

1 **NOASC**
2 **TERRENCE M. JACKSON, ESQ.**
3 Nevada Bar No. 00854
4 Law Office of Terrence M. Jackson
5 624 South Ninth Street
6 Las Vegas, NV 89101
7 T: 702-386-0001 / F: 702-386-0085
8 Terry.jackson.esq@gmail.com
9 *Counsel for Oscar Gomez, Jr.*

Electronically Filed
Jul 26 2018 09:10 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

10
11
12 **IN THE EIGHTH JUDICIAL DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**
14

15	THE STATE OF NEVADA,)	District Case No.: C-16-316959-1
16)	
17	Plaintiff,)	Dept.: XXI
18	v.)	
19)	
20	OSCAR GOMEZ, JR.,)	NOTICE OF APPEAL
21	#1200302,)	
22	Defendant.)	
23)	

24 NOTICE is hereby given that the Defendant, OSCAR GOMEZ, JR., by and through his
25 attorney, TERRENCE M. JACKSON, ESQ., hereby appeals to the Nevada Supreme Court, from the
26 Judgment of Conviction, file-stamped June 22, 2018.

27 Defendant, OSCAR GOMEZ, JR., further states he is indigent and requests that the filing
28 fees be waived.

Respectfully submitted this 17th day of JULY, 2018.

24 /s/ Terrence M. Jackson
25 Terrence M. Jackson, Esquire
26 Nevada Bar No. 00854
27 Law Office of Terrence M. Jackson
28 624 South Ninth Street
Las Vegas, NV 89101
T: 702-386-0001 / F: 702-386-0085
Terry.jackson.esq@gmail.com
Counsel for Oscar Gomez, Jr.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify I am an assistant to Terrence M. Jackson, Esq., not a party to this action, and
3 on the 17th day of July, 2018, I served a true, correct and e-filed stamped copy of the foregoing:
4 Defendant, Oscar Gomez's, NOTICE OF APPEAL as follows:
5

6 [X] Via Odyssey eFile and Serve to the Eighth Judicial District Court;

7 [X] Via the NSC Drop Box on the 1st floor of the Nevada Court of Appeals, located at 408 E.
8 Clark Avenue in Las Vegas, Nevada;

9 [X] and by United States first class mail to the Nevada Attorney General and the Defendant as
10 follows:
11

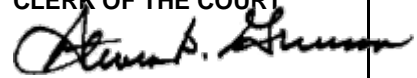
12
13 STEVEN B. WOLFSON
14 Clark County District Attorney
15 steven.wolfson@clarkcountynvda.com
16

STEVEN S. OWENS
Chief Deputy D.A. - Criminal
APPELLATE DIVISION
steven.owens@clarkcountynvda.com

17
18 OSCAR GOMEZ JR.
19 ID# 1200302
20 HDSP - PO BOX 650
Indian Springs, NV 89070-0650

ADAM P. LAXALT
Nevada Attorney General
100 North Carson Street
Carson City, NV 89701

21
22 By: /s/ Ila C. Wills
23 Assistant to T. M. Jackson, Esq.
24
25
26
27
28



ASTA
TERRENCE M. JACKSON, ESQ.
Nevada Bar No. 00854
Law Office of Terrence M. Jackson
624 South Ninth Street
Las Vegas, NV 89101
T: 702-386-0001 / F: 702-386-0085
Terry.jackson.esq@gmail.com

Counsel for Oscar Gomez, Jr.

IN THE EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

OSCAR GOMEZ, JR.,
#1200302,

Defendant.

District Case No.: C-16-316959-1

Dept.: XXI

CASE APPEAL STATEMENT

1. Appellant(s): OSCAR GOMEZ, JR.

2. Judge: VALERIE ADAIR

3. Appellant(s): OSCAR GOMEZ, JR.

Counsel:

Terrence M. Jackson
624 South Ninth Street
Las Vegas, NV 89101
(702) 386-0001

4. Respondent: STATE OF NEVADA

Counsel:

Steven B. Wolfson, District Attorney
200 Lewis Avenue
Las Vegas, NV 89101
(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: YES

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: YES

7. Appellant Represented by Appointed Counsel on Appeal: YES

8. Appellant Granted Leave to Proceed in Forma Pauperis: YES

9. Date Commenced in District Court: August 4, 2016

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

Type of Judgment or Order Being Appealed: Judgment of Conviction after plea of guilty.

11. NO.

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated this 17th day of July, 2018.

/s/ Terrence M. Jackson

Terrence M. Jackson, Esquire

Nevada Bar No. 00854

Law Office of Terrence M. Jackson

624 South Ninth Street

Las Vegas, NV 89101

T: 702-386-0001 / F: 702-386-0085

Terry.jackson.esq@gmail.com

Counsel for Oscar Gomez, Jr.

• • •

...

1 **CERTIFICATE OF SERVICE**

2 I hereby certify I am an assistant to Terrence M. Jackson, Esq., not a party to this action, and
3 on the 17th day of July, 2018, I served a true, correct and e-filed stamped copy of the foregoing:
4 Defendant, OSCAR GOMEZ's, CASE APPEAL STATEMENT as follows:
5

6 [X] Via Odyssey eFile and Serve to the Eighth Judicial District Court;

7 [X] Via the NSC Drop Box on the 1st floor of the Nevada Court of Appeals, located at 408 E.
8 Clark Avenue in Las Vegas, Nevada;

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10 follows:
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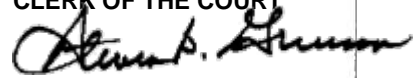
12
13 STEVEN B. WOLFSON
14 Clark County District Attorney
15 steven.wolfson@clarkcountyda.com
16

STEVEN S. OWENS
Chief Deputy D.A. - Criminal Appeals
steven.owens@clarkcountyda.com

17
18 OSCAR GOMEZ JR.
19 ID# 1200302
20 HDSP - P.O. Box 650
21 Indian Springs, NV 89070-0650
22

ADAM LAXALT
Nevada Attorney General
100 North Carson Street
Carson City, Nevada 89701

23
24 By: /s/ Ila C. Wills
25 Assistant to T. M. Jackson, Esq.
26
27
28



REQT

MONTI JORDANA LEVY
Nevada Bar No. 8158
BUSH & LEVY, LLC.
1404 S. Jones Blvd.
Las Vegas, Nevada 89146
(702) 868-4411
Attorney for Defendant
OSCAR GOMEZ

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

THE STATE OF NEVADA,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO.:C-16-316959-1
)	Dept. No.: XXI
)	
OSCAR GOMEZ,)	
)	
)	
Defendant.)	
_____)	

REQUEST FOR ROUGH DRAFT TRANSCRIPT

TO: SUSIE SCHOFIELD, Court Recorder

OSCAR GOMEZ, DEFENDANT named above, by and through his
Attorney MONTI JORDANA LEVY, ESQ., of WRIGHT STANISH & WINCKLER
requests preparation of a rough draft transcript of certain
portions of the proceedings before the district court, as
follows:

Dates of proceeding:

January 16, 2018, and,
June 14, 2018

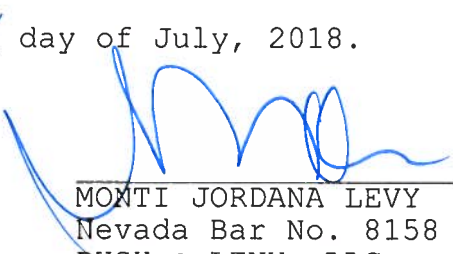
Portions of Transcript Requested: All hearings including any
and all bench conferences.

///

1 This notice requests a transcript of only those portions of
2 the district court proceedings which counsel reasonably and in
3 good faith believes are necessary to determine whether appellate
4 issues are present. Voir dire examination of jurors, opening
5 statements and closing arguments of trial counsel, and the
6 reading of jury instructions shall not be transcribed unless
7 specifically requested above.

8 I recognize that I must personally serve a copy of this form
9 on the above named court reporter and opposing counsel, and that
10 the above named court reporter shall have twenty (20) days from
11 the receipt of this notice to prepare and submit to the district
12 court the rough draft transcript requested herein.

13 DATED this 11th day of July, 2018.

14
15 
16 _____
17 MONTI JORDANA LEVY
18 Nevada Bar No. 8158
19 BUSH & LEVY, LLC.
20 1404 S. Jones Blvd.
21 Las Vegas, Nevada 89146
22 (702) 868-4411
23 Attorney for Defendant
24 OSCAR GOMEZ
25
26
27
28

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-16-316959-1

State of Nevada
vs
Oscar Gomez, Jr.

§	Location:	Department 21
§	Judicial Officer:	Adair, Valerie
§	Filed on:	08/02/2016
§	Cross-Reference Case	C316959
§	Number:	
§	Defendant's Scope ID #:	5990519
§	ITAG Booking Number:	0
§	ITAG Case ID:	1795983
§	Lower Court Case # Root:	16F10719
§	Lower Court Case Number:	16F10719A
§	Metro Event Number:	1606243862

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court				
1. MURDER (SECOND DEGREE) WITH THE USE OF A DEADLY WEAPON PCN: 0029908056 ACN: 1606243862 <i>Filed As:</i> MURDER WITH THE USE OF A DEADLY WEAPON Arrest: 06/29/2016 MET - Metro	F	06/24/2016	Case Flags:	Appealed to Supreme Court Custody Status - Nevada Department of Corrections No Bail Set Charge Description Updated JC Custody Status at Time of B/O <i>AUG 4 2016 10:00AM: IN CUSTODY</i>
Related Cases C-16-316959-2 (Multi-Defendant Case)				

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-16-316959-1
Court	Department 21
Date Assigned	08/02/2016
Judicial Officer	Adair, Valerie






PARTY INFORMATION

Defendant	Gomez, Jr., Oscar	<i>Lead Attorneys</i> Levy, Monti J. <i>Retained</i> 702-382-4004(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)















DATE

EVENTS & ORDERS OF THE COURT














INDEX

08/02/2016	 Criminal Bindover Packet Las Vegas Justice Court
08/03/2016	 Information <i>Information</i>
08/04/2016	 Initial Arraignment (10:00 AM) (Judicial Officer: De La Garza, Melisa)
08/09/2016	 Trial Setting (9:30 AM) (Judicial Officer: Adair, Valerie)
08/15/2016	 Media Request and Order <i>Media Request And Order Allowing Camera Access to Court Proceedings</i>









DEPARTMENT 21
CASE SUMMARY
CASE NO. C-16-316959-1

08/15/2016	 Media Request and Order <i>Media Request And Order Allowing Camera Access to Court Proceedings</i>
08/24/2016	 Media Request and Order <i>Media Request And Order for Camera Access to Court Proceedings KSNV</i>
09/14/2016	 Transcript of Proceedings <i>Reporter's Transcript of Preliminary Hearing 8-2-16</i>
09/16/2016	 Notice of Witnesses and/or Expert Witnesses <i>State's Notice of Expert Witnesses[NRS 174.234(2)]</i>
09/16/2016	 Notice of Witnesses and/or Expert Witnesses <i>State's Notice of Expert Witnesses [NRS 174.234(2)]</i>
09/30/2016	 Notice of Witnesses and/or Expert Witnesses <i>State's Notice of Witnesses</i>
10/06/2016	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie) 10/06/2016, 03/09/2017
10/10/2016	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - per Stipulation</i>
02/16/2017	 Supplemental Witness List <i>State's Supplemental Notice of Expert Witnesses</i>
03/13/2017	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
05/19/2017	 Motion Filed By: Defendant Gomez, Jr., Oscar <i>Defendant's Notice of Motion and Motion to Suppress Statement</i>
05/19/2017	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>Supplemental Notice of Witnesses and/or Expert Witnesses</i>
05/25/2017	 Calendar Call (9:30 AM) (Judicial Officer: Smith, Douglas E.)
05/30/2017	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - per Judge</i>
05/30/2017	 Motion to Suppress (9:30 AM) (Judicial Officer: Adair, Valerie) 05/30/2017, 06/27/2017 <i>Defendant's Motion to Suppress Statement</i>
06/27/2017	Motion (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Deft's Pro Per Motion to Compel Discovery of Exculpatory Evidence</i>
06/27/2017	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
10/02/2017	 Evidentiary Hearing (9:00 AM) (Judicial Officer: Adair, Valerie)

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-16-316959-1

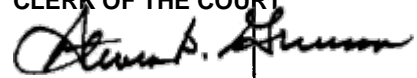
	10/02/2017, 10/09/2017, 10/16/2017 <i>Decision</i>
10/17/2017	 Status Check: Trial Setting (9:30 AM) (Judicial Officer: Adair, Valerie)
10/24/2017	 Motion Filed By: Defendant Gomez, Jr., Oscar <i>Motion for Reasonable Bail Setting</i>
11/02/2017	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - Duplicate Entry</i>
11/07/2017	Status Check: Negotiations/Trial Setting (9:30 AM) (Judicial Officer: Adair, Valerie)
11/07/2017	 Motion (9:30 AM) (Judicial Officer: Adair, Valerie) 11/07/2017, 12/05/2017 <i>Defendant's Motion for Reasonable Bail Setting</i>
11/07/2017	 All Pending Motions (9:30 AM) (Judicial Officer: Adair, Valerie)
11/09/2017	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
11/13/2017	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>
11/13/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Evidentiary Hearing. Heard October 9, 2017</i>
12/20/2017	 Motion to Suppress (11:00 AM) (Judicial Officer: Adair, Valerie)
01/04/2018	 Notice of Motion Filed By: Defendant Gomez, Jr., Oscar <i>Motion to Place on Calendar to Address Trial Readiness</i>
01/08/2018	CANCELED Decision (3:00 AM) (Judicial Officer: Adair, Valerie) <i>Vacated - On in Error</i>
01/16/2018	 Motion (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Defendant's Motion to Place on Calendar to Address Trial Readiness</i>
02/22/2018	 Status Check: Trial Readiness (9:30 AM) (Judicial Officer: Adair, Valerie)
04/11/2018	 Supplemental Witness List <i>State's Second Supplemental Notice of Witnesses</i>
04/13/2018	 List of Witnesses Filed By: Defendant Gomez, Jr., Oscar <i>Defendant's List of Witnesses</i>
04/19/2018	 Calendar Call (9:30 AM) (Judicial Officer: Adair, Valerie)
04/19/2018	 Guilty Plea Agreement

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-16-316959-1

04/19/2018	 Amended Information <i>Amended Information</i>																		
04/19/2018	Plea (Judicial Officer: Adair, Valerie) 1. MURDER (SECOND DEGREE) WITH THE USE OF A DEADLY WEAPON Guilty PCN: 0029908056 Sequence:																		
04/23/2018	CANCELED Jury Trial - FIRM (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Vacated</i>																		
05/18/2018	 PSI																		
05/18/2018	 PSI - Victim Impact Statements																		
06/12/2018	Disposition (Judicial Officer: Adair, Valerie) 1. MURDER (SECOND DEGREE) WITH THE USE OF A DEADLY WEAPON Guilty PCN: 0029908056 Sequence:																		
06/12/2018	Sentence (Judicial Officer: Adair, Valerie) 1. MURDER (SECOND DEGREE) WITH THE USE OF A DEADLY WEAPON Adult Adjudication Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after:10 Years Consecutive Enhancement:Use of a Deadly Weapon, Minimum:96 Months, Maximum:240 Months Credit for Time Served: 716 Days Other Fees 1. , \$18,000.00 To Lucinda James Fee Totals: <table border="0" style="margin-left: 40px;"><tr><td>Administrative</td><td></td></tr><tr><td>Assessment Fee</td><td style="text-align: right;">25.00</td></tr><tr><td>\$25</td><td></td></tr><tr><td>DNA Analysis Fee</td><td style="text-align: right;">150.00</td></tr><tr><td>\$150</td><td></td></tr><tr><td>Genetic Marker</td><td></td></tr><tr><td>Analysis AA Fee</td><td style="text-align: right;">3.00</td></tr><tr><td>\$3</td><td></td></tr><tr><td>Fee Totals \$</td><td style="text-align: right;">178.00</td></tr></table>	Administrative		Assessment Fee	25.00	\$25		DNA Analysis Fee	150.00	\$150		Genetic Marker		Analysis AA Fee	3.00	\$3		Fee Totals \$	178.00
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\$150																			
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\$3																			
Fee Totals \$	178.00																		
06/14/2018	 Sentencing (9:30 AM) (Judicial Officer: Adair, Valerie)																		
06/22/2018	 Judgment of Conviction <i>JUDGMENT OF CONVICTION (PLEA OF GUILTY)</i>																		
07/11/2018	 Request Filed by: Defendant Gomez, Jr., Oscar <i>Request for Rough Draft Transcript</i>																		
07/18/2018	 Notice of Appeal (criminal) Party: Defendant Gomez, Jr., Oscar <i>Notice of Appeal</i>																		
07/18/2018	 Case Appeal Statement Filed By: Defendant Gomez, Jr., Oscar																		

DEPARTMENT 21
CASE SUMMARY
CASE NO. C-16-316959-1

	<i>Case Appeal Statement</i>	
DATE	FINANCIAL INFORMATION	
	Defendant Gomez, Jr., Oscar	
	Total Charges	178.00
	Total Payments and Credits	0.00
	Balance Due as of 7/20/2018	178.00



JOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO. C-16-316959-1

DEPT. NO. XXI

OSCAR GOMEZ, JR. aka
Oscar Gomez
#5990519

Defendant.

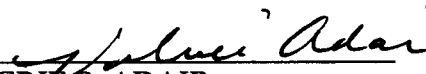

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of MURDER (SECOND DEGREE) WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010, 200.030.2, 193.165; thereafter, on the 14th day of June, 2018, the Defendant was present in court for sentencing with counsel MONTI LEVY, ESQ., and good cause appearing,

1 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to
2 the \$25.00 Administrative Assessment Fee, \$18,800.00 Restitution to Lucina James and \$150.00
3 DNA Analysis Fee including testing to determine genetic markers plus \$3.00 DNA Collection
4 Fee, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows:
5 LIFE with the Eligibility for parole after serving a MINIMUM of TEN (10) YEARS plus a
6 CONSECUTIVE term of a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a
7 MINIMUM parole eligibility of NINETY-SIX (96) MONTHS for the Use of a Deadly Weapon;
8 with SEVEN HUNDRED SIXTEEN (716) DAYS credit for time served.
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10
11 DATED this 18th day of June, 2018.

12
13 
14 VALERIE P. ADAIR
15 DISTRICT COURT JUDGE 
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 04, 2016

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

August 04, 2016 10:00 AM Initial Arraignment

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

COURT CLERK: Kristen Brown

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: GOMEZ, OSCAR, Jr. Defendant
 Jones, Tierra D. Attorney
 Levy, Monti J. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFT. GOMEZ ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial setting in the assigned Department. COURT 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

8/09/16 9:30 AM TRIAL SETTING (DEPT. 21)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 09, 2016

C-16-316959-1 State of Nevada
vs
Oscar Gomez, Jr.

August 09, 2016 9:30 AM Trial Setting

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

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: GOMEZ, OSCAR, Jr. Defendant
Levy, Monti J. Attorney
Schwartzter, Michael J. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Colloquy regarding trial dates. Ms. Levy requested all discovery in the case. The Court advised parties they are under an ongoing obligation to supply all discovery. Ms. Schwartzter stated he will provide discovery as it becomes available. Court SET matter for trial.

CUSTODY

10/6/16 9:30 AM CALENDAR CALL

10/10/16 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 06, 2016

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

October 06, 2016 9:30 AM Calendar Call

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Palal, Binu G.	Attorney
	Schwartzter, Michael J.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Levy requested a joint continuance for both Defts. Upon the Court's inquiry, Ms. Levy stated both Defts WAIVED the 60-day rule. COURT RESET trial date.

CUSTODY

3/9/17 9:30 AM CALENDAR CALL

3/13/17 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 09, 2017

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

March 09, 2017 9:30 AM Calendar Call

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

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: GOMEZ, OSCAR, Jr. Defendant
 Levy, Monti J. Attorney
 Palal, Binu G. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Mr. Matsuda present on behalf of the co-Def.

Colloquy regarding trial readiness. Mr. Matsuda requested additional time with his client. Ms. Levy stated she was aware that Mr. Matsuda was not ready for trial and stopped preparing to go forward the following week. Upon the Court's inquiry, counsel stated that discovery was being provided from the State.

CUSTODY

5/25/17 9:30 AM CALENDAR CALL

5/30/17 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 25, 2017**

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

May 25, 2017 9:30 AM Calendar Call

HEARD BY: Smith, Douglas E.**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Tia Everett**RECORDER:** Susan Schofield**REPORTER:****PARTIES**

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Schwartzner, Michael J.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Levy advised she is requesting to continue the trial as there are witnesses which her investigator is still attempting to locate in order to speak with them as well as she is attempting to set up a visit with the co-defendant for her investigator to speak with him. Upon Court's inquiry, Ms. Levy advised parties have agreed on a new trial date of 11/13/2017. Colloquy regarding scheduling. COURT ORDERED, trial date VACATED and RESET. Additionally, Ms. Levy advised for the record Mr. Matsuda has advised his client will not speak with her investigator. Court so noted.

CUSTODY (BOTH)

11/02/2017 9:30 AM CALENDAR CALL

11/06/2017 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 30, 2017

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

May 30, 2017 9:30 AM Motion to Suppress

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

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Levy, Monti J. Attorney
 Palal, Binu G. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Court noted the Deft. was not present. Ms. Levy stated the Deft. refused transport. Trial date SET by Court. Court FURTHER ORDERED, hearing set for the Motion to Suppress.

CUSTODY

6/27/17 9:30 AM DEFT'S MOTION TO SUPPRESS STATEMENT

11/9/17 9:30 AM CALENDAR CALL

11/13/17 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 27, 2017

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

June 27, 2017 9:30 AM All Pending Motions

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

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: GOMEZ, OSCAR, Jr. Defendant
 Levy, Monti J. Attorney
 Palal, Binu G. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO COMPEL DISCOVERY OF EXCULPATORY EVIDENCE...DEFT'S MOTION TO SUPPRESS STATEMENT

Mr. Palal made no objection to the Motion to Compel. COURT GRANTED MOTION.

As to the Motion to Suppress, Mr. Palal stated an evidentiary hearing would be needed. Court SET matter for evidentiary hearing.

CUSTODY

10/2/17 9:30 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 02, 2017

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

October 02, 2017 9:00 AM Evidentiary Hearing

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

COURT CLERK: Phyllis Irby

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Pilal requested a continuance; informed the Court he had received a message from the Detective on the case, due to the situation on the Strip he wouldn't be available. COURT ORDERED, MATTER CONTINUED.

CUSTODY

10-09-17 9:00 AM EVIDENTIARY HEARING (DEPT. XXI)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 09, 2017**

C-16-316959-1 State of Nevada
vs
Oscar Gomez, Jr.

October 09, 2017 9:00 AM Evidentiary Hearing

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

COURT CLERK: Jill Chambers

RECORDER:

REPORTER:

PARTIES

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Schwartzter, Michael J.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Schwartzter provided the Court with a DVD and stated that due to the sound being too low, parties stipulated to allow the DVD to be admitted and have the Court review it in chambers. Ms. Levy stated the Court could also use the transcript that was provided. Mr. Schwartzter stated that at 9:36:25 on the DVD is where the statement comes in about the lawyers. Ms. Levy stated that the statement could be found on page 26 of the transcript.

Testimony and exhibits presented. (See worksheets)

Argument by counsel. Ms. Levy stated she did ask the Deft. if he wanted to testify and he refused. Ms. Levy further argued to have everything after page 26 in the transcript suppressed. Court advised counsel a decision would be issued from chambers.

Upon inquiry of the Court, Ms. Levy stated that she completed a file review with Detective Mogg and that she and the State were having trouble locating witnesses. Mr. Schwartzter stated Mr. Palal was working on an offer and that parties were working on ranges but the offer was not definite. Court

directed Mr. Schwartzner to make a definitive offer and be prepared to advise the Court of the last and best offer the State was willing to make. Court SET status check to discuss negotiations and to align possible trial dates with the co-Defendant.

CUSTODY

10/17/17 9:30 AM STATUS CHECK: TRIAL SETTING

11/2/17 9:30 AM STATUS CHECK: NEGOTIATIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 16, 2017

C-16-316959-1 State of Nevada
vs
Oscar Gomez, Jr.

October 16, 2017 3:00 AM Evidentiary Hearing

HEARD BY: Adair, Valerie **COURTROOM:** Chambers

COURT CLERK: Jill Chambers

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Motion DENIED at the 10/17/17 Status Check.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 17, 2017**

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

October 17, 2017 9:30 AM Status Check: Trial Setting

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

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield
Gail Reiger

REPORTER:

PARTIES

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted there was a hearing on the Deft's Motion to Suppress that was continued to chambers for a decision. Court FINDS the Deft's statement made on page 26 of the transcript was not an invocation of his right to counsel and ORDERED motion DENIED.

As to the status check, Court advised counsel that the co-Deft's trial would be moved to the same date as Deft. Gomez. Colloquy regarding the offer extended to the Defts. Court confirmed with the Deft. that he was aware of the offer and CONTINUED the matter to allow him to go over it with his attorney.

CUSTODY

CONTINUED TO: 11/7/17 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 07, 2017

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

November 07, 2017 9:30 AM

All Pending Motions

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT'S MOTION FOR REASONABLE BAIL SETTING...STATUS CHECK:
NEGOTIATIONS/TRIAL SETTING

Mr. Palal stated that he reached out to counsel advising them that the lead detective on the case would be out for surgery during the time set for trial. Ms. Levy and Mr. Matsuda made no objection. Court RESET trial date.

Colloquy regarding offers extended to and rejected by the Defts. Court confirmed with both Defts. that they wished to reject the offer. Deft. Delacruz stated he wanted more time to go over it with his attorney. Upon the Court's inquiry, counsel stated everything else was on track for trial.

Argument as to the Deft's motion. Court ORDERED the Court Recorder to prepare transcripts from the evidentiary hearing and advised counsel it would consider the matter further. Court SET matter for decision and continued status check for trial readiness.

CUSTODY

11/28/17 9:30 AM STATUS CHECK: DECISION

2/23/18 9:30 AM STATUS CHECK: TRIAL READINESS

4/19/18 9:30 AM CALENDAR CALL

4/23/18 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 05, 2017

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

December 05, 2017 9:30 AM Motion

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

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT: Levy, Monti J. Attorney
 Palal, Binu G. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- The Court noted that it reviewed everything and was not inclined to set bail.

Colloquy regarding trial readiness. Mr. Palal stated counsel had been in good contact and completed a file review of which they will do another.

Ms. Levy argued regarding bail. Court stated that having reviewed everything, Court ORDERED MOTION DENIED adding that if bail were to be set it would be prohibitive and would include house arrest. Court advised counsel that the February status check STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 20, 2017

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

December 20, 2017 11:00 AM Motion to Suppress

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Defendant s Motion to Suppress Statement is DENIED. The Court finds that the Defendant did not invoke his right to counsel during the interview. The State is directed to prepare the order.

CLERK'S NOTE: The above minute order has been distributed to counsel via email. jmc 12/20/17

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 16, 2018**

C-16-316959-1 State of Nevada
vs
Oscar Gomez, Jr.

January 16, 2018 9:30 AM Motion

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 11C

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Following a conference at the bench, Court advised the Deft. his motion was received regarding his attorney's alleged misconduct and unethical behavior as to defense strategy. Court further advised the Deft. that his attorney is not obligated to pursue any defense strategy that the Deft. feels they should and that she is bound by ethical rules.

Ms. Levy objected to the concerns raised by the Deft. adding that he was refusing visits from her. Court stated that unless there was an actual conflict, the attorney was derelict in their duties or there was unethical behavior displayed by the attorney, appointed counsel would not be removed and advised Deft. that he could represent himself or proceed with Ms. Levy but there was no basis for her removal. The Deft. requested a private meeting with the Court. Court advised the Deft. they could have a close court session to go over issues but Ms. Levy would continue to represent him and the matter would proceed to trial.

February 22, 2018

C-16-316959-1 State of Nevada
vs
Oscar Gomez, Jr.

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Schwartzter, Michael J.	Attorney
	State of Nevada	Plaintiff

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 19, 2018

C-16-316959-1 State of Nevada
 vs
 Oscar Gomez, Jr.

April 19, 2018 9:30 AM Calendar Call

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

COURT CLERK: Jill Chambers

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	GOMEZ, OSCAR, Jr.	Defendant
	Levy, Monti J.	Attorney
	Mendoza, Erika	Attorney
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Levy stated that the Deft. was willing to accept the State's offer. Mr. Palal placed the offer on the record and requested the matter be continued to prepare the guilty plea agreement. Court confirmed with the Deft. of his intention and went over sentence ranges.

MATTER RECALLED

Amended Information FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. GOMEZ ARRAIGNED AND PLED GUILTY TO MURDER (SECOND) WITH USE OF A DEADLY WEAPON (F). Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for SENTENCING.

CUSTODY

6/7/18 9:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-16-316959-1 State of Nevada
vs
Oscar Gomez, Jr.

June 14, 2018**9:30 AM****Sentencing****HEARD BY:** Adair, Valerie**COURTROOM:** RJC Courtroom 11C**COURT CLERK:** Jill Chambers**RECORDER:** Susan Schofield**REPORTER:****PARTIES**

PRESENT:	Gomez, Jr., Oscar	Defendant
	Levy, Monti J.	Attorney
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Argument by counsel. Statement by the Deft. Victim speakers, SWORN and TESTIFIED. DEFT GOMEZ ADJUDGED GUILTY of MURDER (SECOND DEGREE) WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$18,800.00 in restitution payable to Lucinda James, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to a MINIMUM of TEN (10) YEARS and a MAXIMUM of LIFE in the Nevada Department of Corrections (NDC) with a CONSECUTIVE sentence of a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon, with SEVEN HUNDRED SIXTEEN (716) DAYS credit for time served.

NDC

EXHIBIT(S) LIST

Case No.: C316959

Hearing / Trial Date: OCT 09 2017

Dept. No.: Xx1

Judge: VALERIE ADAIR

Court Clerk: JILL M CHAMBERS

Plaintiff: State of Nevada

Recorder / Reporter: SUSAN SCHOFIELD

Counsel for Plaintiff: Michael Schwartz

VS.

Defendant: Oscar Gomez

Counsel for Defendant: Monti Levy

HEARING / TRIAL BEFORE THE COURT

State's EXHIBITS

[illegible]

Certification of Copy

State of Nevada }
County of Clark } SS:

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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

OSCAR GOMEZ, JR.
aka OSCAR GOMEZ,

Defendant(s).

Case No: C-16-316959-1

Dept No: XXI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 20 day of July 2018.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk