

IN THE SUPREME COURT OF THE STATE OF NEVADA

DWIGHT CONRAD SOLANDER,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court
Case No. 76405

**RESPONDENT'S APPENDIX
Volume V**

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on May 23, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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Nevada Attorney General

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Chief Deputy District Attorney

BY /s/ E.Davis
Employee, District Attorney's Office

JEV/Joshua Prince/ed

ORIGINAL

GPA

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

JAN 31 2018

BY Jill M Chambers
JILL M CHAMBERS, DEPUTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

C-14-299737-1
GPA
Guilty Plea Agreement
4717578



THE STATE OF NEVADA,

Plaintiff,

-vs-

DWIGHT CONRAD SOLANDER,
#3074262

Defendant.

CASE NO: C-14-299737-1

DEPT NO: XXI

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: **THREE (3) COUNTS of CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony - NRS 200.508 - NOC 55222)**, as more fully alleged in the charging document attached hereto as Exhibit "1."

My decision to plead guilty is based upon the plea agreement in this case which is as follows:

The State retains the right to argue at sentencing.

I agree to the forfeiture of any and all weapons or any interest in any weapons seized and/or impounded in connection with the instant case and/or any other case negotiated in whole or in part in conjunction with this plea agreement.

I understand and agree that, if I fail to obtain an assessment of my risk to reoffend before my scheduled sentencing date, fail to interview with the Department of Parole and Probation (P&P), fail to appear at any subsequent hearings in this case, or an independent

1 magistrate, by affidavit review, confirms probable cause against me for new criminal charges
2 including reckless driving or DUI, but excluding minor traffic violations, the State will have
3 the unqualified right to argue for any legal sentence and term of confinement allowable for the
4 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
5 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, Life without
6 the possibility of parole, Life with the possibility of parole after ten (10) years, or a definite
7 twenty-five (25) year term with the possibility of parole after ten (10) years."

8 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
9 plea agreement.

10 CONSEQUENCES OF THE PLEA

11 I understand that by pleading guilty, I admit the facts which support all the elements of
12 the offenses to which I now plead as set forth in Exhibit "1".

13 **AS TO COUNT 1** – I understand that as a consequence of my plea of guilty the Court
14 must sentence me to imprisonment in the Nevada Department of Corrections for a minimum
15 term of not less than TWO (2) years and a maximum term of not more than TWENTY (20)
16 years. The minimum term of imprisonment may not exceed forty percent (40%) of the
17 maximum term of imprisonment. I understand that I may also be fined.

18 **AS TO COUNT 2** – I understand that as a consequence of my plea of guilty the Court
19 must sentence me to imprisonment in the Nevada Department of Corrections for a minimum
20 term of not less than TWO (2) years and a maximum term of not more than TWENTY (20)
21 years. The minimum term of imprisonment may not exceed forty percent (40%) of the
22 maximum term of imprisonment. I understand that I may also be fined.

23 **AS TO COUNT 3** – I understand that as a consequence of my plea of guilty the Court
24 must sentence me to imprisonment in the Nevada Department of Corrections for a minimum
25 term of not less than TWO (2) years and a maximum term of not more than TWENTY (20)
26 years. The minimum term of imprisonment may not exceed forty percent (40%) of the
27 maximum term of imprisonment. I understand that I may also be fined.

28 I understand that the law requires me to pay an Administrative Assessment Fee.

1 I understand that, if appropriate, I will be ordered to make restitution to the victim of
2 the offenses to which I am pleading guilty and to the victim of any related offense which is
3 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
4 reimburse the State of Nevada for any expenses related to my extradition, if any.

5 **AS TO ALL COUNTS** – I understand that I am not eligible for probation pursuant to
6 NRS 176A.110 unless a psychologist licensed to practice in this State who is trained to conduct
7 psychosexual evaluations or a psychiatrist licensed to practice medicine in this State who is
8 certified by the American Board of Psychiatry and Neurology, Inc., and is trained to conduct
9 psychosexual evaluations certifies in a written report to the court that I do not represent a high
10 risk to reoffend based upon a currently accepted standard of assessment. I understand that,
11 except as otherwise provided by statute, the question of whether I receive probation is in the
12 discretion of the sentencing judge. I understand that my attorney is responsible for obtaining
13 this psychological evaluation and providing it to the Court and the assigned Deputy District
14 Attorney prior to my sentencing.

15 I understand that I must submit to blood and/or saliva tests under the Direction of the
16 Division of Parole and Probation to determine genetic markers and/or secretor status.

17 I understand that if more than one sentence of imprisonment is imposed and I am
18 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
19 the sentences served concurrently or consecutively.

20 I understand that information regarding charges not filed, dismissed charges, or charges
21 to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

22 I have not been promised or guaranteed any particular sentence by anyone. I know that
23 my sentence is to be determined by the Court within the limits prescribed by statute.

24 I understand that if my attorney or the State of Nevada or both recommend any specific
25 punishment to the Court, the Court is not obligated to accept the recommendation.

26 I understand that if the offense(s) to which I am pleading guilty was committed while I
27 was incarcerated on another charge or while I was on probation or parole that I am not eligible
28 for credit for time served toward the instant offense(s).

1 I understand that if I am not a United States citizen, any criminal conviction will likely
2 result in serious negative immigration consequences including but not limited to:

- 3 1. The removal from the United States through deportation;
- 4 2. An inability to reenter the United States;
- 5 3. The inability to gain United States citizenship or legal residency;
- 6 4. An inability to renew and/or retain any legal residency status; and/or
- 7 5. An indeterminate term of confinement, with the United States Federal
8 Government based on my conviction and immigration status.

9 Regardless of what I have been told by any attorney, no one can promise me that this
10 conviction will not result in negative immigration consequences and/or impact my ability to
11 become a United States citizen and/or a legal resident.

12 I understand that the Division of Parole and Probation will prepare a report for the
13 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
14 sentencing, including my criminal history. This report may contain hearsay information
15 regarding my background and criminal history. My attorney and I will each have the
16 opportunity to comment on the information contained in the report at the time of sentencing.
17 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also
18 comment on this report.

19 WAIVER OF RIGHTS

20 By entering my plea of guilty, I understand that I am waiving and forever giving up the
21 following rights and privileges:

- 22 1. The constitutional privilege against self-incrimination, including the right
23 to refuse to testify at trial, in which event the prosecution would not be
allowed to comment to the jury about my refusal to testify.
- 24 2. The constitutional right to a speedy and public trial by an impartial jury,
25 free of excessive pretrial publicity prejudicial to the defense, at which
trial I would be entitled to the assistance of an attorney, either appointed
26 or retained. At trial the State would bear the burden of proving beyond
a reasonable doubt each element of the offense(s) charged.
- 27 3. The constitutional right to confront and cross-examine any witnesses who
28 would testify against me.

- 1 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 2 5. The constitutional right to testify in my own defense.
- 3 6. The right to appeal the conviction with the assistance of an attorney,
- 4 either appointed or retained, unless specifically reserved in writing and
- 5 agreed upon as provided in NRS 174.035(3). I understand this means I
- 6 am unconditionally waiving my right to a direct appeal of this conviction,
- 7 including any challenge based upon reasonable constitutional,
- 8 jurisdictional or other grounds that challenge the legality of the
- 9 proceedings as stated in NRS 177.015(4). However, I remain free to
- 10 challenge my conviction through other post-conviction remedies
- 11 including a habeas corpus petition pursuant to NRS Chapter 34.

12 VOLUNTARINESS OF PLEA

13 I have discussed the elements of all of the original charge(s) against me with my

14 attorney and I understand the nature of the charge(s) against me.

15 I understand that the State would have to prove each element of the charge(s) against

16 me at trial.

17 I have discussed with my attorney any possible defenses, defense strategies and

18 circumstances which might be in my favor.

19 All of the foregoing elements, consequences, rights, and waiver of rights have been

20 thoroughly explained to me by my attorney.

21 I believe that pleading guilty and accepting this plea bargain is in my best interest, and

22 that a trial would be contrary to my best interest.

23 I am signing this agreement voluntarily, after consultation with my attorney, and I am

24 not acting under duress or coercion or by virtue of any promises of leniency, except for those

25 set forth in this agreement.

26 I am not now under the influence of any intoxicating liquor, a controlled substance or

27 other drug which would in any manner impair my ability to comprehend or understand this

28 agreement or the proceedings surrounding my entry of this plea.

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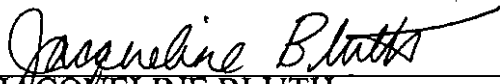
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1 My attorney has answered all my questions regarding this guilty plea agreement and its
2 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

3 DATED this 31 day of JANUARY, 2018.

4 
5
6 DWIGHT CONRAD SOLANDER
Defendant

7 AGREED TO BY:

8 
9 JACQUELINE BLUTH
10 Chief Deputy District Attorney
11 Nevada Bar #010625
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1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the
5 charge(s) to which guilty pleas are being entered.
6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.
8 3. I have inquired of Defendant facts concerning Defendant's immigration status
9 and explained to Defendant that if Defendant is not a United States citizen any
10 criminal conviction will most likely result in serious negative immigration
11 consequences including but not limited to:
12 a. The removal from the United States through deportation;
13 b. An inability to reenter the United States;
14 c. The inability to gain United States citizenship or legal residency;
15 d. An inability to renew and/or retain any legal residency status; and/or
16 e. An indeterminate term of confinement, by with United States Federal
17 Government based on the conviction and immigration status.

18 Moreover, I have explained that regardless of what Defendant may have been
19 told by any attorney, no one can promise Defendant that this conviction will not
20 result in negative immigration consequences and/or impact Defendant's ability
21 to become a United States citizen and/or legal resident.

- 22 4. All pleas of guilty offered by the Defendant pursuant to this agreement are
23 consistent with the facts known to me and are made with my advice to the
24 Defendant.
25 5. To the best of my knowledge and belief, the Defendant:
26 a. Is competent and understands the charges and the consequences of
27 pleading guilty as provided in this agreement,
28 b. Executed this agreement and will enter all guilty pleas pursuant hereto
voluntarily, and
c. Was not under the influence of intoxicating liquor, a controlled
substance or other drug at the time I consulted with the Defendant as
certified in paragraphs 1 and 2 above.

29 Dated: This 30 day of SEP, 2018.

30 
ATTORNEY FOR DEFENDANT

31 jg/SVU

1 AINF
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JACQUELINE BLUTH
6 Chief Deputy District Attorney
7 Nevada Bar #010625
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 DWIGHT CONRAD SOLANDER,
13 #3074262

14 Defendant.

CASE NO. C-14-299737-1

DEPT NO. XXI

AMENDED
INFORMATION

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

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That DWIGHT CONRAD SOLANDER, the Defendant above named, having
20 committed the crime of CHILD ABUSE, NEGLECT, OR ENDANGERMENT
21 RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony - NRS 200.508
22 - NOC 55222), on or between January 19, 2011 and November 11, 2013, within the County
23 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made
24 and provided, and against the peace and dignity of the State of Nevada,

25 COUNT 1

26 Defendant DWIGHT SOLANDER did willfully, unlawfully, and feloniously, being
27 responsible for the safety or welfare of a child under the age of 18 years, to wit: A.S. (DOB:
28 10/21/2001) permit or allow A.S. to suffer unjustifiable physical pain or mental suffering as a

EXHIBIT "1"

1 result of abuse or neglect, to wit: physical injury of a nonaccidental nature and/or negligent
2 treatment or maltreatment, and/or permit or allow A.S. to be placed in a situation where she
3 might have suffered unjustifiable physical pain or mental suffering as a result of abuse or
4 neglect, physical injury of a nonaccidental nature and/or negligent treatment or maltreatment,
5 by repeatedly striking the said A.S. about the buttocks and/or body with a stick, and/or by
6 causing the said A.S. to sit on a bucket for extended periods of time, and/or by causing the
7 said A.S. to hold her urine and/or bowel movements for an extended period of time, and/or by
8 causing the said A.S. to sleep on boards and/or towels with no sheets or blankets with a fan
9 blowing on her, and/or by forcing the said A.S. to take cold showers while pouring pitchers of
10 ice water on her while showering, and/or by withholding food and water from the said A.S.
11 for extended periods of time, and/or by purchasing the catheters for Defendant JANET
12 SOLANDER to insert into A.S.'s genital opening, resulting in substantial bodily and/or mental
13 harm; the Defendant DWIGHT SOLANDER and JANET SOLANDER being criminally
14 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
15 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
16 the intent that this crime be committed, by counseling, encouraging, hiring, commanding,
17 inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a
18 conspiracy to commit this crime, with the intent that this crime be committed, Defendant
19 DWIGHT SOLANDER and JANET SOLANDER aiding or abetting and/or conspiring by
20 Defendant DWIGHT SOLANDER and JANET SOLANDER acting in concert throughout.

21 COUNT 2

22 Defendant DWIGHT SOLANDER did willfully, unlawfully, and feloniously, being
23 responsible for the safety or welfare of a child under the age of 18 years, to wit: A.S. (DOB:
24 DOB: 01/23/2003) permit or allow A.S. to suffer unjustifiable physical pain or mental
25 suffering as a result of abuse or neglect, to wit: physical injury of a nonaccidental nature and/or
26 negligent treatment or maltreatment, and/or permit or allow A.S. to be placed in a situation
27 where she might have suffered unjustifiable physical pain or mental suffering as a result of
28 abuse or neglect, physical injury of a nonaccidental nature and/or negligent treatment or

1 maltreatment, by repeatedly striking the said A.S. about the buttocks and/or body with a stick,
2 and/or by causing the said A.S. to sit on a bucket for extended periods of time, and/or by
3 causing the said A.S. to hold her urine and/or bowel movements for an extended period of
4 time, and/or by causing the said A.S. to sleep on boards and/or towels with no sheets or
5 blankets with a fan blowing on her, and/or by forcing the said A.S. to take cold showers while
6 pouring pitchers of ice water on her while showering, and/or by withholding food and water
7 from the said A.S. for extended periods of time, and/or by purchasing the catheters for
8 Defendant JANET SOLANDER to insert into A.S.'s genital opening, resulting in substantial
9 bodily and/or mental harm; the Defendant DWIGHT SOLANDER and JANET SOLANDER
10 being criminally liable under one or more of the following principles of criminal liability, to
11 wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission
12 of this crime, with the intent that this crime be committed, by counseling, encouraging, hiring,
13 commanding, inducing and/or otherwise procuring the other to commit the crime; and/or (3)
14 pursuant to a conspiracy to commit this crime, with the intent that this crime be committed,
15 Defendant DWIGHT SOLANDER and JANET SOLANDER aiding or abetting and/or
16 conspiring by Defendant DWIGHT SOLANDER and JANET SOLANDER acting in concert
17 throughout.


18 COUNT 3

19 Defendant DWIGHT SOLANDER did willfully, unlawfully, and feloniously, being
20 responsible for the safety or welfare of a child under the age of 18 years, to wit: A.S. (DOB:
21 07/25/2004) permit or allow A.S. to suffer unjustifiable physical pain or mental suffering as a
22 result of abuse or neglect, to wit: physical injury of a nonaccidental nature and/or negligent
23 treatment or maltreatment, and/or permit or allow A.S. to be placed in a situation where she
24 might have suffered unjustifiable physical pain or mental suffering as a result of abuse or
25 neglect, physical injury of a nonaccidental nature and/or negligent treatment or maltreatment,
26 by repeatedly striking the said A.S. about the buttocks and/or body with a stick, and/or by
27 causing the said A.S. to sit on a bucket for extended periods of time, and/or by causing the
28 said A.S. to hold her urine and/or bowel movements for an extended period of time, and/or by

1 causing the said A.S. to sleep on boards and/or towels with no sheets or blankets with a fan
2 blowing on her, and/or by forcing the said A.S. to take cold showers while pouring pitchers of
3 ice water on her while showering, and/or by withholding food and water from the said A.S.
4 for extended periods of time, and/or by purchasing the catheters for Defendant JANET
5 SOLANDER to insert into A.S.'s genital opening, resulting in substantial bodily and/or mental
6 harm; the Defendant DWIGHT SOLANDER and JANET SOLANDER being criminally
7 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
8 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
9 the intent that this crime be committed, by counseling, encouraging, hiring, commanding,
10 inducing and/or otherwise procuring the other to commit the crime; and/or (3) pursuant to a
11 conspiracy to commit this crime, with the intent that this crime be committed, Defendant
12 DWIGHT SOLANDER and JANET SOLANDER aiding or abetting and/or conspiring by
13 Defendant DWIGHT SOLANDER and JANET SOLANDER acting in concert throughout.

14 STEVEN B. WOLFSON
15 Clark County District Attorney
Nevada Bar #001565

16
17 BY


18 JACQUELINE BLUTH
19 Chief Deputy District Attorney
20 Nevada Bar #010625
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22
23
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25
26

27 DA#14F04585A/jg/SVU
28 LVMPD EV#1403041293
(TK12)