*

LOREDA UOWMAN, CLERK

By *Lore Bowman* Deputy

8 DISTRICT COURT
9 Clark County, Nevada

11 THE STATE OF NEVADA,)
12)
13 Plaintiff)

13 -vs-

14 CARY JERARD PICKETT,)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

Defendant,

CASE NO. *299915*

DEPT. NO. XIV

DOCKET NO. T

AMENDED
INFORMATION

ATTEMPT GRAND LARCENY
(Felony - NRS 205.220,
193.330)

18 STATE OF NEVADA)
19) ss:
20 COUNTY OF CLARK)

21 REX BELL, District Attorney within and for the County of
22 Clark, State of Nevada, in the name and by the authority of the
23 State of Nevada, informs the Court:

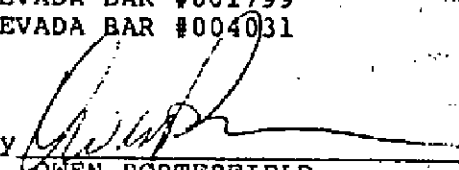
24 That CARY JERARD PICKETT, the defendant above named, on or
25 about the 9th day of January, 1991, at and within the County of
26 Clark, State of Nevada, contrary to the form, force and effect of
27 statutes in such cases made and provided, and against the peace
28 and dignity of the State of Nevada, did then and there wilfully,
///

CE

R

1 unlawfully, and feloniously, with intent to deprive the owner
2 permanently thereof, attempt to steal, take and carry away
3 personal property of SEARS, ROEBUCK AND COMPANY, 4000 Meadows
4 Lane, Las Vegas, Clark County, Nevada, having a value of \$250.00,
5 or more, to-wit: Four (4) pair of Levi jeans, one (1) leather
6 jacket, one (1) canvas jacket and one (1) sweater.

7 REX BELL
8 District Attorney
9 NEVADA BAR #001799
10 NEVADA BAR #004031

11 By 
12 OWEN PORTERFIELD
13 Deputy District Attorney
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27 91F1050X/kjh
28 LVMPD DR#9101091173
Att G/L - F

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TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

John B. Williams
CLERK OF THE COURT

2.22.2010

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 11, 2010**

10C262523-1

The State of Nevada vs Alan D Daniels

March 11, 2010**10:30 AM****Initial Arraignment**

**INITIAL
ARRAIGNMENT
Court Clerk: Karina
Kennedy/klk/Sylvia
Courtney
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Daniels, Alan D
Greco, Vicki
Robinson, Lynn M.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- AS TO DEFT DANIELS: Deft present and in custody. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. DANIELS ARRAIGNED AND PLED GUILTY TO CT-1-BURGLARY WHILE IN POSSESSION OF A FIREARM (F), CT-2-CONSPIRACY TO COMMIT ROBBERY (F), CT-3-ROBBERY WITH USE OF A DEADLY WEAPON (F) and CT-4-POSSESSION OF FIREARM BY EX-FELON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING.

AS TO DEFT PICKETT: Deft present and in custody. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. PICKETT ARRAIGNED AND PLED GUILTY TO CT-1-BURGLARY WHILE IN POSSESSION OF A FIREARM (F), CT-2-CONSPIRACY TO COMMIT ROBBERY (F), CT-3-ROBBERY WITH USE OF A DEADLY WEAPON (F) and CT-4-POSSESSION OF

PRINT DATE: 05/23/2018

Page 1 of 7

Minutes Date: March 11, 2010

FIREARM BY EX-FELON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING.

CUSTODY(BOTH)

05.10.10 8:15 A.M. SENTENCING (DEPT 18)(BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 10, 2010**

10C262523-1

The State of Nevada vs Alan D Daniels

May 10, 2010**8:15 AM****Sentencing**

**SENTENCING :
DEFTS DANIELS
AND PICKETT**

HEARD BY: Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Sharon Chun**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

Castillo, Michael V.
Daniels, Alan D
Nelson III, Roy L.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- SENTENCING: DEFT DANIELS

The State lodged two certified copies of Deft Daniels' prior Judgments of Convictions in support of their request for Habitual Criminal enhancement. Exhibits were marked as State's Exhibits and admitted. COURT FOUND documents to be accurate and sufficient to support and FOUND DEFT DANIELS AN HABITUAL CRIMINAL pursuant to NRS 207.012. DEFT. DANIELS ADJUDGED GUILTY of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT 2 - CONSPIRACY TO COMMIT ROBBERY (F); COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON (F); AND COUNT 4 - POSSESSION OF FIREARM BY EX-FELON (F).

In addition to the \$25.00 Administrative Assessment fee, COURT ORDERED, Deft Daniels to PAY RESTITUTION in the AMOUNT of \$11,948.60 JOINTLY and SEVERALLY with co-deft, an INDIVIDUAL RESTITUTION of \$3,034.50, and SENTENCED, as follows:

COUNT 1 - A MAXIMUM of ONE-HUNDRED-EIGHTY (180) MONTHS and a MINIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC);

COUNT 2 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24)

PRINT DATE: 05/23/2018

Page 3 of 7

Minutes Date: March 11, 2010

MONTHS in the Nevada Department of Corrections (NDC);

COUNT 3 - A MAXIMUM term of LIFE in the NV Dept of Corrections, with the possibility of Parole when a MINIMUM of TEN (10) YEARS has been served, CONSECUTIVE TO COUNT 1;
COUNT 4 - A MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT TO COUNT 2.

COURT REITERATED that COUNTS 1 AND 3 ARE CONSECUTIVE and COUNTS 2 AND 4 ARE CONCURRENT. COURT FURTHER ORDERED, SENTENCING IN THIS CASE IS TO BE SERVED CONSECUTIVE TO THE SENTENCE IMPOSED IN CASE NO. C156246, with ZERO (0) DAYS CREDIT for time served. COURT FURTHER ORDERED, DNA fee and testing WAIVED, having been previously submitted.

If bond, exonerated.

CLERK'S NOTE 9/27/10: MINUTE ORDER SEPARATED FROM DEFT PICKETT'S SENTENCING MINUTE ORDER, THIS DATE./SSC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 16, 2013**

10C262523-1

The State of Nevada vs Alan D Daniels

December 16, 2013 8:15 AM Motion**HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Shelly Landwehr**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES**

PRESENT: Keeler, Brett O. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Matter TRAILED for Mr. Castillo's presence. Matter RECALLED.

Court stated defendant's motion is saying the statute is invalid. COURT ORDERED, motion DENIED as it disagrees with defendant. Court DIRECTED the State to prepare and order to include findings of fact and conclusions of law consistent with the opposition. FURTHER, Court DIRECTED the Clerk's Office to send a copy of the order and minute order to defendant.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 14, 2018**

10C262523-1

The State of Nevada vs Alan D Daniels

March 14, 2018**8:30 AM****Motion to Correct Sentence****HEARD BY:** Kephart, William D.**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Tia Everett**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**Dickerson, Michael
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Court noted Defendant not present and in custody with the Nevada Department of Corrections. Court noted Defendant was sentenced under NRS 207.012 based on the prior convictions submitted to the Court. Court FINDS the sentencing Court considered Defendant's prior convictions before sentencing pursuant to NRS 207.012 Defendant was sentenced appropriately and COURT ORDERED, Motion Denied.

NDC

CLERK'S NOTE: The above minute order has been distributed to:

ALAN DANIELS, #63982

S.D.C.C.

PO BOX 208

INDIAN SPRINGS, NV 89070

PRINT DATE: 05/23/2018

Page 6 of 7

Minutes Date: March 11, 2010

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 09, 2018**

10C262523-1

The State of Nevada vs Alan D Daniels

May 09, 2018**8:30 AM****Status Check****HEARD BY:** Kephart, William D.**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Tia Everett**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**Castillo, Michael V.
Holthus, Mary Kay
State of NevadaAttorney
Attorney
Plaintiff**JOURNAL ENTRIES**

- Court noted Defendant not present and in custody with the Nevada Department of Corrections. Mr. Castillo advised he previously represented Defendant in 2010 at sentencing and moved to withdraw as counsel as Defendant has since filed Pro Per motions. COURT ORDERED, Oral Motion to Withdraw as Counsel GRANTED. Further, Court noted the Order Denying Defendant's Motion from 3/14/2018 has been signed.

NDC

PRINT DATE: 05/23/2018

Page 7 of 7

Minutes Date: March 11, 2010

Certification of Copy and Transmittal of Record

State of Nevada }
County of Clark } SS:

Pursuant to the Supreme Court order dated May 16, 2018, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises three volumes with pages numbered 1 through 521.

STATE OF NEVADA,

Plaintiff(s),

vs.

ALAN D. DANIELS
aka ALAN DANIELS,

Defendant(s),

Case No: 10C262523-1

Dept. No: XIX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 24 day of May 2018.

Steven D. Grierson, Clerk of the Court

Amber Lasby

Amber Lasby, Deputy Clerk