

Mr. Matthew Washington

(Name)

1061467

(I.D. No.)

Northern Nevada Correctional Center
Post Office Box 7000
Carson City, Nevada 89702

Electronically Filed
May 08 2018 01:59 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF Clark

Matthew Washington
Petitioner/Defendant,
vs.
State of Nevada
Respondent/Plaintiff

Case No.: C-13-294695-1

Dept. No. XX11

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that I, Matthew Washington appeal the
Judgment / Order entered on the 29th day of March, 20 18 by this
court.

Dated this 19th day of April, 20 18.

X M. Washington
(Signature) # 1061467

RECEIVED
MAY 01 2018
CLERK OF THE COURT

CERTIFICATE OF SERVICE BY MAIL

Pursuant to NRCF Rule 5(b), I hereby certify that I am the Defendant named herein and that on this 19th day of April, 2018, I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:

Mc STEVEN WOLFSOHN County District Attorney
REGIONAL JUSTICE CENTER
200 LEWIS AVE.
LAS VEGAS, NEVADA 89153

x M. Wolfe 
(Signature) # 1061467

AFFIRMATION PURSUANT TO NRS 239B.030

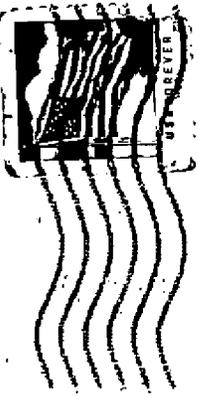
** I certify that the foregoing document DOES NOT contain the social security number of any persons.

April 19, 2018
(Date)

x M. Wolfe 
(Signature) # 1061467

Mr. Matthew Washington
106.1467 - NINCC
P.O. Box 7000
Carson City, NV. 89702

RENO NV 895
27 APR 2018 PM 2 L



LEGAL MAIL

Mr. STEVE D. GIBSON
Clerk of the Court
REGIONAL JUSTICE CENTER
2ND FLOOR
200 LEWIS AVE.

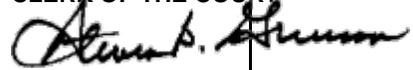


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REGIONAL JUSTICE CENTER

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LEGAL MAIL



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**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

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STATE OF NEVADA,

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Plaintiff(s),

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vs.

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MATTHEW WASHINGTON,

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Defendant(s),

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CASE APPEAL STATEMENT

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1. Appellant(s): Matthew Washington

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2. Judge: Susan Johnson

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3. Appellant(s): Matthew Washington

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Counsel:

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Matthew Washington #1061467

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P.O. Box 7000

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Carson City, NV 89702

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4. Respondent: The State of Nevada

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Counsel:

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Steven B. Wolfson, District Attorney

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200 Lewis Ave.

Las Vegas, NV 89101

(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Appellant Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: December 12, 2013

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Writ of Habeas Corpus

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 65998

12. Child Custody or Visitation: N/A

Dated This 1 day of May 2018.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Matthew Washington

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

State of Nevada
vs
Matthew Washington

§	Location:	Department 22
§	Judicial Officer:	Johnson, Susan
§	Filed on:	12/12/2013
§	Case Number History:	
§	Cross-Reference Case	C294695
§	Number:	
§	Defendant's Scope ID #:	2685499
§	ITAG Booking Number:	1300057660
§	ITAG Case ID:	1545996
§	Lower Court Case # Root:	13F18022
§	Lower Court Case Number:	13F18022A
§	Supreme Court No.:	65998

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CONSPIRE TO COMMIT MURDER	F	11/05/2013	Case Flags:	Appealed to Supreme Court Custody Status - Nevada Department of Corrections Charge Description Updated Bifurcated Case
1. POSSESSION OF FIREARM BY EX-FELON	F	11/05/2013		
2. MURDER WITH THE USE OF A DEADLY WEAPON	F	11/05/2013		
3. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON	F	11/05/2013		
4. BATTERY WITH USE OF DEADLY WEAPON,	F	11/05/2013		
5. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON	F	11/05/2013		
6. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON	F	11/05/2013		
7. BATTERY WITH USE OF DEADLY WEAPON	F	11/05/2013		
8. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	11/05/2013		
9. DISCHARGEING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	11/05/2013		
10. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	11/05/2013		
11. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	11/05/2013		
12. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	11/05/2013		
13. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICEL AIRCRAFT OR WATERCRAFT	F	11/05/2013		
14. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	01/05/2013		
15. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	11/05/2013		
16. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	11/05/2013		
17. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT	F	11/05/2013		
18. POSSESSION OF FIREARM BY EX-FELON	F	11/05/2013		

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

Related Cases

C-13-294695-2 (Multi-Defendant Case)

Statistical Closures

07/07/2014 Jury Trial - Conviction - Criminal

DATE	CASE ASSIGNMENT
	<p>Current Case Assignment</p> <p>Case Number C-13-294695-1 Court Department 22 Date Assigned 03/02/2015 Judicial Officer Johnson, Susan</p>

PARTY INFORMATION		
Defendant	Washington, Matthew	<i>Lead Attorneys</i> Posin, Mitchell L <i>Retained</i> 702-382-2222(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
12/12/2013	 Criminal Bindover <i>Criminal Bindover</i>	
12/20/2013	 Information <i>Information</i>	
12/23/2013	 Initial Arraignment (9:30 AM) (Judicial Officer: De La Garza, Melisa)	
12/30/2013	 Notice of Motion Filed By: Defendant Washington, Matthew <i>Notice of Motion and Motion to Sever Defendants</i>	
12/30/2013	 Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Trial Readiness</i>	
12/31/2013	 Media Request and Order Party: Defendant Washington, Matthew <i>Media Request And Order Allowing Camera To Court Proceedings</i>	
01/06/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses and/or Expert Witnesses</i>	
01/12/2014	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings Preliminary Hearing December 9, 2013</i>	
01/13/2014	Motion (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Notice of Motion and Motion to Sever Defendants</i>	
01/13/2014	Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)	

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

Status Check: Death Penalty Committee

- 01/13/2014  **All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
- 01/15/2014  Transcript of Proceedings
Reporter's Transcript of Proceedings Preliminary Hearing; Heard on December 5, 2013
- 01/16/2014  Transcript of Proceedings
Reporter's Transcript of Proceedings Preliminary Hearing Thursday, December 5, 2013
- 01/17/2014  Opposition
The State of Nevada's Opposition to Defendant Washington's Motion to Sever and Opposition to Defendant's Moten's Motion to Sever and Joinder in Defendant's Washington's Motion to Sever
- 01/21/2014  Notice of Witnesses and/or Expert Witnesses
Supplemental Notice of Witnesses and/or Expert Witnesses
- 01/22/2014  **Motion** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Notice of Motion and Motion to Sever Defendants [cont'd fr 1/13/14]
- 01/27/2014  Notice of Witnesses and/or Expert Witnesses
Second Supplemental Notice of Witnesses and/or Expert Witnesses
- 01/27/2014  Notice of Witnesses and/or Expert Witnesses
Second Supplemental Notice of Witnesses and/or Expert Witnesses
- 01/27/2014  Order
Filed By: Defendant Washington, Matthew
Order Appointing Investigator
- 01/29/2014  **Calendar Call** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
01/29/2014, 02/05/2014
- 01/30/2014  Notice of Witnesses and/or Expert Witnesses
Third Supplemental Notice of Witnesses and/or Expert Witnesses
- 02/03/2014 **CANCELED Jury Trial** (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated - per Judge
- 02/11/2014 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated - per Judge
- 03/03/2014  **Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
03/03/2014, 03/05/2014
Status Check: Trial Readiness
- 03/05/2014  Notice of Association of Counsel
Filed By: Defendant Washington, Matthew
Notice of Association
- 03/10/2014  Notice of Motion
Notice of Motion and Motion in Limine

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

03/11/2014  Certificate of Service
Filed by: Defendant Washington, Matthew
Certificate of Service

03/21/2014  Opposition
State's Opposition to Defendant's Motion In Limine

03/24/2014  **Motion in Limine** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
03/24/2014, 04/02/2014
Defendant's Motion in Limine

04/02/2014 **Calendar Call** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

04/02/2014  **All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

04/04/2014  **Telephonic Conference** (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Telephonic Conference Re: Trial Judge

04/07/2014 **CANCELED Jury Trial** (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated

04/07/2014 **CANCELED Jury Trial** (1:30 PM) (Judicial Officer: Cory, Kenneth)
Vacated

04/07/2014  **Jury Trial** (1:30 PM) (Judicial Officer: Cory, Kenneth)
04/07/2014-04/11/2014, 04/14/2014-04/17/2014

04/07/2014  Amended Information
Filed By: Plaintiff State of Nevada
Amended Information

04/09/2014  Jury List
Party: Plaintiff State of Nevada

04/11/2014  Amended
Filed By: Plaintiff State of Nevada
Second Amended Information

04/11/2014 **Disposition** (Judicial Officer: Gonzalez, Elizabeth)
18. POSSESSION OF FIREARM BY EX-FELON
Amended Information Filed/Charges Not Addressed
PCN: Sequence:

04/15/2014  Proposed Jury Instructions Not Used At Trial
Proposed Jury Instructions Not Used At Trial

04/16/2014  Instructions to the Jury
Instructions to the Jury (18 instructions)

04/16/2014  Instructions to the Jury
Instructions to the Jury (43 instructions)

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

04/16/2014	 Amended Information <i>Second Amended Information</i>
04/16/2014	 Verdict <i>Verdict</i>
04/16/2014	 Verdict <i>Verdict</i>
04/17/2014	 Instructions to the Jury <i>Instructions to the Jury (12 instructions - Penalty Phase)</i>
04/17/2014	 Verdict <i>Verdict</i>
04/28/2014	 Minute Order (7:30 AM) (Judicial Officer: Cory, Kenneth)
04/28/2014	 Notice <i>Notice of Department Reassignment</i>
05/19/2014	 Memorandum <i>Memorandum of Ineffective Counsel and Notice of a Complete Breakdown in Communication Between Attorney and Client</i>
06/10/2014	 PSI
06/18/2014	CANCELED Sentencing (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Vacated - On in Error</i>
06/18/2014	 Sentencing (9:00 AM) (Judicial Officer: Cory, Kenneth)
06/18/2014	Disposition (Judicial Officer: Cory, Kenneth) 1. CONSPIRE TO COMMIT MURDER Guilty PCN: Sequence: 1. POSSESSION OF FIREARM BY EX-FELON Amended Information Filed/Charges Not Addressed PCN: Sequence: 2. MURDER WITH THE USE OF A DEADLY WEAPON Guilty PCN: Sequence: 3. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON Guilty PCN: Sequence: 4. BATTERY WITH USE OF DEADLY WEAPON, Guilty PCN: Sequence: 5. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON Guilty PCN: Sequence:

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

6. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON

Guilty
PCN: Sequence:

7. BATTERY WITH USE OF DEADLY WEAPON

Guilty
PCN: Sequence:

8. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

9. DISCHARGEING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

10. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

11. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

12. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

13. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICEL AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

14. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

15. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

16. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

17. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT

Guilty
PCN: Sequence:

06/18/2014

Amended Disposition (Judicial Officer: Gonzalez, Elizabeth)

18. POSSESSION OF FIREARM BY EX-FELON

Guilty
PCN: Sequence:

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
1. CONSPIRE TO COMMIT MURDER
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:48 Months, Maximum:120 Months

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
2. MURDER WITH THE USE OF A DEADLY WEAPON
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Life with the possibility of parole after:240 Years
Consecutive Enhancement:Use of a Deadly Weapon, Minimum:60 Months,
Maximum:240 Months
Concurrent: Charge 1

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
3. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:96 Months, Maximum:240 Months
Consecutive Enhancement:Use of a Deadly Weapon, Minimum:60 Months,
Maximum:240 Months
Consecutive: Charge 2

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
4. BATTERY WITH USE OF DEADLY WEAPON,
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:48 Months, Maximum:120 Months
Concurrent: Charge 3

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
5. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:96 Months, Maximum:240 Months
Consecutive Enhancement:Use of a Deadly Weapon, Minimum:60 Months,
Maximum:240 Months
Consecutive: Charge 4

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
6. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:96 Months, Maximum:240 Months
Consecutive Enhancement:Use of a Deadly Weapon, Minimum:60 Months,
Maximum:240 Months
Consecutive: Charge 5

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
7. BATTERY WITH USE OF DEADLY WEAPON
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:48 Months, Maximum:120 Months
Concurrent: Charge 6

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
8. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR
WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 7

- | | |
|------------|---|
| 06/18/2014 | Sentence (Judicial Officer: Cory, Kenneth)
9. DISCHARGEING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 8 |
| 06/18/2014 | Sentence (Judicial Officer: Cory, Kenneth)
10. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 9 |
| 06/18/2014 | Sentence (Judicial Officer: Cory, Kenneth)
11. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 10 |
| 06/18/2014 | Sentence (Judicial Officer: Cory, Kenneth)
12. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 11 |
| 06/18/2014 | Sentence (Judicial Officer: Cory, Kenneth)
13. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICEL AIRCRAFT OR WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 12 |
| 06/18/2014 | Sentence (Judicial Officer: Cory, Kenneth)
14. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 13 |
| 06/18/2014 | Sentence (Judicial Officer: Cory, Kenneth)
15. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 14 |
| 06/18/2014 | Sentence (Judicial Officer: Cory, Kenneth)
16. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT
Adult Adjudication |

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 15

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
17. DISCHARGING FIREARM AT OR INTO STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 16

06/18/2014 **Sentence** (Judicial Officer: Cory, Kenneth)
18. POSSESSION OF FIREARM BY EX-FELON
Adult Adjudication
Sentenced to Nevada Dept. of Corrections
Term: Minimum:28 Months, Maximum:72 Months
Concurrent: Charge 17
Credit for Time Served: 225 Days
Other Fees
1. , \$12,015.71 To be paid Jointly and Severally with Co-Defendant
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

06/27/2014  Judgment of Conviction
JUDGMENT OF CONVICTION (JURY TRIAL)

06/30/2014  Notice of Appeal (criminal)
Notice of Appeal

07/02/2014  Case Appeal Statement
Case Appeal Statement

07/17/2014  Case Appeal Statement
Case Appeal Statement

07/17/2014  Notice of Appeal (criminal)
Notice of Appeal

09/04/2014  Recorders Transcript of Hearing
Recorder's Transcript of Proceedings: Calendar Call February 5, 2014

09/04/2014  Recorders Transcript of Hearing
Recorder's Transcript of Proceedings: Defendant's Motion in Limine March 24, 2014

09/04/2014  Recorders Transcript of Hearing
Recorder's Transcript of Proceedings: Calendar Call; Defendant's Motion in Limine April 2, 2014

09/04/2014  Recorders Transcript of Hearing

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

Recorder's Transcript of Proceedings: Telephonic Conference Re Trial Judge April 4, 2014

09/04/2014



Recorders Transcript of Hearing

Recorder's Transcript of Proceedings: Status Check - Trial Readiness March 5, 2014

09/04/2014



Recorders Transcript of Hearing

Recorder's Transcript of Proceedings: Status Check - Trial Readiness (BOTH) December 30, 2013

09/04/2014



Recorders Transcript of Hearing

Recorder's Transcript of Proceedings: Motion to Sever Defendants; Status Check: Trial Setting and Death Penalty Committee January 13, 2014

09/04/2014



Recorders Transcript of Hearing

Recorder's Transcript of Proceedings: Motions to Sever January 22, 2014

09/04/2014



Recorders Transcript of Hearing

Recorder's Transcript of Proceedings: Calendar Call January 29, 2014

09/09/2014



Recorders Transcript of Hearing

Recorder's Transcript Re: Sentencing - June 18, 2014

09/15/2014



Recorders Transcript of Hearing

Recorder's Transcript of Hearing Re: Initial Arraignment

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial - Day 1 -- 4-7-14

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial - Day 2 -- 4-8-14

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial - Day 3 -- 4-9-14

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial - Day 4 -- 4-10-14

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial - Day 5 -- 4-11-14

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial - Day 6 -- 4-14-14

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial - Day 7 -- 4-15-14

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial -- Day 8 -- 4-16-14

09/22/2014



Recorders Transcript of Hearing

Transcript of Proceedings: Jury Trial - Day 9 - Penalty Phase -- 4-17-14

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

01/05/2015	Case Reassigned to Department 14 <i>District Court Case Reassignment 2015</i>
03/02/2015	Case Reassigned to Department 22 <i>District Court Case Reassignment 2015</i>
05/04/2015	 Amended Judgment of Conviction <i>AMENDED JUDGMENT OF CONVICTION (JURY TRIAL)</i>
12/28/2016	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed; Rehearing Denied; Petition Denied</i>
12/19/2017	 Petition for Writ of Habeas Corpus Filed by: Defendant Washington, Matthew <i>Petition for Writ of Habeas Corpus (Postconviction)</i>
01/24/2018	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
02/06/2018	 Petition for Writ of Habeas Corpus (8:30 AM) (Judicial Officer: Johnson, Susan) <i>Defendant s Petition for Writ of Habeas Corpus (PostConviction)</i>
02/25/2018	 Brief Filed By: Defendant Washington, Matthew <i>Postconviction Brief</i>
03/12/2018	 Response <i>State's Response to Defendant's "Postconviction Brief"</i>
03/16/2018	 Reply Filed by: Defendant Washington, Matthew <i>Reply to State's Response to Defendant's "Postconviction Brief"</i>
03/22/2018	 Hearing (9:00 AM) (Judicial Officer: Johnson, Susan) <i>HEARING: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (POSTCONVICTION)</i>
04/04/2018	 Order <i>Order Denying Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
04/12/2018	 Notice of Entry of Order <i>Notice of Entry of Order</i>
05/01/2018	 Notice of Appeal (criminal) Party: Defendant Washington, Matthew <i>Notice of Appeal</i>
05/01/2018	 Case Appeal Statement <i>Case Appeal Statement</i>

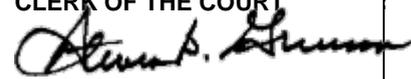
DATE

FINANCIAL INFORMATION

| **Defendant** Washington, Matthew

DEPARTMENT 22
CASE SUMMARY
CASE NO. C-13-294695-1

Total Charges	192.00
Total Payments and Credits	14.00
Balance Due as of 5/1/2018	178.00



1 **ORDR**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 STEVEN L. WATERS
6 Chief Deputy District Attorney
7 Nevada Bar #6162
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 State of Nevada

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 State of Nevada,

10
11 MATTHEW W. WASHINGTON,
12 #2685499

CASE NO: C-13-294695-1

DEPT NO: XXII

13 **ORDER DENYING DEFENDANT'S PETITION FOR WRIT OF HABEAS**
14 **CORPUS (POST-CONVICTION)**

15 DATE OF HEARING: MARCH 22, 2018
16 TIME OF HEARING: 9:00 AM

17 THIS MATTER having come on for hearing on the 22nd day of March, 2018, the
18 Petitioner not being present, represented by MITCHELL L. POSIN, ESQUIRE, the
19 Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney,
20 through STEVEN L. WATERS, Chief Deputy District Attorney, and the Court having heard
21 the arguments of counsel, and good cause appearing therefor,

22 IT IS HEREBY ORDERED that the Petitioner's Petition for Writ of Habeas Corpus,

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1 shall be, and it is, hereby denied and the Writ is hereby discharged.

2 DATED this 29th day of March, 2018.

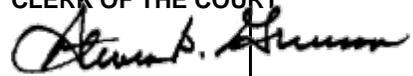
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4 
DISTRICT COURT JUDGE ¹⁸

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

8 BY

 for
9 STEVEN L. WATERS
10 Chief Deputy District Attorney
11 Nevada Bar #6162
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1 NEOJ

2 **DISTRICT COURT**
3 **CLARK COUNTY, NEVADA**

4 MATTHEW WASHINGTON,

5
6 Petitioner,

Case No: C-13-294695-1

Dept. No: XXII

7 vs.

8 THE STATE OF NEVADA,

9 Respondent,

NOTICE OF ENTRY OF ORDER

10
11 **PLEASE TAKE NOTICE** that on April 04, 2018, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

12 You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on April 12, 2018.

15 STEVEN D. GRIERSON, CLERK OF THE COURT

16 /s/ Courtnie Hoskin

Courtnie Hoskin, Deputy Clerk

18
19 CERTIFICATE OF E-SERVICE / MAILING

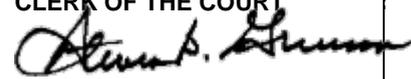
20 I hereby certify that on this 12 day of April 2018, I served a copy of this Notice of Entry on the following:

21 By e-mail:
Clark County District Attorney's Office
Attorney General's Office – Appellate Division-

23 The United States mail addressed as follows:
24 Matthew Washington # 1061467 Mitchell Posin Esq.
P.O. Box 7000 410 S. Rampart Blvd. #390
25 Carson City, NV 89702 Las Vegas, NV 89145

26 /s/ Courtnie Hoskin

27 Courtnie Hoskin, Deputy Clerk



1 **ORDER**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 STEVEN L. WATERS
6 Chief Deputy District Attorney
7 Nevada Bar #6162
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 State of Nevada

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 State of Nevada,

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11 MATTHEW W. WASHINGTON,
12 #2685499

CASE NO: C-13-294695-1

DEPT NO: XXII

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18 Petitioner not being present, represented by MITCHELL L. POSIN, ESQUIRE, the
19 Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney,
20 through STEVEN L. WATERS, Chief Deputy District Attorney, and the Court having heard
21 the arguments of counsel, and good cause appearing therefor,

22 IT IS HEREBY ORDERED that the Petitioner's Petition for Writ of Habeas Corpus,

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1 shall be, and it is, hereby denied and the Writ is hereby discharged.

2 DATED this 29th day of March, 2018.

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4 
DISTRICT COURT JUDGE ¹⁸

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

8 BY

 for
9 STEVEN L. WATERS
10 Chief Deputy District Attorney
11 Nevada Bar #6162
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28 13F18022A/jlh/GANG

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 23, 2013

C-13-294695-1 State of Nevada
 vs
 Matthew Washington

December 23, 2013 9:30 AM Initial Arraignment

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

COURT CLERK: Melissa Murphy

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Benedict, Susan M.	Attorney
	Otto, David J.	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- DEFT. WASHINGTON ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT FURTHER ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY

12/30/13 9:00 A.M. STATUS CHECK: TRIAL READINESS (DEPT 11)

01/29/14 9:00 A.M. CALENDAR CALL (DEPT 11)

02/03/14 1:00 P.M. JURY TRIAL (DEPT 11)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 30, 2013

C-13-294695-1 State of Nevada
vs
Matthew Washington

December 30, 2013 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
Dania Batiste

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT:	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- APPEARANCES CONTINUED: J. Mann, Esq., counsel for Co-Defendant Washington.

Ms. Pieper advised that on January 8, 2014, the State will take this case before the Death Penalty Committee, and requested a continuance until after that matter has been heard. Mr. Mann requested that Defendant remain at the Clark County Detention Center (CCDC), so he may have further discussions, as he will be unable to adequately speak with his client and prepare for trial.

Conference at the Bench.

Court DIRECTED Mr. Mann to prepare a written Order indicating Defendant shall remain at CCDC pending the next hearing. Mr. Mann stated he will send the Order to Chambers. COURT SO NOTED.

Upon the Court's inquiry, Mr. Mann advised he will file a Severance Motion. Mr. Otto concurred

with Mr. Mann's representations. COURT SO NOTED, and ORDERED, counsel to file the Motion on or before January 13, 2014; matter SET for a Status Check. COURT FURTHER ORDERED, the trial date will not be rescheduled.

CUSTODY

1/13/2014 9:00 am Status Check: Death Penalty Committee

1/29/2014 9:00 am Calendar Call

2/3/2014 1:00 pm Jury Trial

Deft Moten confirmed he is willing to WAIVE his speedy trial rights. Court, addressing Deft Washington, stated trial is currently set on February 3rd but that there is some work to be done and Deft has had the chance to discuss available options. Deft Washington stated he wished to proceed. Ms. Pieper noted it is her understanding the decision to go forward is something Deft Washington has and could be against his attorney's advice; if Deft is convicted of first degree murder, one of the things State will present is that Deft was aware of outstanding discovery and yet it was his decision to go forward; additionally, ineffective assistance of counsel will be an issue. Court so noted. Upon Mr. Mann's inquiry, Court stated counsel does not need to file a motion. Mr. Otto noted for the record it was his client's decision to keep the current trial date.

Ms. Pieper further advised she has extended an offer of second degree murder with use of a deadly weapon which has two potential sentences: first, a 10 to 25, or second, 10 to life. She has agreed to remove the life tail, thus it will only be 10 to 25 with the consecutive deadly weapon enhancement which is 1 to 20 years; it is her understanding that not only is Deft Washington going forward with the current trial date, he is also rejecting the State's offer. Deft Washington concurred. Mr. Mann advised he and his client will discuss the latter's options, and requested Deft remain one more week at CCDC. There being no objection by the State, COURT SO ORDERED. Counsel to prepare the order. Ms. Pieper and Mr. Mann advised they will do a stipulation and order to continue the trial date for Deft Moten.

CUSTODY

1-22-14	9:00 AM	NOTICE OF MOTION AND MOTION TO SEVER DEFENDANTS
1-29-14	9:00 AM	CALENDAR CALL
2-3-14	1:00 PM	JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

January 22, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

January 22, 2014 9:00 AM Motion

HEARD BY: Gonzalez, Elizabeth COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea
Shelly Landwehr

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- Following conference at the bench, Mr. Otto stated defendant will not waive outside of the 60 days. Colloquy. COURT ORDERED, trial date STANDS. Mr. Otto moved for an investigator to be appointed; GRANTED. Court DIRECTED counsel to send order to chambers to include the name of the investigator. FURTHER ORDERED, defendants motion MOOT, given the scheduling issue and waiver.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 29, 2014

C-13-294695-1 State of Nevada
 vs
 Matthew Washington

January 29, 2014 9:00 AM Calendar Call

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- Ms. Schifalacqua advised she handed Mr. Otto additional forensic discovery this morning. Upon Court's inquiry, Ms. Pieper advised trial is anticipated to last a week and a half including the penalty phase if Deft is convicted of first degree murder. Mr. Otto advised, because the State provided him with discovery only this morning indicating toolmark evidence related to ballistics, shell casings, and guns involved in this case, it may assist the record to allow him to have time to review that issue; with that said, he has conferred with the Deft, and the latter does not wish to waive his speedy trial rights; additionally, he did not have an expert retained for this matter because there was no indication by the State they would have this evidence before trial.

Ms. Schifalacqua stated if Mr. Otto wishes to retain an expert his remedy is a continuance; however, it has always been the State's position that they have properly noticed all of their experts; Mr. Otto is well aware the DNA, latent prints are being worked on, and she finally received the firearms analysis this morning. COURT ORDERED, Deft's request to hire an expert is GRANTED. Counsel to prepare the order which should include the expert's name. Expert expenses GRANTED in the amount of

\$3,500.00. If the expert testifies amount will be increased. COURT ORDERED, trial VACATED from February 3rd and RESET on February 11, 2014. Discussion regarding estimated length of trial taking into account the toolmark expert. Ms. Pieper advised State will have 30 to 40 witnesses. Ms. Schifalacqua noted trial can be reset on the 11th with the caveat that the State may make representations at that point that some of their witnesses cannot appear. CONFERENCE AT THE BENCH held at Mr. Otto's request. COURT ORDERED, Calendar Call CONTINUED to February 5, 2014.

CUSTODY

2-5-14	9:00 AM	CALENDAR CALL
2-11-14	9:00 AM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 05, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

February 05, 2014 9:00 AM Calendar Call

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- Court disclosed conference call held yesterday with defense counsel regarding trial scheduling.

Mr. Otto advised Deft no longer requests motions to suppress be filed; however, he has yet to retain a toolmark expert, needs all the underlying data, and requests a 60-day continuance although Deft continues to assert his right to a speedy trial. Upon Court's inquiry, Deft confirmed he has discussed with counsel the work that needs to be done and understands the Court may grant a brief continuance even though he asserts his speedy trial rights. Ms. Pieper advised State is ready to proceed and will have 30 to 40 witnesses; however, they will not oppose defense counsel's oral motion for a continuance. Per Mr. Otto's request, Court DIRECTED State to provide the data sooner rather than later; discovery issues, if any, can be addressed via conference call. Because of important factual information that appears to be related to Deft's ballistics report, the COURT finds good cause to GRANT continuance of trial. Trial RESET on April 7, 2014.

CUSTODY

3-3-14	9:00 AM	STATUS CHECK: TRIAL READINESS
4-2-14	9:00 AM	CALENDAR CALL
4-7-14	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 03, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

March 03, 2014 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Andrea Natali

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- Due to technical difficulties with the JAVS audio/video recording system, COURT ORDERED, matter CONTINUED.

CUSTODY

3/5/14 9:00 AM - STATUS CHECK: TRIAL READINESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 05, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

March 05, 2014 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Carole D'Aloia

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- Mr. Otto advised that Robert Ohlinger-Johnson, Esq., is present and has associated-in on this case. Upon Court's inquiry, counsel advised trial should take approximately one and a half (1 1/2) weeks. Court advised that if any additional motions need to be filed prior to trial, counsel should file them sooner than later. COURT ORDERED, calendar call and jury trial dates STAND.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 24, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

March 24, 2014 9:00 AM Motion in Limine

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- Mr. Otto advised State opposed last Friday, March 21st, and apparently they were served by fax. Per Mr. Otto's request and there being no objection, COURT ORDERED, matter CONTINUED.

CUSTODY

4-2-14 9:00 AM DEFENDANT'S MOTION IN LIMINE...CALENDAR CALL

4-7-14 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 02, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 02, 2014 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
Andrea Natali

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- CALENDAR CALL...DEFENDANT'S MOTION IN LIMINE

Mr. Otto requested matter be set for Petrocelli hearing on prior bad acts and an outside-the-presence hearing for Bruton issues before any statements of the co-conspirator are placed before the jury. Ms. Schifalacqua advised the evidence they provided is for the penalty phase, not case-in-chief, and parties might be able to resolve this issue. Upon inquiry of the Court, Mr. Otto concurred he would be okay with the State not putting on any prior bad acts other than at a potential sentencing hearing. Ms. Pieper argued State would say the Co-Def't's statement is not subject to Bruton. Ms. Schifalacqua advised they would not play his statement but call him in, which they would not do as he himself is pending murder charges; however, there are a few statements made during the course of the conspiracy which are the only ones subject to presentation to the jury without the co-Def't taking the stand. Ms. Pieper confirmed they plan to use Def't Washington's statements; the State will submit

there may be one or two statements made by co-Deft Moten which the State will allege was made during the furtherance of a conspiracy. Court advised counsel of its trial schedule and noted any pre-trial issues in the instant case need to be addressed before case is reassigned to a different trial judge. COURT ORDERED, matter set for Evidentiary Hearing on Friday, April 4, related to a portion of co-Deft Moten's statements. Case will be placed through the Presiding Criminal Judge for reassignment as it is not eligible for Overflow. State advised they will coordinate their out-of-state witnesses.

Matter RECALLED. Ms. Pieper advised they have explained to Mr. Otto the statement from the preliminary hearing they intend to use, and it is their understanding Mr. Otto has decided he will not object. Mr. Otto advised this statement is to a certain degree indicative of his client's lack of guilt, i.e. when co-Deft Moten tells his client to run from the police in the car and have a shoot-out, Deft Washington tells him no; he has no objection to the State putting this on. Upon Court's inquiry, Ms. Pieper concurred this is the only statement of co-Deft Moten they anticipate using. Court DIRECTED parties to do a written stipulation. COURT ORDERED, Evidentiary Hearing VACATED. Matter SET for Telephonic Conference on Friday, April 4. Deft does not need to be transported.

CUSTODY

4-4-14	10:00 AM	TELEPHONIC CONFERENCE RE: TRIAL JUDGE
4-7-14	1:00 PM	JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 04, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 04, 2014 10:00 AM Telephonic Conference

HEARD BY: Gonzalez, Elizabeth COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Deft's presence WAIVED. Ms. Pieper and Ms. Schifalacqua participated telephonically.

Court ADVISED due to its trial schedule this matter will be tried in Department I (Judge Kenneth Cory). Parties DIRECTED to meet with Judge Cory today. Colloquy regarding statement State intends to use at trial. Mr. Otto advised it cannot be found in the preliminary hearing transcript. Ms. Pieper advised it is actually in Deft Washington's statement. Mr. Otto noted non-issue at this point as long as everyone has the same understanding.

CUSTODY

4-7-14 1:30 PM JURY TRIAL (DEPT I)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 07, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 07, 2014 1:30 PM Jury Trial

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Beverly Sigurnik

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- JURY TRIAL BEGINS

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Defendant present in custody. AMENDED INFORMATION FILED IN OPEN COURT. Ms. Pieper advised on January 29, 2014 an offer was made to the defendant which was rejected. Colloquy regarding jury panel.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Voir Dire Oath given. Jury selection commenced. Having not selected and sworn a Jury this date, Court ADMONISHED the prospective jurors and ORDERED them to return the following day at the time given to resume jury selection.

Matter in RECESS.

CUSTODY

C-13-294695-1

CONTINUED TO: 4/8/14 1:00 PM

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 08, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 08, 2014 1:00 PM Jury Trial

HEARD BY: Cory, Kenneth COURTROOM: RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Beverly Sigurnik

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- JURY TRIAL CONTINUES

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Ms. Pieper advised her and Ms. Schifalacqua were discussing the trial the following evening and notice Juror #912 was near them. Juror #912 was brought in and questioned whether she had overheard any of the conversation. Juror #912 advised she had not. Juror #268 and Juror #850 showed proof of planned vacations and were excused.

INSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Jury selection resumed. Having not selected and sworn a Jury this date, Court ADMONISHED the prospective jurors and ORDERED them to return the following day at the time given to resume jury selection.

Matter in RECESS.

C-13-294695-1

CUSTODY

CONTINUED TO: 4/9/14 1:00 PM

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits continued. (See attached worksheets.) Following the day's testimony, Court ADMONISHED the Jury and ORDERED them to return the following day at the time given.

OUTSIDE THE PRESENCE OF THE JURY: Marshal Breed advised the Court and counsel juror #1 had approached her to inform her after seeing the family in the Courtroom, he believes the defendant is a distant cousin. Ms. Schifalacqua inquired if any of the defendant's family members were present at the time juror #1 approached her. Marshal Breed advised no. Marshal Breed further advised juror #1 stated he was going to make some phone calls to see if he is related. Marshal Breed stated she informed him he could not make the phone calls and the Court would deal with this matter first thing in the morning. Court advised juror #1 would be excused when the jurors return in the morning.

Matter in RECESS

CUSTODY

CONTINUED TO: 4/10/14 9:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 10, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 10, 2014 9:00 AM Jury Trial

HEARD BY: Cory, Kenneth COURTROOM: RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Beverly Sigurnik

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- JURY TRIAL CONTINUES.

OUTSIDE THE PRESENCE OF THE JURY: Juror #1 questioned regarding statements made to Marshal Breed the following evening as possibly being related to the defendant. COURT ORDERD, Juror #1 EXCUSED.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits resume. (See attached worksheets.)

OUTSIDE THE PRESENCE OF THE JURY: Mr. Otto inquired of what questions he would be allowed to ask of the witness who is a convicted felon. Ms. Pieper advised the only questions that can be asked is what, where, and when; cannot ask as to the underlining facts. Colloquy regarding scheduling.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits resume. (See attached worksheets.)
Following the day's testimony, Court ADMONISHED the Jury and ORDERED, them to return the following day at the time given.

Matter in RECESS.

CUSTODY

CONTINUED TO: 4/11/14 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 11, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 11, 2014 9:00 AM Jury Trial

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Beverly Sigurnik

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- JURY TRIAL CONTINUES

OUTSIDE THE PRESENCE OF THE JURY: Ms. Pieper advised a Second Amended Information had been submitted for filing. Ms. Pieper further advised the Second Amended Information had grammar corrections and correction of charges. SECOND AMENDED INFORMATION FILED IN OPEN COURT. Mr. Otto stated he had done some research as to doing an appeal if necessary and he cannot withdraw as counsel if the defendant receives a life sentence, but can if a non-life sentence is imposed. Colloquy as to having a penalty phase.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits resume (See attached worksheets.)

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding witness schedules. Ms. Schifalacqua advised to the stipulation of exhibits 76, 77, 92, 133, 134, 138 & 139.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits resume (See attached worksheets.)

OUTSIDE THE PRESENCE OF THE JURY: Court noted it had been advised by Marshal Crank juror #12 recognized witness David Johnson. Ms. Schifalacqua advised witness David Johnson advised the same. Juror #12 brought in and questioned regarding knowing witness David Johnson; only knowing him through a friend and they do not socialize. Court inquired of Juror #12 if he would be bias or more in favor of the State. Juror #12 advised it would not. Counsel advised they have no issue keeping Juror #12.

INSIDE THE PRESENCE OF THE JURY: Following the day's testimony, Court ADMONISHED the Jury and ORDERED them to return on the date and time given.

OUTSIDE THE PRESENC OF THE JURY: Court ADMONISHED the defendant regarding his right not to testify.

Matter in RECESS.

CUSTODY

CONTINUED TO: 4/14/14 1:00 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 14, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 14, 2014 1:00 PM Jury Trial

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Beverly Sigurnik

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- JURY TRIAL CONTINUES

OUTSIDE THE PRESENCE OF THE JURY: Mr. Otto moved for a mistrial on the bases of a conversation between officers as to what time their shift ended. Ms. Pieper argued there would have to be prejudice; we were not on the record at the time and the jurors were leaving for a break. Ms. Schifalacqua argued the jury would have to know why the corrections officer was present and who he was; this was a discussion off the record as to what time their shifts ended between themselves. Statements by Mr. Otto. COURT ORDERED, Motion as to Mistrial DENIED.

INSIDE THE PRESENCE OF THE JURY: Testimony and exhibits continued. (See attached worksheet.) At the hour of 2:52 p.m. the State RESTED.

OUTSIDE THE PRESENCE OF THE JURY: Court noted the defendant's mother reported as she was

leaving Friday night, on the ramp outside the Court house, two of the jurors were present as a comment was made in regards to a wasp and her saying "excuse me, I need to use the handrail". Court ADMONISHED the family as to speaking with the jurors. Juror #5 brought in outside the presence of the jury panel and questioned as to the conversation. Juror #7 brought in outside the presence of the jury panel and questioned as to the conversation. Juror #7 expressed being scared and not comfortable making any decisions. Ms. Schifalaqua expressed her concerns with family speaking with the jury and now being scared. Defendant's family brought back in outside the presence of the jury panel and ADMONISHED as to having to excuse a jury member. Court EXCUSED juror #7.

INSIDE THE PRESENCE OF THE JURY: Jury ADMONISHED as to speaking with anyone.

OUTSIDE THE PRESENCE OF THE JURY: Mr. Otto moved for an Adversary Verdict of Not Guilty under NRS 175.381(1). COURT ORDERED, Motion DENIED. Ms. Schifalaqua argued no matter what the verdict is the charge of Possession of Firearm by Ex-Felon will be brought before any penalty phase of the trial. At the hour of 4:09 p.m. the Defense RESTED.

INSIDE THE PRESENCE OF THE JURY: Following the day's testimony, Court ADMONISHED the Jury and ORDERED them to return the next day at the time given.

Matter in RECESS.

CUSTODY

CONTINUED TO: 4/15/14 1:30 PM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 15, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 15, 2014 1:00 PM Jury Trial

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Beverly Sigurnik

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- JURY TRIAL CONTINUES

OUTSIDE THE PRESENCE OF THE JURY: Jury Instructions settled.

INSIDE THE PRESENCE OF THE JURY: Court instructed the Jury on the law. Closing arguments by counsel. Marshal SWORN to take charge of the Jury and Alternates. At the hour of 4:41 p.m., the Jury retired to deliberate. The Jury informed the Marshal they had selected a Foreperson and wish to commence deliberations in the morning and the COURT SO ORDERED.

Matter in RECESS.

CUSTODY

C-13-294695-1

CONTINUED TO: 4/16/14 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 16, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 16, 2014 9:00 AM Jury Trial

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Beverly Sigurnik

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- JURY TRIAL CONTINUES

At the hour of 9:00 a.m., deliberations commence.

OUTSIDE THE PRESENCE OF THE JURY: Jury questions put on the record and admitted as Court's exhibits. Colloquy regarding second phase of trial. **CONFERENCE AT THE BENCH.**

INSIDE THE PRESENCE OF THE JURY: At the hour of 3:10 pm., the Jury returned with the following Verdicts:

COUNT 1 - CONSPIRACY TO COMMIT MURDER (F), GUILTY;
COUNT 2 - MURDER WITH USE OF A DEADLY WEAPON (F), GUILTY OF FIRST DEGREE MURDER WITH USE OF DEADLY WEAPON;

COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), GUILTY OF ATTEMPT MURDER WITH USE OF DEADLY WEAPON;
COUNT 4 - BATTER WITH USE OF A DEADLY WEAPON (F), GUILTY OF BATTERY WITH USE OF A DEADLY WEAPON;
COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), GUILTY OF ATTEMPT MURDER WITH USE OF A DEADLY WEAPON;
COUNT 6 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), GUILTY OF ATTEMPT MURDER WITH USE OF A DEADLY WEAPON;
COUNT 7 - BATTERY WITH USE OF A DEADLY WEAPON (F), GUILTY OF BATTERY WITH USE OF A DEADLY WEAPON;
COUNT 8 - COUNT 17 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), GUILTY (COUNTS 8- 17).

Jury polled at the request of defense counsel.

BIFURCATED PORTION OF TRIAL BEGINS

INSIDE THE PRESENCE OF THE JURY: Second Amended Information FILED IN OPEN COURT regarding Possession of Firearm by Ex-Felon (F). Clerk read Second Amended Information to the Jury. Ms. Schifalacqua advised as to the nature of the charge. Exclusionary Rule WAIVED. Opening statements by Ms. Schifalacqua. Mr. Otto declined to present an opening statement. At the hour of 3:25 p.m. State RESTED. CONFERENCE AT THE BENCH.

OUTSIDE THE PRESENCE OF THE JURY: Jury Instructions settled.

INSIDE THE PRESENCE OF THE JURY: At the hour of 3:43 p.m. Defense RESTED. Court instructed the Jury on the law. Closing statements by counsel. At the hour of 4:02 p.m., the Jury retired to deliberate. At the hour of 4:16 p.m. , the Jury returned with the following Verdict:

COUNT 1 - POSSESSION OF FIREARM BY EX-FELON (F), GUILTY

Jury polled at the request of defense counsel.

Court ADMONISHED the Jury and ORDERED them to return the following day at the time given to begin the Penalty Hearing.

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding instructions and schedule for the penalty phase.

Matter in RECESS

CUSTODY

C-13-294695-1

CONTINUED TO: 4/17/14 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 17, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 17, 2014 9:00 AM Jury Trial

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT:	Ohlinger, Roberta J.	Attorney
	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- JURY TRIAL CONTINUES

PENALTY PHASE

OUTSIDE THE PRESENCE OF THE JURY: Ms. Pieper advised Mr. Otto had not filed any notices of witness; the State will not object to him filing late notices or the family testify. Exclusionary Rule WAIVED.

INSIDE THE PRESENCE OF THE JURY: Opening Statements by counsel. Testimony and exhibits commence. (See attached Worksheets.). At the hour of 10:32 a.m. States RESTED.

OUTSIDE THE PRESENCE OF THE JURY: Court ADMONISHED the Defendant regarding making a sworn or unsworn statement.

INSIDE THE PRESENCE OF THE JURY: Matthew Washington made an unsworn statement of allocution. Testimony and exhibits continued. (See attached Worksheets.) At the hour of 11:28 p.m. Defense RESTED. CONFERENCE AT THE BENCH. Court instructed Jury. Closing arguments by counsel. At the hour of 11:52 p.m., the Jury retired to begin deliberations.

OUTSIDE THE PRESENCE OF THE JURY: Sentencing date given as to the remaining charges. Ms. Pieper requested the Defendant be remanded without bail. COURT SO ORDERED.

INSIDE THE PRESENCE OF THE JURY: At the hour of 1:58 p.m. Jury returned with VERDICT having previously found the Defendant GUILTY of COUNT 2 - MURDER OF THE FIRST DEGREE (F),

The Jury sentenced DEFENDANT to LIFE IN THE NEVADA DEPARTMENT OF CORRECTIONS WITH ELIGIBILITY FOR PAROLE BEGINNING WHEN A MINIMUM OF TWENTY (20) YEARS HAS SERVED.

COURT thanked and excused the jury. COURT ORDERED, matter referred to P&P and SET for Sentencing, Defendant to be held in the Clark County Detention Center WITHOUT BAIL.

CUTODY

6/18/14 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 28, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

April 28, 2014 7:30 AM Minute Order

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The instant case was originally assigned to District Court Department 11 and is currently set for trial to commence April 7, 2014. Due to being engaged in another lengthy trial during the same time period, Department 11 is unable to preside over the instant trial on its scheduled date. The matter is not eligible for overflow due to its expected length.

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

District Court Department 1 is available to take the instant trial and maintain its current trial date setting. Therefore, based on the totality of circumstances present, this Court, as Criminal Presiding Judge, ORDERS, pursuant to EDCR 1.31, the reassignment of the instant case to Department 1 for trial. The attorneys are directed to contact Judge Cory s chambers for further instructions.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 18, 2014

C-13-294695-1 State of Nevada
vs
Matthew Washington

June 18, 2014 9:00 AM Sentencing

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Beverly Sigurnik

REPORTER:

PARTIES

PRESENT:	Otto, David J.	Attorney
	Pieper, Danielle K.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff
	Washington, Matthew	Defendant

JOURNAL ENTRIES

- Defendant Washington PRESENT in custody.

DEFT WASHINGTON ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F), COUNT 2 - MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 4 - BATTERY WITH USE OF DEADLY WEAPON (F), COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 6 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 7 - BATTERY WITH USE OF DEADLY WEAPON (F), COUNT 8 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), COUNT 9 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), COUNT 10 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), COUNT 11 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), COUNT 12 -DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), COUNT 13 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE,

AIRCRAFT, OR WATERCRAFT (F), COUNT14 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), COUNT 15 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), COUNT 16 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), COUNT 17 - DISCHARGING FIREARM AT OR INTO STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT (F), and COUNT 18 - POSSESSION OF FIREARM BY EX-FELON (F).

Arguments by Ms. Schifalacqua. Arguments by Mr. Otto. Statements by the Court.

COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, \$12,015.71 Restitution jointly and severally with co-defendant, and a \$150.00 DNA Analysis fee including testing to determine genetic markers - WAIVED, as to COUNT 1 Deft. SENTENCED to a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED (120) MONTHS; COUNT 2 a MINIMUM of TWO HUNDRED FORTY (240) and a MAXIMUM of LIFE, plus a CONSECUTIVE MINIMUM of SIXTY (60) MONTHS and a MAXIMUM TWO HUNDRED FORTY (240) MONTHS for Use of a Deadly Weapon to run CONCURRENT with COUNT 1; COUNT 3 a MINIMUM of NINETY SIX (96) and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS, plus a CONSECUTIVE MINIMUM of SIXTY (60) MONTHS and a MAXIMUM TWO HUNDRED FORTY (240) MONTHS for Use of a Deadly Weapon to run CONSECUTIVE with COUNT 2; COUNT 4 a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED (120) MONTHS to run CONCURRENT with COUNT 3; COUNT 5 a MINIMUM of NINETY SIX (96) and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS, plus a CONSECUTIVE MINIMUM of SIXTY (60) MONTHS and a MAXIMUM TWO HUNDRED FORTY (240) MONTHS for Use of a Deadly Weapon to run CONSECUTIVE with COUNT 4; COUNT 6 a MINIMUM of NINETY SIX (96) and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS, plus a CONSECUTIVE MINIMUM of SIXTY (60) MONTHS and a MAXIMUM TWO HUNDRED FORTY (240) MONTHS for Use of a Deadly Weapon to run CONSECUTIVE with COUNT 5; COUNT 7 a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED (120) MONTHS to run CONCURRENT with COUNT 6; COUNT 8 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 7; COUNT 9 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 8; COUNT 10 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 9; COUNT 11 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 10; COUNT 12 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 11; COUNT 13 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 12; COUNT 14 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 13; COUNT 15 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 14; COUNT 16 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 15; COUNT17 a MINIMUM of TWENTY EIGHT (28) MONTHS and a

MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 16; COUNT 18 a MINIMUM of TWENTY EIGHT (28) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS to run CONCURRENT with COUNT 17 in the Nevada Department of Correction (NDC) with 225 DAYS credit for time served.

Mr. Otto advised the Public Defender's (PD) Office would be confirming as appellant counsel; further advised he had provided them with a digital copy of the file. Ms. Bakhtary advised the PD's office would be filing a Notice of Appeal.

BOND, if any, EXONERATED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 06, 2018

C-13-294695-1 State of Nevada
vs
Matthew Washington

**February 06, 2018 8:30 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT: Posin, Mitchell L Attorney
State of Nevada Plaintiff
Waters, Steven L Attorney

JOURNAL ENTRIES

- Mr. Posin advised he followed Petition statute; requested a briefing schedule. State submitted. COURT ORDERED, briefing schedule SET; hearing SET; briefing due 2/23/2018, response due 3/09/2018, reply due 3/16/2018.

3/22/2018 - 9:00 AM - HEARING: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 22, 2018

C-13-294695-1 State of Nevada
 vs
 Matthew Washington

March 22, 2018 9:00 AM Hearing

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK:
 Keri Cromer
 Lauren Kidd

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT: Posin, Mitchell L Attorney
 State of Nevada Plaintiff
 Waters, Steven L Attorney

JOURNAL ENTRIES

- Arguments by Mr. Posin regarding ineffectiveness of counsel, original charges, Deft.'s purported criminal history, and improper suggestions made to the jury. Transcript reviewed by Court and Mr. Posin. Arguments by State in opposition thereto. Court stated its findings and ORDERED, Petition DENIED.

NDC

STATE'S EXHIBITS**CASE NO. C294695**

	Date Offered	Objection	Date Admitted
1. Photograph of building with address 2655 on it	4/9/14	NO	4/9/14
2. Photograph of palm tree w/ gate open & crime scene tape	4/9/14	NO	4/9/14
3. Photograph of sidewalk along building	4/9/14	NO	4/9/14
4. Photograph of sidewalk and open gate	4/9/14	NO	4/9/14
5. Photograph of gravel by stairs and bike tires	4/9/14	NO	4/9/14
6. Photograph of door with #18	4/9/14	NO	4/9/14
7. Photograph of cement area with 5 cones and crime scene tape	4/9/14	NO	4/9/14
8. Photograph of building with door w/ #18 and long windows	4/9/14	NO	4/9/14
9. Photograph of man w/ plaid red/white/blue shirt & white undershirt	4/9/14	NO	4/9/14
10. Photograph of full of man w/ plaid red/white/blue shirt & white undershirt & jeans	4/9/14	NO	4/9/14
11. Photograph of living room with man lying on ground	4/9/14	NO	4/9/14
12. Photograph of close up living room with man lying on ground	4/9/14	NO	4/9/14
13. Photograph of couch & curtains	4/9/14	NO	4/9/14
14. Photograph of areal view 2635 & 2655 Sherwood	4/9/14	NO	4/9/14
15. Photograph of areal view 2635 Sherwood & 2655 Sherwood, Apt 18	4/9/14	NO	4/9/14
16. Photograph of areal view of Eastern & Ogden / Eastern & St. Louis	4/9/14	NO	4/9/14
17. Photograph of areal view of Eastern & Ogden / Eastern & St. Louis / 2655 Sherwood	4/9/14	NO	4/9/14
18. Photograph of sign of 200 Eastern Ave.	4/9/14	NO	4/9/14
19. Photograph of sign of 2400 Ogden Ave	4/9/14	NO	4/9/14
20. Photograph of street view of Ogden & Easter with dodge car with open doors	4/9/14	NO	4/9/14
21. Photograph of dodge car with doors open w/ Ogden sign	4/9/14	NO	4/9/14
22. Photograph of close up of dodge car w/ doors open	4/9/14	NO	4/9/14
23. Photograph of drivers side view of dodge car w/ doors open	4/9/14	NO	4/9/14
24. Photograph of back of dodge car w/ license #142 LFP	4/9/14	NO	4/9/14
25. Photograph of dodge car on passenger side	4/9/14	NO	4/9/14
26. Photograph of dodge car driver door open	4/9/14	NO	4/11/14
27. Photograph of inside of dodge car from drivers side (straight angle)	4/9/14	NO	4/11/14
28. Photograph of inside of dodge car from drivers side (right angle)	4/9/14	NO	4/11/14
29. Photograph of VIN #2D4FV48V25H661568	4/9/14	NO	4/11/14
30. Photograph of back seat of car with red jacket & basketball (straight angle)	4/9/14	NO	4/11/14
31. Photograph of back seat of car with red jacket & basketball (right angle)	4/9/14	NO	4/11/14
32. Photograph of back seat of car with console	4/9/14	NO	4/9/14
33. Photograph of back seat of car with console (close up)	4/9/14	NO	4/9/14
34. Photograph of back seat of car with scale	4/9/14	NO	4/10/14
35. Photograph of close up of scale in back seat	4/9/14	NO	4/10/14
36. Photograph of numbers on Taylor scale	4/9/14	NO	4/10/14

STATE'S EXHIBITS**CASE NO. C294695**

	Date Offered	Objection	Date Admitted
72A - Small Brown paper bag containing Smith & Wesson Stainless/Black Smith & Wesson (GUN NOT MARKED)	4/9/14	NO	4/11/14
72B - R-P 9MM Luger Cartridge & Stainless/Black Smith & Wesson Magazine w/ 8 - 9MM Luger Cartridges	4/9/14	NO	4/11/14
73. Medium Brown Paper Bag (w/ Glock 22.40 Cal Semi-Auto Handgun w/ 5" Barrell, R-P 40 S&W Cartridge & Black Glock Magazine Containing one R-P 40 S&W Cartridge)	4/9/14	NO	4/11/14
73A - Small Brown paper bag containing Glock 22.40 Cal Semi-Auto Handgun w/ 5" Barrell (GUN NOT MARKED)	4/9/14	NO	4/11/14
73B - R-P 40 S&W Cartridge & Black Glock Magazine Containing one R-P 40 S&W Cartridge	4/9/14	NO	4/11/14
74. Large Brown Bag (w/ One Black Red & White Chicago Bulls Jacket & Red sweatshirt with "Likeable Assholes" Logo)	4/9/14	NO	4/11/14 NOT OPENED
75. Small Envelope (4 samples of DNA)	4/9/14	NO	4/11/14 NOT OPENED
76. Small White Envelope (w/ DNA Buccal Swab Kit Ashley Scott)	4/9/14	STIP	4/11/14 NOT OPENED
77. Small White Envelope (w/ DNA Buccal Swab Kit Laroy Thomas)	4/9/14	STIP	4/11/14 NOT OPENED
78. Small Envelope (w/ Cartridge Case Bearing Headstamp R-P 40 S&W, Cartridge Case Bearing Headstamp Federal 40 S&W, Cartridge Case Bearing Headstamp R-P 40 S&W, Cartridge Case Bearing Headstamp Federal 40 S&W, Cartridge Case Bearing Headstamp Federal 40 S&W, Cartridge Case Bearing Headstamp R-P 40 S & W)	4/9/14	NO	4/11/14 NOT OPENED
79. Small Envelope (w/ Cartridge Case Bearing Headstamp WIN 9MM Luger, Cartridge Case Bearing Headstamp WIN 9MM Luger, Cartridge Case Bearing Headstamp R-P 40 S&W)	4/9/14	NO	4/11/14 NOT OPENED
80. Small Envelope (Copper Jacket Bullet Fragment, Copper Jacket Bullet Fragment, Bullet, Lead Bullet Fragment, Lead Bullet Fragment, Copper Jacket Bullet Fragment, Copper Jacket Bullet Fragment, Bullet)	4/9/14	NO	4/11/14 NOT OPENED
81. Medium Brown Paper Bag (w/ One White Opaque Plastic Envelope Bearing the Names of "Scott, Ashley" & "Janice Munro" & 1 Clear Plastic Zip Bag, 1 Clear Plastic Speciman Cup w/Blue Lid Bearing a Patient Sticker INO "Scott, Ashley L" Containing 1 Yellow Bullet Bearing Unknown Substance)	4/9/14	NO	4/11/14 NOT OPENED

STATE'S EXHIBITS**CASE NO. C294695**

	Date Offered	Objection	Date Admitted
37. Photograph of man with black hoodie sweat shirt and grey sweatpants	4/9/14	NO	4/10/14
38. Photograph of close up of man with tattoo on left side of neck	4/9/14	NO	4/10/14
39. Photograph of man with white tank top and blue jeans	4/9/14	NO	4/10/14
40. Photograph of close up of man w/ white tank top	4/9/14	NO	4/10/14
41. Photograph of back of man's head	4/9/14	NO	4/10/14
42. Photograph of driver side of dodge car with 2 orange warning stickers	4/9/14	NO	4/10/14
43. Photograph of passenger side of dodge car with 2 orange warning stickers	4/9/14	NO	4/10/14
44. Photograph of smith & Wesson hand gun	4/9/14	NO	4/11/14
45. Photograph of hand gun with clip and bullet	4/9/14	NO	4/11/14
46. Photograph of close up smith & Wesson with model #	4/9/14	NO	4/11/14
47. Photograph of umbrella & hat in car	4/9/14	NO	4/11/14
48. Photograph of glove box w/ papers	4/9/14	NO	4/11/14
49. Photograph of duplicate search warrant on front driver seat of car	4/9/14	NO	4/11/14
50. Photograph of door w/ fingerprint powder	4/9/14	NO	4/11/14
51. Photograph of fingerprint powder w/ #4	4/9/14	NO	4/11/14
52. Photograph of back of dodge car with orange warning sticker	4/9/14	NO	4/11/14
53. Photograph of clothes (white & blue) in car	4/9/14	NO	4/11/14
54. Photograph of tennis shoes & hat in car	4/9/14	NO	4/11/14
55. Photograph of center console open	4/9/14	NO	4/11/14
56. Photograph of red bulls jacket	4/9/14	NO	4/11/14
57. Photograph of red likeable asshole sweatshirt	4/9/14	NO	4/11/14
58. Photograph of white pants, white t-shirt w/ writing on it, 3 hats 2 tennis shoes, black sweatshirt, black & green shorts	4/9/14	NO	4/11/14
59. Photograph of 3 hats, 2 tennis shoes, white t-shirt w/writing	4/9/14	NO	4/11/14
60. Photograph of blue sweatshirt w/ New York U.S. State on it	4/9/14	NO	4/11/14
61. Photograph of grey chargers sweatshirt	4/9/14	NO	4/11/14
62. Photograph of driver seat w/ papers on it	4/9/14	NO	4/10/14
63. Photograph of dashboard	4/9/14	NO	4/10/14
64. Photograph of close up of broken dashboard	4/9/14	NO	4/10/14
65. Photograph of broken dashboard	4/9/14	NO	4/10/14
66. Photograph of black hand gun w/ viridian on it	4/9/14	NO	4/11/14
67. Photograph of black hand gun, clip and bullet	4/9/14	NO	4/11/14
68. Photograph of passenger side of dodge car with fingerprint powder	4/9/14	NO	4/11/14
69. Photograph of door handle of car w/ tape on it	4/9/14	NO	4/11/14
70. CD of 911 1 st call Hill	4/9/14	STIP	4/10/14
71. CD of 911 2 nd call DeSoto	4/9/14	NO	4/9/14
72. Medium Brown Paper Bag (w/ Stainless/Black Smith & Wesson, R-P 9MM Luger Cartridge & Stainless/Black Smith & Wesson Magazine w/ 8 - 9MM Luger Cartridges)	4/9/14	NO	4/11/14

STATE'S EXHIBITS**CASE NO. C294695**

	Date Offered	Objection	Date Admitted
82. Medium Brown Paper Bag (w/ possible swabs & hair)	4/9/14	NO	4/11/14 NOT OPENED
83. White Small Envelope (DNA Buccal Swab Kit)	4/9/14	NO	4/11/14 NOT OPENED
84. Small Envelope (w/ bullet)	4/9/14	NO	4/11/14 NOT OPENED
85. Medium Brown Paper Bag (Bullet in Plastic Vial, Evidence Tag Bearing Chain of Custody Names & Plastic Bag Bearing Name of Laroy Thomas)	4/9/14	NO	4/11/14 NOT OPENED
86. Medium Envelope (w/ Blue Latex Type Gloves Both Turned Inside Out)	4/9/14	NO	4/14/14 NOT OPENED
87. Small White Envelope (DNA Buccal Swab Kit Martell Moten)	4/9/14	NO	4/11/14 NOT OPENED
88. Small White Envelope (DNA Buccal Swab Kit Matthew Washington)	4/9/14	NO	4/11/14 NOT OPENED
89. Medium Brown Paper Bag (Henry & William Dark Blue Hooded sweatshirt w/ a Single Pocket size XL)	4/9/14		
90. Small Envelope (w/ Bullets)	4/9/14	NO	4/11/14 NOT OPENED
91. Small Envelope (w/ #33 Swab of Apparent Blood, #34 Swab of Apparent Blood)	4/9/14	STIP	4/11/14 NOT OPENED
92. Small White Envelope (DNA Buccal Swab Kit Marque Hill)	4/9/14	STIP	4/11/14 NOT OPENED
93. Photograph of Coroner tag w/ the name Nathan Rawls	4/10/14	NO	4/10/14
94. Photograph of man's face w/ #13-10351	4/10/14	NO	4/10/14
95. Photograph of man's back w/ bullet hole	4/10/14	NO	4/10/14
96. Photograph of man's shoulder w/ scar	4/10/14	NO	4/10/14
97. Photograph of man lying on back & abrasion on side near armpit	4/10/14	NO	4/10/14
98. Photograph of man's shoulder w/ bullet hole	4/10/14	NO	4/10/14
99. Photograph of close up of bullet hole in shoulder	4/10/14	NO	4/10/14
100. Photograph of bullet hole through knee	4/10/14	NO	4/10/14
101. Photograph of close up of bullet hole in knee	4/10/14	NO	4/10/14
102. Photograph of knee w/ bullet hole and blue in background	4/10/14	NO	4/10/14
103. Photograph of man lying in hospital bed w/ red rails	4/10/14	NO	4/10/14
104. Photograph of side view of man lying in hospital bed with red shorts	4/10/14	NO	4/10/14

STATE'S EXHIBITS**CASE NO. C294695**

	Date Offered	Objection	Date Admitted
105. Photograph of ruler measuring spot on body	4/10/14	NO	4/10/14
106. Photograph of man knee and foot	4/10/14	NO	4/10/14
107. Photograph of ruler measuring scrape on man's knee	4/10/14	NO	4/10/14
108. Photograph of man's leg & foot	4/10/14	NO	4/10/14
109. Photograph of ruler measuring injury on ankle	4/10/14	NO	4/10/14
110. Photograph of couch, tv and bottom half of man lying on floor	4/10/14	NO	4/10/14
111. Photograph of couch, door and top half of man lying on floor	4/10/14	NO	4/10/14
112. Photograph of refrigerator and sheet hanging across curtains	4/10/14	NO	4/10/14
113. Photograph of couch & table upside down	4/10/14	NO	4/10/14
114. Photograph of corner of couch and 3 holes in wall	4/10/14	NO	4/10/14
115. Photograph of speaker, game system & controller & games on floor	4/10/14	NO	4/10/14
116. Photograph of container w/ food on floor & table upside down	4/10/14	NO	4/10/14
117. Photograph of part of chair and table upside down	4/10/14	NO	4/10/14
118. Photograph of open door with clothing on bed	4/10/14	NO	4/10/14
119. Photograph of clothing on bed and curtain over window	4/10/14	NO	4/10/14
120. Photograph of bed with clothes on it	4/10/14	NO	4/10/14
121. Photograph of open closet with 2 hangers & marks on wall	4/10/14	NO	4/10/14
122. Photograph of wall w/ marks and top of lamp w/ lightbulb	4/10/14	NO	4/10/14
123. Photograph of room w/ door open, corner of bed & tire wheel	4/10/14	NO	4/10/14
124. Photograph of close up of bed w/ red blanket	4/10/14	NO	4/10/14
125. Photograph of bed w/ red blanket	4/10/14	NO	4/10/14
126. Photograph of Women in hospital bed	4/10/14	NO	4/10/14
127. Photograph of injured ankle	4/10/14	NO	4/10/14
128. Photograph of ruler measuring injured ankle	4/10/14	NO	4/10/14
129. Photograph of legs w/ blued pants and socks	4/10/14	NO	4/10/14
130. Photograph of jeans w/ stains	4/10/14	NO	4/10/14
131. Photograph of jeans w/5 green markers	4/10/14	NO	4/10/14
132. Photograph of sock inside out with pink marker	4/10/14	NO	4/10/14
133. Photograph of black boots w/ ruler and pink marker	4/10/14	STIP	4/11/14
134. Photograph of black boots w/ ruler	4/10/14	STIP	4/11/14
135. Photograph of white sock w/ blood and green marker	4/10/14	NO	4/11/14
136. Diagram (Legend 14-34)	4/10/14	NO	4/11/14
137. Diagram (Legend 1-13 & 35)	4/10/14	NO	4/11/14
138. LV Metro PD Victim's Consent for DNA Collection – Marque Hill	4/10/14	STIP	4/11/14
139. LV Metro PD Victim's Consent for DNA Collection – Ashely Scott	4/10/14	STIP	4/11/14
140. LV Metro PD Victim's Consent for DNA Collection – Laroy Thomas	4/10/14	NO	4/11/14
141. Photograph of cement area w/ BBQ, lamp pole and markers 6-10	4/11/14	NO	4/11/14
142. Photograph of cement area w/ markers 1-3, 5-8, & 13	4/11/14	NO	4/11/14
143. Photograph of close up markers 1-5 in cement area	4/11/14	NO	4/11/14
144. Photograph of cement area w/ BBQ and markers 6-12	4/11/14	NO	4/11/14

STATE'S EXHIBITS**CASE NO. C294695**

	Date Offered	Objection	Date Admitted
145. Photograph of ruler #1 of cartridge case	4/11/14	NO	4/11/14
146. Photograph of ruler #2 of cartridge case	4/11/14	NO	4/11/14
147. Photograph of ruler #3 of cartridge case	4/11/14	NO	4/11/14
148. Photograph of ruler #4 of cartridge case	4/11/14	NO	4/11/14
149. Photograph of ruler #5 of cartridge case	4/11/14	NO	4/11/14
150. Photograph of ruler #6 of cartridge case	4/11/14	NO	4/11/14
151. Photograph of ruler #7 of cartridge case	4/11/14	NO	4/11/14
152. Photograph of ruler #8 of cartridge case	4/11/14	NO	4/11/14
153. Photograph of ruler #9 of cartridge case	4/11/14	NO	4/11/14
154. Photograph of ruler #10 of cartridge case	4/11/14	NO	4/11/14
155. Photograph of ruler #11 of cartridge case	4/11/14	NO	4/11/14
156. Photograph of ruler #12 of cartridge case	4/11/14	NO	4/11/14
157. Photograph of door w/#18 and wall with holes and pink markers	4/11/14	NO	4/11/14
158. Photograph of window w/ 11 pink markers	4/11/14	NO	4/11/14
159. Photograph of close up of window w/ 10 pink markers	4/11/14	NO	4/11/14
160. Photograph of hole in wall w/ pink marker A1	4/11/14	NO	4/11/14
161. Photograph of hole in wall w/ pink marker B1	4/11/14	NO	4/11/14
162. Photograph of hole in wall w/ pink marker C1	4/11/14	NO	4/11/14
163. Photograph of hole in window w/ pink marker D1	4/11/14	NO	4/11/14
164. Photograph of pink marker E1	4/11/14	NO	4/11/14
165. Photograph of pink marker E2	4/11/14	NO	4/11/14
166. Photograph of hole in glass w/ pink marker w/ F1	4/11/14	NO	4/11/14
167. Photograph of hole in glass w/ pink marker w/ G1	4/11/14	NO	4/11/14
168. Photograph of hole in glass w/ pink marker w/ H1	4/11/14	NO	4/11/14
169. Photograph of hole in glass w/ pink marker w/ I1	4/11/14	NO	4/11/14
170. Photograph of hole in glass w/ pink marker w/ J1	4/11/14	NO	4/11/14
171. Photograph of hole in glass w/ pink marker w/ K1	4/11/14	NO	4/11/14
172. Photograph of hole in glass w/ pink marker w/ L1	4/11/14	NO	4/11/14
173. Photograph of hole in window w/ pink marker w/ M1	4/11/14	NO	4/11/14
174. Photograph of couch and curtains w/ pink markers	4/11/14	NO	4/11/14
175. Photograph of black table on side w/ pink marker	4/11/14	NO	4/11/14
176. Photograph of curtains, couch, & wall w/ pink markers	4/11/14	NO	4/11/14
177. Photograph of hallway with pink markers and marker 15	4/11/14	NO	4/11/14
178. Photograph of grey couch w/ marker 16 & 17 on it	4/11/14	NO	4/11/14
179. Photograph of couch, curtains w/ pink markers & man lying on floor	4/11/14	NO	4/11/14
180. Photograph of 2 couches, TV & man lying on floor	4/11/14	NO	4/11/14
181. Photograph of couch with orange cone a markers on the wall	4/11/14	NO	4/11/14
182. Photograph of wall w/ pink markers, lamp on floor, iron & toilet paper	4/11/14	NO	4/11/14
183. Photograph of chip in wall bottom part of palm tree	4/11/14	NO	4/11/14
184. Photograph of close up of curtains w/ pink markers	4/11/14	NO	4/11/14
185. Photograph of close pup of material w/ pink marker G3	4/11/14	NO	4/11/14
186. Photograph of hole in wall w/ pink marker G4	4/11/14	NO	4/11/14

STATE'S EXHIBITS**CASE NO. C294695**

	Date Offered	Objection	Date Admitted
187. Photograph of hole in wall w/ pink markers I5 & G5	4/11/14	NO	4/11/14
188. NV DMV Response Vehicle Info	4/11/14	NO	4/11/14
189. Identifiler -PLUS	4/11/14	NO	4/11/14
190. Photograph of set blue latex gloves marked 1 & 2	4/11/14	NO	4/11/14
191. Photograph of 2 photos of blue latex glove (1 glove in each picture (bate stamp 00011))	4/11/14	NO	4/11/14
192. Photograph of 2 photos of blue latex glove (1 glove in each picture (bate stamp 00012))	4/11/14	NO	4/11/14
193. Photograph of The Glock pistol (Item 6)	4/14/14	NO	4/14/14
194. Photograph of Comparison Photo Examples (.40 S&W cc's)	4/14/14	NO	4/14/14
195. Photograph of evidence .40 S&W cc's	4/14/14	NO	4/14/14
196. Photograph of bullet fragments	4/14/14	NO	4/14/14
197. Photograph of Comparison photo examples (all photos: TF from the Glock pi (Item 6) on left Item 29 on right	4/14/14	NO	4/14/14
198. Photograph of Comparison photo examples - 9mm Luger cc's TF's from the S&W pi (Item 4) id'd to Items 14-19	4/14/14	NO	4/14/14
199. Photograph of the Smith & Wesson pistol (Item 4)	4/14/14	NO	4/14/14
200. Photograph of evidence 9mm Luger cc's	4/14/14	NO	4/14/14
201. Photograph of bullet fragments (131105-0479)	4/14/14	NO	4/14/14
202. Judgment of Conviction C263408-3	4/16/14	NO	4/16/14
203. Information C269722-1	4/16/14	NO	4/16/14
204. Information C274118-1	4/16/14	NO	4/16/14
PENALTY PHASE			
205. Photograph of portrait of boy	4/17/14	NO	4/17/14
206. Photograph of man in white shirt w/ arms crossed	4/17/14	NO	4/17/14
207. Photograph of boy and woman	4/17/14	NO	4/17/14
208. Photograph of man and woman with blue jacket	4/17/14	NO	4/17/14
209. Photograph of two men and women in turquoise shirt	4/17/14	NO	4/17/14
210. Photograph of two men and two women	4/17/14	NO	4/17/14
211. Photograph of two men one holding a basket	4/17/14	NO	4/17/14
212. Photograph of group picture w/ man in center w/ red shirt	4/17/14	NO	4/17/14
213. Photograph of man, woman, and two children	4/17/14	NO	4/17/14
214. Photograph of man in white t-shirt, woman and two children	4/17/14	NO	4/17/14
215. Photograph of baby w/ pacifier	4/17/14	NO	4/17/14
216. Photograph of man, woman w/ white hat, and two children	4/17/14	NO	4/17/14
217. Photograph of two pictures w/ man and child	4/17/14	NO	4/17/14
218. Photograph of man and child w/ mirror in background	4/17/14	NO	4/17/14
219. Photograph of child coloring	4/17/14	NO	4/17/14
220. Photograph of man and women sitting on bench	4/17/14	NO	4/17/14
221. Photograph of man holding baby	4/17/14	NO	4/17/14
222. Photograph of two children with Memphis on clothes	4/17/14	NO	4/17/14
223. Photograph of man w/ woman's hat	4/17/14	NO	4/17/14
224. Photograph of baby lying on stomach	4/17/14	NO	4/17/14
225. Photograph of Matthew Washington w/ grey & black jacket on	4/17/14	NO	4/17/14
226. Photograph of Math in blue shirt	4/17/14	NO	4/17/14

STATE'S EXHIBITS**CASE NO. C294695**

	Date Offered	Objection	Date Admitted
227. Photograph of arm w/ tattoos	4/17/14	NO	4/17/14
228. Photograph of hand w/ tattoo "LiL"	4/17/14	NO	4/17/14
229. Photograph of hand w/ tattoo in handcuffs	4/17/14	NO	4/17/14
230. Photograph of stomach w/ tattoo	4/17/14	NO	4/17/14
231. Photograph of chest w/ tattoo of money	4/17/14	NO	4/17/14
232. Photograph of back of neck w/ tattoo	4/17/14	NO	4/17/14
233. Photograph of arm w/ tattoo and handcuff	4/17/14	NO	4/17/14
234. Photograph of arm with tattoo "RICH RR"	4/17/14	NO	4/17/14

DEFENDANT'S EXHIBITS**CASE NO. 230024**

	Date Offered	Objection	Date Admitted
A. Photograph of three children two girls, one boy	4/17/14	NO	4/17/14
B. Photograph of boy and girl in blue shirt	4/17/14	NO	4/17/14
C. Photograph of two girls, one boy with cake	4/17/14	NO	4/17/14
D. Photograph of boy and girl in purple outfit	4/17/14	NO	4/17/14
E. Photograph of women and child w/ flipagram written on it	4/17/14	NO	4/17/14
F. Photograph of boy w/ phone	4/17/14	NO	4/17/14
G. Photograph of three photos w/ flipagram written on it	4/17/14	NO	4/17/14

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT’S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION); NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

MATTHEW WASHINGTON,

Defendant(s).

Case No: C-13-294695-1

Dept No: XXII

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 1 day of May 2018.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk