

Steven D. Grierson

Erick M. Brown
92713 In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018

Electronically Filed
Feb 27 2019 02:57 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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

ERICK M. BROWN

Plaintiff,

vs.

THE STATE OF NEVADA

Defendant.

03C189658-1

Case No. 189658-1

Dept. No. XXV

Docket _____

NOTICE OF APPEAL

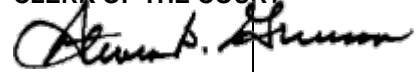
NOTICE IS HEREBY GIVEN, That the Petitioner/
ERICK M. BROWN, in and through his proper person, hereby
appeals to the Supreme Court of Nevada from the ORDER denying and/or
dismissing the Writ of Habeas Corpus / Subject Matter Jurisdiction
Actual Innocence

ruled on the 27 day of June, 20 18.

Dated this 26 day of January, 20 19.

Respectfully Submitted,

Erick M. Brown



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6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 ERICK M. BROWN
14 aka FREDRICK M. BROWN,

15 Defendant(s),

Case No: 03C189658-1

Dept No: XXV

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Erick M. Brown

20 2. Judge: Kathleen E. Delaney

21 3. Appellant(s): Erick M. Brown

22 Counsel:

23 Erick M. Brown #92713
24 P.O. Box 208
25 Indian Springs, NV 89070

26 4. Respondent: The State of Nevada

27 Counsel:

28 Steven B. Wolfson, District Attorney
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. Has Appellant Ever Been 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: January 28, 2003

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): 44588, 47856, 60197, 64443, 64622, 64907, 64992,
65690, 68072, 76588, 76789

12. Child Custody or Visitation: N/A

Dated This 25 day of February 2019.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

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

cc: Erick M. Brown

Erick M. Brown, 92713
Petitioner/In Propria Persona
Post Office Box 208, SDCC
Indian Springs, Nevada 89070-0208

Steven D. Grierson

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF CLARK

Erick M. Brown
Plaintiff,

vs.

The State of Nevada
Defendant.

03C189658-1

CASE No. 189658-1

DEPT.No. XXV

DESIGNATION OF RECORD ON APPEAL

TO: Clerk of the Court
200 Lewis Ave 3rd Fl.
Las Vegas, NV 89155

The above-named Plaintiff hereby designates the entire record of the above-entitled case, to include all the papers, documents, pleadings, and transcripts thereof, as and for the Record on Appeal.

DATED this 26 day of January, 2019.

RESPECTFULLY SUBMITTED BY:

Erick M. Brown
Erick M. Brown # 92713
Plaintiff/In Propria Persona

CERTIFICATE OF SERVICE BY MAILING

I, Erick M. Brown, hereby certify, pursuant to NRCP 5(b), that on this 26
day of January, 2019, I mailed a true and correct copy of the foregoing, "Writ of
Habeas Corpus/Subject Matter Jurisdiction/Actual Innocence"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

clerk of the Court
200 Lewis Ave 3rd Fl.
Las Vegas, NV 89155

CC:FILE

DATED: this 26 day of Jan., 2019.

Erick M. Brown
ERICK M. BROWN # 92713
Petitioner /In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. 03C189658-1

The State of Nevada vs Erick M Brown

§	Location:	Department 25
§	Judicial Officer:	Delaney, Kathleen E.
§	Filed on:	01/28/2003
§	Case Number History:	
§	Cross-Reference Case	C189658
§	Number:	
§	Defendant's Scope ID #:	1895908
§	Lower Court Case # Root:	02FH01222
§	Lower Court Case Number:	02FH01222A
§	Supreme Court No.:	60197
§		64443
§		64622
§		64907
§		64992
§		65690
§		68072
§		76588
§		76789

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. BURGLARY WHILE IN POSSESSION OF A FIREARM	F	01/01/1900	Case Status:	06/11/2012 Closed
2. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN	F	01/01/1900		
3. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	F	01/01/1900		
4. ROBBERY WITH USE OF A DEADLY WEAPON VICTIM 65 YEARS OF AGE OR OLDER	F	01/01/1900		
5. ROBBERY WITH USE OF A DEADLY WEAPON	F	01/01/1900		

Related Cases

03C189658-2 (Multi-Defendant Case)

Statistical Closures

06/11/2012	Jury Trial - Conviction - Criminal
06/21/2006	USJR Reporting Statistical Closure
11/04/2003	USJR Reporting Statistical Closure

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	03C189658-1
Court	Department 25
Date Assigned	08/06/2012
Judicial Officer	Delaney, Kathleen E.

PARTY INFORMATION

Defendant	Brown, Erick M	<i>Lead Attorneys</i>
		Pro Se
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE



















EVENTS & ORDERS OF THE COURT

INDEX

CASE SUMMARY

CASE NO. 03C189658-1

EVENTS

01/28/2003	 Information
01/30/2003	 Criminal Bindover
02/28/2003	 Reporters Transcript <i>Transcript of Hearing Held on January 22, 2003</i>
03/17/2003	 Notice of Expert Witnesses <i>Notice of Expert Witness</i>
03/17/2003	 Notice of Witnesses <i>Notice of Alibi Witness</i>
03/21/2003	 Notice of Witnesses <i>Notice of Alibi Witness</i>
03/21/2003	 Notice of Expert Witnesses <i>Notice of Expert Witness</i>
03/24/2003	 Notice of Motion <i>Notice of Motion and Motion to Suppress Photo Line-up and In-court Identification</i>
03/26/2003	 Petition for Writ of Habeas Corpus
03/26/2003	 Receipt of Copy
03/27/2003	 Order
04/02/2003	 Opposition to Motion <i>Opposition to Motion to Suppress Photo Lineup and In-court Identification</i>
04/08/2003	 Return to Writ of Habeas Corpus
04/22/2003	 Notice of Motion <i>Notice of Motion and Motion to Reduce Bail</i>
04/22/2003	 Order Denying Motion <i>Order Denying Defendant's Motion to Suppress Photo Lineup and In-court Identification</i>
04/25/2003	 Ex Parte Motion <i>Ex Parte Motion and Order Allowing Private Investigator, Jim Thomas, to have Contact Visits</i>
04/28/2003	 Motion <i>Motion for Bail Hearing</i>
04/28/2003	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Reduce Bail</i>
04/30/2003	





















CASE SUMMARY

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	 Receipt of Copy
05/06/2003	 Opposition to Motion <i>Opposition to Motion for Bail Hearing</i>
05/12/2003	 Order Denying Motion <i>Order Denying Defendant's Motion for Bail</i>
06/03/2003	 Motion to Compel <i>Motion to Compel Discovery</i>
06/03/2003	 Motion to Sever <i>Motion to Sever Trial</i>
06/03/2003	 Receipt of Copy
06/03/2003	 Receipt of Copy
06/06/2003	 Motion <i>Motion for Faretta Hearing</i>
06/06/2003	 Motion <i>Motion for Arraignment Transcripts</i>
06/06/2003	 Motion <i>Motion for Discoverable Evidence (NRS 174.233 to 174.295, Inclusive)</i>
06/06/2003	 Petition for Writ of Habeas Corpus
06/06/2003	 Motion <i>Motion for Evidentiary Hearing</i>
06/06/2003	 Motion in Limine <i>Motion in Limine Petrocelli Hearing (2nd Attempt)</i>
06/06/2003	 Motion <i>Motion for Latent Prints (2nd Attempt to File)</i>
06/10/2003	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234(1)(b)]</i>
06/17/2003	 Expert Witness List <i>Defendant's Witness List - N.R.S. 174.234</i>
06/17/2003	 Order for Petition for Writ of Habeas Corpus <i>Order RePetition for Writ of Habeas Corpus</i>
06/20/2003	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Sever Trial</i>
06/27/2003	

CASE SUMMARY




















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	 Order <i>Order to Transport to Polygraph Erick Marquis Brown, #1895908</i>
06/30/2003	 Notice of Motion <i>Notice of Motion and Motion to Take a Witness Out of Order, or, in the Alternative, Continue Trial</i>
07/22/2003	 Amended Information
07/22/2003	 Jury List
07/24/2003	 Guilty Plea Agreement
07/24/2003	 Amended Information <i>Second Amended Information</i>
07/28/2003	 Ex Parte Motion <i>(Ex-Parte) Motion for Courts Re-Consideration to Appoint Necessary Standby Counsel for Not only the Defendant/Counsel but also for the Courts Standing as Well.</i>
08/04/2003	 Motion <i>Motion for Production of Discoverable Evidence</i>
08/06/2003	 Motion to Dismiss <i>Motion to Dismiss Information Failure to Disclose Evidence - Brady Violation -</i>
08/06/2003	 Motion <i>Motion for All Hearing Transcripts Starting on 1-22-03 to Present Date?</i>
08/06/2003	 Ex Parte Motion <i>(Ex Parte) Motion for Indigent Status</i>
08/27/2003	 Subpoena Duces Tecum
09/18/2003	 Subpoena Duces Tecum
10/01/2003	 Judgment of Conviction <i>Judgment of Conviction (Plea of Guilty)</i>
10/10/2003	 Subpoena Duces Tecum
10/15/2003	 Subpoena Duces Tecum
10/24/2003	 Designation of Record on Appeal
10/24/2003	 Notice of Appeal
10/24/2003	 Case Appeal Statement
11/05/2003	 Motion to Dismiss Counsel

CASE SUMMARY

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Motion to Withdraw Counsel

11/05/2003	 Motion <i>Motion for Production of Documents, Papers, Pleadings and Tangible Property of Defendant</i>
11/05/2003	 Motion <i>Motion for Transcripts of State Expense</i>
11/05/2003	 Notice of Motion
11/24/2003	 Ex Parte Application <i>Ex-Parte Application to Appoint Archie Von Ahn as Investigator, and for Fees in Excess of Statutory Maximum</i>
12/03/2003	 Request <i>Request for Rough Draft Transcript</i>
12/18/2003	 Reporters Transcript <i>Transcript of Hearing Held on July 24, 2003</i>
01/15/2004	 Reporters Transcript <i>Transcript of Hearing Held on September 23, 2003</i>
03/17/2004	 Order <i>Order Authorizing Contact Visit</i>
04/05/2004	 Motion to Dismiss
04/20/2004	 Receipt of Copy
05/07/2004	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
05/11/2004	 Opposition to Motion to Dismiss <i>State's Opposition to Defendant's Motion to Dismiss</i>
05/13/2004	 Subpoena Duces Tecum
05/14/2004	 Subpoena Duces Tecum
05/14/2004	 Subpoena Duces Tecum
05/17/2004	 Subpoena Duces Tecum
05/18/2004	 Notice of Motion <i>Notice of Motion and Motion to Suppress Photo Line-up and In-court Identification</i>
05/19/2004	 Subpoena Duces Tecum
06/29/2004	 Notice of Motion

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Notice of Motion and Motion to Withdraw as Attorney of Record

07/06/2004	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Suppress Photo Line-up and In-court Identification</i>
08/30/2004	 Notice of Motion <i>Notice of Motion and Motion for Discovery</i>
09/20/2004	 Reporters Transcript <i>Transcript of Hearing Held on September 16, 2004</i>
09/23/2004	 Ex Parte Application <i>Ex-Parte Application to Appoint Phillip Needham as Investigator, and for Fees in Excess of Statutory Maximum</i>
11/04/2004	 Notice of Expert Witnesses <i>Notice of Expert Witnesses [NRS 174.234(2)]</i>
11/04/2004	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234(1)(a)]</i>
11/09/2004	 Petition for Writ of Habeas Corpus <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
11/19/2004	 Order for Production of Inmate <i>Order for Production of Inmate Alfred Blackwell, BAC #78744</i>
12/03/2004	 Order Approving <i>Order Approving Ex-Parte Application to Appoint Philip Needham as the Investigator and Approval of Fees in Excess of the Statutory Maximum</i>
12/13/2004	 Motion <i>Defendant Erick Brown's Motion for Reasonable Bail</i>
12/13/2004	 Order for Petition for Writ of Habeas Corpus
12/15/2004	 Opposition <i>State's Opposition to Defendant's Petition for Writ of Habeas Corpus</i>
12/28/2004	 Request <i>Request for Rough Draft Transcript</i>
01/05/2005	 Affidavit <i>Affidavit in Response to Post-Conviction Writ of Habeas Corpus</i>
01/20/2005	 Order Denying Motion <i>Order Denying Defendant's Motion for Reasonable Bail</i>
01/24/2005	 Notice of Hearing
01/26/2005	 Supplemental

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Supplemental Affidavit in Response to Post-Conviction Writ of Habeas Corpus

02/01/2005	 Order for Production of Inmate <i>Order for Production of Inmate Alfred Blackwell, BAC #78744</i>
02/02/2005	 Reporters Transcript <i>Transcript of Hearing Held on December 16, 2004</i>
02/15/2005	 Motion <i>Motion to Transport and Produce Inmate</i>
02/15/2005	 Request <i>Petitioner's Request for Appointment of Counsel</i>
02/15/2005	 Notice of Hearing
02/15/2005	 Notice of Motion
03/03/2005	 Order for Production of Inmate <i>Order for Production of Inmate Alfred Maurice Blackwell, BAC #7844</i>
03/07/2005	 Order Denying Motion <i>Order Denying Defendant's Motion to Appoint Counsel</i>
03/18/2005	 Opposition <i>State's Opposition to Defendant's Request for Appointment of Counsel</i>
03/22/2005	 Request <i>Request for Rough Draft Transcript</i>
03/22/2005	 Request <i>Request for Rough Draft Transcript</i>
03/31/2005	 Reporters Transcript <i>Transcript of Hearing Held on April 17, 2003</i>
04/08/2005	 Order Granting Motion <i>Order Granting Defendant's Motion to Inspect Files</i>
04/19/2005	 Notice of Hearing
04/20/2005	 Reporters Transcript <i>Transcript of Hearing Held on July 22, 2003</i>
04/20/2005	 Reporters Transcript <i>Transcript of Hearing Held on July 23, 2003</i>
04/21/2005	 Order for Production of Inmate <i>Order for Production of Inmate Alfred Blackwell, BAC #78744</i>
04/25/2005	 Reply

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Reply to State's Opposition to Petitioner's Request for Appointment of Counsel

11/15/2005	 Ex Parte Motion <i>Exparte Motion and Order Allowing Richard Franky, LPI and/or an Agent of RDF Investigative Agency; Specifically Investigator Liza Gripenrog, to have Contact Visits in the Clark County Detention Center.</i>
11/15/2005	 Notice of Hearing
11/18/2005	 Order for Production of Inmate <i>Order for Production of Inmate Alfred Blackwell, BAC #78744</i>
12/01/2005	 Motion for Appointment of Attorney <i>Motion for Appointment of Counsel for Writ of Habeas Corpus/Post-Conviction</i>
12/07/2005	 Opposition to Motion <i>State's Opposition to Defendant's Motion for Appointment of Counsel</i>
12/20/2005	 Order Granting Motion <i>Order Granting Defendant's Motion to Inspect Files</i>
12/29/2005	 Ex Parte Application <i>Ex-Parte Application for Additional Fees in Excess of Statutory Maximum</i>
01/10/2006	 Stipulation and Order <i>Stipulation and Order for Release of Evidence</i>
01/12/2006	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234(1)(a)]</i>
01/18/2006	 Receipt <i>Receipt of Exhibits</i>
01/18/2006	 Notice of Expert Witnesses <i>Notice of Expert Witnesses [NRS 174.234(2)]</i>
01/20/2006	 Order Approving <i>Order Approving Ex-Parte Application for Fees in Excess of the Statutory Maximum</i>
01/20/2006	 Order Approving <i>Order Approving Ex-Parte Application for Fees in Excess of the Statutory Maximum</i>
01/24/2006	 Order <i>Order for Transcript</i>
02/02/2006	 Order for Production of Inmate <i>Order for Production of Inmate Alfred Blackwell, BAC #78744</i>
02/06/2006	 Order Granting Motion <i>Order Granting Defendant's Motion to Produce Prints</i>
02/14/2006	 Notice of Motion

CASE SUMMARY





















CASE NO. 03C189658-1

Notice of Motion and Motion to Continue

04/04/2006	 Findings of Fact, Conclusions of Law and Order
04/04/2006	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
04/05/2006	 Notice of Expert Witnesses <i>Notice of Expert Witnesses [NRS 174.234(2)]</i>
04/06/2006	 Case Appeal Statement
04/06/2006	 Notice of Entry of Decision and Order
05/05/2006	 Order for Production of Inmate <i>Order for Production of Inmate Alfred Blackwell, BAC #78744</i>
05/22/2006	 Order Granting <i>Order Granting Defendant's Handwriting Expert Access to Certain Evidence</i>
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/20/2006	 Subpoena Duces Tecum
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/20/2006	 Subpoena Duces Tecum
06/20/2006	 Subpoena Duces Tecum
06/20/2006	 Subpoena Duces Tecum
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/20/2006	 Subpoena Duces Tecum

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06/20/2006	 Subpoena Duces Tecum
06/20/2006	 Subpoena Duces Tecum
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/20/2006	 Subpoena Duces Tecum <i>Criminal Subpoena Duces Tecum</i>
06/21/2006	 Notice of Witnesses <i>Notice of Witnesses [NRS 174.234(1)(B)]</i>
06/21/2006	 Proposed Jury Instructions Not Used At Trial <i>Defendant's Proposed Jury Instructions</i>
06/22/2006	 Supplemental <i>Supplemental Notice of Witnesses [NRS 174.234(1)(b)]</i>
06/26/2006	 Amended Information
06/27/2006	 Jury List
06/30/2006	 Verdict
06/30/2006	 Instructions to the Jury
07/06/2006	 Proposed Jury Instructions Not Used At Trial
08/02/2006	 PSI <i>Pre-Sentence Investigation Report (Unfiled) Confidential</i>
08/04/2006	 Reporters Transcript <i>Transcript of Hearing Held on March 10, 2006</i>
08/08/2006	 Receipt <i>Receipt of Exhibits</i>
08/08/2006	 Order
08/11/2006	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
08/15/2006	 Case Appeal Statement
08/15/2006	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
08/16/2006	 Judgment of Conviction

CASE SUMMARY



CASE NO. 03C189658-1

Judgment of Conviction (Jury Trial)

08/28/2006	 Case Appeal Statement
08/28/2006	 Notice of Appeal (criminal) <i>Notice of "Direct" Appeal</i>
10/19/2006	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
11/13/2006	 Ex Parte Motion <i>Ex Parte Motion for Request for Rough Draft Transcripts</i>
12/15/2006	 Ex Parte Order <i>Ex Parte Order for Rough Draft Transcripts</i>
01/18/2007	 Reporters Transcript <i>Transcript of Hearing Held on June 26, 2006</i>
01/18/2007	 Reporters Transcript <i>Transcript of Hearing Held on June 27, 2006</i>
01/18/2007	 Reporters Transcript <i>Transcript of Hearing Held on June 30, 2006</i>
01/18/2007	 Reporters Transcript <i>Transcript of Hearing Held on June 28, 2006</i>
01/18/2007	 Reporters Transcript <i>Transcript of Hearing Held on June 29, 2006</i>
10/12/2007	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
06/17/2008	 Order Granting <i>Consent Order Granting Substitution of Attorney</i>
08/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on August 19, 2003</i>
09/26/2008	 Ex Parte Motion <i>Ex Parte Motion for Trial and Pretrial Transcripts</i>
10/06/2008	 Order <i>Order for Production of Transcripts at Defendants Expense</i>
10/10/2008	 Petition for Writ of Habeas Corpus <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
10/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on April 19, 2004</i>

CASE SUMMARY

CASE NO. 03C189658-1

10/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on August 7, 2003</i>
10/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on July 15, 2003</i>
10/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on July 16, 2003</i>
10/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 23, 2003</i>
10/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 24, 2003</i>
10/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on November 16, 2004</i>
10/13/2008	 Reporters Transcript <i>Transcript of Hearing Held on January 10, 2006</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 20, 2006</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on March 29, 2005</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on May 12, 2004</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 27, 2006</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 28, 2006</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 30, 2006</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on April 17, 2003</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on December 16, 2004</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 29, 2006</i>
10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on December 2, 2003</i>


















CASE SUMMARY

CASE NO. 03C189658-1

10/27/2008	 Reporters Transcript <i>Transcript of Hearing Held on June 26, 2006</i>
11/12/2008	 Reporters Transcript <i>Transcript of Hearing Held on September 13, 2004</i>
12/03/2008	 Stipulation and Order <i>Stipulation and Order to Continue Briefing of Petition for Writ of Habeas Corpus (Post Conviction)</i>
03/24/2009	 Stipulation and Order <i>Stipulation and Order to Continue Briefing of Petition for Writ of Habeas Corpus (Post Conviction)</i>
04/06/2009	 Affidavit <i>Affidavit of Michael V. Cristalli, Esq. in Response to Allegation of Ineffective Assistance of Counsel as Alleged Within Petition for Writ of Habeas Corpus (Post Conviction)</i>
05/22/2009	 Supplement <i>Supplement to Petition for Writ of Habeas Corpus (Post Conviction)</i>
07/17/2009	 Opposition <i>State's Opposition to Defendant's Petition for Writ of Habeas Corpus (Post Conviction) and Supplemental to Defendant's Petition for Writ of Habeas Corpus</i>
08/05/2009	 Motion to Continue <i>Motion to Continue Hearing on Defendant's Petition for Writ of Habeas Corpus (Post Conviction)</i>
08/10/2009	 Ex Parte Motion <i>Ex Parte Motion for Order Shortening Time</i>
08/21/2009	 Motion <i>Motion for Evidentiary Hearing</i>
08/21/2009	 Reply <i>Reply to State's Opposition to Defendant's Petition for Writ of Habeas Corpus (Post Conviction) and Supplemental to Defendant's Petition for Writ of Habeas Corpus</i>
09/01/2009	 Opposition to Motion <i>State Opposition to Defendant's Motion for Evidentiary Hearing</i>
11/19/2009	 Petition for Writ of Habeas Corpus <i>Amendment to Petition for Writ of Habeas Corpus N.R.S. 34.360-830 and Motion for Court Ordered Subpoena</i>
12/10/2009	 Order for Production of Inmate <i>Order for Production of Inmate Erick M. Brown, BAC #92713</i>
01/27/2010	 Petition for Writ of Habeas Corpus <i>Amendment to Petition for Writ of Habeas Corpus N.R.S. 34.360-830 and Motion for Court Ordered D.N.A. and Forensic Laboratory Testing</i>

CASE SUMMARY

CASE NO. 03C189658-1

03/18/2010	 Motion for Discovery
04/05/2010	 Opposition to Motion <i>State's Opposition to Defendant's Motion for Discovery</i>
02/15/2011	 Order for Production of Inmate <i>Order for Production of Inmate Erick M Brown, BAC #92713</i>
06/30/2011	 Order for Production of Inmate <i>Order for Production of Inmate Erick M. Brown, BAC #92713</i>
07/28/2011	 Order for Production of Inmate <i>Order for Production of Inmate Erick M. Brown, Bac #92713</i>
09/29/2011	 Order for Production of Inmate <i>Order for Production of Inmate Erick M. Brown, Bac #92713</i>
12/14/2011	 Order Setting Hearing <i>Order Resetting Evidentiary Hearing</i>
12/14/2011	 Stipulation <i>Stipulation to Continue Evidentiary Hearing</i>
01/10/2012	 Motion to Continue Filed By: Defendant Brown, Erick M <i>Motion to Continue Evidentiary Hearing</i>
01/23/2012	 Order for Production of Inmate <i>Order for Production of Inmate Erick M. Brown, Bac #92713</i>
02/07/2012	 Notice of Appeal (criminal) Party: Defendant Brown, Erick M <i>Notice of Appeal</i>
02/07/2012	 Case Appeal Statement Filed By: Defendant Brown, Erick M
02/07/2012	 Request Filed by: Defendant Brown, Erick M <i>Request for Rough Draft Transcript</i>
02/13/2012	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
02/16/2012	 Notice of Entry of Decision and Order
03/16/2012	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Transcript of Hearing Held on January 27, 2012</i>
06/11/2012	 Criminal Order to Statistically Close Case

CASE SUMMARY

CASE NO. 03C189658-1

Filed By: Plaintiff State of Nevada

08/20/2012	 Certificate
02/22/2013	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
06/27/2013	 Document Filed <i>Caveat</i>
06/27/2013	 Notice of Motion <i>Notice of Motion and Motion to Appoint Counsel</i>
06/27/2013	 Motion to Dismiss <i>Accused Motion to Dismiss for Lack of Subject Matter Jurisdiction</i>
07/12/2013	 Opposition to Motion to Dismiss Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Pro Per Motion to Dismiss for Lack of Subject Matter Jurisdiction, Caveat, and Motion to Appoint Counsel</i>
07/30/2013	 Reply to Opposition <i>Accused Reply to State's Opposition to Defendant's Pro Per Motion to Dismiss for Lack of Subject Matter Jurisdiction, Caveat, and Motion to Appoint Counsel</i>
08/06/2013	 Motion to Rehear <i>Motion for Re-Hearing</i>
08/06/2013	 Request <i>Accused Request for Leave to File Motion for Re-Hearing Based upon State and Federal Constitutional Deprivation in Prior Proceedings</i>
08/06/2013	 Notice of Motion
08/06/2013	 Notice of Motion
08/09/2013	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion to Appoint Counsel</i>
08/09/2013	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion to Dismiss for Lack of Subject Matter Jurisdiction</i>
08/15/2013	 Supplemental <i>Accused "Supplemental" to His Motion for Re-Hearing / and / or Reply to States Opposition and or Courts Deniel of Accused filed Motion for Lack of Subject Matter Juridiction and Accused Motion to Strike States Opposition for Good Legal Cause Showing</i>
08/15/2013	 Notice of Motion
08/16/2013	 Opposition to Motion

CASE SUMMARY

CASE NO. 03C189658-1

State's Opposition to Defendant's Pro Per Motion for Re-Hearing and Accused Request for Leave to File Motion for Re-Hearing Based Upon State and Federal Constitutional Deprivation in Prior Proceedings

08/28/2013



Reply to Opposition

Filed by: Defendant Brown, Erick M

Accused Reply to State's Opposition to Defendant's Pro Per Motion for Re-Hearing and Accused Request for Leave to File Motion for Re-Hearing Based Upon State and Federal Constitutional Deprivation

09/23/2013



Motion for Order

Motion for Order for the Accused Immediate Release; Due to State's Failure to Oppose the Accused Motion to Strike State's Opposition for Good Legal Cause Showing

09/23/2013



Notice of Motion

10/09/2013



Opposition to Motion

Filed By: Plaintiff State of Nevada

State's Opposition to Defendant's Pro Per Motion for Order for the Accused Immediate Release; Due to State's Failure to Oppose the Accused Motion to Strike State's Opposition for Good Legal Cause Showing

10/11/2013



Motion

Filed By: Defendant Brown, Erick M

Motion for Production of Documents, Papers, Pleadings and Tangible Property of Defendant

10/11/2013



Motion to Dismiss Counsel

Party: Defendant Brown, Erick M

Motion to Withdraw Counsel

10/17/2013



Petition for Writ of Habeas Corpus

Petition for Writ of Habeas Corpus (Post-Conviction)

10/24/2013



Reply to Opposition

"Reply" to the State's Oppisition for Defendant's "Motion for Order for the Accused Immediate Release; Due to State's Failure to Oppose Accused Motion to Strike State's Opposition for Good Legal Cause Showing.

11/04/2013



Order Denying Motion

Filed By: Plaintiff State of Nevada

Order Denying Defendant's Pro Per Motion for Production of Transcripts at State Expense

11/04/2013



Order Denying Motion

Filed By: Plaintiff State of Nevada

Order Denying Defendant's Pro Per Motion for Re-Hearing; Order Denying Defendant's Pro Per Accused Request for Leave to File Motion for Re-Hearing Based Upon State and Federal Constitutional Deprivation in Prior Proceedings

11/06/2013



Order for Petition for Writ of Habeas Corpus

11/08/2013



Motion

Accused Motion for Decision on the Merits of Invalid Laws of the State of Nevada Causing the District Court to be Divested of Subject Matter Jurisdiction Ab Initio

11/08/2013



Notice of Motion

CASE SUMMARY














CASE NO. 03C189658-1

11/14/2013	 Notice of Appeal (criminal) Party: Defendant Brown, Erick M <i>Notice of Appeal</i>
11/14/2013	 Designation of Record on Appeal Filed By: Defendant Brown, Erick M
11/18/2013	 Case Appeal Statement Filed By: Defendant Brown, Erick M
11/19/2013	 Motion to Compel <i>Motion to Compel Orders Denying</i>
11/19/2013	 Notice of Motion
11/22/2013	 Opposition to Motion <i>State's Opposition to Defendant's Pro Per Accused Motion for Decision on the Merits of Invalid Laws of the State of Nevada Causing the District Court to be Divested of Subject Matter Jurisdiction Ab Initio</i>
12/04/2013	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion for Order for the Accused Immediate Release, Due to State's Failure to Oppose the Accused Motion to Strike State's Opposition for Good Legal Cause Showing</i>
12/04/2013	 Order Granting Motion Filed By: Plaintiff State of Nevada <i>Order Granting Defendant's Pro Per Motion to Withdraw Counsel and Order Granting Defendant's Pro Per Motion for Production of Documents, Papers, Pleadings, and Tangible Property of Defendant</i>
12/06/2013	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Pro Per Motion to Compel Orders Denying</i>
12/09/2013	 Response Filed by: Plaintiff State of Nevada <i>State's Response and Motion to Dismiss Defendant's Pro Per Petition for Writ of Habeas Corpus (Post-Conviction)</i>
12/12/2013	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
12/12/2013	 Designation of Record on Appeal
12/13/2013	 Case Appeal Statement Filed By: Defendant Brown, Erick M
12/26/2013	 Reply Filed by: Defendant Brown, Erick M <i>Accused Reply to State's Opposition to Defendant's Pro Per Accused Motion for Decision on the Merits of Invalid Laws of the State of Nevada Causing the District Court to be Divested of</i>

CASE SUMMARY

CASE NO. 03C189658-1

Subject Matter Jurisdiction Ab Initio/Request to Reply to Any Opposition of the Attorney General's Office

12/26/2013	 Affidavit Filed By: Defendant Brown, Erick M <i>Affidavit of Erick M. Brown</i>
01/10/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant Accused Motion for Decision on the Merits of Invalid Laws of the State of Nevada Causing the District Court to be Divested of Subject Matter Jurisdiction Ab Initio</i>
01/10/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion to Compel Orders Denying</i>
01/24/2014	 Notice of Appeal (criminal) Party: Defendant Brown, Erick M <i>Notice of Appeal</i>
01/24/2014	 Designation of Record on Appeal Filed By: Defendant Brown, Erick M
01/27/2014	 Case Appeal Statement Filed By: Defendant Brown, Erick M
01/27/2014	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
01/27/2014	 Designation of Record on Appeal
02/10/2014	 Case Appeal Statement Filed By: Defendant Brown, Erick M
02/12/2014	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
02/18/2014	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
02/24/2014	 Motion <i>Petitioner's Motion in Opposition of the Notice of Entry of Findings of Fact, Conclusion of Law and Order</i>
02/24/2014	 Notice of Motion
02/26/2014	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
03/12/2014	 Response Filed by: Plaintiff State of Nevada

CASE SUMMARY

CASE NO. 03C189658-1

State's Opposition to Petitioner's Motion in Opposition of the Notice of Entry of Findings of Fact, Conclusions of Law and Order

03/25/2014



Notice

"Warning and Notice"

03/25/2014



Notice of Motion

03/25/2014



Motion for Appointment of Attorney

Motion to Appoint Counsel

03/25/2014



Notice of Motion

03/25/2014



Motion to Compel

Motion to Compel Court - to - Correct It's Own "Errors and Omissions" with their "Presumption" of the (NRS); is now Challenged with the "Knowledge of Law" and "White Paper" with Attached "Prima facie" Evidence as Proof of the Unconstitutional Invalid (NRS).

04/10/2014



NV Supreme Court Clerks Certificate/Judgment - Dismissed

Nevada Supreme Court Clerk's Certificate Judgment - Dismissed; Rehearing Denied

04/15/2014



Opposition to Motion

Filed By: Plaintiff State of Nevada

State's Opposition to Defendant's Pro Per Motion to Compel Court-to-Correct it's Own "Errors and Omissions" with their "Presumption" of the (NRS); is now Challenged with the "Knowledge of Law" and "White Paper" with attached "Prima facie" Evidence as Proof of the Unconstitutional Invalid (NRS) and Pro Per Motion to Appoint Counsel

04/15/2014



Order Denying Motion

Filed By: Plaintiff State of Nevada

Order Denying Petitioner's Pro Per Motion in Opposition of the Notice of Entry of Findings of Fact, Conclusions of Law and Order

04/24/2014



Motion

Motion for Leave of the Court for Defendants Filing; Petition for Judicial Review (De Novo) and "White Paper" Research with Prima Facie Evidence, Documents/Exhibits "Memorandum" and Judicial Notice

04/24/2014



Reply

Defendant's Reply to State's Prepared Court "Order Denying" Petitioner's Pro Per Motion in Opposition of the Notice of Entry of Findings of Fact, Conclusions of Law and Order

04/24/2014



Notice of Motion

04/29/2014



Notice

Judicial Notice

04/29/2014



Motion for Appointment of Attorney

Motion to Appoint Counsel

04/29/2014



Notice of Motion

04/29/2014



Memorandum

CASE SUMMARY

CASE No. 03C189658-1

Petitioner's Memorandum "White Paper" Research Attached to Petition for Judicial Review (De Novo)

04/29/2014



Petition

Petition for Judicial Review (De Novo) and "White Paper" with (II) Issues

05/01/2014



Order Denying Motion

Filed By: Plaintiff State of Nevada

Order Denying Defendant's Pro Per Motion to Appoint Counsel Order Denying Defendant's Pro Per Motion to Compel Court to Correct its own "Errors and Omissions" with their "Presumption" of the (NRS); is now Challenged with the "Knowledge of Law" and "White Paper" with attached "Prima Facie" Evidence as Proof of the Unconstitutional Invalid (NRS)

05/05/2014



Ex Parte

Ex Parte Communication/Memorandum Attached Exhibit "A"

05/05/2014



Reply

Filed by: Defendant Brown, Erick M

Defendant's Reply to States Deliberate Late Received Opposition to Defendant's Pro Per Motion to Compel Court to Correct its own "Errors and Omissions" with their "Presumption" of the (NRS); is now Challenged with the "Knowledge of Law" and "White Paper" with attached "Prima Facie" Evidence as Proof of the Unconstitutional Invalid (NRS) and Pro Per Motion to Appoint Counsel.

05/13/2014



Notice

Notice: to the Court for Consolidation of Court Dates: In Regards to the Motion for Leave of the Court

05/14/2014



Notice of Appeal (criminal)

Party: Defendant Brown, Erick M

Notice of Appeal

05/15/2014



Case Appeal Statement

Filed By: Defendant Brown, Erick M

05/19/2014



Reply to Opposition

Defendant's Reply to States Opposition to Defendant's Pro Per "Petition for Judicial Review" and Defendant's "Judicial Notice" and Appointment of Counsel

05/19/2014



Opposition to Motion

Filed By: Plaintiff State of Nevada

State's Opposition to Defendant's Motion to Appoint Counsel

05/19/2014



Opposition

Filed By: Plaintiff State of Nevada

State's Opposition to Defendant's Petition for Judicial Review (De Novo) and "White paper, With (11) issues, and Petitioner's Memorandum "White Paper" Research Attached to Petition for Judicial Review (De Novo)

06/19/2014



Opposition to Motion

Filed By: Plaintiff State of Nevada

State's Opposition to Defendant's Pro Per Notice of Motion

06/20/2014




Order Denying Motion

Order Denying Defendant's Pro Per Motion to Appoint Counsel




CASE SUMMARY

CASE NO. 03C189658-1

07/02/2014	 Order Denying Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Petition for Judicial Review (De Novo) and "White Paper" with (11) Issues Order Denying Defendant's Pro Per Petitioner's Memorandum "White Paper" Research Attached to Petition for Judicial Review (De Novo)</i>
07/15/2014	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
07/16/2014	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
08/28/2014	 Motion Filed By: Defendant Brown, Erick M <i>Motion/Request for 8th Judicial District Court Judge Kathleen. E Delany to Recuse Herself from Defendant's Case; for "Due Process Violations" Constitutional Violations; Bias and Prejudice; Failure to Protect and Uphold the Nevada State Constitution, i.e. the Paramount Law. with Attached Exhibits A, B, C</i>
08/28/2014	 Notice of Motion Filed By: Defendant Brown, Erick M
08/28/2014	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed; Rehearing Denied; Petition Denied</i>
09/17/2014	 Opposition to Motion <i>State's Opposition to Defendant's Pro Per Motion/Request for Eighth Judicial District Court Judge Kathleen E. Delaney to Recuse Herself from Defendant's Case; for "Due Process Violations" Constitutional Violations; Bias and Prejudice; Failure to Protect and Uphold the Nevada State Constitution, I.E. the Paramount Law</i>
09/26/2014	 Motion to Compel
09/26/2014	 Notice of Motion
09/29/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion/Request for 8th Judicial District Court Judge Kathleen E. Delany to Recuse Herself from Defendants Case; for "Due Process Violations" Constitutional Violations; Bias and Uphold the Nevada State Constitution, I.E. the Paramount Law with Attached Exhibits A,B,C</i>
10/01/2014	 Reply <i>Defendant's Reply to the States Deliberately Late Mailed Opposition to Defendant's Motion/Request for Eighth Judicial District Court Judge Kathleen E. Delaney to Recuse Herself from Defendant's Case; for "Due Process Violations" Constitutional Violations; Bias and Prejudice; Failure to Protect and Uphold the Nevada State Constitution, i.e. the Paramount Law with Attached Exhibit's A; B; C in Support of Defendant's Claims...</i>
10/21/2014	 Motion to Compel <i>Motion by Defendant to Compel District Court Judge Kathleen E. Delaney to Provide Affidavit as Prescribed by Law and Pursuant to the District Courts Reconized Statute NRS 1.235(a)(b) Stand (b); Why this Judge does not Recuse Herself as Requested by Defendant.</i>

CASE SUMMARY

CASE NO. 03C189658-1

10/21/2014	 Notice of Motion
10/28/2014	 Declaration Filed By: Defendant Brown, Erick M
11/07/2014	 Affidavit <i>Affidavit of Kathleen E. Delaney in Response to Motion to Recuse</i>
11/10/2014	 Motion for Appointment of Attorney <i>Motion to Appoint Counsel</i>
11/10/2014	 Notice of Motion
11/10/2014	 Motion <i>Defendants Motion Pursuant to DCR Rule 60(b); Relief from Courts Order Dated 28 day of April 2014, for Mistakes; Inadvertance; Excusable Neglect and Acts of Tyranny; Failure to Uphold Bonded Oath; Supported by the Attached Memorandum "Domino Effect" Comparative Analysis as Irrefutable Evidence</i>
11/10/2014	 Notice of Motion
11/10/2014	 Memorandum <i>Memorandum "Domino Effect" Comparative Analysis, and Irrefutable Evidence; Supported by Shepordized Case Law... in Support of the Filed DCR Rule 60(b)</i>
11/25/2014	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Pro Per "Motion Pursuant to DCR Rule 60(b); Relief from Courts Order Dated 28 Day of April, 2014, for Mistakes; Inadvertance; Excusable Neglect and Act's of Tyranny; Failure to Uphold Bonded Oath; Supported by the Attached Memorandum 'Domino Effect' Comparative Analysis as Irrefutable Evidence" and Motion to Appoint Counsel</i>
12/09/2014	 Reply <i>Defendants Reply to Judge Kathleen E. Delaney Late Filed Affidavit in Response to Recusal; and Defendants 2nd Supported Affidavit Attached Herein</i>
12/11/2014	 Order Denying Motion <i>Order Denying Motion to Disqualify</i>
12/22/2014	 Reply to Opposition <i>Defendant's Reply to States Opposition to Defendant's Pro Per "Motion Pursuant to DCR Rule 60(b); Relief From Court's Order Dated 28 Day of April, 2014, for Mistakes; Inadvertance; Excusable Neglect and Act 's of Tyranny; Failure to Uphold Bonded Oath; Supported by the Attached Memorandum "Domino Effect" Comparative Analysis as" Irrefutable Evidence" and Motion to Appoint Counsel; with Exhibits</i>
02/12/2015	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion to Appoint Counsel Order Denying Defendant's Pro Per Motion Pursuant To DCR Rule 60(B); Relief from Courts Order Dated 28th Day of April 2014, for Mistakes; Inadvertance; Excusable Neglect and Act's of Tyranny; Failure to Uphold Bonded Oath; Supported by the Attached Memorandum "Domino Effect" Comparative Analysis as Irrefutable Evidence</i>
















CASE SUMMARY

CASE NO. 03C189658-1

04/14/2015	 Notice of Motion Filed By: Defendant Brown, Erick M
04/14/2015	 Demand <i>"Demand; Notice of Alleged Deficiency to Wit: Alleged Non-Compliance with (Nev.Const.) Article 17 Section 2 and 20 Official Bond, made Payable to the State of Nevada Required."</i>
05/05/2015	 Notice <i>Notification and Constitutional Compliance</i>
05/05/2015	 Motion <i>Motion for Hearing on Petitioner's Notification for Courts Constitutional Compliance "Demand" for Immediate Release From Unlawful and Unconstitutional Imprisonment...</i>
05/05/2015	 Notice of Motion
05/05/2015	 Memorandum <i>"Memorandum" Notification to Court's "Constitutional Compliance" Supported/Documents/Exhibits/Irrefutable Evidence Demand for Immediate Release "from" "Unlawful; Unconstitutional; Imprisonment"</i>
05/21/2015	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
05/21/2015	 Designation of Record on Appeal
05/22/2015	 Case Appeal Statement Filed By: Defendant Brown, Erick M
05/28/2015	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion: Demand Notice of Alleged Deficiency to Wit: Alleged Non-Compliance with (Nev. Const.) Article 17 Section 2 and 20 Official Bond, made Payable to the State of Nevada Required Order Denying Defendant's Pro Per Motion for Hearing on Petitioner's Notification for Courts Constitutional Compliance "Demand" for Immediate Release from Unlawful and Unconstitutional Imprisonment</i>
08/18/2015	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
02/01/2017	 Order Filed By: Plaintiff State of Nevada <i>Order Dismissing Defendant's Pro Per Petition for Writ of Habeas Corpus</i>
02/06/2017	 Notice of Entry of Order
04/16/2018	 Petition for Writ of Mandamus Filed by: Defendant Brown, Erick M
04/20/2018	 Order Filed By: Defendant Brown, Erick M <i>Order for Petition for Writ of Mandamus</i>

CASE SUMMARY

CASE NO. 03C189658-1

04/30/2018	 Petition for Writ of Habeas Corpus <i>Subject Matter Jurisdiction/Actual Innocence Petition for Writ of Habeas Corpus (Post-Conviction)</i>
05/10/2018	 Order for Petition for Writ of Habeas Corpus
06/21/2018	 Response <i>State's Response to Defendant's [Fourth] Petition for Writ of Habeas Corpus (Post-Conviction)</i>
07/17/2018	 Notice of Motion Filed By: Defendant Brown, Erick M
07/17/2018	 Motion for Relief Filed By: Defendant Brown, Erick M <i>Motion for Relief From Judgment Pursuant to NRCP Rule 60 (b)</i>
07/26/2018	 Order Denying Motion <i>Order Denying Defendant's Pro Per Petition for Writ of Habeas Corpus</i>
07/30/2018	 Notice of Appeal (criminal) Party: Defendant Brown, Erick M <i>Notice of Appeal</i>
07/30/2018	 Designation of Record on Appeal Filed By: Defendant Brown, Erick M
07/30/2018	 Notice of Entry of Order
08/01/2018	 Case Appeal Statement
08/21/2018	 Order Denying Motion <i>Order Denying Defendant's Pro Per Motion for Relief from Judgment Pursuant to NRCP Rule 60(B)</i>
08/22/2018	 Notice of Appeal (criminal) Party: Defendant Brown, Erick M <i>Notice of Appeal</i>
08/22/2018	 Designation of Record on Appeal Filed By: Defendant Brown, Erick M <i>Designation of Record on Appeal</i>
08/24/2018	 Case Appeal Statement Filed By: Defendant Brown, Erick M <i>Case Appeal Statement</i>
10/25/2018	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
02/11/2019	 Motion Filed By: Defendant Brown, Erick M

CASE SUMMARY

CASE No. 03C189658-1

Motion to Recuse 8th Judicial District Court Judge Kathleen Delaney for Acts of Fraud and "Knowingly" Violating NCJC 2-2.11 (A)(1)(2) and (3) Requesting Vacation of Ruling made June 27, 2018 at 9:00 am.

02/11/2019



Notice of Motion

Filed By: Defendant Brown, Erick M

Motion to Recuse 8th Judicial District Court Judge Kathleen Delaney for Acts of Fraud and "Knowingly" Violating NCJC 2-2.11 (A)(1)(2) and (3) Requesting Vacation of Ruling made June 27, 2018 at 9:00 am.

02/22/2019



Notice of Appeal (criminal)

Party: Defendant Brown, Erick M

Notice of Appeal

02/22/2019



Designation of Record on Appeal

Filed By: Defendant Brown, Erick M

Designation of Record on Appeal

02/25/2019



Case Appeal Statement

Filed By: Defendant Brown, Erick M

Case Appeal Statement

DISPOSITIONS

01/01/1900

Plea (Judicial Officer: User, Conversion)

1. BURGLARY.

Not Guilty

PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)

2. KIDNAP WITH USE OF A DEADLY WEAPON

Not Guilty

PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)

3. KIDNAP WITH USE OF A DEADLY WEAPON

Not Guilty

PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)

4. ROBBERY

Not Guilty

PCN: Sequence:

01/01/1900

Plea (Judicial Officer: User, Conversion)

5. ROBBERY

Not Guilty

PCN: Sequence:

08/08/2006

Disposition (Judicial Officer: User, Conversion)

1. BURGLARY WHILE IN POSSESSION OF A FIREARM

Guilty

PCN: Sequence:

08/08/2006

Disposition (Judicial Officer: User, Conversion)

CASE SUMMARY

CASE NO. 03C189658-1

08/08/2006	Disposition (Judicial Officer: User, Conversion) 2. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN Guilty PCN: Sequence:
08/08/2006	Disposition (Judicial Officer: User, Conversion)
08/08/2006	Disposition (Judicial Officer: User, Conversion) 3. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Guilty PCN: Sequence:
08/08/2006	Disposition (Judicial Officer: User, Conversion)
08/08/2006	Disposition (Judicial Officer: User, Conversion) 4. ROBBERY WITH USE OF A DEADLY WEAPON VICTIM 65 YEARS OF AGE OR OLDER Guilty PCN: Sequence:
08/08/2006	Disposition (Judicial Officer: User, Conversion)
08/08/2006	Disposition (Judicial Officer: User, Conversion) 5. ROBBERY WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
08/08/2006	Disposition (Judicial Officer: User, Conversion)
08/08/2006	Adult Adjudication (Judicial Officer: User, Conversion) 1. BURGLARY WHILE IN POSSESSION OF A FIREARM 01/01/1900 (F) 205.060 (205.060) PCN: Sequence:
	<hr/> Converted Disposition: Sentence# 0001: Minimum 26 Months to Maximum 120 Months Placement: NSP Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 674 Days to Maximum 674 Days Converted Disposition: Sentence# 0003: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$150.00 Converted Disposition: Sentence# 0004: ADMINISTRATION FEE Amount: \$25.00
08/08/2006	Adult Adjudication (Judicial Officer: User, Conversion) 2. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN 01/01/1900 (F) 200.310 (200.310) PCN: Sequence:
	<hr/> Converted Disposition:

CASE SUMMARY

CASE NO. 03C189658-1

08/08/2006

Sentence# 0001:
Minimum 15 Years to Maximum 40 Years
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0001
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 15 Years to Maximum 40 Years
Placement: NSP

Adult Adjudication (Judicial Officer: User, Conversion)

3. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN
SUBSTANTIAL BODILY HARM
01/01/1900 (F) 200.310 (200.310)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 15 Years to Maximum 40 Years
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0003
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 15 Years to Maximum 40 Years
Placement: NSP
Converted Disposition:
Sentence# 0003: RESTITUTION
Amount: \$143327.00

08/08/2006

Adult Adjudication (Judicial Officer: User, Conversion)

4. ROBBERY WITH USE OF A DEADLY WEAPON VICTIM 65 YEARS OF AGE OR
OLDER
01/01/1900 (F) 200.380 (200.380)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 26 Months to Maximum 120 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0007
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 26 Months to Maximum 120 Months
Placement: NSP

08/08/2006

Adult Adjudication (Judicial Officer: User, Conversion)

5. ROBBERY WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.380 (200.380)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 26 Months to Maximum 120 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0010
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 26 Months to Maximum 120 Months

CASE SUMMARY

CASE NO. 03C189658-1

Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0010
and Sentence#: 0001

HEARINGS

02/05/2003

Initial Arraignment (9:00 AM)

*INITIAL ARRAIGNMENT Court Clerk: Linda Skinner/ls Relief Clerk: Judy McFadden
Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
Matter Heard; INITIAL ARRAIGNMENT Court Clerk: Linda Skinner/ls Relief Clerk: Judy
McFadden Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
Journal Entry Details:
AS TO DEFT BROWN: Mr. Fritz requested a continuance to Monday as Defendant has not
retained him as of yet. Upon Court's inquiry, Mr. Fritz advised he would have an answer by
Monday. AS TO DEFT BLACKWELL: Ms. Diefenbach had no objection to a continuance.
There being no objection, COURT ORDERED, matter CONTINUED as to both Defendants.
CUSTODY (BOTH) 2/10/03 9:00 AM ARRAIGNMENT CONTINUED ;*

02/10/2003

Arraignment Continued (9:00 AM)

*ARRAIGNMENT CONTINUED Court Clerk: Linda Skinner/ls Relief Clerk: Judy McFadden
Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
Matter Heard; ARRAIGNMENT CONTINUED Court Clerk: Linda Skinner/ls Relief Clerk:
Judy McFadden Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
Journal Entry Details:
AS TO DEFT BROWN: Mr. Hughes appeared for Mr. Fritz and advised Mr. Fritz would be
confirming as counsel. DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED
THE SIXTY (60) DAY RULE. AS TO DEFT BLACKWELL: DEFENDANT ARRAIGNED,
PLED NOT GUILTY AND INVOKED THE SIXTY (60) DAY RULE. COURT ORDERED,
matter set within sixty days for trial. Counsel requested 21 days from the filing of the
Preliminary Hearing Transcript to file a writ. COURT ORDERED, Defendant's rights are
reserved. CUSTODY (BOTH) 4/8/03 9:00 AM CALENDAR CALL (BOTH) 4/14/03 1:30 PM
JURY TRIAL (BOTH) ;*

04/03/2003

Motion to Suppress (9:00 AM)

*Events: 03/24/2003 Notice of Motion
DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/ IN-COURT ID/5 Relief Clerk: Carole
D'Aloia Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.
Matter Continued; DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/ IN-COURT ID/5 Relief
Clerk: Carole D'Aloia Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.
Journal Entry Details:
Court TRAILED matter to end of calendar for argument. Matter RECALLED and Ms. Lewis
advised Ms. DeLaGarza left the file with her and submitted matter on opposition filed. Court
noted the presence of Mr. Coffee and inquired why Ms. Diefenbach was not present to argue
her motion. Mr. Coffee stated he is co-counsel on the matter. Court advised it wants the
authors of the pleadings present to argue and, ORDERED, matter CONTINUED to tomorrow.
Mr. Coffee stated he would contact Ms. Diefenbach and call Court this afternoon to let her
know if she will be available tomorrow. Ms. Lewis advised she will have Ms. DeLaGarza
present tomorrow. CUSTODY ;*

04/04/2003

Motion to Suppress (10:00 AM)

*DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/ IN-COURT ID/5 Relief Clerk: Carole
D'Aloia Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
Denied; DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/ IN-COURT ID/5 Relief Clerk:
Carole D'Aloia Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
Journal Entry Details:
Court advised it reviewed all the pleadings in this matter and there are two issues raised in
Ms. Diefenbach's motion, the challenge of the photo I.D. line up and the in court I.D. at the
Preliminary Hearing. Following arguments by counsel, COURT ORDERED, motion DENIED
as it does not find the photo line up suggestive or prejudicial in any way and is not inclined to
mandate new procedures for in court identifications. Ms. Diefenbach advised matter is set for
Calendar Call on Tuesday and the Co-Defendant filed a writ. Court advised counsel it can
adjust within reason to accommodate both Defendants for trial since Defendant Blackwell has
invoked his speedy trial rights. CUSTODY ;*

CASE SUMMARY

CASE NO. 03C189658-1

04/08/2003	<p>Calendar Call (9:00 AM) <i>CALENDAR CALL Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i> Matter Heard; CALENDAR CALL Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley Journal Entry Details: <i>Upon Court's inquiry, Ms. De La Garza advised the State is ready for trial with 8-10 witnesses and 3-4 out of State witnesses lasting 4-5 days. Mr. Coffee advised he is ready as well, however, will already be in a trial in this Court next week. Mr. Fritz advised he would like to wait on the outcome of the writ tomorrow. COURT ORDERED, trial date VACATED and matter set for trial setting next week as to both Defendants. CUSTODY (BOTH) 4/17/03 9:00 AM TRIAL SETTING (BOTH) ;</i></p>
04/09/2003	<p>Petition for Writ of Habeas Corpus (9:00 AM) Events: 03/26/2003 Petition for Writ of Habeas Corpus <i>PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i> Matter Continued; PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M. Journal Entry Details: <i>Arguments by Ms. De La Garza regarding aspirations and the fact that the Defendants increased the harm to the victims. As Ms. De La Garza cited case law that the Court would like to review, COURT ORDERED, matter CONTINUED. CUSTODY ;</i></p>
04/14/2003	<p>CANCELED Jury Trial (1:30 PM) <i>Vacated</i></p>
04/17/2003	<p>Petition for Writ of Habeas Corpus (9:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS Heard By: Donald Mosley</i></p>
04/17/2003	<p>Conversion Hearing Type (9:00 AM) <i>TRIAL SETTING Heard By: Donald Mosley</i></p>
04/17/2003	<p>All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 4/17/03 Court Clerk: Nora Pena/np Relief Clerk: Billie Jo Craig Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i> Matter Heard; ALL PENDING MOTIONS 4/17/03 Court Clerk: Nora Pena/np Relief Clerk: Billie Jo Craig Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley Journal Entry Details: <i>DEFT'S PETITION FOR WRIT OF HABEAS CORPUS - BROWN...TRIAL SETTING Court advised it sees two basic aspects - 1) asportation of the underlying offense and 2) question of increase danger to pursue alleged kidnapping to person or persons; it has doubts to this restraint not being incidental to robbery and asked Ms. DeLaGarza to work a hypothetical with the Court. Ms. DeLaGarza advised the depts bound the victims. Court asked where is the charge that the beating would justify. Ms. DeLaGarza advised kidnapping included bodily harm, and this binding was not just incidental to robbery. Mr. Fritz stated it deals with kidnapping and robbery, people were not kidnapped to be harmed but to be robbed. Court asked what is the separate offense. Ms. DeLaGarza advised the kidnapping is it's own offense charge and these victims sustained bodily harm. Mr. Fritz advised they say it's a robbery case and he thinks it's right on point with the Wright case. Court advised it should be left to the jury as to robbery. COURT ORDERED, Deft Brown's Petition for Writ is DENIED. Mr. Fritz advised we needed to set a trial date. Ms. DeLaGarza advised deft. Black invoked and deft. Brown waived. COURT ORDERED, matter set for trial in 60 days. Trial date given due to request of the State. Mr. Fritz inquired about standard bail. Opposition by Ms. DeLaGarza. Court directed counsel to put bail request in a written motion. CUSTODY (BOTH) 6/24/03 9:00 AM CALENDAR CALL (BROWN & BLACKWELL) 6/30/03 1:30 PM JURY TRIAL (BROWN & BLACKWELL) ;</i></p>
04/29/2003	<p>Motion (9:00 AM) Events: 04/22/2003 Notice of Motion <i>DEFT'S MTN TO REDUCE BAIL/11 Relief Clerk: Carole D'Aloia Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i> Denied; DEFT'S MTN TO REDUCE BAIL/11 Relief Clerk: Carole D'Aloia</p>

CASE SUMMARY

CASE No. 03C189658-1

Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Court noted this is Mr. Jorgenson's motion to reduce bail from \$1,180,000 to \$98,000 and inquired if Defendant could make \$98,000 bail to which Defendant replied yes. Statements by Ms. De La Garza regarding the instant case, noting Defendant is a flight risk and, therefore, she opposes the motion. Mr. Jorgenson advised the Intake Services Report does not recommend an O.R. release but he is requesting standard bail be set. Upon inquiry of the Court, Defendant stated he lives in California. Court noted trial is set for June 30 and doesn't like the ideal of having to find Defendant in California when this case carries a possible life sentence and, ORDERED, motion DENIED. CUSTODY ;

05/07/2003

Motion (9:00 AM)

Events: 04/28/2003 Motion

DEFT'S MTN FOR BAIL HEARING/12 Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Denied; DEFT'S MTN FOR BAIL HEARING/12 Court Clerk: Linda Skinner

Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Court noted Defendant has no ties to this State. Mr. Fritz advised that was untrue as Defendant's aunt lives here and that he was arrested in California. Ms. De La Garza argued that the bail should not be lowered; that he and the co-defendant terrorized two elderly men. Mr. Fritz argued for reasonable bail. Court noted absent a persuasive reason, it would not reset the bail after another Judge heard the evidence. Arguments by Mr. Fritz and Ms. De La Garza. COURT ORDERED, Deft's Motion for Bail Reduction is DENIED. CUSTODY ;

06/18/2003

Motion to Compel (9:00 AM)

Events: 06/03/2003 Motion to Compel

DEFT'S MTN TO COMPEL DISCOVERY/13 Heard By: Donald Mosley

06/18/2003

Motion to Sever (9:00 AM)

Events: 06/03/2003 Motion to Sever

DEFT'S MTN TO SEVER TRIAL/14 Heard By: Donald Mosley

06/18/2003

All Pending Motions (9:00 AM)

ALL PENDING MOTIONS 6/18/03 Court Clerk: Linda Skinner Relief Clerk: Sharry Frascarelli/SF Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; ALL PENDING MOTIONS 6/18/03 Court Clerk: Linda Skinner Relief Clerk:

Sharry Frascarelli/SF Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY Ms. Saragosa advised this is Ms. DelaGarza's case who is requesting a couple of days continuance. Court noted is unavailability and the pending trial date and ORDERED, matter CONTINUED. CUSTODY 6/23/03 9:00 AM DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY ;

06/23/2003

Motion to Compel (9:00 AM)

DEFT'S MTN TO COMPEL DISCOVERY/13 Heard By: Donald Mosley

06/23/2003

Motion to Sever (9:00 AM)

DEFT'S MTN TO SEVER TRIAL/14 Heard By: Donald Mosley

06/23/2003

All Pending Motions (9:00 AM)

ALL PENDING MOTIONS 6/23/03 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; ALL PENDING MOTIONS 6/23/03 Court Clerk: Linda Skinner

Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY AS TO MOTION TO SEVER TRIAL: Court noted it has read this at length and Mr. Fritz feels Defendant would be prejudiced if he were tried with the co-defendant. Mr. Fritz concurred and stated the co-defendant was in the jewelry store earlier the day of the robbery and there is better identification on the co-defendant than on this Defendant. Court noted the case law needs to be substantial and ORDERED, Motion DENIED. AS TO MOTION TO COMPEL DISCOVERY: Mr. Fritz advised Defendant was arrested in Los Angeles five days after the

CASE SUMMARY

CASE NO. 03C189658-1

robbery; that Henderson Police were relaying descriptions to Los Angeles Police that were different from that of this Defendant. Mr. Fritz would like those notes. Ms. De La Garza advised Mr. Fritz has everything she has; that she will contact the Henderson Police and see if there is anything else. COURT ORDERED, matter RESOLVED. CUSTODY ;

06/24/2003

Calendar Call (9:00 AM)

CALENDAR CALL Relief Clerk: Melissa Davis Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; CALENDAR CALL Relief Clerk: Melissa Davis Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Mr. Ericsson appearing on behalf of Ms. Diefenbach. Court noted Defendant Brown waived the 60 day rule and Defendant Blackwell invoked his right to a speedy trial. COURT ORDERED, matter RESET. 7/15/03 9AM CALENDAR CALL 7/21/03 1:30 PM JURY TRIAL ;

06/30/2003

CANCELED Jury Trial (1:30 PM)

Vacated

07/10/2003

Motion (9:00 AM)

Events: 06/30/2003 Notice of Motion

DEFT'S MTN TO TAKE A WITNESS OUT OF ORDER/ALT CONTINUE TRIAL/20 Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Granted; DEFT'S MTN TO TAKE A WITNESS OUT OF ORDER/ALT CONTINUE TRIAL/20 Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Ms. Diefenbach advised her expert will not be available on 7/24 or 7/25 and would request to have him testify on 7/23. Ms. Saragosa appeared for Ms. De La Garza and had no objection to the motion. COURT ORDERED, Def't's Motion to Take a Witness Out of Order is GRANTED. CUSTODY ;

07/15/2003

Calendar Call (9:00 AM)

CALENDAR CALL Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; CALENDAR CALL Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

AS TO DEFT BROWN: Mr. Fritz advised Defendant would like him to withdraw; he stated there has been a breakdown in communication and would request to withdraw. Mr. Zadrowski advised there are 4 out of state witnesses and this would not be appropriate for Overflow. Following further statements by counsel and Defendant, COURT ORDERED, Mr. Fritz is ALLOWED to withdraw as counsel and matter set for Faretta Canvass. AS TO DEFT BLACKWELL: Ms. Diefenbach advised she would oppose a continuance, is ready for trial and has an out of State expert. Mr. Zadrowski stated Ms. De La Garza is ready as well with 8-10 witnesses, 4 out of State and lasting 3-4 days. COURT ORDERED, jury selection would begin at 1:30 PM in this Court on Monday. CUSTODY (BOTH) 7/16/03 9:00 AM FARETTA CANVAS (BROWN) 7/21/03 1:30 PM JURY TRIAL (BLACKWELL) ;

07/16/2003

Conversion Hearing Type (9:00 AM)

FARETTA CANVASS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; FARETTA CANVASS Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Upon completion of the Faretta Canvass, COURT ORDERED, Defendant may represent himself. Following colloquy, Court directed Defendant to have his Investigator contact Ms. De La Garza for the discovery. COURT ORDERED, matter set for trial. CUSTODY 12/2/03 9:00 AM CALENDAR CALL 12/8/03 1:30 PM JURY TRIAL ;

07/21/2003

Jury Trial (1:30 PM)

TRIAL BY JURY Relief Clerk: Melissa Davis Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Relief Clerk: Melissa Davis Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

CASE SUMMARY

CASE NO. 03C189658-1

Journal Entry Details:

2:21 p.m. Prospective jury panel present, clerk called roll and after introduction by counsel, clerk administered voir dire oath. Counsel began jury selection. 5:00 p.m. State exercised one preemptory challenge and COURT ORDERED, matter CONTINUED and ADMONISHED prospective jurors. CUSTODY ;

07/22/2003

Jury Trial (1:30 PM)

TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Journal Entry Details:

1:31 PM PROSPECTIVE JURORS PRESENT: Roll call taken. Jury selection continues. 3:07 PM Jury and 1 Alternate selected and sworn. Information read by Clerk and stated Defendant's plea thereto. Exclusionary rule invoked. Opening statements by counsel. 4:58 PM EVENING RECESS. OUTSIDE PRESENCE OF JURY: Mr. Coffee requested the proposed questions be admitted as Court's exhibits. COURT SO ORDERED. Discussion regarding statement of Defendant Blackwell. Ms. DeLaGarza advised she was not planning on bringing this up. Court noted absent any further discussion, it will not be received. Mr. Coffee stated that one of the victims is a Holocaust survivor and would request he be admonished not to bring this up. Ms. DeLaGarza stated when referring to this incident, he explains that he has been through worse. Following arguments by counsel, Court advised depending on what the defense expert has to say, will determine if the Holocaust issue is relevant; therefore, this issue will be discussed after the expert testifies. ;

07/23/2003

Jury Trial (1:30 PM)

TRIAL BY JURY Relief Clerk: Melissa Davis Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Relief Clerk: Melissa Davis Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Journal Entry Details:

1:36 Jury present; Clerk called roll, all jurors and alternate present. Testimony and exhibits per worksheet. 1:51 p.m. OUTSIDE PRESENCE OF JURY. Colloquy between Court and counsel regarding inconsistency in testimony during trial versus the preliminary hearing. Statements by counsel. 2:05 p.m. JURY PRESENT. Continued testimony and exhibits per worksheet. 4:48 p.m. COURT ORDERED, matter CONTINUED and jury ADMONISHED. ;

07/24/2003

Jury Trial (1:30 PM)

TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

1:34 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued. 3:33 PM OUTSIDE PRESENCE OF JURY: Mr. Coffee advised he and Ms. Diefenbach have discovered an over site; 2 counts of Robbery with State retaining the right to argue was the original offer before trial. Mr. Coffee advised he was researching the kidnaping issue and discovered that he and Ms. Diefenbach advised Defendant of the wrong possible sentence. They did inform him of the enhancement but not the correct sentence. Mr. Coffee stated kidnaping carries a 15 to Life sentence and that Defendant did not make an informed decision when deciding to go to trial. COURT ORDERED, recess for counsel to speak with Defendant. 4:38 PM Mr. Coffee advised matter is negotiated. There being no objection, Second Amended Information and Guilty Plea Agreement FILED IN OPEN COURT. Ms. DeLaGarza requested the additional language of "and/or aiding and abetting Erick Brown" be added to the Second Amended Information. COURT SO ORDERED. NEGOTIATIONS: State retains the full right to argue at time of sentencing. Ms. DeLaGarza concurred. DEFENDANT BLACKWELL WITHDREW NOT GUILTY PLEAS AND PLED GUILTY to COUNTS 1,2-ROBBERY (F). Court ACCEPTED pleas; referred matter to the Division of Parole and Probation for a Pre-sentence Investigation Report and ORDERED, trial date VACATED and set for sentencing. 4:46 PM JURY PRESENT: Court advised there had been a problem and that a plea had been entered. Court thanked and excused the Jury. CUSTODY 9/9/03 9:00 AM SENTENCING ;

08/07/2003

Motion to Reconsider (9:00 AM)

Events: 07/28/2003 Ex Parte Motion

DEFT'S PRO PER MTN FOR COURT RECONSIDERATION/25 Relief Clerk: Melissa Davis

CASE SUMMARY

CASE No. 03C189658-1

Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Denied; DEFT'S PRO PER MTN FOR COURT RECONSIDERATION/25 Relief Clerk:
 Melissa Davis Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Journal Entry Details:
Defendant stated he would like standby counsel. Court advised Defendant that standby counsel will not be appointed. Upon Court's inquiry, Defendant stated he would like to continue to represent himself. COURT ORDERED, motion DENIED. CUSTODY ;

08/19/2003	Petition for Writ of Habeas Corpus (9:00 AM) <i>PTN FOR WRIT OF HABEAS CORPUS Heard By: Donald Mosley</i>
08/19/2003	Motion (9:00 AM) Events: 08/04/2003 Motion <i>DEFT'S PRO PER MTN PRODUCTN DISCOVERABLEEVID/26 Heard By: Donald Mosley</i>
08/19/2003	Motion to Dismiss (9:00 AM) Events: 08/06/2003 Motion to Dismiss <i>DEFT'S PRO PER MTN TO DISMISS INFORMATION FAILURE TO DISCLOSE EVID/27 Heard By: Donald Mosley</i>
08/19/2003	Motion (9:00 AM) Events: 08/06/2003 Motion <i>DEFT'S PRO PER MTN FOR ALL HEARING TRANSCRIPTS STARTING ON 1-22-03/28 Heard By: Donald Mosley</i>
08/19/2003	Motion (9:00 AM) Events: 08/06/2003 Ex Parte Motion <i>DEFT'S PRO PER MTN FOR INDIGENT STATUS/29 Heard By: Donald Mosley</i>
08/19/2003	All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS (8/19/03) Court Clerk: Melissa Davis Relief Clerk: Jennifer Kimmel/jk Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i> Matter Heard; ALL PENDING MOTIONS (8/19/03) Court Clerk: Melissa Davis Relief Clerk: Jennifer Kimmel/jk Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley Journal Entry Details: <i>DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DISCOVERABLE EVIDENCE...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFENDANT'S PRO PER MOTION TO DISMISS INFORMATION FAILURE TO DISCLOSE EVIDENCE...DEFENDANT'S PRO PER MOTION FOR ALL TRANSCRIPTS STARTING ON 1/22/03 TO PRESENT DATE COURT STATED the letter from Mr. Andrew Fritz indicated he had provided Deft. with a copy all the information in Deft's file. Colloquy regarding discovery and Deft's receiving a copy of his file. Court directed Ms. De La Garza to provide a copy of Deft's file. COURT additionally STATED D.A. is not required to obtain information relating to what the Deft. wants, as in Deft's request for information from Henderson Police. COURT ORDERED as follows: Deft's Motion for Production of Discoverable Evidence is GRANTED. Deft's Motion for Writ of Habeas Corpus is DENIED. Deft's Motion for Indigent Status is GRANTED. Deft's Motion to Dismiss Information Failure to Disclose Evidence is DENIED. Deft's Motion for All Transcripts is DENIED. ;</i>
09/09/2003	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i> Matter Continued; SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M. Journal Entry Details: <i>Nancy Eason from the Division of Parole and Probation present. Ms. Diefenbach appeared for Mr. Coffee and at his request, COURT ORDERED, matter CONTINUED. CUSTODY ;</i>
09/23/2003	Sentencing (9:00 AM) <i>SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i> Matter Continued; SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

CASE SUMMARY

CASE NO. 03C189658-1

Journal Entry Details:

Barbara Combs from the Division of Parole and Probation present. DEFENDANT BLACKWELL ADJUDGED GUILTY of COUNTS I,II - ROBBERY (F). Statements by Ms. De La Garza, Defendant and Mr. Coffee. Speaker Emmett Connely sworn and testified. COURT ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to: COUNT I - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS, COUNT II - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS, to run CONSECUTIVE to Count I, PAY \$143,541.75 RESTITUTION jointly and severally with co-defendant with 264 days credit for time served. This matter to run CONCURRENT to Defendant's California case. CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA Analysis fee is imposed and Defendant to submit to genetic markers testing. BOND, if any, EXONERATED. ;

11/18/2003

Motion to Withdraw as Counsel (9:00 AM)

Events: 11/05/2003 Motion to Dismiss Counsel

DEFT'S PRO PER MTN TO WITHDRAW COUNSEL /31 Heard By: Donald Mosley

11/18/2003

Motion (9:00 AM)

Events: 11/05/2003 Motion

DEFT'S PRO PER MTN PRODUCTN DOCUMNTS/PAPE/32 Heard By: Donald Mosley

11/18/2003

Motion (9:00 AM)

Events: 11/05/2003 Motion

DEFT'S PRO PER MTN TRANSCRIPT STATE EXP/33 Heard By: Donald Mosley

11/18/2003

All Pending Motions (9:00 AM)

ALL PENDING MOTIONS 11/18/03 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; ALL PENDING MOTIONS 11/18/03 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

DEFT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS...DEFT'S PRO PER MOTION FOR TRANSCRIPTS AT STATE EXPENSE...DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL Mr. Ponticello advised he feels this Court does not have jurisdiction. Upon Court's inquiry, Ms. Diefenbach advised they have filed an appeal and the Supreme Court has stated they are to remain on the case. COURT ORDERED, Deft's Pro Per Motions are DENIED and he may not file any pleadings while he has an attorney. NDC ;

12/02/2003

Calendar Call (9:00 AM)

CALENDAR CALL (#2 ON STACK) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Matter Heard; CALENDAR CALL (#2 ON STACK) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Mr. Cristalli advised he would like to substitute in as counsel of record and will provide the proper paperwork. COURT SO ORDERED. Mr. Cristalli requested trial date be vacated and reset in ordinary course. COURT SO ORDERED and trial date set with priority. CUSTODY 11/16/04 9:00 AM CALENDAR CALL 11/22/04 1:30 PM JURY TRIAL ;

12/08/2003

CANCELED Jury Trial (1:30 PM)

Vacated

04/19/2004

Motion to Dismiss (9:00 AM)

Events: 04/05/2004 Motion to Dismiss

DEFT'S MTN TO DISMISS /37 Relief Clerk: Melissa Swinn Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Matter Continued; DEFT'S MTN TO DISMISS /37 Relief Clerk: Melissa Swinn Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Journal Entry Details:

Mr. Cristalli advised the State has not responded, but is unsure if the State was served. COURT ORDERED, matter CONTINUED to allow State to file a response, if any.

CASE SUMMARY

CASE NO. 03C189658-1

CUSTODY ;

05/12/2004

Motion to Dismiss (9:00 AM)

DEFT'S MTN TO DISMISS /37 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
 Denied; DEFT'S MTN TO DISMISS /37 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
 Journal Entry Details:
Court noted these issues were brought before the Court in a Writ on April 17, 2003 which was previously denied. Arguments by counsel. Court finds there is no merit and stated its findings and ORDERED, motion DENIED as to all issues. CUSTODY ;

06/01/2004

Motion to Suppress (9:00 AM)

Events: 05/18/2004 Notice of Motion
DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Court Clerk: Linda Skinner Relief Clerk: Elaine York/ey Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.
 Matter Continued; DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Court Clerk: Linda Skinner Relief Clerk: Elaine York/ey Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.
 Journal Entry Details:
Mr. Cram requested 60 day continuance for the return of Ms. DeLaGarza. COURT ORDERED, matter set for argument; response to be filed two weeks before argument. CUSTODY CLERK'S NOTE: 6/7/04 Clerk left a voice mail message as to above. ls ;

07/08/2004

Motion to Withdraw as Counsel (9:00 AM)

Events: 06/29/2004 Notice of Motion
PUBLIC DEFENDER'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD/39 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Granted; PUBLIC DEFENDER'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD/39 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Journal Entry Details:
Court noted this is post-conviction in nature and there being no objection, COURT ORDERED, GRANTED. Mr. Christensen advised Ms. Diefenbach has already sent the file to Defendant. NDC ;

08/04/2004

Motion to Suppress (9:00 AM)

DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Heard By: Donald Mosley

08/30/2004

Motion to Suppress (9:00 AM)

DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Heard By: Donald Mosley

09/13/2004

Motion to Suppress (9:00 AM)

DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Heard By: Donald Mosley

09/13/2004

Motion for Discovery (9:00 AM)

Events: 08/30/2004 Notice of Motion
DEFT'S MTN FOR DISCOVERY/40 Heard By: Donald Mosley

09/13/2004

All Pending Motions (9:00 AM)

ALL PENDING MOTIONS 9-13-04 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
 Matter Heard; ALL PENDING MOTIONS 9-13-04 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley
 Journal Entry Details:
DEFT'S MOTION TO SUPPRESS PHOTO LINE UP AND IN COURT IDENTIFICATION . . . DEFT'S MOTION FOR DISCOVERY Mr. Saggese appearing on behalf of Mr. Cristalli. Court noted that the motion regarding the photo line up has previously been proffered by prior counsel. Colloquy between Court and counsel regarding discovery. COURT ORDERED, motions CONTINUED until Thursday. CUSTODY CONTINUED TO: 9/16/04 @ 9 AM ;

09/16/2004

Motion to Suppress (9:00 AM)

DEFT'S MTN TO SUPPRESS PHOTO LINE-UP/38 Court Clerk: Linda Skinner Relief Clerk:

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. 03C189658-1

Elaine York/ey Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

09/16/2004

Motion for Discovery (9:00 AM)

DEFT'S MTN FOR DISCOVERY/40 Heard By: Donald Mosley

09/16/2004

All Pending Motions (9:00 AM)

ALL PENDING MOTIONS 9-16-04 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Matter Heard; ALL PENDING MOTIONS 9-16-04 Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

DEFT'S MOTION TO SUPPRESS PHOTO LINE UP AND IN-COURT IDENTIFICATION . . .

DEFT'S MOTION FOR DISCOVERY AS TO MOTION FOR DISCOVERY: Arguments by counsel regarding description of Defendant. State advised that palm prints were taking and awaiting evaluation. COURT ORDERED, all discovery issues to be available to defense and therefore, motion GRANTED. AS TO MOTION TO SUPPRESS: COURT ORDERED, matter OFF CALENDAR and can be re-calendared if it becomes necessary. CUSTODY ;

11/16/2004

Calendar Call (9:00 AM)

CALENDAR CALL (#1 ON STACK) Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; CALENDAR CALL (#1 ON STACK) Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

Mr. Parris appeared for Mr. Cristalli and advised with the Binion trial still going, he is not prepared to go forward on this matter. Mr. Fattig stated Mr. Cristalli's Office had phoned to advise him of the situation. COURT ORDERED, trial date VACATED and RESET. CUSTODY 3/29/05 9:00 AM CALENDAR CALL (#1 ON STACK) 4/4/05 1:30 PM JURY TRIAL (#1 ON STACK) ;

11/22/2004

CANCELED Jury Trial (1:30 PM)

Vacated

12/16/2004

Motion for Own Recognizance Release/Settling Reasonable Bail (9:00 AM)

Events: 12/13/2004 Motion

DEFT'S MOTION FOR REASONABLE BAIL/45 Court Clerk: Linda Skinner

Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Denied; DEFT'S MOTION FOR REASONABLE BAIL/45 Court Clerk: Linda Skinner

Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Mr. Cristalli stated bail was set without Defendant being present. Arguments by Mr. DiGiacomo including that Defendant is facing 2 life sentences and he feels the bail is appropriate. Mr. Cristalli argued that he feels the bail was set so high because Defendant was fighting extradition. Further arguments by Mr. DiGiacomo. Court noted Defendant is a flight risk and a danger to the community. Therefore, COURT ORDERED, Deft's Motion is DENIED. CUSTODY ;

02/14/2005

Petition for Writ of Habeas Corpus (9:00 AM)

DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley

02/17/2005

Petition for Writ of Habeas Corpus (9:00 AM)

DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley

02/28/2005

Motion (9:00 AM)

Events: 02/15/2005 Motion

DEFT'S PRO PER MTN TO TRANSPORT & PRODUCE INMATE/47 Heard By: Donald Mosley

02/28/2005

Request (9:00 AM)

Events: 02/15/2005 Request

DEFT'S REQUEST FOR APPOINTMENT OF COUNSEL/48 Heard By: Donald Mosley

02/28/2005

All Pending Motions (9:00 AM)

CASE SUMMARY

CASE No. 03C189658-1

ALL PENDING MOTIONS 2/28/05 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Matter Heard; ALL PENDING MOTIONS 2/28/05 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley

Journal Entry Details:

DEFT'S PRO PER MOTION TO TRANSPORT AND PRODUCE INMATE...DEFT'S PRO PER REQUEST FOR APPOINTMENT OF COUNSEL AS TO TRANSPORT: COURT ORDERED, GRANTED, however feels it is moot. Mr. Miller advised there is a Transportation Order in the file. AS TO COUNSEL: Defendant does not set out any complicated issues; therefore, COURT ORDERED, DENIED. NDC ;

03/24/2005

Petition for Writ of Habeas Corpus (9:00 AM)

DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley

03/25/2005

Petition for Writ of Habeas Corpus (9:00 AM)

DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley

03/29/2005

Calendar Call (9:00 AM)

CALENDAR CALL (#1 ON STACK) Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Matter Heard; CALENDAR CALL (#1 ON STACK) Relief Clerk: Melissa Swinn Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Mr. Cristalli requested matter be continued. For the record, Mr. Fattig advised the State is ready to go forward and has several out of state witnesses. COURT ORDERED, request to continue GRANTED; trial date VACATED and RESET with #1 priority. Mr. Cristalli stated he needs statements from victim. Mr. Fattig advised that there were no voluntary statements exist because the victim was transported to the hospital and was too ill to ever complete a statement. Court advised that Defense's request for discovery is GRANTED, if necessary. CUSTODY 2/14/06 9 AM CALENDAR CALL #1 2/21/06 1:30 PM JURY TRIAL #1 ;

04/04/2005

CANCELED Jury Trial (1:30 PM)

Vacated

06/24/2005

Petition for Writ of Habeas Corpus (9:00 AM)

DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley

07/15/2005

Petition for Writ of Habeas Corpus (9:00 AM)

DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley

11/18/2005

Petition for Writ of Habeas Corpus (9:00 AM)

DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Heard By: Donald Mosley

12/09/2005

Petition for Writ of Habeas Corpus (9:00 AM)

DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Relief Clerk: Melissa Swinn Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Matter Continued; DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Relief Clerk: Melissa Swinn Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.

Journal Entry Details:

Court advised the Defendant it is familiar with the issues before the Court. Defendant inquired as to his motion for counsel. Mr. Simon stated that the same motion was previously filed and was denied in early 2005. Defendant stated that he requested help to argue and was not notified that his motion was denied. Court inquired as to why he feels counsel is necessary. Defendant stated he needs help obtaining discovery and investigation matters. Court informed the Defendant that there is not a new trial and the only issue is regarding ineffective assistance of counsel. Defendant stated he feels he was not properly canvassed. Court FINDS no reason to appoint counsel and request DENIED. Defendant requested matter be continued to retain counsel, possibly Mr. Cristalli. Court and State noted there may be a conflict with Mr. Cristalli's office or Mr. Momot's office representing him. COURT ORDERED, matter CONTINUED until a Friday in March. Court advised Defendant it is his responsibility to retain private counsel, if so desired. NDC CLERK'S NOTE: Court noted Motion for Counsel on calendar 12/20/05. As that matter was addressed today, Court vacated the aforementioned date./ms ;

CASE SUMMARY

CASE NO. 03C189658-1

12/20/2005	<p>CANCELED Motion for Appointment of Attorney (9:00 AM) Events: 12/01/2005 Motion for Appointment of Attorney <i>Vacated</i></p>
01/10/2006	<p>Request of Court (9:00 AM) <i>AT REQUEST OF COURT: APPLICATION FOR FEES Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i> Granted; <i>AT REQUEST OF COURT: APPLICATION FOR FEES Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i> Journal Entry Details: <i>Upon Court's inquiry, Mr. Saggese advised the family had hired Mr. Franke and he exhausted the early funds that were granted. Mr. Saggese stated his Investigator, Mr. Needham needs to contact the witnesses in California and review the fingerprint evidence. Mr. Saggese advised they have not been paid, however, will see the case to the end and requested a little relief for the Investigator. COURT ORDERED, \$3,000 will be afforded. Mr. Fattig presented an Order to release the fingerprint cards from the Clerk's Office Vault. ORDER SIGNED AND FILED IN OPEN COURT. Court admonished both counsel to be ready for trial on 2/21/06. CUSTODY ;</i></p>
02/14/2006	<p>Calendar Call (9:00 AM) <i>CALENDAR CALL (#1) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i> Matter Heard; <i>CALENDAR CALL (#1) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley</i> Journal Entry Details: <i>Court noted this matter was discussed in chambers. Mr. Fattig concurred and FILED IN OPEN COURT State's Motion to Continue. Pursuant to discussion, COURT ORDERED, trial date VACATED and RESET. CUSTODY 6/20/06 9:00 AM CALENDAR CALL (#2) 6/26/06 1:30 PM JURY TRIAL (#2) ;</i></p>
02/21/2006	<p>CANCELED Jury Trial (1:30 PM) <i>Vacated</i></p>
03/10/2006	<p>Petition for Writ of Habeas Corpus (9:00 AM) <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i> Denied; <i>DEFT'S PTN FOR WRIT OF HABEAS CORPUS/46 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i> Journal Entry Details: <i>Court noted Defendant's Writ alleges ineffectiveness of counsel. Hearing proceeded. Mr. Coffee and Ms. Diefenbach sworn and testified. Exhibit submitted. Following closing statements by Mr. Simon and none by Defendant, Court stated it does not find counsel to be ineffective and ORDERED, Writ DENIED. NDC ;</i></p>
06/20/2006	<p>Calendar Call (9:00 AM) <i>CALENDAR CALL (#2) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i> Matter Continued; <i>CALENDAR CALL (#2) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.</i> Journal Entry Details: <i>Mr. Fattig advised he is ready with 13 witnesses (7 out of State) and lasting 4-5 days. Mr. Cristalli stated he is ready as well. Court noted there is a trial ahead of this, however, if it negotiates, this case will go forward. Mr. Cristalli advised there are 4 subpoenas that were not complied with. Upon review of Court, Mr. Fattig noted Mr. Cristalli keeps issuing subpoenas that have nothing to do with this case. Mr. Cristalli stated he would like a copy of the procedural manual from the Henderson Police. Further, he feels they (the Henderson Police Department) have evidence of another person that is responsible for committing this crime that they have not turned over to the District Attorney. Mr. Fattig stated it is untrue, the person Mr. Cristalli is referring to was not picked out of the lineup and his fingerprints do not match. Mr. Cristalli argued there are errors in the report and the Police ignored evidence of another individual. Following additional colloquy, Court advised the subpoenas would not be issued and stated its displeasure as he feels Mr. Cristalli is trying to put the Henderson Police Department on trial. Mr. Cristalli stated he needs an exemplar as the signatures do not match;</i></p>

CASE SUMMARY

CASE NO. 03C189658-1

that there are 3 documents and 1 does not match. COURT ORDERED, DENIED. Mr. Cristalli asked for Internal Affairs information and computer information. COURT ORDERED, DENIED. FURTHER, COURT ORDERED, matter CONTINUED to see if other matter resolves. CUSTODY ;

06/21/2006

Calendar Call (9:00 AM)

CALENDAR CALL (#2) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Matter Heard; CALENDAR CALL (#2) Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Discussion by Mr. Cristalli regarding expert. Mr. DiGiacomo stated he had no objection to this expert as long as he gets the report as soon as possible. Mr. Cristalli stated he does not have one yet. Court noted this witness may not be called anyway and will visit this issue if there is a legitimate reason for discussion. As all counsel are ready, COURT ORDERED, jury selection will begin at 1:30 on 6/26/06. CUSTODY ;

06/26/2006

Jury Trial (1:30 PM)

TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Journal Entry Details:

Gary Modafferi also present for Defendant. 1:47 PM PROSPECTIVE JURORS PRESENT: Roll call taken. Jury selection begins. 5:04 PM EVENING RECESS. ;

06/27/2006

Jury Trial (1:30 PM)

TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Journal Entry Details:

Gary Modafferi also present for Defendant. 1:27 PM OUTSIDE PRESENCE OF PROSPECTIVE JURORS: Mr. Cristalli issued a Batson challenge as to Juror #488 and advised he did not feel the State was warranted in letting her go because of her job history and the t-shirt she wore, however, did note there are 2 other African Americans in the box. Mr. Fattig advised she had 3 jobs in 7 months and the lack of maturity in her dress were the reasons she was excused. Court stated collectively it finds no good cause for the challenge and ORDERED, DENIED. There being no objection, Amended Information FILED IN OPEN COURT. 1:32 PM PROSPECTIVE JURORS PRESENT: Roll call taken. 1:45 PM Jury and 1 Alternate selected and sworn. Information read by Clerk. Instructions by Court. Exclusionary rule invoked. 1:56 PM Opening statements by counsel. Testimony and exhibits presented (see worksheets). 5:16 PM EVENING RECESS. ;

06/28/2006

Jury Trial (1:30 PM)

TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Journal Entry Details:

Gary Modafferi also present for Defendant. 1:35 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued (see worksheets). 4:56 PM EVENING RECESS. ;

06/29/2006

Jury Trial (9:00 AM)

TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Matter Continued; TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Mosley, Donald M.

Journal Entry Details:

Gary Modafferi also present for Defendant. 1:42 PM OUTSIDE PRESENCE OF JURY: Mr. Cristalli objected to the co-defendant being brought in when the State knows he will not cooperate and testify. Mr. DiGiacomo stated the only issue is identification. Mr. Cristalli argued the inference through seeing co-defendant, is that Defendant Brown committed the crime. Following discussions, Court noted co-defendant will be brought in before the Jury is

CASE SUMMARY

CASE No. 03C189658-1

seated and he is to be dressed in street clothes. Mr. DiGiacomo requested for identification purposes, that co-defendant Blackwell, be allowed to come into the well. COURT SO ORDERED. 1:50 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued, (see worksheets). 3:39 PM OUTSIDE PRESENCE OF JURY: Mr. DiGiacomo advised he will have the FBI Agent identify Deft. Blackwell. Defendant admonished of his rights to testify. Discussion regarding prior convictions. Exhibits 14,9 & 7 offered and ADMITTED. Mr. Cristalli stated his Investigator found the reports were tampered with and Defendant wanted this issue to be raised. Court so noted. 4:19 PM JURY PRESENT: All present as before. 4:22 PM STATE RESTS. EVENING RECESS. ;

06/30/2006

Jury Trial (9:00 AM)

TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Matter Heard; TRIAL BY JURY Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

Gary Modafferi also present for Defendant. 9:25 AM OUTSIDE PRESENCE OF JURY: Mr. Cristalli requested Defendant's presence be waived as he has not arrived yet. Jury instructions settled on the record. 9:34 AM JURY & DEFENDANT PRESENT: Roll call taken. Testimony and exhibits continued, (see worksheets). 11:00 AM DEFENSE RESTS. Rebuttal by State. 11:25 AM STATE RESTS. Jury instructions read by Court. RECESS. 1:16 PM JURY PRESENT: All present as before. Closing arguments by counsel. 2:47 PM Jury retired to deliberate. Court thanked and excused the Alternate. 7:40 PM JURY PRESENT: Roll call taken. Jury fore person advised a verdict had been reached: COUNT 1 - Burglary While in Possession of a Firearm - GUILTY; COUNT 2 - First Degree Kidnapping with Use of a Deadly Weapon, Victim 65 Years of Age, or Older Resulting in Substantial Bodily Harm - GUILTY; COUNT 3 - First Degree Kidnapping with Use of a Deadly Weapon Resulting in Substantial Bodily Harm - GUILTY; COUNT 4 - Robbery with Use of a Deadly Weapon, Victim 65 Years of Age or Older - GUILTY; COUNT 5 - Robbery with Use of a Deadly Weapon - GUILTY. At request of Mr. Cristalli, Jury polled. Court referred matter to the Division of Parole and Probation for a Pre-sentence Investigation Report and ORDERED, set for sentencing. Defendant to be held without bail. Court thanked and excused the Jury. OUTSIDE PRESENCE OF JURY: Mr. Cristalli stated during cross examination of Defendant, Mr. DiGiacomo showed him a Notice of Alibi Witness; there was a conference at the Bench wherein Mr. Cristalli requested a mistrial, which was denied. Mr. Cristalli renewed his request for a mistrial Mr. DiGiacomo argued the Notice was never withdrawn and therefore he was allowed to use it. Court concurred and DENIED request for a mistrial. CUSTODY 8/8/06 9:00 AM SENTENCING ;

08/08/2006

Sentencing (9:00 AM)

SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Granted; SENTENCING Court Clerk: Linda Skinner Reporter/Recorder: Joe D'Amato Heard By: Donald Mosley

Journal Entry Details:

By virtue of the Jury's findings, DEFENDANT BROWN ADJUDGED GUILTY of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT 2 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN SUBSTANTIAL BODILY HARM (F); COUNT 3 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F); COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE (F) and COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON (F). Statements by Mr. DiGiacomo, Defendant and Mr. Cristalli. Speaker Emmett Connley sworn and addressed the Court. COURT ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to: COUNT 1 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, and; COUNT 2 - a MAXIMUM term of FORTY (40) YEARS with a MINIMUM Parole eligibility after FIFTEEN (15) YEARS, plus an EQUAL AND CONSECUTIVE MAXIMUM term of FORTY (40) YEARS with a MINIMUM parole eligibility after FIFTEEN (15) YEARS, for Victim over 65 Years of Age or Older, to run CONCURRENT with Count 1, and; COUNT 3 - a MAXIMUM term of FORTY (40) YEARS with a MINIMUM Parole eligibility after FIFTEEN (15) YEARS, plus an EQUAL AND CONSECUTIVE MAXIMUM term of FORTY (40) YEARS with a MINIMUM parole eligibility after FIFTEEN (15) YEARS, for the Deadly Weapon enhancement. to run CONSECUTIVE to Count 2 and PAY \$143,327 RESTITUTION, and; COUNT 4 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS plus an equal and

CASE SUMMARY

CASE No. 03C189658-1

CONSECUTIVE MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Victim 65 Years of Age or Older, to run CONCURRENT with Count 3, and; COUNT 5 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, and plus an equal and CONSECUTIVE term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Use of a Deadly Weapon, to run CONCURRENT with Count 4, with 1,349 days credit for time served. At request of Mr. DiGiacomo, an Order to Release Mr. Connley's gold watch was SIGNED IN OPEN COURT. CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA Analysis fee is imposed and Defendant to submit to genetic markers testing. BOND, if any, EXONERATED. ;

12/18/2008

Petition for Writ of Habeas Corpus (9:00 AM)

Events: 10/10/2008 Petition for Writ of Habeas Corpus
DEFT'S PTN FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)/57 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Matter Heard; DEFT'S PTN FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)/57 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Journal Entry Details:
Mr. Langford advised he spoke to Mr. Simon and Mr. Simon does not have an objection to the time for filing his response being delayed until next month. COURT ORDERED, the following briefing schedule: Mr. Langford to file by 1/20/09 Mr. Simon to respond by 3/20/09; Mr. Langford to reply by 4/3/09 and matter set for hearing. NDC 4/17/09 9:00 AM HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) ;

04/17/2009

Hearing (9:00 AM)

HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)
Heard By: Donald Mosley

06/19/2009

Hearing (9:00 AM)

HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)
Heard By: Donald Mosley

08/17/2009

Motion to Continue (9:00 AM)

Events: 08/05/2009 Motion to Continue
DEFT'S MTN TO CONTINUE PTN FOR WRIT OF HABEAS CORPUS(POST CONVICTION)/59 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Granted; DEFT'S MTN TO CONTINUE PTN FOR WRIT OF HABEAS CORPUS(POST CONVICTION)/59 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Journal Entry Details:
Mr. Langford advised he will be out of the jurisdiction on 8/21 and requested the writ be continued to another day. COURT ORDERED, GRANTED, however, directed Mr. Langford contact Mr. Cristalli and Mr. Simon as to a date that is good for them and then contact chambers to have this put back on calendar. NDC CLERK'S NOTE: 8/20/09 Mr. Langford's Office phoned and advised all parties have agreed to 10/23/09. ls ;

08/21/2009

Hearing (9:00 AM)

HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)
Heard By: Donald Mosley

09/03/2009

Evidentiary Hearing (9:00 AM)

Events: 08/21/2009 Motion
DEFT'S MOTION FOR EVIDENTIARY HEARING/60 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Matter Heard; DEFT'S MOTION FOR EVIDENTIARY HEARING/60 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
 Journal Entry Details:
Court noted Defendant is in prison and not present today and that this motion is premature. When his writ is heard on 10/23, it will be determined if an Evidentiary Hearing is necessary; if one is, it will be set and Defendant will be transported for it. COURT ORDERED, matter OFF CALENDAR. NDC ;

CASE SUMMARY

CASE NO. 03C189658-1

10/23/2009	<p>Hearing (9:00 AM) <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i> <i>Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i></p>
12/04/2009	<p>Hearing (9:00 AM) <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i> <i>Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley</i> Matter Heard; <i>HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i> Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley Journal Entry Details: <i>Upon review of the pleadings, Court FINDS that an evidentiary hearing would be necessary to resolve Deft's Petition for Writ of Habeas Corpus. Following colloquy, COURT ORDERED, matter SET for evidentiary hearing. NDC 2-12-10 9:00 AM EVIDENTIARY HEARING: PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) ;</i></p>
02/12/2010	<p>Evidentiary Hearing (9:00 AM) <i>EVIDENTIARY HEARING: PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i></p>
04/12/2010	<p>Motion for Discovery (9:00 AM) Events: 03/18/2010 Motion for Discovery <i>DEFT'S MTN FOR DISCOVERY /62 Relief Clerk: Phyllis Iryb/pi Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i> Matter Continued; <i>DEFT'S MTN FOR DISCOVERY /62 Relief Clerk: Phyllis Iryb/pi Reporter/Recorder: Maureen Schorn Heard By: Mosley, Donald M.</i> Journal Entry Details: <i>Deft not present. Mr. Fattig requested a continuance; advised Mr. Langford could not be present. COURT ORDERED, MATTER CONTINUED. NDC ;</i></p>
04/30/2010	<p>Evidentiary Hearing (9:00 AM) <i>EVIDENTIARY HEARING: PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)</i></p>
04/30/2010	<p>Motion for Discovery (9:00 AM) <i>DEFT'S MTN FOR DISCOVERY /62</i></p>
04/30/2010	<p>All Pending Motions (9:00 AM) <i>ALL PENDING MOTIONS 4/30/10 Court Clerk: Linda Skinner Reporter/Recorder: Marcia Leonard Heard By: Donald Mosley</i> Matter Heard; <i>ALL PENDING MOTIONS 4/30/10 Court Clerk: Linda Skinner Reporter/Recorder: Marcia Leonard Heard By: Donald Mosley</i> Journal Entry Details: <i>DEFT'S MOTION FOR DISCOVERY...EVIDENTIARY HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Court advised due to time constraints, the Evidentiary Hearing will need to be continued but the discovery issue can be resolved and inquired about fingerprints. Mr. Fattig advised there were 9 prints that were all run through AFIS of which 2 did not come back to anyone. Arguments by Mr. Langford. Court stated absent a showing that prints put into the AFIS system was not a general search, it will not be done again. Arguments by Mr. Langford as to item #2 of his motion. Mr. Fattig advised these prints were entered into the Henderson Police Department's new computer system; that the date on the report was the date the information was entered into the system, not the date of the actual test. Mr. Fattig argued this was testified to during trial and the witness was cross examined by Mr. Cristalli. Mr. Langford argued that the transcript is not clear as to what was said at trial and it is his recollection there was nothing mentioned as to why the dates came out incorrectly. Mr. Fattig advised Mr. Cristalli and his Investigator were allowed to go to the Henderson Crime Lab to look at the original reports. Following additional arguments, Court advised it is not satisfied that further discovery is needed at this time. Mr. Langford advised he would like to do DNA testing on the ear ring. Arguments by Mr. Fattig. Following, COURT ORDERED, the ear ring to be sent over for DNA testing. Mr. Langford advised he believes there were several communications via e-mails between Las Angeles and Nevada indicating that Defendant was not originally a good suspect. Mr. Fattig stated Defendant's credibility is</i></p>

CASE SUMMARY

CASE NO. 03C189658-1

lacking, he is claiming that reports existed that Mr. Cristalli did not ask for previously and that he (Defendant) also gave an interview to an FBI Agent when in fact he did not. Mr. Langford argued that he has over 1,000 pages of Investigation that he needs to review and would request leave to file a reconsideration motion if need be. Court advised a Motion maybe submitted, however at this time, it feels nothing more is warranted. Further, copies of the fingerprint cards are to be released to show they were run in the AFIS system. Following colloquy, Mr. Langford advised he will prepare the Order as to DNA testing. Court so noted and ORDERED, matter set for status check. NDC 7/26/10 9:00 AM STATUS CHECK: DISCOVERY ;

07/26/2010



Status Check (9:00 AM) (Judicial Officer: Bonaventure, Joseph)

07/26/2010, 09/27/2010, 10/18/2010

Continued;

Continued;

Hearing Set;

Journal Entry Details:

Mr. Langford advised all discovery has been received and the matter can be set for hearing.

Mr. Fattig concurred. COURT SO ORDERED. NDC 12/10/10 9:00 AM EVIDENTIARY HEARING ;

Continued;

Continued;

Hearing Set;

Journal Entry Details:

The Court advised Mr. Langford was en-route to the hospital and ORDERED, matter CONTINUED. NDC 10.18.10 9:00 A.M. CONTINUED ;

Continued;

Continued;

Hearing Set;

Journal Entry Details:

Mr. Langford advised Defendant is in prison and requested his presence be waived. Court noted the discovery needed is latent fingerprint cards and DNA from the earring. Mr. Langford concurred and advised he will prepare an Order to get the earring out of evidence for testing. Mr. Fattig stated he does not have an objection and will stipulate that there is no DNA on the earring as it had been in the jewelry washing machine. As to the finger print cards, Mr. Fattig advised he needs to get them and have them copied for Mr. Langford. Following additional colloquy and at request of counsel, COURT ORDERED, matter CONTINUED 60 days. NDC ... CONTINUED 9/27/10 9:00 AM ;

10/21/2011

CANCELED Evidentiary Hearing (9:00 AM) (Judicial Officer: Mosley, Donald)

Vacated

reset to 12/2

01/23/2012



Motion to Continue (9:00 AM) (Judicial Officer: Mosley, Donald)

01/23/2012, 01/25/2012

Events: 01/10/2012 Motion to Continue

Motion to Continue Evidentiary Hearing

Matter Continued;

Withdrawn;

Journal Entry Details:

Mr. Langford advised they have been trying to hire a Forensic Data expert but the family could not afford one earlier. Upon Court's inquiry, Mr. Langford advised the expert is going to review the e-mails from the Henderson Police Dept. to the Los Angeles Police Dept. Conference at the Bench. Pursuant to that conference, COURT ORDERED, Motion WITHDRAWN and Mr. Langford will re-address this issue at the time of the hearing if necessary. NDC ;

Matter Continued;

Withdrawn;

Journal Entry Details:

Ms. Hernandez appeared for Mr. Langford, advised they are going to be hiring a forensic data expert and would like a continuance as to the hearing. Objections stated by Mr. Fattig including that this is the 10th continuance for this hearing. Following colloquy, COURT ORDERED, matter CONTINUED for Mr. Langford to be present and absent a very persuasive reason, this matter will go forward on Friday. NDC ... CONTINUED 1/25/12 9:00 AM ;

CASE SUMMARY

CASE NO. 03C189658-1

01/27/2012



Evidentiary Hearing (1:30 PM) (Judicial Officer: Mosley, Donald)

Denied;

Journal Entry Details:

Court advised, this matter is on calendar today for there to be an evidentiary hearing conducted. Witness testimony presented (See Worksheet). Following arguments by counsel, Court further advised, trial in this matter occurred almost 6 years ago and appears to have been examined very well. Regarding the rendition of what was heard the issue of not comparing the finger prints on the glass of the jewelry store would pretty much be a speculation. This Court can not fault Attorney Cristalli for not proceeding with that strategy as it does not appear to be negligent. Further, it is a slippery slope that is never ending regarding there being failure to try the police department. The issues raised regarding the police department appear to be fishing attempts by the Defendant to verify the specifics as to the communication conducted by the officers. Upon review of the facts and testimony presented, COURT ORDERED, the petition is DENIED; Defendant's request for an expert is DENIED.;

07/22/2013

Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion to Appoint Counsel

Denied;

07/22/2013

Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Accused Motion to Dismiss for Lack of Subject Matter Jurisdiction

Denied;

07/22/2013



All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Denied;

Journal Entry Details:

DEFT'S PRO PER MOTION TO APPOINT COUNSEL: Court stated the State's opposition correctly pointed out the Deft's Petition was already denied and the decision affirmed by the Supreme Court; the Court agrees there is no basis at this time to appoint counsel and would be frivolous to do further review, therefore, ORDERED, Motion DENIED. State to prepare the Order. DEFT'S PRO PER ACCUSED MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION: Court stated there is no basis to legally grant this motion; further, the motion is unsound, therefore, ORDERED, Motion DENIED. State to prepare the Order. NDC ;

08/28/2013

Motion to Rehear (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion for Re-Hearing

Denied;

08/28/2013

Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Accused Request for Leave to File Motion for Re-Hearing base upon State and Federal Constitutional Deprivation in Prior Proceedings

Denied;

08/28/2013



All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Denied;

Journal Entry Details:

Court stated that it is not taking any argument and has reviewed all the pleadings. DEFT'S PRO PER MOTION FOR RE-HEARING: COURT ORDERED, Motion DENIED WITHOUT PREJUDICE as the deft. does not assert the requisite legal argument or facts to warrant relief at this time. DEFT'S PRO PER ACCUSED REQUEST FOR LEAVE TO FILE MOTION FOR RE-HEARING BASED UPON STATE AND FEDERAL CONSTITUTIONAL DEPRIVATION IN PRIOR PROCEEDINGS: COURT ORDERED, Motion DENIED as being MOOT as the motion for re-hearing was already filed. State to prepare the Orders. NDC ;

09/09/2013









Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Accused Supplemental to His Motion for Re-Hearing / and / or Reply to States Opposition and or Courts Deniel of Accused File Motion for Lack of Subject Matter Jurisdiction and Accused Motion to Strike States Opposition for Good Legal Cause Showing

Denied;

CASE SUMMARY

CASE NO. 03C189658-1

	<p>Journal Entry Details: <i>Court stated it is not taking any additional argument today as the deft. is not present in court. Court stated its findings and ORDERED, Motion DENIED. State to prepare the Order. NDC ;</i></p>
10/14/2013	<p> Motion for Order (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion for Order for the Accused Immediate Release; Due to State's Failure to Oppose the Accused Motion to Strike State's Opposition for Good Legal Cause Showing</i> Denied; Journal Entry Details: <i>Court noted that it is not hearing any arguments and based its decision on the pleadings. Court stated its findings and ORDERED, Motion DENIED. State to prepare the Order. NDC ;</i></p>
11/04/2013	<p>Motion to Produce (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion for Production of Documents, Papers, Pleadings, and Tangible Property of Defendant</i> Granted;</p>
11/04/2013	<p>Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion to Withdraw Counsel</i> Granted;</p>
11/04/2013	<p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Granted; Journal Entry Details: <i>DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL...DEFT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFT. COURT ORDERED, Deft's Pro Per Motions are GRANTED and Mr. Langford is to provide the deft. with a copy of the file; FURTHER ORDERED, Mr. Langford is to provide proof that the file has been provided to the deft. NDC ;</i></p>
12/02/2013	<p> Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant Accused Motion for Decision on the Merits of Invalid Laws of the State of Nevada Causing the District Court to be Divested of Subject Matter Jurisdiction Ab Initio</i> Denied; Journal Entry Details: <i>Court stated it is not taking any additional argument and will base its ruling on the pleadings filed. Court stated its findings and ORDERED, Motion DENIED. State to prepare the Order. NDC ;</i></p>
12/11/2013	<p> Motion to Compel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Motion To Compel Order's Denying</i> Denied; Journal Entry Details: <i>Court stated that it will not be taking any argument today. Court noted that the State has filed orders every order ruled upon and has mailed them to the deft., therefore, ORDERED, Motion DENIED as being belied by the record. State to prepare the Order. NDC ;</i></p>
01/08/2014	<p> Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 11/06/2013 Order for Petition for Writ of Habeas Corpus Denied; Journal Entry Details: <i>Defendant not present, incarcerated in the Nevada Department of Corrections (NDC). COURT ORDERED, Petition for Writ of Habeas Corpus is DENIED, noting the Nevada Supreme and District Courts have already dealt with this request. State to prepare the order. NDC CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant at the following address: Mr. Erick M. Brown, #92713 PO Box 208, SDCC Indian Springs, NV 89070/db 1.9.14 ;</i></p>
03/17/2014	<p> Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p>

CASE SUMMARY

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Petitioner's Pro Per Motion in Opposition of the Notice of Entry of Findings of Fact, Conclusion of Law and Order

Denied;

Journal Entry Details:

Matthew Walker, Deputy District Attorney, present on behalf of the State. Defendant not present in custody with the Nevada Department of Corrections. Court reviewed defendant's claims for the record. Court stated the motion is moot as the Court previously denied defendant's petition as procedurally time barred; therefore, COURT ORDERED, Motion DENIED. NDC CLERK S NOTE: A copy of this Minute Order has been mailed to Defendant at the following address: Mr. Erick M. Brown, #92713 P0 Box 208, SDCC Indian Springs, NV 89070;

04/16/2014 **Motion for Appointment** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)


Defendant's Pro Per Motion to Appoint Counsel

Denied;

04/16/2014 **Motion to Compel** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion to Compel Court -to- Correct it's Own "Errors and Omissions" with their "Presumption" of the (NRS); is Now Challenged with the "Knowledge of Law" and "White Paper" with attached "Prima facie" Evidence as Proof of the Unconstitutional Invalid (NRS).


Denied;

04/16/2014  **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard;

Journal Entry Details:

DEFENDANT'S PRO PER MOTION TO APPOINT COUNSEL.....DEFENDANT'S PRO PER MOTION TO COMPEL COURT TO CORRECT ITS OWN "ERRORS AND OMISSIONS" WITH THEIR "PRESUMPTION" OF THE (NRS); IS NOW CHALLENGED WITH THE "KNOWLEDGE OF LAW" AND "WHITE PAPER" WITH ATTACHED "PRIMA FACIE" EVIDENCE AS PROOF OF THE UNCONSTITUTIONAL INVALID (NRS) Defendant not present, incarcerated in the Nevada Department of Corrections (NDC). Court NOTED that both Motion shows no legal to basis to be granted, as there is a lack of information alleged; therefore, the Motions are not appropriate under the circumstances. COURT ORDERED, both Motions are DENIED; State to prepare the Order. NDC CLERK'S NOTE: A copy of this Minute Order was mailed to Defendant at the following address: Erick Brown, #92713 Southern Desert Correctional Center 20825 Cold Creek Road PO Box 208 Indian Springs, NV 89018 /d. batiste 4.16.14 ;


05/21/2014  **Motion** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Defendant's Pro Per Motion to Appoint Counsel

Denied;

Journal Entry Details:

Court stated that it will not take any oral argument today as the deft. is not present. Court has reviewed the pleadings and ORDERED, Motion DENIED as being duplicative and frivolous. State to prepare the Order. NDC ;


06/23/2014  **Motion for Leave** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion for Leave of the Court for Defendant's Filing; Petition for Judicial Review (de novo) and "White Paper" Research with Prima Facie Evidence, Documents/Exhibits "Memorandum" and Judicial Notice

Denied;

Journal Entry Details:




The Court noted Deft continues to file Motions with no basis or evidence. The State pointed out there is a matter pending with the Supreme Court. Deft is stopped from making these claims, therefore, COURT ORDERED, MOTION DENIED. NDC ;

09/22/2014  **Motion** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Defendant's Pro Per Motion/Request for 8th Judicial District Court Judge Kathleen. E Delany to Recuse Herself from Defendants Case; for "Due Process Violations" Constitutional Violations; Bias and Uphold the Nevada State Constitution, i.e. the Paramount Law with Attached Exhibits A,B,C






CASE SUMMARY

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	<p>Denied; Journal Entry Details: <i>Court stated that it is not biased, there is no basis for relief and for the reasons argued by the State, ORDERED, Motion DENIED. State to prepare the Order. NDC ;</i></p>
10/20/2014	<p> Motion to Compel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 10/20/2014, 10/29/2014 <i>Defendant's Pro Per Motion to Compel</i> Matter Continued; Moot; Journal Entry Details: <i>Court noted that prior counsel has just filed proof that the file was sent to the Deft. yesterday, therefore, ORDERED, Motion is MOOT. Court further noted that the deft. has filed a pro per motion to compel the Judge to be disqualified from the case and wants an affidavit to be filed, therefore, ORDERED, Deft's Pro Per Motion by Defendant to Compel District Court Judge Kathleen Delaney to Provide Affidavit as Prescribed by Law and Pursuant to the District Courts Recognized Statute NRS 1.235(a)(b) Stand (b) Why This Judge Does Not Recuse Herself as Requested by Defendant is VACATED and will be set to be heard in front of the Chief Judge. NDC ;</i> Matter Continued; Moot; Journal Entry Details: <i>COURT ORDERED, matter CONTINUED to make sure that Mr. Langford has sent the file to the deft. NDC 10/29/14 9:00 AM DEFT'S MOTION TO COMPEL CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Robert L. Langford, Esq., (Langford McLetchie LLC). ;</i></p>
11/20/2014	<p> Motion to Disqualify Judge (3:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Pro Per Motion by Defendant to Compel District Court Judge Kathleen E. Delaney to Provide Affidavit as Prescribed by Law and Pursuant to the District Courts Reconized Statute NRS 1.235(a)(b) Stand (b); Why this Judge does not Recuse Herself as Requested by Defendant</i> Minute Order - No Hearing Held; Journal Entry Details: <i>See minute order dated 12/12/14.;</i></p>
12/01/2014	<p>Motion for Appointment of Attorney (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion to Appoint Counsel</i> Denied;</p>
12/01/2014	<p>Motion for Relief (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Pro Per Motion Pursuant to DCR Rule 60(b); Relief from Courts Order Dated 28 day of April 2014, for Mistakes; Inadvertance; Excusable Neglect and Act's of Tyranny; Failure to Uphold Bonded Oath; Supported by the Attached Memorandum "Domino Effect" Comparative Analysis as Irrefutable Evidence</i> Denied;</p>
12/01/2014	<p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Denied; Journal Entry Details: <i>DEFT'S PRO PER MOTION TO APPOINT COUNSEL...DEFT'S PRO PER MOTION PURSUANT TO DCR RULE 60(b); RELIEF FROM COURTS ORDER DATED 28 DAY OF APRIL 2014; FOR MISTAKES; INADVERTANCE; EXCUSABLE NEGLECT AND ACT'S OF TYRANNY; FAILURE TO UPHOLD BONDED OATH; SUPPORTED BY THE ATTACHED MEMORANDUM "DOMINO EFFECT" COMPARITIVE ANALYSIS AS IRREFUTABLE EVIDENCE Court stated its findings and ORDERED, Deft's Pro Per Motions are DENIED for the reasons argued by the State. State to prepare the Order. NDC ;</i></p>
12/12/2014	<p> Minute Order (3:00 AM) (Judicial Officer: Togliatti, Jennifer) Minute Order - No Hearing Held; Journal Entry Details: <i>Defendant s Motion to Disqualify denied via written order filed December 11, 2014.;</i></p>

CASE SUMMARY

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05/06/2015	<p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Demand Notice of Alleged Deficiency to Wit: Alleged Non-Compliance With Nev.Const. Art. 17 & 2 and 20</i></p> <p>Denied;</p>
05/06/2015	<p>Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Motion for Hearing on Petitioner's Notification for Courts Constitutional Compliance "Demand" for Immediate Release From Unlawful and Unconstitutional Imprisonment...</i></p> <p>Denied;</p>
05/06/2015	<p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>DEFENDANT'S PRO PER MOTION: DEMAND NOTICE OF ALLEGED DEFICIENCY TO WIT: ALLEGED NON-COMPLIANCE WITH NEV. CONST. ART. 17 & 2 AND 20.....MOTION FOR HEARING ON PETITIONER'S NOTIFICATION FOR COURT'S CONSTITUTIONAL COMPLIANCE "DEMAND" FOR IMMEDIATE RELEASE FROM UNLAWFUL AND UNCONSTITUTIONAL IMPRISONMENT Defendant not present, incarcerated in the Nevada Department of Corrections (NDC). COURT NOTED, no additional argument will be entertained for today's hearing; and ORDERED, Defendant's Pro Per Motion for Hearing calendared for May 27, 2015 will be ADVANCED to today's proceedings; COURT FURTHER NOTED, Defendant filed approximately 20 Motions that have been denied; additionally, he did not provide any legal support for these two Motions. COURT ORDERED, Motions DENIED, as Defendant has no legal argument for the argument, there is no focus on the allegations, or Points & Authorities for the Court to consider. State to prepare the Order. NDC CLERKS' NOTE: A copy of this Minute Order has been mailed to Defendant at the following address: Mr. Erick Brown, #92713 Southern Desert Correctional Center 20825 Cold Creek Road PO Box 208 Indian Springs, NV 89070 /db 5.7.2015 ;</i></p>
05/30/2018	<p> Petition for Writ of Mandamus (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>DEFT'S Pro per Petition for Writ of Mandamus</i></p> <p>Denied Without Prejudice;</p> <p>Journal Entry Details:</p> <p><i>Deft. not present, Nevada Department of Corrections (NDC). COURT NOTED it is incomprehensible as to what Deft. is looking for. Deft. is asking the Court to find a piece of legislation from 1951 as unconstitutional, it is not clear how it applies to this case. COURT FINDS there is no legal argument supporting Deft's. Petition. COURT STATED ADDITIONAL FINDINGS. Ms. Albritton noted the Attorney General's Office would typically respond if there is a constitutional issue. COURT ORDERED, Petition DENIED WITHOUT PREJUDICE, if Deft. is to re-file he is to serve the Attorney General's Office. Ms. Albritton is to prepare the Order. NDC CLERK'S NOTE: A copy of this minute order was mailed to Deft. (Erick Brown 92713 PO BOX 208, Indian Springs, NV 89070). /sb 06/07/18;</i></p>
06/27/2018	<p> Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 05/10/2018 Order for Petition for Writ of Habeas Corpus</p> <p>MINUTES</p> <p> Order for Petition for Writ of Habeas Corpus</p> <p>Denied Without Prejudice;</p> <p>Journal Entry Details:</p> <p><i>Deft. not present, Nevada Department of Corrections (NDC). COURT STATED FINDINGS, and ORDERED, Deft's. Motion DENIED WITHOUT PREJUDICE as to the Writ of Habeas Corpus, Motion DENIED WITH PREJUDICE as to the argument the Nevada Revised Statute is illegal or improper. NDC CLERK'S NOTE: A copy of this minute order was provided to Deft. (Erick Brown 92713, PO BOX 208, Indian Springs, NV 89070). /sb 07/18/18 ;</i></p>
08/08/2018	<p> Motion (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Defendant's Motion for Relief from Judgment Pursuant to NRCP Rule 60 (b)</i></p> <p>Motion Denied;</p> <p>Journal Entry Details:</p>

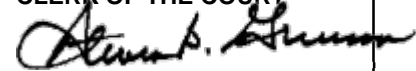
EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. 03C189658-1

03/05/2019	<p><i>Deft. not present, Nevada Department of Corrections (NDC). COURT NOTED, Deft. cites Nevada Civil Rules of Procedures in his Motion and STATED FINDINGS; there is no sound legal basis to Deft's. request, Deft. is citing civil procedures. With there being a lack of any rules the Court would consider, COURT ORDERED, Motion DENIED. The State is prepare the Order. NDC CLERK'S NOTE: A copy of this minute order was provided to Deft. (Erick Brown 92713, PO BOX 208, Indian Springs, NV 89070). /sb 08/09/18 ;</i></p> <p>Motion (9:00 AM) (Judicial Officer: Bell, Linda Marie)</p> <p><i>Erick Brown's Pro Per Motion to Recuse 8th Judicial District Court Judge Kathleen Delaney for Acts of Fraud and "Knowingly" Violating NCJC 2-2.11 (A)(1)(2) and (3); Requesting Vacation of Ruling Made June 27, 2018 at 9:00 am.</i></p>	
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DATE	FINANCIAL INFORMATION	
	<p>Defendant Brown, Erick M</p> <p>Total Charges</p> <p>Total Payments and Credits</p> <p>Balance Due as of 2/25/2019</p>	<p>266.00</p> <p>209.55</p> <p>56.45</p>



ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
ALICIA A. ALBRITTON
Chief Deputy District Attorney
Nevada Bar #9492
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

ERICK BROWN,
aka Erick Marquis Brown, #189908,
#Defendant ID

Defendant.

CASE NO: 03C189658-1

DEPT NO: XXV

**ORDER DENYING DEFENDANT'S PRO PER PETITION FOR WRIT OF
HABEAS CORPUS**

DATE OF HEARING: June 27, 2018
TIME OF HEARING: 09:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 27th day of June, 2018, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through ALICIA A. ALBRITTON, Chief Deputy District Attorney, and the Court without argument, based on the pleadings and good cause appearing therefor,

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1 IT IS HEREBY ORDERED that the Defendant's Pro Per Motion, shall be, and it is
2 DENIED WITHOUT PREJUDICE, as to the Writ of Habeas Corpus; Motion DENIED
3 WITH PREJUDICE as to the argument the Nevada Revised Statute is illegal or improper.

4 DATED this 24th day of July, 2018.

5
6 
DISTRICT JUDGE

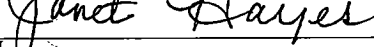
7 STEVEN B. WOLFSON
8 Clark County District Attorney
Nevada Bar #001565

9
10 BY 
11 ~~for~~ ALICIA A. ALBRITTON
Chief Deputy District Attorney
12 Nevada Bar #9492

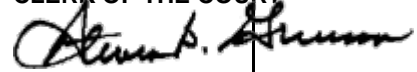
13 CERTIFICATE OF SERVICE

14 I certify that on the 19th day of July, 2018, I mailed a copy of the foregoing Order to:

15 ERICK BROWN, BAC #92713
16 SOUTHERN DISTRICT CORRECTIONAL CENTER
17 P. O. BOX 208
INDIAN SPRINGS, NEVADA 89070

18
19 BY 
20 Janet Hayes
Secretary for the District Attorney's Office

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NEOJ

**DISTRICT COURT
CLARK COUNTY, NEVADA**

ERICK M BROWN,

Petitioner,

Case No: 03C189658-1

Dept. No: XXV

vs.

THE STATE OF NEVADA,

Respondent,

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that on July 26, 2018, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

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 July 30, 2018.

STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Courtnie Hoskin

Courtnie Hoskin, Deputy Clerk

CERTIFICATE OF E-SERVICE / MAILING

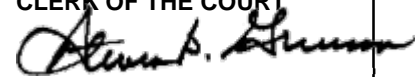
I hereby certify that on this 30 day of July 2018, I served a copy of this Notice of Entry on the following:

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

☒ The United States mail addressed as follows:
Erick M Brown # 92713
P.O. Box 208
Indian Springs, NV 89070

/s/ Courtnie Hoskin

Courtnie Hoskin, Deputy Clerk



ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
ALICIA A. ALBRITTON
Chief Deputy District Attorney
Nevada Bar #9492
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

ERICK BROWN,
aka Erick Marquis Brown, #189908,
#Defendant ID

Defendant.

CASE NO: 03C189658-1

DEPT NO: XXV

**ORDER DENYING DEFENDANT'S PRO PER PETITION FOR WRIT OF
HABEAS CORPUS**

DATE OF HEARING: June 27, 2018
TIME OF HEARING: 09:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 27th day of June, 2018, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through ALICIA A. ALBRITTON, Chief Deputy District Attorney, and the Court without argument, based on the pleadings and good cause appearing therefor,

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JUL 1 9 2018

1 IT IS HEREBY ORDERED that the Defendant's Pro Per Motion, shall be, and it is
2 DENIED WITHOUT PREJUDICE, as to the Writ of Habeas Corpus; Motion DENIED
3 WITH PREJUDICE as to the argument the Nevada Revised Statute is illegal or improper.

4 DATED this 24th day of July, 2018.

5
6 
DISTRICT JUDGE

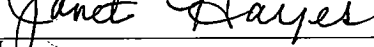
7 STEVEN B. WOLFSON
8 Clark County District Attorney
Nevada Bar #001565

9
10 BY 
11  ALICIA A. ALBRITTON
12 Chief Deputy District Attorney
Nevada Bar #9492

13 CERTIFICATE OF SERVICE

14 I certify that on the 19th day of July, 2018, I mailed a copy of the foregoing Order to:

15 ERICK BROWN, BAC #92713
16 SOUTHERN DISTRICT CORRECTIONAL CENTER
17 P. O. BOX 208
INDIAN SPRINGS, NEVADA 89070

18
19 BY 
20 Janet Hayes
Secretary for the District Attorney's Office

21
22
23
24
25
26
27
28 02FH1222A/jlh/GCU

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 05, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

February 05, 2003**9:00 AM****Initial Arraignment****INITIAL
ARRAIGNMENT
Court Clerk: Linda
Skinner/ls Relief
Clerk: Judy
McFadden
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Fritz, Andrew

Attorney

Knapp, Gregory D.

Attorney

JOURNAL ENTRIES

- AS TO DEFT BROWN: Mr. Fritz requested a continuance to Monday as Defendant has not retained him as of yet. Upon Court's inquiry, Mr. Fritz advised he would have an answer by Monday.

AS TO DEFT BLACKWELL: Ms. Diefenbach had no objection to a continuance.

There being no objection, COURT ORDERED, matter CONTINUED as to both Defendants.

CUSTODY (BOTH)

2/10/03 9:00 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 10, 2003

03C189658-1

The State of Nevada vs Erick M Brown

February 10, 2003

9:00 AM

Arraignment Continued

**ARRAIGNMENT
CONTINUED Court**
**Clerk: Linda
 Skinner/ls Relief**
**Clerk: Judy
 McFadden**
**Reporter/Recorder:
 Maureen Schorn**
**Heard By: Donald
 Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bauer, Elizabeth B.

Attorney

Brown, Erick M

Defendant

Hughes, Edward B.

Attorney

JOURNAL ENTRIES

- AS TO DEFT BROWN: Mr. Hughes appeared for Mr. Fritz and advised Mr. Fritz would be confirming as counsel. DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED THE SIXTY (60) DAY RULE.

AS TO DEFT BLACKWELL: DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED THE SIXTY (60) DAY RULE.

COURT ORDERED, matter set within sixty days for trial. Counsel requested 21 days from the filing of the Preliminary Hearing Transcript to file a writ. COURT ORDERED, Defendant's rights are reserved.

03C189658-1

CUSTODY (BOTH)

4/8/03 9:00 AM CALENDAR CALL (BOTH)

4/14/03 1:30 PM JURY TRIAL (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 03, 2003

03C189658-1

The State of Nevada vs Erick M Brown

April 03, 2003

9:00 AM

Motion to Suppress

DEFT'S MTN TO
SUPPRESS PHOTO
LINE-UP/ IN-
COURT ID/5 Relief
Clerk: Carole D'Aloia
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT: Lewis, Linda Y.

Attorney

JOURNAL ENTRIES

- Court TRAILED matter to end of calendar for argument.

Matter RECALLED and Ms. Lewis advised Ms. DeLaGarza left the file with her and submitted matter on opposition filed. Court noted the presence of Mr. Coffee and inquired why Ms. Diefenbach was not present to argue her motion. Mr. Coffee stated he is co-counsel on the matter. Court advised it wants the authors of the pleadings present to argue and, ORDERED, matter CONTINUED to tomorrow. Mr. Coffee stated he would contact Ms. Diefenbach and call Court this afternoon to let her know if she will be available tomorrow. Ms. Lewis advised she will have Ms. DeLaGarza present tomorrow.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 04, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

April 04, 2003**10:00 AM****Motion to Suppress**

**DEFT'S MTN TO
SUPPRESS PHOTO
LINE-UP/ IN-
COURT ID/5 Relief
Clerk: Carole D'Aloia
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- Court advised it reviewed all the pleadings in this matter and there are two issues raised in Ms. Diefenbach's motion, the challenge of the photo I.D. line up and the in court I.D. at the Preliminary Hearing. Following arguments by counsel, COURT ORDERED, motion DENIED as it does not find the photo line up suggestive or prejudicial in any way and is not inclined to mandate new procedures for in court identifications. Ms. Diefenbach advised matter is set for Calendar Call on Tuesday and the Co-Defendant filed a writ. Court advised counsel it can adjust within reason to accommodate both Defendants for trial since Defendant Blackwell has invoked his speedy trial rights.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 08, 2003

03C189658-1

The State of Nevada vs Erick M Brown

April 08, 2003

9:00 AM

Calendar Call

CALENDAR CALL
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

De La Garza, Melisa

Attorney

Fritz, Andrew

Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Ms. De La Garza advised the State is ready for trial with 8-10 witnesses and 3-4 out of State witnesses lasting 4-5 days. Mr. Coffee advised he is ready as well, however, will already be in a trial in this Court next week. Mr. Fritz advised he would like to wait on the outcome of the writ tomorrow. COURT ORDERED, trial date VACATED and matter set for trial setting next week as to both Defendants.

CUSTODY (BOTH)

4/17/03 9:00 AM TRIAL SETTING (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 09, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

April 09, 2003**9:00 AM****Petition for Writ of Habeas
Corpus**

**PTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
De La Garza, Melisa
Fritz, Andrew

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Arguments by Ms. De La Garza regarding aspirations and the fact that the Defendants increased the harm to the victims. As Ms. De La Garza cited case law that the Court would like to review, COURT ORDERED, matter CONTINUED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 17, 2003

03C189658-1

The State of Nevada vs Erick M Brown

April 17, 2003

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 4/17/03**
**Court Clerk: Nora
Pena/np Relief
Clerk: Billie Jo Craig
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Brown, Erick M
De La Garza, Melisa
Fritz, Andrew

Defendant
Attorney
Attorney

JOURNAL ENTRIES**- DEFT'S PETITION FOR WRIT OF HABEAS CORPUS - BROWN...TRIAL SETTING**

Court advised it sees two basic aspects - 1) asportation of the underlying offense and 2) question of increase danger to pursue alleged kidnapping to person or persons; it has doubts to this restraint not being incidental to robbery and asked Ms. DeLaGarza to work a hypothetical with the Court. Ms. DeLaGarza advised the depts bound the victims. Court asked where is the charge that the beating would justify. Ms. DeLaGarza advised kidnapping included bodily harm, and this binding was not just incidental to robbery. Mr. Fritz stated it deals with kidnapping and robbery, people were not kidnapped to be harmed but to be robbed. Court asked what is the separate offense. Ms. DeLaGarza advised the kidnapping is it's own offense charge and these victims sustained bodily harm. Mr. Fritz advised they say it's a robbery case and he thinks it's right on point with the Wright case. Court advised it should be left to the jury as to robbery. COURT ORDERED, Deft Brown's Petition for Writ

is DENIED. Mr. Fritz advised we needed to set a trial date. Ms. DeLaGarza advised deft. Black invoked and deft. Brown waived. COURT ORDERED, matter set for trial in 60 days. Trial date given due to request of the State. Mr. Fritz inquired about standard bail. Opposition by Ms. DeLaGarza. Court directed counsel to put bail request in a written motion.

CUSTODY (BOTH)

6/24/03 9:00 AM CALENDAR CALL (BROWN & BLACKWELL)

6/30/03 1:30 PM JURY TRIAL (BROWN & BLACKWELL)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 29, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

April 29, 2003**9:00 AM****Motion****DEFT'S MTN TO
REDUCE BAIL/11
Relief Clerk: Carole
D'Aloia
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- Court noted this is Mr. Jorgenson's motion to reduce bail from \$1,180,000 to \$98,000 and inquired if Defendant could make \$98,000 bail to which Defendant replied yes. Statements by Ms. De La Garza regarding the instant case, noting Defendant is a flight risk and, therefore, she opposes the motion. Mr. Jorgenson advised the Intake Services Report does not recommend an O.R. release but he is requesting standard bail be set. Upon inquiry of the Court, Defendant stated he lives in California. Court noted trial is set for June 30 and doesn't like the ideal of having to find Defendant in California when this case carries a possible life sentence and, ORDERED, motion DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 07, 2003

03C189658-1

The State of Nevada vs Erick M Brown

May 07, 2003

9:00 AM

Motion

**DEFT'S MTN FOR
BAIL HEARING/12
Court Clerk: Linda
Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

De La Garza, Melisa

Attorney

Fritz, Andrew

Attorney

JOURNAL ENTRIES

- Court noted Defendant has no ties to this State. Mr. Fritz advised that was untrue as Defendant's aunt lives here and that he was arrested in California. Ms. De La Garza argued that the bail should not be lowered; that he and the co-defendant terrorized two elderly men. Mr. Fritz argued for reasonable bail. Court noted absent a persuasive reason, it would not reset the bail after another Judge heard the evidence. Arguments by Mr. Fritz and Ms. De La Garza. COURT ORDERED, Deft's Motion for Bail Reduction is DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 18, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

June 18, 2003**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 6/18/03
Court Clerk: Linda
Skinner Relief Clerk:
Sharry Frascarelli/SF
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Fritz, Andrew

Attorney

Saragosa, Melissa A.

Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY

Ms. Saragosa advised this is Ms. DelaGarza's case who is requesting a couple of days continuance.

Court noted is unavailability and the pending trial date and ORDERED, matter CONTINUED.

CUSTODY

6/23/03 9:00 AM DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 23, 2003

03C189658-1

The State of Nevada vs Erick M Brown

June 23, 2003

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 6/23/03
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Brown, Erick M
De La Garza, Melisa
Fritz, Andrew

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SEVER TRIAL...DEFT'S MOTION TO COMPEL DISCOVERY
AS TO MOTION TO SEVER TRIAL: Court noted it has read this at length and Mr. Fritz feels Defendant would be prejudiced if he were tried with the co-defendant. Mr. Fritz concurred and stated the co-defendant was in the jewelry store earlier the day of the robbery and there is better identification on the co-defendant than on this Defendant. Court noted the case law needs to be substantial and ORDERED, Motion DENIED.

AS TO MOTION TO COMPEL DISCOVERY: Mr. Fritz advised Defendant was arrested in Los Angeles five days after the robbery; that Henderson Police were relaying descriptions to Los Angeles Police that were different from that of this Defendant. Mr. Fritz would like those notes. Ms. De La Garza advised Mr. Fritz has everything she has; that she will contact the Henderson Police and see if there is anything else. COURT ORDERED, matter RESOLVED.

03C189658-1

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 24, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

June 24, 2003**9:00 AM****Calendar Call****CALENDAR CALL****Relief Clerk: Melissa
Davis****Reporter/Recorder:****Maureen Schorn****Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

De La Garza, Melisa

Attorney

Fritz, Andrew

Attorney

JOURNAL ENTRIES

- Mr. Ericsson appearing on behalf of Ms. Diefenbach. Court noted Defendant Brown waived the 60 day rule and Defendant Blackwell invoked his right to a speedy trial. COURT ORDERED, matter RESET.

7/15/03 9AM CALENDAR CALL

7/21/03 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 10, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

July 10, 2003**9:00 AM****Motion****DEFT'S MTN TO
TAKE A WITNESS
OUT OF
ORDER/ALT
CONTINUE
TRIAL/20 Court
Clerk: Linda Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Saragosa, Melissa A. Attorney**JOURNAL ENTRIES**

- Ms. Diefenbach advised her expert will not be available on 7/24 or 7/25 and would request to have him testify on 7/23. Ms. Saragosa appeared for Ms. De La Garza and had no objection to the motion. COURT ORDERED, Deft's Motion to Take a Witness Out of Order is GRANTED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 15, 2003

03C189658-1

The State of Nevada vs Erick M Brown

July 15, 2003

9:00 AM

Calendar Call

CALENDAR CALL
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Fritz, Andrew

Attorney

Zadrowski, Bernard B.

Attorney

JOURNAL ENTRIES

- AS TO DEFT BROWN: Mr. Fritz advised Defendant would like him to withdraw; he stated there has been a breakdown in communication and would request to withdraw. Mr. Zadrowski advised there are 4 out of state witnesses and this would not be appropriate for Overflow. Following further statements by counsel and Defendant, COURT ORDERED, Mr. Fritz is ALLOWED to withdraw as counsel and matter set for Faretta Canvass.

AS TO DEFT BLACKWELL: Ms. Diefenbach advised she would oppose a continuance, is ready for trial and has an out of State expert. Mr. Zadrowski stated Ms. De La Garza is ready as well with 8-10 witnesses, 4 out of State and lasting 3-4 days. COURT ORDERED, jury selection would begin at 1:30 PM in this Court on Monday.

CUSTODY (BOTH)

7/16/03 9:00 AM FARETTA CANVAS (BROWN)

7/21/03 1:30 PM JURY TRIAL (BLACKWELL)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 16, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

July 16, 2003**9:00 AM****Conversion Hearing Type****FARETTA
CANVASS Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- Upon completion of the Faretta Canvass, COURT ORDERED, Defendant may represent himself. Following colloquy, Court directed Defendant to have his Investigator contact Ms. De La Garza for the discovery. COURT ORDERED, matter set for trial.

CUSTODY

12/2/03 9:00 AM CALENDAR CALL

12/8/03 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 21, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

July 21, 2003**1:30 PM****Jury Trial****TRIAL BY JURY****Relief Clerk: Melissa
Davis****Reporter/Recorder:****Joe D'Amato Heard****By: Mosley, Donald
M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- 2:21 p.m. Prospective jury panel present, clerk called roll and after introduction by counsel, clerk administered voir dire oath. Counsel began jury selection. 5:00 p.m. State exercised one preemptory challenge and COURT ORDERED, matter CONTINUED and ADMONISHED prospective jurors.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 22, 2003

03C189658-1

The State of Nevada vs Erick M Brown

July 22, 2003

1:30 PM

Jury Trial

TRIAL BY JURY
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- 1:31 PM PROSPECTIVE JURORS PRESENT: Roll call taken. Jury selection continues. 3:07 PM Jury and 1 Alternate selected and sworn. Information read by Clerk and stated Defendant's plea thereto. Exclusionary rule invoked. Opening statements by counsel. 4:58 PM EVENING RECESS. OUTSIDE PRESENCE OF JURY: Mr. Coffee requested the proposed questions be admitted as Court's exhibits. COURT SO ORDERED. Discussion regarding statement of Defendant Blackwell. Ms. DeLaGarza advised she was not planning on bringing this up. Court noted absent any further discussion, it will not be received. Mr. Coffee stated that one of the victims is a Holocaust survivor and would request he be admonished not to bring this up. Ms. DeLaGarza stated when referring to this incident, he explains that he has been through worse. Following arguments by counsel, Court advised depending on what the defense expert has to say, will determine if the Holocaust issue is relevant; therefore, this issue will be discussed after the expert testifies.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 23, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

July 23, 2003**1:30 PM****Jury Trial****TRIAL BY JURY****Relief Clerk: Melissa
Davis****Reporter/Recorder:
Maureen Schorn****Heard By: Mosley,
Donald M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- 1:36 Jury present; Clerk called roll, all jurors and alternate present. Testimony and exhibits per worksheet. 1:51 p.m. OUTSIDE PRESENCE OF JURY. Colloquy between Court and counsel regarding inconsistency in testimony during trial versus the preliminary hearing. Statements by counsel. 2:05 p.m. JURY PRESENT. Continued testimony and exhibits per worksheet. 4:48 p.m. COURT ORDERED, matter CONTINUED and jury ADMONISHED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 24, 2003

03C189658-1

The State of Nevada vs Erick M Brown

July 24, 2003

1:30 PM

Jury Trial

TRIAL BY JURY**Court Clerk: Linda
Skinner****Reporter/Recorder:****Maureen Schorn****Heard By: Donald****Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- 1:34 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued. 3:33 PM OUTSIDE PRESENCE OF JURY: Mr. Coffee advised he and Ms. Diefenbach have discovered an over site; 2 counts of Robbery with State retaining the right to argue was the original offer before trial. Mr. Coffee advised he was researching the kidnaping issue and discovered that he and Ms. Diefenbach advised Defendant of the wrong possible sentence. They did inform him of the enhancement but not the correct sentence. Mr. Coffee stated kidnaping carries a 15 to Life sentence and that Defendant did not make an informed decision when deciding to go to trial. COURT ORDERED, recess for counsel to speak with Defendant. 4:38 PM Mr. Coffee advised matter is negotiated. There being no objection, Second Amended Information and Guilty Plea Agreement FILED IN OPEN COURT. Ms. DeLaGarza requested the additional language of "and/or aiding and abetting Erick Brown" be added to the Second Amended Information. COURT SO ORDERED. NEGOTIATIONS: State retains the full right to argue at time of sentencing. Ms. DeLaGarza concurred. DEFENDANT BLACKWELL WITHDREW NOT GUILTY PLEAS AND PLED GUILTY to COUNTS 1,2-ROBBERY (F). Court ACCEPTED pleas; referred matter to the Division of Parole and Probation for a Pre-sentence

Investigation Report and ORDERED, trial date VACATED and set for sentencing. 4:46 PM JURY
PRESENT: Court advised there had been a problem and that a plea had been entered. Court thanked
and excused the Jury.

CUSTODY

9/9/03 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 07, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

August 07, 2003**9:00 AM****Motion to Reconsider****DEFT'S PRO PER
MTN FOR COURT
RECONSIDERATIO
N/25 Relief Clerk:
Melissa Davis
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Brown, Erick M
Lewis, Linda Y.Defendant
Attorney**JOURNAL ENTRIES**

- Defendant stated he would like standby counsel. Court advised Defendant that standby counsel will not be appointed. Upon Court's inquiry, Defendant stated he would like to continue to represent himself. COURT ORDERED, motion DENIED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 19, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

August 19, 2003**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS (8/19/03)
Court Clerk: Melissa
Davis Relief Clerk:
Jennifer Kimmel/jk
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
De La Garza, Melisa

Defendant
Attorney

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DISCOVERABLE EVIDENCE...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS...DEFENDANT'S PRO PER MOTION TO DISMISS INFORMATION FAILURE TO DISCLOSE EVIDENCE...DEFENDANT'S PRO PER MOTION FOR ALL TRANSCRIPTS STARTING ON 1/22/03 TO PRESENT DATE COURT STATED the letter from Mr. Andrew Fritz indicated he had provided Deft. with a copy all the information in Deft's file. Colloquy regarding discovery and Deft's receiving a copy of his file. Court directed Ms. De La Garza to provide a copy of Deft's file. COURT additionally STATED D.A. is not required to obtain information relating to what the Deft. wants, as in Deft's request for information from Henderson Police. COURT ORDERED as follows: Deft's Motion for Production of Discoverable Evidence is GRANTED. Deft's Motion for Writ of Habeas Corpus is DENIED. Deft's Motion for Indigent Status is GRANTED. Deft's Motion to Dismiss Information Failure to Disclose

Evidence is DENIED. Deft's Motion for All Transcripts is DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 09, 2003**

03C189658-1

The State of Nevada vs Erick M Brown

September 09, 2003**9:00 AM****Sentencing****SENTENCING****Court Clerk: Linda
Skinner****Reporter/Recorder:****Maureen Schorn****Heard By: Mosley,
Donald M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- Nancy Eason from the Division of Parole and Probation present. Ms. Diefenbach appeared for Mr. Coffee and at his request, COURT ORDERED, matter CONTINUED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 23, 2003

03C189658-1

The State of Nevada vs Erick M Brown

September 23, 2003

9:00 AM

Sentencing

SENTENCINGCourt Clerk: Linda
SkinnerReporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

De La Garza, Melisa

Attorney

JOURNAL ENTRIES

- Barbara Combs from the Division of Parole and Probation present. DEFENDANT BLACKWELL ADJUDGED GUILTY of COUNTS I,II - ROBBERY (F). Statements by Ms. De La Garza, Defendant and Mr. Coffee. Speaker Emmett Connely sworn and testified. COURT ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to: COUNT I - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS, COUNT II - a MAXIMUM term of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS, to run CONSECUTIVE to Count I, PAY \$143,541.75 RESTITUTION jointly and severally with co-defendant with 264 days credit for time served. This matter to run CONCURRENT to Defendant's California case.

CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA Analysis fee is imposed and Defendant to submit to genetic markers testing. BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 18, 2003

03C189658-1

The State of Nevada vs Erick M Brown

November 18, 2003

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 11/18/03
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Ponticello, Frank M.

Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS,
PLEADINGS...DEFT'S PRO PER MOTION FOR TRANSCRIPTS AT STATE EXPENSE...DEFT'S PRO
PER MOTION TO WITHDRAW COUNSEL

Mr. Ponticello advised he feels this Court does not have jurisdiction. Upon Court's inquiry, Ms. Diefenbach advised they have filed an appeal and the Supreme Court has stated they are to remain on the case. COURT ORDERED, Deft's Pro Per Motions are DENIED and he may not file any pleadings while he has an attorney.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 02, 2003

03C189658-1

The State of Nevada vs Erick M Brown

December 02, 2003

9:00 AM

Calendar Call

**CALENDAR CALL
(#2 ON STACK)**

**Court Clerk: Linda
Skinner**

Reporter/Recorder:

Joe D'Amato Heard

By: Donald Mosley

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Zadrowski, Bernard B.

Attorney

JOURNAL ENTRIES

- Mr. Cristalli advised he would like to substitute in as counsel of record and will provide the proper paperwork. COURT SO ORDERED. Mr. Cristalli requested trial date be vacated and reset in ordinary course. COURT SO ORDERED and trial date set with priority.

CUSTODY

11/16/04 9:00 AM CALENDAR CALL

11/22/04 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 19, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

April 19, 2004**9:00 AM****Motion to Dismiss**

**DEFT'S MTN TO
DISMISS /37 Relief
Clerk: Melissa Swinn
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
Cristalli, Michael V.
Schubert, David

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Mr. Cristalli advised the State has not responded, but is unsure if the State was served. COURT ORDERED, matter CONTINUED to allow State to file a response, if any.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 12, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

May 12, 2004**9:00 AM****Motion to Dismiss****DEFT'S MTN TO
DISMISS /37 Relief
Clerk: Melissa Swinn
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Brown, Erick M
Cristalli, Michael V.
De La Garza, MelisaDefendant
Attorney
Attorney**JOURNAL ENTRIES**

- Court noted these issues were brought before the Court in a Writ on April 17, 2003 which was previously denied. Arguments by counsel. Court finds there is no merit and stated its findings and ORDERED, motion DENIED as to all issues.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 01, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

June 01, 2004**9:00 AM****Motion to Suppress****DEFT'S MTN TO
SUPPRESS PHOTO
LINE-UP/38 Court
Clerk: Linda Skinner
Relief Clerk: Elaine
York/ey
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Brown, Erick M
Cram, RogerDefendant
Attorney**JOURNAL ENTRIES**

- Mr. Cram requested 60 day continuance for the return of Ms. DeLaGarza. COURT ORDERED, matter set for argument; response to be filed two weeks before argument.

CUSTODY**CLERK'S NOTE:** 6/7/04 Clerk left a voice mail message as to above. ls

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 08, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

July 08, 2004**9:00 AM****Motion to Withdraw as
Counsel**

**PUBLIC
DEFENDER'S
MOTION TO
WITHDRAW AS
ATTORNEY OF
RECORD/39 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Pesci, Giancarlo

Attorney

JOURNAL ENTRIES

- Court noted this is post-conviction in nature and there being no objection, COURT ORDERED, GRANTED. Mr. Christensen advised Ms. Diefenbach has already sent the file to Defendant.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 13, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

September 13, 2004**9:00 AM****All Pending Motions**

**ALL PENDING
MOTIONS 9-13-04
Relief Clerk: Melissa
Swinn
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
Di Giacomo, Marc P.
Saggese, Marc A.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SUPPRESS PHOTO LINE UP AND IN COURT IDENTIFICATION . . . DEFT'S MOTION FOR DISCOVERY

Mr. Saggese appearing on behalf of Mr. Cristalli. Court noted that the motion regarding the photo line up has previously been proffered by prior counsel. Colloquy between Court and counsel regarding discovery. COURT ORDERED, motions CONTINUED until Thursday.

CUSTODY

CONTINUED TO: 9/16/04 @ 9 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 16, 2004

03C189658-1

The State of Nevada vs Erick M Brown

September 16, 2004

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 9-16-04
Relief Clerk: Melissa
Swinn
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Di Giacomo, Marc P.

Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO SUPPRESS PHOTO LINE UP AND IN-COURT IDENTIFICATION . . . DEFT'S MOTION FOR DISCOVERY

AS TO MOTION FOR DISCOVERY: Arguments by counsel regarding description of Defendant. State advised that palm prints were taking and awaiting evaluation. COURT ORDERED, all discovery issues to be available to defense and therefore, motion GRANTED.

AS TO MOTION TO SUPPRESS: COURT ORDERED, matter OFF CALENDAR and can be re-calendared if it becomes necessary.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 16, 2004**

03C189658-1

The State of Nevada vs Erick M Brown

November 16, 2004**9:00 AM****Calendar Call****CALENDAR CALL
(#1 ON STACK)
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Brown, Erick M
Parris, John P.Defendant
Attorney**JOURNAL ENTRIES**

- Mr. Parris appeared for Mr. Cristalli and advised with the Binion trial still going, he is not prepared to go forward on this matter. Mr. Fattig stated Mr. Cristalli's Office had phoned to advise him of the situation. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

3/29/05 9:00 AM CALENDAR CALL (#1 ON STACK)

4/4/05 1:30 PM JURY TRIAL (#1 ON STACK)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 16, 2004

03C189658-1

The State of Nevada vs Erick M Brown

December 16, 2004 9:00 AM

**Motion for Own
Recognizance
Release/Setting Reasonable
Bail**

**DEFT'S MOTION
FOR REASONABLE
BAIL/45 Court Clerk:
Linda Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
Cristalli, Michael V.
Di Giacomo, Marc P.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Mr. Cristalli stated bail was set without Defendant being present. Arguments by Mr. DiGiacomo including that Defendant is facing 2 life sentences and he feels the bail is appropriate. Mr. Cristalli argued that he feels the bail was set so high because Defendant was fighting extradition. Further arguments by Mr. DiGiacomo. Court noted Defendant is a flight risk and a danger to the community. Therefore, COURT ORDERED, Deft's Motion is DENIED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 28, 2005**

03C189658-1

The State of Nevada vs Erick M Brown

February 28, 2005**9:00 AM****All Pending Motions****ALL PENDING
MOTIONS 2/28/05
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Miller, Ross J.

Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO TRANSPORT AND PRODUCE INMATE...DEFT'S PRO PER
REQUEST FOR APPOINTMENT OF COUNSEL

AS TO TRANSPORT: COURT ORDERED, GRANTED, however feels it is moot. Mr. Miller advised
there is a Transportation Order in the file.

AS TO COUNSEL: Defendant does not set out any complicated issues; therefore, COURT ORDERED,
DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 29, 2005

03C189658-1

The State of Nevada vs Erick M Brown

March 29, 2005

9:00 AM

Calendar Call

**CALENDAR CALL
(#1 ON STACK)
Relief Clerk: Melissa Swinn
Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
Cristalli, Michael V.
Fattig, John T

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Mr. Cristalli requested matter be continued. For the record, Mr. Fattig advised the State is ready to go forward and has several out of state witnesses. COURT ORDERED, request to continue GRANTED; trial date VACATED and RESET with #1 priority. Mr. Cristalli stated he needs statements from victim. Mr. Fattig advised that there were no voluntary statements exist because the victim was transported to the hospital and was too ill to ever complete a statement. Court advised that Defense's request for discovery is GRANTED, if necessary.

CUSTODY

2/14/06 9 AM CALENDAR CALL #1

2/21/06 1:30 PM JURY TRIAL #1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 09, 2005

03C189658-1

The State of Nevada vs Erick M Brown

December 09, 2005

9:00 AM

Petition for Writ of Habeas
Corpus

DEFT'S PTN FOR
WRIT OF HABEAS
CORPUS/46 Relief
Clerk: Melissa Swinn
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Simon, H. L.

Attorney

JOURNAL ENTRIES

- Court advised the Defendant it is familiar with the issues before the Court. Defendant inquired as to his motion for counsel. Mr. Simon stated that the same motion was previously filed and was denied in early 2005. Defendant stated that he requested help to argue and was not notified that his motion was denied. Court inquired as to why he feels counsel is necessary. Defendant stated he needs help obtaining discovery and investigation matters. Court informed the Defendant that there is not a new trial and the only issue is regarding ineffective assistance of counsel. Defendant stated he feels he was not properly canvassed. Court FINDS no reason to appoint counsel and request DENIED. Defendant requested matter be continued to retain counsel, possibly Mr. Cristalli. Court and State noted there may be a conflict with Mr. Cristalli's office or Mr. Momot's office representing him. COURT ORDERED, matter CONTINUED until a Friday in March. Court advised Defendant it is his responsibility to retain private counsel, if so desired.

NDC

CLERK'S NOTE: Court noted Motion for Counsel on calendar 12/20/05. As that matter was

addressed today, Court vacated the aforementioned date./ms

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 10, 2006

03C189658-1

The State of Nevada vs Erick M Brown

January 10, 2006

9:00 AM

Request of Court

**AT REQUEST OF
COURT:
APPLICATION FOR
FEES Court Clerk:
Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
Fattig, John T
Saggese, Marc A.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Saggese advised the family had hired Mr. Franke and he exhausted the early funds that were granted. Mr. Saggese stated his Investigator, Mr. Needham needs to contact the witnesses in California and review the fingerprint evidence. Mr. Saggese advised they have not been paid, however, will see the case to the end and requested a little relief for the Investigator. COURT ORDERED, \$3,000 will be afforded. Mr. Fattig presented an Order to release the fingerprint cards from the Clerk's Office Vault. ORDER SIGNED AND FILED IN OPEN COURT. Court admonished both counsel to be ready for trial on 2/21/06.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 14, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

February 14, 2006**9:00 AM****Calendar Call****CALENDAR CALL****(#1) Court Clerk:****Linda Skinner****Reporter/Recorder:****Joe D'Amato Heard****By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
Cristalli, Michael V.
Fattig, John T

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Court noted this matter was discussed in chambers. Mr. Fattig concurred and FILED IN OPEN COURT State's Motion to Continue. Pursuant to discussion, COURT ORDERED, trial date VACATED and RESET.

CUSTODY

6/20/06 9:00 AM CALENDAR CALL (#2)

6/26/06 1:30 PM JURY TRIAL (#2)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 10, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

March 10, 2006**9:00 AM****Petition for Writ of Habeas
Corpus****DEFT'S PTN FOR
WRIT OF HABEAS
CORPUS/46 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Simon, H. L.

Attorney

JOURNAL ENTRIES

- Court noted Defendant's Writ alleges ineffectiveness of counsel. Hearing proceeded. Mr. Coffee and Ms. Diefenbach sworn and testified. Exhibit submitted. Following closing statements by Mr. Simon and none by Defendant, Court stated it does not find counsel to be ineffective and ORDERED, Writ DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 20, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 20, 2006**9:00 AM****Calendar Call**

**CALENDAR CALL
(#2) Court Clerk:
Linda Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Di Giacomo, Marc P.

Attorney

Fattig, John T

Attorney

JOURNAL ENTRIES

- Mr. Fattig advised he is ready with 13 witnesses (7 out of State) and lasting 4-5 days. Mr. Cristalli stated he is ready as well. Court noted there is a trial ahead of this, however, if it negotiates, this case will go forward. Mr. Cristalli advised there are 4 subpoenas that were not complied with. Upon review of Court, Mr. Fattig noted Mr. Cristalli keeps issuing subpoenas that have nothing to do with this case. Mr. Cristalli stated he would like a copy of the procedural manual from the Henderson Police. Further, he feels they (the Henderson Police Department) have evidence of another person that is responsible for committing this crime that they have not turned over to the District Attorney. Mr. Fattig stated it is untrue, the person Mr. Cristalli is referring to was not picked out of the lineup and his fingerprints do not match. Mr. Cristalli argued there are errors in the report and the Police ignored evidence of another individual. Following additional colloquy, Court advised the subpoenas would not be issued and stated its displeasure as he feels Mr. Cristalli is trying to put the Henderson

Police Department on trial. Mr. Cristalli stated he needs an exemplar as the signatures do not match; that there are 3 documents and 1 does not match. COURT ORDERED, DENIED. Mr. Cristalli asked for Internal Affairs information and computer information. COURT ORDERED, DENIED. FURTHER, COURT ORDERED, matter CONTINUED to see if other matter resolves. CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 21, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 21, 2006**9:00 AM****Calendar Call****CALENDAR CALL****(#2) Court Clerk:****Linda Skinner****Reporter/Recorder:****Joe D'Amato Heard****By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

DiGiacomo, Sandra

Attorney

Fattig, John T

Attorney

JOURNAL ENTRIES

- Discussion by Mr. Cristalli regarding expert. Mr. DiGiacommo stated he had no objection to this expert as long as he gets the report as soon as possible. Mr. Cristalli stated he does not have one yet. Court noted this witness may not be called anyway and will visit this issue if there is a legitimate reason for discussion. As all counsel are ready, COURT ORDERED, jury selection will begin at 1:30 on 6/26/06.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 26, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 26, 2006**1:30 PM****Jury Trial****TRIAL BY JURY****Court Clerk: Linda
Skinner****Reporter/Recorder:****Joe D'Amato Heard****By: Mosley, Donald
M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Di Giacomo, Marc P.

Attorney

Fattig, John T

Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 1:47 PM PROSPECTIVE JURORS PRESENT: Roll call taken. Jury selection begins. 5:04 PM EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 27, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 27, 2006**1:30 PM****Jury Trial****TRIAL BY JURY****Court Clerk: Linda
Skinner****Reporter/Recorder:****Joe D'Amato Heard****By: Mosley, Donald
M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Di Giacomo, Marc P.

Attorney

Fattig, John T

Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 1:27 PM OUTSIDE PRESENCE OF PROSPECTIVE JURORS: Mr. Cristalli issued a Batson challenge as to Juror #488 and advised he did not feel the State was warranted in letting her go because of her job history and the t-shirt she wore, however, did note there are 2 other African Americans in the box. Mr. Fattig advised she had 3 jobs in 7 months and the lack of maturity in her dress were the reasons she was excused. Court stated collectively it finds no good cause for the challenge and ORDERED, DENIED. There being no objection, Amended Information FILED IN OPEN COURT. 1:32 PM PROSPECTIVE JURORS PRESENT: Roll call taken. 1:45 PM Jury and 1 Alternate selected and sworn. Information read by Clerk. Instructions by Court. Exclusionary rule invoked. 1:56 PM Opening statements by counsel. Testimony and exhibits presented (see worksheets). 5:16 PM EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 28, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 28, 2006**1:30 PM****Jury Trial****TRIAL BY JURY****Court Clerk: Linda
Skinner****Reporter/Recorder:****Joe D'Amato Heard****By: Mosley, Donald
M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Di Giacomo, Marc P.

Attorney

Fattig, John T

Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 1:35 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued (see worksheets). 4:56 PM EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 29, 2006

03C189658-1

The State of Nevada vs Erick M Brown

June 29, 2006

9:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Linda
Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Di Giacomo, Marc P.

Attorney

Fattig, John T

Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 1:42 PM OUTSIDE PRESENCE OF JURY: Mr. Cristalli objected to the co-defendant being brought in when the State knows he will not cooperate and testify. Mr. DiGiacomo stated the only issue is identification. Mr. Cristalli argued the inference through seeing co-defendant, is that Defendant Brown committed the crime. Following discussions, Court noted co-defendant will be brought in before the Jury is seated and he is to be dressed in street clothes. Mr. DiGiacomo requested for identification purposes, that co-defendant Blackwell, be allowed to come into the well. COURT SO ORDERED. 1:50 PM JURY PRESENT: Roll call taken. Testimony and exhibits continued, (see worksheets). 3:39 PM OUTSIDE PRESENCE OF JURY: Mr. DiGiacomo advised he will have the FBI Agent identify Deft. Blackwell. Defendant admonished of his rights to testify. Discussion regarding prior convictions. Exhibits 14,9 & 7 offered and ADMITTED. Mr. Cristalli stated his Investigator found the reports were tampered with and

Defendant wanted this issue to be raised. Court so noted. 4:19 PM JURY PRESENT: All present as before. 4:22 PM STATE RESTS. EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 30, 2006**

03C189658-1

The State of Nevada vs Erick M Brown

June 30, 2006**9:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Linda
Skinner****Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Erick M
Cristalli, Michael V.
Di Giacomo, Marc P.
Fattig, John T

Defendant
Attorney
Attorney
Attorney

JOURNAL ENTRIES

- Gary Modafferi also present for Defendant. 9:25 AM OUTSIDE PRESENCE OF JURY: Mr. Cristalli requested Defendant's presence be waived as he has not arrived yet. Jury instructions settled on the record. 9:34 AM JURY & DEFENDANT PRESENT: Roll call taken. Testimony and exhibits continued, (see worksheets). 11:00 AM DEFENSE RESTS. Rebuttal by State. 11:25 AM STATE RESTS. Jury instructions read by Court. RECESS. 1:16 PM JURY PRESENT: All present as before. Closing arguments by counsel. 2:47 PM Jury retired to deliberate. Court thanked and excused the Alternate. 7:40 PM JURY PRESENT: Roll call taken. Jury fore person advised a verdict had been reached: COUNT 1 - Burglary While in Possession of a Firearm - GUILTY; COUNT 2 - First Degree Kidnapping with Use of a Deadly Weapon, Victim 65 Years of Age, or Older Resulting in Substantial Bodily Harm - GUILTY; COUNT 3 - First Degree Kidnapping with Use of a Deadly Weapon Resulting in Substantial Bodily Harm - GUILTY; COUNT 4 - Robbery with Use of a Deadly Weapon, Victim 65 Years of Age or Older - GUILTY; COUNT 5 - Robbery with Use of a Deadly Weapon -

GUILTY.

At request of Mr. Cristalli, Jury polled. Court referred matter to the Division of Parole and Probation for a Pre-sentence Investigation Report and ORDERED, set for sentencing. Defendant to be held without bail. Court thanked and excused the Jury. OUTSIDE PRESENCE OF JURY: Mr. Cristalli stated during cross examination of Defendant, Mr. DiGiacomo showed him a Notice of Alibi Witness; there was a conference at the Bench wherein Mr. Cristalli requested a mistrial, which was denied. Mr. Cristalli renewed his request for a mistrial Mr. DiGiacomo argued the Notice was never withdrawn and therefore he was allowed to use it. Court concurred and DENIED request for a mistrial.

CUSTODY

8/8/06 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 08, 2006

03C189658-1

The State of Nevada vs Erick M Brown

August 08, 2006

9:00 AM

Sentencing

SENTENCING

**Court Clerk: Linda
Skinner**

**Reporter/Recorder:
Joe D'Amato Heard
By: Donald Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Brown, Erick M

Defendant

Cristalli, Michael V.

Attorney

Di Giacomo, Marc P.

Attorney

JOURNAL ENTRIES

- By virtue of the Jury's findings, DEFENDANT BROWN ADJUDGED GUILTY of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNT 2 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER RESULTING IN SUBSTANTIAL BODILY HARM (F); COUNT 3 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F); COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE (F) and COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON (F). Statements by Mr. DiGiacomo, Defendant and Mr. Cristalli. Speaker Emmett Connley sworn and addressed the Court. COURT ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to: COUNT 1 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, and; COUNT 2 - a MAXIMUM term of FORTY (40) YEARS with a MINIMUM Parole eligibility after FIFTEEN (15) YEARS, plus an EQUAL AND CONSECUTIVE MAXIMUM term of FORTY (40) YEARS with a MINIMUM parole eligibility after FIFTEEN (15)

YEARS, for Victim over 65 Years of Age or Older, to run CONCURRENT with Count 1, and; COUNT 3 - a MAXIMUM term of FORTY (40) YEARS with a MINIMUM Parole eligibility after FIFTEEN (15) YEARS, plus an EQUAL AND CONSECUTIVE MAXIMUM term of FORTY (40) YEARS with a MINIMUM parole eligibility after FIFTEEN (15) YEARS, for the Deadly Weapon enhancement. to run CONSECUTIVE to Count 2 and PAY \$143,327 RESTITUTION, and; COUNT 4 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS plus an equal and CONSECUTIVE MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Victim 65 Years of Age or Older, to run CONCURRENT with Count 3, and; COUNT 5 - a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, and plus an equal and CONSECUTIVE term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS, for Use of a Deadly Weapon, to run CONCURRENT with Count 4, with 1,349 days credit for time served.

At request of Mr. DiGiacomo, an Order to Release Mr. Connley's gold watch was SIGNED IN OPEN COURT.

CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee and \$150 DNA Analysis fee is imposed and Defendant to submit to genetic markers testing. BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 18, 2008**

03C189658-1

The State of Nevada vs Erick M Brown

December 18, 2008	9:00 AM	Petition for Writ of Habeas Corpus	DEFT'S PTN FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)/57 Court Clerk: Linda Skinner Reporter/Recorder: Maureen Schorn Heard By: Donald Mosley
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HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

PRESENT:	Langford, Robert L.	Attorney
	Pieper, Danielle K.	Attorney

JOURNAL ENTRIES

- Mr. Langford advised he spoke to Mr. Simon and Mr. Simon does not have an objection to the time for filing his response being delayed until next month. COURT ORDERED, the following briefing schedule: Mr. Langford to file by 1/20/09 Mr. Simon to respond by 3/20/09; Mr. Langford to reply by 4/3/09 and matter set for hearing.

NDC

4/17/09 9:00 AM HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 17, 2009**

03C189658-1

The State of Nevada vs Erick M Brown

August 17, 2009**9:00 AM****Motion to Continue**

**DEFT'S MTN TO
CONTINUE PTN
FOR WRIT OF
HABEAS
CORPUS(POST
CONVICTION)/59
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Krusey, Amanda K.

Attorney

Langford, Robert L.

Attorney

JOURNAL ENTRIES

- Mr. Langford advised he will be out of the jurisdiction on 8/21 and requested the writ be continued to another day. COURT ORDERED, GRANTED, however, directed Mr. Langford contact Mr. Cristalli and Mr. Simon as to a date that is good for them and then contact chambers to have this put back on calendar.

NDC

CLERK'S NOTE: 8/20/09 Mr. Langford's Office phoned and advised all parties have agreed to 10/23/09. ls

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 03, 2009**

03C189658-1

The State of Nevada vs Erick M Brown

September 03, 2009**9:00 AM****Evidentiary Hearing****DEFT'S MOTION
FOR EVIDENTIARY
HEARING/60 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Langford, Robert L.
Turner, Robert B.Attorney
Attorney**JOURNAL ENTRIES**

- Court noted Defendant is in prison and not present today and that this motion is premature. When his writ is heard on 10/23, it will be determined if an Evidentiary Hearing is necessary; if one is, it will be set and Defendant will be transported for it. COURT ORDERED, matter OFF CALENDAR.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 04, 2009**

03C189658-1

The State of Nevada vs Erick M Brown

December 04, 2009**9:00 AM****Hearing****HEARING: DEFT'S
PETITION FOR
WRIT OF HABEAS
CORPUS (POST-
CONVICTION)
Relief Clerk: Susan
Jovanovich/sj
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Langford, Robert L.
Thomson, MeganAttorney
Attorney**JOURNAL ENTRIES**

- Upon review of the pleadings, Court FINDS that an evidentiary hearing would be necessary to resolve Deft's Petition for Writ of Habeas Corpus. Following colloquy, COURT ORDERED, matter SET for evidentiary hearing.

NDC

2-12-10 9:00 AM EVIDENTIARY HEARING: PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 12, 2010**

03C189658-1

The State of Nevada vs Erick M Brown

April 12, 2010**9:00 AM****Motion for Discovery****DEFT'S MTN FOR
DISCOVERY /62
Relief Clerk: Phyllis
Iryb/pi
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Fattig, John T

Attorney

JOURNAL ENTRIES

- Deft not present. Mr. Fattig requested a continuance; advised Mr. Langford could not be present.
COURT ORDERED, MATTER CONTINUED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 30, 2010

03C189658-1

The State of Nevada vs Erick M Brown

April 30, 2010

9:00 AM

All Pending Motions

**ALL PENDING
MOTIONS 4/30/10**
**Court Clerk: Linda
Skinner**
**Reporter/Recorder:
Marcia Leonard**
**Heard By: Donald
Mosley**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Brown, Erick M

Defendant

Fattig, John T

Attorney

Langford, Robert L.

Attorney

JOURNAL ENTRIES

- DEFT'S MOTION FOR DISCOVERY...EVIDENTIARY HEARING: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

Court advised due to time constraints, the Evidentiary Hearing will need to be continued but the discovery issue can be resolved and inquired about fingerprints. Mr. Fattig advised there were 9 prints that were all run through AFIS of which 2 did not come back to anyone. Arguments by Mr. Langford. Court stated absent a showing that prints put into the AFIS system was not a general search, it will not be done again. Arguments by Mr. Langford as to item #2 of his motion. Mr. Fattig advised these prints were entered into the Henderson Police Department's new computer system; that the date on the report was the date the information was entered into the system, not the date of the actual test. Mr. Fattig argued this was testified to during trial and the witness was cross examined by Mr. Cristalli. Mr. Langford argued that the transcript is not clear as to what was said at

trial and it is his recollection there was nothing mentioned as to why the dates came out incorrectly. Mr. Fattig advised Mr. Cristalli and his Investigator were allowed to go to the Henderson Crime Lab to look at the original reports. Following additional arguments, Court advised it is not satisfied that further discovery is needed at this time.

Mr. Langford advised he would like to do DNA testing on the ear ring. Arguments by Mr. Fattig. Following, COURT ORDERED, the ear ring to be sent over for DNA testing.

Mr. Langford advised he believes there were several communications via e-mails between Las Angeles and Nevada indicating that Defendant was not originally a good suspect. Mr. Fattig stated Defendant's credibility is lacking, he is claiming that reports existed that Mr. Cristalli did not ask for previously and that he (Defendant) also gave an interview to an FBI Agent when in fact he did not. Mr. Langford argued that he has over 1,000 pages of Investigation that he needs to review and would request leave to file a reconsideration motion if need be. Court advised a Motion maybe submitted, however at this time, it feels nothing more is warranted. Further, copies of the fingerprint cards are to be released to show they were run in the AFIS system.

Following colloquy, Mr. Langford advised he will prepare the Order as to DNA testing. Court so noted and ORDERED, matter set for status check.

NDC

7/26/10 9:00 AM STATUS CHECK: DISCOVERY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 26, 2010**

03C189658-1

The State of Nevada vs Erick M Brown

July 26, 2010**9:00 AM****Status Check****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**Fattig, John T
Langford, Robert L.
State of NevadaAttorney
Attorney
Plaintiff**JOURNAL ENTRIES**

- Mr. Langford advised Defendant is in prison and requested his presence be waived. Court noted the discovery needed is latent fingerprint cards and DNA from the earring. Mr. Langford concurred and advised he will prepare an Order to get the earring out of evidence for testing. Mr. Fattig stated he does not have an objection and will stipulate that there is no DNA on the earring as it had been in the jewelry washing machine. As to the finger print cards, Mr. Fattig advised he needs to get them and have them copied for Mr. Langford. Following additional colloquy and at request of counsel, COURT ORDERED, matter CONTINUED 60 days.

NDC

... CONTINUED 9/27/10 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 27, 2010

03C189658-1

The State of Nevada vs Erick M Brown

September 27, 2010 9:00 AM Status Check

HEARD BY: Mosley, Donald

COURTROOM: RJC Courtroom 12B

COURT CLERK: Karina Kennedy

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT:	Fattig, John T	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- The Court advised Mr. Langford was en-route to the hospital and ORDERED, matter CONTINUED.

NDC

10.18.10 9:00 A.M. CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 18, 2010

03C189658-1

The State of Nevada vs Erick M Brown

October 18, 2010

9:00 AM

Status Check

HEARD BY: Bonaventure, Joseph

COURTROOM: RJC Courtroom 12B

COURT CLERK: Linda Skinner

RECORDER:

REPORTER: Maureen Schorn

PARTIES

PRESENT:

Fattig, John T
Langford, Robert L.
State of Nevada

Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- Mr. Langford advised all discovery has been received and the matter can be set for hearing. Mr. Fattig concurred. COURT SO ORDERED.

NDC

12/10/10 9:00 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 23, 2012**

03C189658-1

The State of Nevada vs Erick M Brown

January 23, 2012**9:00 AM****Motion to Continue****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**

Fattig, John T

Attorney

Hernandez, Krystallin D, ESQ

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Ms. Hernandez appeared for Mr. Langford, advised they are going to be hiring a forensic data expert and would like a continuance as to the hearing. Objections stated by Mr. Fattig including that this is the 10th continuance for this hearing. Following colloquy, COURT ORDERED, matter CONTINUED for Mr. Langford to be present and absent a very persuasive reason, this matter will go forward on Friday.

NDC

... CONTINUED 1/25/12 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 25, 2012**

03C189658-1

The State of Nevada vs Erick M Brown

January 25, 2012**9:00 AM****Motion to Continue****HEARD BY:** Mosley, Donald**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Maureen Schorn**PARTIES****PRESENT:**Fattig, John T
Langford, Robert L.
State of NevadaAttorney
Attorney
Plaintiff**JOURNAL ENTRIES**

- Mr. Langford advised they have been trying to hire a Forensic Data expert but the family could not afford one earlier. Upon Court's inquiry, Mr. Langford advised the expert is going to review the e-mails from the Henderson Police Dept. to the Los Angeles Police Dept. Conference at the Bench. Pursuant to that conference, COURT ORDERED, Motion WITHDRAWN and Mr. Langford will re-address this issue at the time of the hearing if necessary.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 27, 2012

03C189658-1

The State of Nevada vs Erick M Brown

January 27, 2012

1:30 PM

Evidentiary Hearing

HEARD BY: Mosley, Donald

COURTROOM: RJC Courtroom 12B

COURT CLERK: Roshonda Mayfield

RECORDER:

REPORTER: Maureen Schorn

PARTIES**PRESENT:**

Brown, Erick M

Defendant

Fattig, John T

Attorney

Langford, Robert L.

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Court advised, this matter is on calendar today for there to be an evidentiary hearing conducted. Witness testimony presented (See Worksheet). Following arguments by counsel, Court further advised, trial in this matter occurred almost 6 years ago and appears to have been examined very well. Regarding the rendition of what was heard the issue of not comparing the finger prints on the glass of the jewelry store would pretty much be a speculation. This Court can not fault Attorney Cristalli for not proceeding with that strategy as it does not appear to be negligent. Further, it is a slippery slope that is never ending regarding there being failure to try the police department. The issues raised regarding the police department appear to be fishing attempts by the Defendant to verify the specifics as to the communication conducted by the officers. Upon review of the facts and testimony presented, COURT ORDERED, the petition is DENIED; Defendant's request for an expert is DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 22, 2013**

03C189658-1

The State of Nevada vs Erick M Brown

July 22, 2013**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**Schwartzter, Michael J.
State of NevadaAttorney
Plaintiff

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO APPOINT COUNSEL: Court stated the State's opposition correctly pointed out the Deft's Petition was already denied and the decision affirmed by the Supreme Court; the Court agrees there is no basis at this time to appoint counsel and would be frivolous to do further review, therefore, ORDERED, Motion DENIED. State to prepare the Order.

DEFT'S PRO PER ACCUSED MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION: Court stated there is no basis to legally grant this motion; further, the motion is unsound, therefore, ORDERED, Motion DENIED. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 28, 2013

03C189658-1

The State of Nevada vs Erick M Brown

August 28, 2013

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

Cannizzaro, Nicole J.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Court stated that it is not taking any argument and has reviewed all the pleadings.

DEFT'S PRO PER MOTION FOR RE-HEARING: COURT ORDERED, Motion DENIED WITHOUT PREJUDICE as the deft. does not assert the requisite legal argument or facts to warrant relief at this time.

DEFT'S PRO PER ACCUSED REQUEST FOR LEAVE TO FILE MOTION FOR RE-HEARING BASED UPON STATE AND FEDERAL CONSTITUTIONAL DEPRIVATION IN PRIOR PROCEEDINGS: COURT ORDERED, Motion DENIED as being MOOT as the motion for re-hearing was already filed.

State to prepare the Orders.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 09, 2013

03C189658-1

The State of Nevada vs Erick M Brown

September 09, 2013 9:00 AM Motion

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Albritton, Alicia A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court stated it is not taking any additional argument today as the deft. is not present in court.
Court stated its findings and ORDERED, Motion DENIED. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 14, 2013

03C189658-1

The State of Nevada vs Erick M Brown

October 14, 2013

9:00 AM

Motion for Order

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

State of Nevada

Plaintiff

Zadrowski, Bernard B.

Attorney

JOURNAL ENTRIES

- Court noted that it is not hearing any arguments and based its decision on the pleadings. Court stated its findings and ORDERED, Motion DENIED. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 04, 2013

03C189658-1

The State of Nevada vs Erick M Brown

November 04, 2013 9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

Chen, Alexander G.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL...DEFT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFT.

COURT ORDERED, Deft's Pro Per Motions are GRANTED and Mr. Langford is to provide the deft. with a copy of the file; FURTHER ORDERED, Mr. Langford is to provide proof that the file has been provided to the deft.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 02, 2013

03C189658-1

The State of Nevada vs Erick M Brown

December 02, 2013 9:00 AM Motion

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Cannizzaro, Nicole J.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court stated it is not taking any additional argument and will base its ruling on the pleadings filed. Court stated its findings and ORDERED, Motion DENIED. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 11, 2013

03C189658-1

The State of Nevada vs Erick M Brown

December 11, 2013 9:00 AM Motion to Compel

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	State of Nevada	Plaintiff
	Zadrowski, Bernard B.	Attorney

JOURNAL ENTRIES

- Court stated that it will not be taking any argument today. Court noted that the State has filed orders every order ruled upon and has mailed them to the deft., therefore, ORDERED, Motion DENIED as being belied by the record. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 08, 2014**

03C189658-1

The State of Nevada vs Erick M Brown

January 08, 2014**9:00 AM****Petition for Writ of Habeas
Corpus****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Dana J. Tavaglione**PARTIES****PRESENT:**Radovic, Michael
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

COURT ORDERED, Petition for Writ of Habeas Corpus is DENIED, noting the Nevada Supreme and District Courts have already dealt with this request. State to prepare the order.

NDC

CLERK'S NOTE: A copy of this Minute Order has been mailed to Defendant at the following address:
Mr. Erick M. Brown, #92713
PO Box 208, SDCC
Indian Springs, NV 89070/db 1.9.14

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 17, 2014**

03C189658-1

The State of Nevada vs Erick M Brown

March 17, 2014**9:00 AM****Motion****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown
Tia Everett**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Matthew Walker, Deputy District Attorney, present on behalf of the State. Defendant not present in custody with the Nevada Department of Corrections.

Court reviewed defendant's claims for the record. Court stated the motion is moot as the Court previously denied defendant's petition as procedurally time barred; therefore, COURT ORDERED, Motion DENIED.

NDC

CLERK S NOTE: A copy of this Minute Order has been mailed to Defendant at the following address:
Mr. Erick M. Brown, #92713
P0 Box 208, SDCC
Indian Springs, NV 89070

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 16, 2014**

03C189658-1

The State of Nevada vs Erick M Brown

April 16, 2014**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**Albritton, Alicia A.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION TO APPOINT COUNSEL.....DEFENDANT'S PRO PER MOTION TO COMPEL COURT TO CORRECT ITS OWN "ERRORS AND OMISSIONS" WITH THEIR "PRESUMPTION" OF THE (NRS); IS NOW CHALLENGED WITH THE "KNOWLEDGE OF LAW" AND "WHITE PAPER" WITH ATTACHED "PRIMA FACIE" EVIDENCE AS PROOF OF THE UNCONSTITUTIONAL INVALID (NRS)

Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

Court NOTED that both Motion shows no legal to basis to be granted, as there is a lack of information alleged; therefore, the Motions are not appropriate under the circumstances.

COURT ORDERED, both Motions are DENIED; State to prepare the Order.

NDC

CLERK'S NOTE: A copy of this Minute Order was mailed to Defendant at the following address:
Erick Brown, #92713
Southern Desert Correctional Center
20825 Cold Creek Road
PO Box 208
Indian Springs, NV 89018 /d. batiste 4.16.14

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 21, 2014**

03C189658-1

The State of Nevada vs Erick M Brown

May 21, 2014**9:00 AM****Motion****HEARD BY:** Togliatti, Jennifer**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**Jones, Jr., John T.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Court stated that it will not take any oral argument today as the deft. is not present. Court has reviewed the pleadings and ORDERED, Motion DENIED as being duplicative and frivolous. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 23, 2014

03C189658-1

The State of Nevada vs Erick M Brown

June 23, 2014

9:00 AM

Motion for Leave

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Phyllis Irby

RECORDER:

REPORTER: Robert Cangemi

PARTIES

PRESENT:

PORTZ, KENNETH
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- The Court noted Deft continues to file Motions with no basis or evidence. The State pointed out there is a matter pending with the Supreme Court. Deft is stopped from making these claims, therefore, COURT ORDERED, MOTION DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 22, 2014

03C189658-1

The State of Nevada vs Erick M Brown

September 22, 2014 9:00 AM Motion

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Leah Armendariz

PARTIES

PRESENT:

Jones, Jr., John T.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Court stated that it is not biased, there is no basis for relief and for the reasons argued by the State, ORDERED, Motion DENIED. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 20, 2014

03C189658-1

The State of Nevada vs Erick M Brown

October 20, 2014

9:00 AM

Motion to Compel

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:

Cooper, Jonathan
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED to make sure that Mr. Langford has sent the file to the deft.

NDC

10/29/14 9:00 AM DEFT'S MOTION TO COMPEL

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Robert L. Langford, Esq., (Langford McLetchie LLC).

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 29, 2014**

03C189658-1

The State of Nevada vs Erick M Brown

October 29, 2014**9:00 AM****Motion to Compel****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**Albritton, Alicia A.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Court noted that prior counsel has just filed proof that the file was sent to the Deft. yesterday, therefore, ORDERED, Motion is MOOT. Court further noted that the deft. has filed a pro per motion to compel the Judge to be disqualified from the case and wants an affidavit to be filed, therefore, ORDERED, Deft's Pro Per Motion by Defendant to Compel District Court Judge Kathleen Delaney to Provide Affidavit as Prescribed by Law and Pursuant to the District Courts Recognized Statute NRS 1.235(a)(b) Stand (b) Why This Judge Does Not Recuse Herself as Requested by Defendant is VACATED and will be set to be heard in front of the Chief Judge.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 20, 2014

03C189658-1

The State of Nevada vs Erick M Brown

November 20, 2014 3:00 AM

Motion to Disqualify Judge

HEARD BY: Togliatti, Jennifer

COURTROOM: No Location

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- See minute order dated 12/12/14.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 01, 2014

03C189658-1

The State of Nevada vs Erick M Brown

December 01, 2014 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Leah Armendariz

PARTIES

PRESENT:

Clowers, Shanon
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO APPOINT COUNSEL...DEFT'S PRO PER MOTION PURSUANT TO DCR RULE 60(b); RELIEF FROM COURTS ORDER DATED 28 DAY OF APRIL 2014; FOR MISTAKES; INADVERTANCE; EXCUSABLE NEGLECT AND ACT'S OF TYRANNY; FAILURE TO UPHOLD BONDED OATH; SUPPORTED BY THE ATTACHED MEMORANDUM "DOMINO EFFECT" COMPARITIVE ANALYSIS AS IRREFUTABLE EVIDENCE

Court stated its findings and ORDERED, Deft's Pro Per Motions are DENIED for the reasons argued by the State. State to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 12, 2014

03C189658-1

The State of Nevada vs Erick M Brown

December 12, 2014 3:00 AM Minute Order

HEARD BY: Togliatti, Jennifer

COURTROOM: No Location

COURT CLERK: Andrea Natali

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Defendant s Motion to Disqualify denied via written order filed December 11, 2014.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 06, 2015**

03C189658-1

The State of Nevada vs Erick M Brown

May 06, 2015**9:00 AM****All Pending Motions****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 15A**COURT CLERK:** Dania Batiste**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**Cooper, Jonathan
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER MOTION: DEMAND NOTICE OF ALLEGED DEFICIENCY TO WIT: ALLEGED NON-COMPLIANCE WITH NEV. CONST. ART. 17 & 2 AND 20.....MOTION FOR HEARING ON PETITIONER'S NOTIFICATION FOR COURT'S CONSTITUTIONAL COMPLIANCE "DEMAND" FOR IMMEDIATE RELEASE FROM UNLAWFUL AND UNCONSTITUTIONAL IMPRISONMENT

Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

COURT NOTED, no additional argument will be entertained for today's hearing; and ORDERED, Defendant's Pro Per Motion for Hearing calendared for May 27, 2015 will be ADVANCED to today's proceedings; COURT FURTHER NOTED, Defendant filed approximately 20 Motions that have been denied; additionally, he did not provide any legal support for these two Motions.

COURT ORDERED, Motions DENIED, as Defendant has no legal argument for the argument, there is no focus on the allegations, or Points & Authorities for the Court to consider. State to prepare the Order.

NDC

CLERKS' NOTE: A copy of this Minute Order has been mailed to Defendant at the following address:
Mr. Erick Brown, #92713
Southern Desert Correctional Center
20825 Cold Creek Road
PO Box 208
Indian Springs, NV 89070
/db 5.7.2015

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 30, 2018**

03C189658-1

The State of Nevada vs Erick M Brown

May 30, 2018**9:00 AM****Petition for Writ of
Mandamus****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:**Albritton, Alicia A.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Deft. not present, Nevada Department of Corrections (NDC).

COURT NOTED it is incomprehensible as to what Deft. is looking for. Deft. is asking the Court to find a piece of legislation from 1951 as unconstitutional, it is not clear how it applies to this case. COURT FINDS there is no legal argument supporting Deft's. Petition. COURT STATED ADDITIONAL FINDINGS. Ms. Albritton noted the Attorney General's Office would typically respond if there is a constitutional issue. COURT ORDERED, Petition DENIED WITHOUT PREJUDICE, if Deft. is to re-file he is to serve the Attorney General's Office. Ms. Albritton is to prepare the Order.

NDC

CLERK'S NOTE: A copy of this minute order was mailed to Deft. (Erick Brown 92713 PO BOX 208, Indian Springs, NV 89070). /sb 06/07/18

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 27, 2018**

03C189658-1

The State of Nevada vs Erick M Brown

June 27, 2018**9:00 AM****Petition for Writ of Habeas
Corpus****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle
Sharyne Suehiro**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:** Albritton, Alicia A. Attorney
State of Nevada Plaintiff**JOURNAL ENTRIES**

- Deft. not present, Nevada Department of Corrections (NDC).

COURT STATED FINDINGS, and ORDERED, Deft's. Motion DENIED WITHOUT PREJUDICE as to the Writ of Habeas Corpus, Motion DENIED WITH PREJUDICE as to the argument the Nevada Revised Statute is illegal or improper.

NDC

CLERK'S NOTE: A copy of this minute order was provided to Deft. (Erick Brown 92713, PO BOX 208, Indian Springs, NV 89070). /sb 07/18/18

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 08, 2018**

03C189658-1

The State of Nevada vs Erick M Brown

August 08, 2018**9:00 AM****Motion****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Shelley Boyle
Sharyne Suehiro**RECORDER:****REPORTER:** Sharon Howard**PARTIES****PRESENT:** Albritton, Alicia A. Attorney
State of Nevada Plaintiff**JOURNAL ENTRIES**

- Deft. not present, Nevada Department of Corrections (NDC).

COURT NOTED, Deft. cites Nevada Civil Rules of Procedures in his Motion and STATED FINDINGS; there is no sound legal basis to Deft's. request, Deft. is citing civil procedures. With there being a lack of any rules the Court would consider, COURT ORDERED, Motion DENIED. The State is prepare the Order.

NDC

CLERK'S NOTE: A copy of this minute order was provided to Deft. (Erick Brown 92713, PO BOX 208, Indian Springs, NV 89070). /sb 08/09/18

STATE'S EXHIBITS

CASE NO. C189658

Date Offered OBJ Admitted Date

1	✓	LARGE EVIDENCE ENVELOPE					
1A	✓	PHOTO LINE UP OF SMITH	7/24	✓	N/O	✓	7/24
2	✓	LARGE EVIDENCE ENVELOPE					
2A	✓	PHOTO LINE UP OF BLACKWELL (GOLCEKER)	7/24	✓	N/O	✓	7/24
2B	✓	PHOTO LINE UP OF BROWN (GOLCEKER)	"	✓	"	✓	"
2C	✓	PHOTO LINE UP OF JEWELRY (GOLCEKER)	7/23	XX	N/O	XX	7/23
2D	✓	PHOTO LINE UP OF BLACKWELL (CONNLEY)	7/22	XX	N/O	XX	7/22
2E	✓	PHOTO LINE UP OF BROWN (CONNLEY)	7/22	XX	N/O	XX	7/22
2F	✓	PHOTO LINE UP OF JEWELRY (CONNLEY)	7/22	XX	N/O	XX	7/22
3	✓	LARGE EVIDENCE ENVELOPE					
3A	✓	I.D. REPORT (POURSHALIMI)	7/23	XX	N/O	XX	7/23
3B	✓	PHOTO LINE UP OF BLACKWELL (POURSHALIMI)	7/23	XX	N/O	XX	7/23
3C	✓	PHOTO LINE UP OF BROWN (POURSHALIMI)	7/23	XX	N/O	XX	7/23
3D	✓	PHOTO LINE UP OF BALLARD	7/23	XX	N/O	XX	7/23
4	✓	LARGE EVIDENCE BAG & CONTENTS <i>sealed</i>					
5	✓	LARGE EVIDENCE BAG & CONTENTS <i>sealed</i>					
6	✓	LARGE EVIDENCE ENVELOPE					
6A	✓	CELL PHONE AND CASE					
6B	✓	BLACK CLIP					
6C	✓	CALIFORNIA I.D. CARD					
6D	✓	HYATT REGENCY PARKING RECEIPT					
6E	✓	PAPER WITH NUMBERS ON IT					
6F	✓	HYATT REGENCY HOTEL RECEIPT					
6G	✓	PAWN TICKETS					
7	✓	LARGE EVIDENCE ENVELOPE					
7A	✓	YELLOW METAL NECKLACE					
7B	✓	WATCH					
7C	✓	RING					

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8	✓	LARGE EVIDENCE ENVELOPE					
8A	✓	SONY ERICSSON CELL PHONE					
9	✓	LARGE EVIDENCE ENVELOPE					
9A	✓	PACKAGE WITH 2 RINGS AND 1 EAR RING STUD					
9B	✓	PACKAGE WITH ROLEX WATCH	7/23	XX	N/O	XX	7/23
10	✓	LARGE EVIDENCE BAG					
10A	✓	BLACK BACK PACK	7/23	XX	N/O	XX	7/23
10B	✓	BLACK PLASTIC BAG					
10C	✓	YELLOW PAPER W/ WRITING					
10D	✓	CALIFORNIA DMV REGISTRATION					
10E	✓	BIND OR INSURANCE FROM AAA					
11	✓	LARGE EVIDENCE ENVELOPE					
11A	✓	3x5 PHOTO	7/23	XX	N/O	XX	7/23
11B	✓	3x5 PHOTO	7/24	✓	351P	✓	7/24
11C	✓	3x5 PHOTO	"	✓	"	✓	"
11D	✓	3x5 PHOTO	"	✓	"	✓	"
11E	✓	3x5 PHOTO	"	✓	"	✓	"
11F	✓	3x5 PHOTO	"	✓	"	✓	"
11G	✓	3x5 PHOTO	"	✓	"	✓	"
11H	✓	3x5 PHOTO	"	✓	"	✓	"
11I	✓	3x5 PHOTO	"	✓	"	✓	"
11J	✓	3x5 PHOTO	"	✓	"	✓	"
11K	✓	3x5 PHOTO	"	✓	"	✓	"
11L	✓	3x5 PHOTO	"	✓	"	✓	"
11M	✓	3x5 PHOTO	"	✓	"	✓	"
11N	✓	3x5 PHOTO	"	✓	"	✓	"
11O	✓	3x5 PHOTO	"	✓	"	✓	"
11P	✓	3x5 PHOTO	"	✓	"	✓	"
11Q	✓	3x5 PHOTO	"	✓	"	✓	"
11R		3x5 PHOTO	"	✓	"	✓	"

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11S	✓ 3x5 PHOTO	7/24	✓	5/8P ✓	7/24
11T	✓ 3x5 PHOTO	"	✓	" ✓	"
11U	✓ 3x5 PHOTO	"	✓	" ✓	"
11V	✓ 3x5 PHOTO	"	✓	" ✓	"
11W	✓ 3x5 PHOTO	"	✓	" ✓	"
11X	✓ 3x5 PHOTO	"	✓	" ✓	"
11Y	✓ 3x5 PHOTO	"	✓	" ✓	"
11Z	✓ 3x5 PHOTO	"	✓	" ✓	"
11AA	✓ 3x5 PHOTO	"	✓	" ✓	"
11BB	✓ 3x5 PHOTO	"	✓	" ✓	"
11CC	✓ 3x5 PHOTO	"	✓	" ✓	"
11DD	✓ 3x5 PHOTO	"	✓	" ✓	"
11EE	✓ 3x5 PHOTO	"	✓	" ✓	"
11FF	✓ 3x5 PHOTO	"	✓	" ✓	"
11GG	✓ 3x5 PHOTO	"	✓	" ✓	"
11HH	✓ 3x5 PHOTO	"	✓	" ✓	"
11II	✓ 3x5 PHOTO	"	✓	" ✓	"
11JJ	✓ 3x5 PHOTO	"	✓	" ✓	"
11KK	✓ 3x5 PHOTO	"	✓	" ✓	"
11LL	✓ 3x5 PHOTO	"	✓	" ✓	"
11MM	✓ 3x5 PHOTO	"	✓	" ✓	"
11NN	✓ 3x5 PHOTO	"	✓	" ✓	"
11OO	✓ 3x5 PHOTO	"	✓	" ✓	"
11PP	✓ 3x5 PHOTO	"	✓	" ✓	"
11QQ	✓ 3x5 PHOTO	"	✓	" ✓	"
11RR	✓ 3x5 PHOTO	"	✓	" ✓	"
11SS	✓ 3x5 PHOTO	"	✓	" ✓	"
11TT	✓ 3x5 PHOTO	"	✓	" ✓	"
11UU	✓ 3x5 PHOTO	"	✓	" ✓	"
11VV	✓ 3x5 PHOTO	"	✓	" ✓	"

JUL 24 2003

11WW ✓	3x5 PHOTO	7/24	✓	STP	✓	7/24
11XX ✓	3x5 PHOTO	"	✓	"	✓	"
11YY ✓	3x5 PHOTO	"	✓	"	✓	"
11ZZ ✓	3x5 PHOTO	"	✓	"	✓	"
11 AAA ✓	3x5 PHOTO	"	✓	"	✓	"
11 BBB ✓	3x5 PHOTO	"	✓	"	✓	"
11 CCC ✓	3x5 PHOTO	"	✓	"	✓	"
11 DDD ✓	IMPOUND SHEET	7/24	✓	STP	✓	7/24
12 ✓	LARGE EVIDENCE ENVELOPE	7/24	✓	N/O	✓	7/24
12A ✓	WHITE PLASTIC FLEX CUFF					
13 ✓	LARGE EVIDENCE ENVELOPE	7/24	✓	N/O	✓	7/24
13A ✓	WHITE PLASTIC FLEX CUFF					
14 ✓	SMALL EVIDENCE ENVELOPE	7/24	✓	N/O	✓	7/24
14A ✓	EARRING	"	✓	"	✓	"
15 ✓	LARGE EVIDENCE BAG & CONTENTS **BIOHAZARD** <i>sealed</i>					
16 ✓	MEDIUM EVIDENCE ENVELOPE & CONTENTS **BIOHAZARD** <i>sealed</i>					
17 ✓	MEDIUM EVIDENCE BAG					
17A ✓	CD DISK					
17B ✓	CD DISK					
17C ✓	CD DISK					
17D ✓	CD DISK					
17E ✓	CD DISK					
17F ✓	CD DISK					
17G ✓	CD DISK					
17H ✓	CD DISK					
17I ✓	CD DISK					
17J ✓	CD DISK					
17K ✓	CD DISK					
17L ✓	CD DISK					

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18	✓	LARGE EVIDENCE ENVELOPE					
18A	✓	PHOTO LINE UP (CONNELY)	7/22	XX	N/O	XX	7/22
18B	✓	PHOTO LINE UP					
18C	✓	PHOTO LINE UP OF JEWELRY					
18D	✓	PHOTO LINE UP OF JEWELRY					
19	✓	PHOTO - FRONT OF JEWELRY STORE - 2829	7/24	✓	N/O	✓	7/24
20	✓	PHOTO - FRONT OF WINDOW LV MANUFACTURING JEWELERS	"	✓	"	✓	"
21	✓	PHOTO - INSIDE OF STORE - LOOKING OUT OF FRONT WINDOW	"	✓	"	✓	"
22	✓	PHOTO - INSIDE OF STORE W/ COUCH	7/22	XX	N/O	XX	7/22
23	✓	PHOTO - GRAY CARPET W/ WHITE PLASTIC FLEX CUFF	7/22	XX	N/O	XX	7/22
24	✓	PHOTO - FLOOR W/ BLOOD					
25	✓	PHOTO - FLOOR W/ BLOOD AND YELLOW RULER #1					
26	✓	PHOTO - CLOSE UP OF BLOOD ON FLOOR					
27	✓	PHOTO - BLOOD CIRCLE - YELLOW RULER #2					
28	✓	PHOTO - SHOWCASE - FLOWERS- CHRISTMAS STOCKINGS	7/22	XX	N/O	XX	7/22
29	✓	PHOTO - CLOSE UP OF SHOWCASE	7/24	✓	N/O	✓	7/24
30	✓	PHOTO - OTHER SIDE OF STORE W/ OPEN DOORS	"	✓	"	✓	"
31	✓	PHOTO - CLOSE UP CASE "HAPPY CHANUKAH"	7/24	✓	N/O	✓	7/24
32	✓	PHOTO - END SHOWCASE AND OPEN SAFE DOOR	"	✓	"	✓	"
33	✓	PHOTO - OPEN SAFE/SHOWCASE/ITEMS ON FLOOR	"	✓	"	✓	"
34	✓	PHOTO - JEWELRY ON FLOOR BETWEEN 2 CASES	"	✓	"	✓	"
35	✓	PHOTO - CLOSE UP OF JEWELRY ON FLOOR					
36	✓	PHOTO - CLOSE UP OF ITEMS ON FLOOR	7/24	✓	"	✓	"
37	✓	PHOTO - JEWELRY ON FLOOR	"	✓	"	✓	"
38	✓	PHOTO - OFFICE	"	✓	"	✓	"
39	✓	PHOTO - STUFF ON FLOOR AROUND DESK	7/24	✓	N/O	✓	7/24
40	✓	PHOTO - OPEN CABINET IN OFFICE	"	✓	"	✓	"
41	✓	PHOTO - OFFICE WITH DRAWER ON FLOOR					
42	✓	PHOTO - OFFICE W/ CABINET AND OPEN DOOR					
43	✓	PHOTO - CLOSE UP OF OPEN CABINET					

JUL 24 2003

44	✓	PHOTO - OPEN SAFE W/ ITEMS ON FLOOR					
45	✓	PHOTO - CLOSE UP OF SAFE AND ITEMS ON FLOOR					
46	✓	PHOTO - CLOSE UP OF SAFE					
47	✓	PHOTO - OPEN SAFE DOOR W/ BLOOD					
48	✓	PHOTO - BLOOD WITH RULER #7					
49	✓	PHOTO - SHOW CASE (BIG RED BOW ON WALL)	7/24	✓	N/O	✓	7/24
50	✓	PHOTO - SHOW CASE (1 ST OF 3)	"	✓	"	✓	"
51	✓	PHOTO - SHOW CASE (MIDDLE OF 3)	7/24	✓	N/O	✓	7/24
52	✓	PHOTO - SHOW CASE (3 OF 3)	"	✓	"	✓	"
53	✓	PHOTO - BEHIND SHOWCASE - ITEMS ON FLOOR	"	✓	"	✓	"
54	✓	PHOTO - NECKLACES AND RINGS ON FLOOR	7/24	✓	N/O	✓	7/24
55	✓	PHOTO - HALLWAY GOING TO BACK ROOM	7/24	✓	N/O	✓	7/24
56	✓	PHOTO - BLOOD ON WALL GOING TO BACKROOM	"	✓	"	✓	"
57	✓	PHOTO - CLOSE UP OF BLOOD SMEAR	"	✓	"	✓	"
58	✓	PHOTO - BLOOD AND ITEMS ON FLOOR - BACKROOM					
59	✓	PHOTO - BLOOD WITH RULER #5 - CLOSE UP					
60	✓	PHOTO - TILE FLOOR W/ BLOOD AND ITEMS ON FLOOR					
61	✓	PHOTO - BLOOD SPOTS AND BOX W/ RAGS ON FLOOR					
62	✓	PHOTO -	7/22	XX	N/O	XX	7/22
63	✓	PHOTO -	7/24	✓	N/O	✓	7/24
64	✓	PHOTO -	"	✓	"	✓	"
65	✓	PHOTO -	"	✓	"	✓	"
66	✓	PHOTO -	"	✓	"	✓	"
67	✓	PHOTO -	"	✓	"	✓	"
68	✓	PHOTO -					
69	✓	PHOTO -					
70	✓	PHOTO -	7/24	✓	N/O	✓	7/24
71	✓	PHOTO -	7/24	✓	"	✓	"
72	✓	PHOTO -					
73	✓	PHOTO -					

JUL 24 2003

JUL 24 2003

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
✓ 1.	LARGE EVIDENCE ENVELOPE	4/29	✓ N/O	✓ 4/29	
✓ A.	PHOTO LINE UP OF SMITH	4/28	✓ N/O	✓ 4/28	
✓ 2.	LARGE EVIDENCE ENVELOPE	4/29	✓ N/O	✓ 4/29	
✓ A.	PHOTO LINEUP OF BLACKWELL (GOLCEKER)	4/28	✓ N/O	✓ 4/28	
✓ B.	PHOTO LINEUP OF BROWN (GOLCEKER)	4/28	✓ N/O	✓ 4/28	
✓ C.	PHOTO LINEUP OF JEWELRY (GOLCEKER)	4/28	✓ N/O	✓ 4/28	
✓ D.	PHOTO LINEUP OF BLACKWELL (CONNEX)	4/27	✓ N/O	✓ 4/27	
✓ E.	PHOTO LINEUP OF BROWN (CONNEX)	4/27	✓ N/O	✓ 4/27	
✓ F.	PHOTO LINEUP OF JEWELRY (CONNEX)	4/27	✓ N/O	✓ 4/27	
✓ 3.	LARGE EVIDENCE ENVELOPE				
✓ A.	I.D. REPORT (POURSHALIMI)				
✓ B.	PHOTO LINEUP OF BLACKWELL (POURSHALIMI)				
✓ C.	PHOTO LINEUP OF BROWN (POURSHALIMI)				
✓ D.	PHOTO LINEUP OF BALLARD				
✓ 4.	LARGE EVIDENCE BAG + CONTENTS <i>Sealed</i>	X	X	X	
✓ 5.	LARGE EVIDENCE BAG + CONTENTS <i>Sealed</i>	X	X	X	
✓ 6.	LARGE EVIDENCE ENVELOPE	4/29	✓ N/O	✓ 4/29	
✓ A.	CELL phone + CASE	4/29	✓ N/O	✓ 4/29	
✓ B.	BLACK CLIP	4/29	✓ N/O	✓ 4/29	
✓ C.	CALIFORNIA I.D. CARD	4/29	✓ N/O	✓ 4/29	
✓ D.	HYATT REGENCY PARKING RECEIPT	4/29	✓ N/O	✓ 4/29	
✓ E.	PAPER w/ NUMBERS on IT	4/29	✓ N/O	✓ 4/29	

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
✓	6F. Hyatt Regency Hotel Receipt	4/29	✓ N/O	✓ 4/29	
✓	6: Pawn Tickets	4/29	✓ N/O	✓ 4/29	
✓	7: Large Evidence Envelope	4/29	✓ N/O	✓ 4/29	
✓	A: Yellow Metal Necklace	4/29	✓ N/O	✓ 4/29	
✓	B: Watch	4/29	✓ N/O	✓ 4/29	
✓	C: Ring	4/29	✓ N/O	✓ 4/29	
✓	8: Large Evidence Envelope				
✓	A: Sony Ericsson Cell Phone				
✓	9: Large Evidence Envelope				
✓	A: Package w/ 2 Rings + 1 Ear Ring Stud				
✓	B: Package w/ Rolex Watch				
✓	10: Large Evidence Bag	4/29	✓ N/O	✓ 4/29	
✓	A: Black Backpack	4/28	✓ N/O	✓ 4/28	
✓	B: Black Plastic Bag				
✓	C: Yellow Paper w/ Writing	4/29	✓ N/O	✓ 4/29	
✓	D: California DMV Registration				
✓	E: Bind or Insurance from AAA				
✓	11: Large Evidence Envelope	4/29	✓ N/O	✓ 4/29	
✓	A: 3x5 Photo - Ring	4/28	✓ N/O	✓ 4/28	
✓	B: 3x5 Photo - Watch + Chains	4/28	✓ N/O	✓ 4/28	
✓	C: 3x5 Photo - Watch + Chains	4/28	✓ N/O	✓ 4/28	
✓	D: 3x5 Photo	4/27	✓ N/O	✓ 4/27	

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
✓	1. E. 3x5 PHOTO - Rings (3)	4/28	✓ N/O	✓ 4/28	
✓	2. F. 3x5 PHOTO - Rings (3)	4/28	✓ N/O	✓ 4/28	
✓	3. G. 3x5 PHOTO - Rings (10)	4/28	✓ N/O	✓ 4/28	
✓	4. H. 3x5 PHOTO - Rings (14)	4/28	✓ N/O	✓ 4/28	
✓	5. I. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	6. J. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	7. K. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	8. L. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	9. M. 3x5 PHOTO	4/27	✓ N/O	✓ 4/27	
✓	10. N. 3x5 PHOTO - EARRINGS (SILVER)	4/28	✓ N/O	✓ 4/28	
✓	11. O. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	12. P. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	13. Q. 3x5 PHOTO - Rings (12)	4/27	✓ N/O	✓ 4/27	
✓	14. R. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	15. S. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	16. T. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	17. U. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	18. V. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	19. W. 3x5 PHOTO - Rings (12)	4/28	✓ N/O	✓ 4/28	
✓	20. X. 3x5 PHOTO - Ring (1) RED/green	4/28	✓ N/O	✓ 4/28	
✓	21. Y. 3x5 PHOTO - BRACELETS	4/28	✓ N/O	✓ 4/28	
✓	22. Z. 3x5 PHOTO - Rope NECKLACE	4/28	✓ N/O	✓ 4/28	

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
✓	11.0A. 3x5 PHOTO - BRACELETS (5)	4/28	✓ N/O	✓ 4/28	
✓	BB. 3x5 PHOTO - BRACELETS (3)	4/28	✓ N/O	✓ 4/28	
✓	CC. 3x5 PHOTO - BRACELETS (5)	4/28	✓ N/O	✓ 4/28	
✓	DD. 3x5 PHOTO - BRACELETS (5)	4/28	✓ N/O	✓ 4/28	
✓	EE. 3x5 PHOTO - BRACELETS (5)	4/28	✓ N/O	✓ 4/28	
✓	FF. 3x5 PHOTO - BRACELETS (5)	4/28	✓ N/O	✓ 4/28	
✓	GG. 3x5 PHOTO - BRACELETS (5)	4/28	✓ N/O	✓ 4/28	
✓	HH. 3x5 PHOTO - JEWELRY (6)	4/28	✓ N/O	✓ 4/28	
✓	II. 3x5 PHOTO - EAR RINGS (6)	4/28	✓ N/O	✓ 4/28	
✓	JJ. 3x5 PHOTO - EAR RINGS (6)	4/28	✓ N/O	✓ 4/28	
✓	KK. 3x5 PHOTO - EAR RINGS (6)	4/28	✓ N/O	✓ 4/28	
✓	LL. 3x5 PHOTO - EAR RINGS (6)	4/28	✓ N/O	✓ 4/28	
✓	MM. 3x5 PHOTO - EAR RINGS (6)	4/28	✓ N/O	✓ 4/28	
✓	NN. 3x5 PHOTO - EAR RINGS (6)	4/28	✓ N/O	✓ 4/28	
✓	OO. 3x5 PHOTO - EAR RINGS (6)	4/28	✓ N/O	✓ 4/28	
✓	PP. 3x5 PHOTO - JEWELRY	4/28	✓ N/O	✓ 4/28	
✓	QQ. 3x5 PHOTO - EAR RINGS	4/28	✓ N/O	✓ 4/28	
✓	RR. 3x5 PHOTO - JEWELRY	4/28	✓ N/O	✓ 4/28	
✓	SS. 3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓	TT. 3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓	UU. 3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓	VV. 3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
✓ 11 10W	3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓ 12	3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓ 13	3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓ 22	3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓ AAA	3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓ BBB	3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓ CCC	3x5 PHOTO - CHARMS	4/28	✓ N/O	✓ 4/28	
✓ DDD	IMPOUND SHEET	4/28	✓ N/O	✓ 4/28	
✓ 12	LARGE EVIDENCE ENVELOPE	4/27	✓ N/O	✓ 4/27	
✓ A	WHITE PLASTIC FLEX CUFF	4/27	✓ N/O	✓ 4/27	
✓ B	LARGE EVIDENCE ENVELOPE	4/27	✓ N/O	✓ 4/27	
✓ A	WHITE PLASTIC FLEX CUFF	4/27	✓ N/O	✓ 4/27	
✓ 14	SMALL EVIDENCE ENVELOPE	4/29	✓ N/O	✓ 4/29	
✓ A	EARRING	4/29	✓ N/O	✓ 4/29	
✓ 15	LARGE EVIDENCE BAG + CONTENTS <i>sealed</i> ** BIOHAZARD **				
✓ 16	MEDIUM EVIDENCE ENVELOPE + CONTENTS <i>sealed</i> ** BIOHAZARD **				
✓ 17	MEDIUM EVIDENCE BAG				
✓ A	CD DISK				
✓ B	CD DISK				
✓ C	CD DISK				
✓ D	CD DISK				
✓ E	CD DISK				

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
✓	17 F. CD DISK	X		X	
✓	G. CD DISK				
✓	H. CD DISK				
✓	I. CD DISK				
✓	J. CD DISK				
✓	K. CD DISK				
✓	L. CD DISK				
✓	18. LARGE EVIDENCE ENVELOPE	4/29	✓ N/O	✓	4/29
✓	A. PHOTO LINEUP (Connely)	4/27	✓ N/O	✓	4/27
✓	B. PHOTO LINEUP	4/28	✓ N/O	✓	4/28
✓	C. PHOTO LINEUP JEWELRY	4/28	✓ N/O	✓	4/28
✓	D. PHOTO LINEUP JEWELRY	4/27	✓ N/O	✓	4/27
✓	19. PHOTO - FRONT OF JEWELRY STORE - 2829	4/27	✓ N/O	✓	4/27
✓	20. " - FRONT OF WINDOW LV MANUFACTURING JEWELRY	4/27	✓ N/O	✓	4/27
✓	21. PHOTO - INSIDE OF STORE - LOOKING OUT OF FRONT WINDOW	4/27	✓ N/O	✓	4/27
✓	22. PHOTO - INSIDE OF STORE W/ COUCH	4/27	✓ N/O	✓	4/27
✓	23. PHOTO - GRAY CARPET W/ WHITE PLASTIC FLEX CUFF	4/27	✓ N/O	✓	4/27
✓	24. PHOTO - FLOOR W/ BLOOD	4/29	✓ N/O	✓	4/29
✓	25. PHOTO - FLOOR W/ BLOOD + yellow RULER #1				
✓	26. PHOTO - CLOSEUP OF BLOOD ON FLOOR	4/29	✓ N/O	✓	4/29
✓	27. PHOTO - BLOOD CIRCLE - yellow RULER #2				
✓	28. PHOTO - SHOWCASE - FLOWERS - CHRISTMAS STOCKINGS	4/27	✓ N/O	✓	4/27

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
29.	PHOTO - CLOSE UP OF SHOWCASE	4/27	✓ N/O	✓ 4/27	
30.	PHOTO - OTHER SIDE OF STORE W/ OPEN DOORS	4/27	✓ N/O	✓ 4/27	
31.	PHOTO - CLOSE UP CASE "HAPPY CHANUKAH"	4/27	✓ N/O	✓ 4/27	
32.	" - END SHOWCASE & OPEN SAFE DOOR	4/27	✓ N/O	✓ 4/27	
33.	" - OPEN SAFE / SHOWCASE / ITEMS ON FLOOR	4/27	✓ N/O	✓ 4/27	
34.	" - JEWELRY ON FLOOR BETWEEN 2 CASES	4/27	✓ N/O	✓ 4/27	
35.	" - CLOSE UP OF JEWELRY ON FLOOR				
36.	" - CLOSE UP OF ITEMS ON FLOOR	4/27	✓ N/O	✓ 4/27	
37.	" - JEWELRY ON FLOOR	4/27	✓ N/O	✓ 4/27	
38.	" - OFFICE	4/27	✓ N/O	✓ 4/27	
39.	" - STUFF ON FLOOR AROUND DESK	4/27	✓ N/O	✓ 4/27	
40.	" - OPEN CABINET IN OFFICE	4/27	✓ N/O	✓ 4/27	
41.	" - OFFICE W/ DRAWER ON FLOOR	4/27	✓ N/O	✓ 4/27	
42.	" - OFFICE W/ CABINET & OPEN DOOR	4/27	✓ N/O	✓ 4/27	
43.	" - CLOSE UP OF OPEN CABINET	4/27	✓ N/O	✓ 4/27	
44.	" - OPEN SAFE W/ ITEMS ON FLOOR	4/27	✓ N/O	✓ 4/27	
45.	" - CLOSE UP OF SAFE & ITEMS ON FLOOR	4/27	✓ N/O	✓ 4/27	
46.	" - CLOSE UP OF SAFE				
47.	" - OPEN SAFE DOOR W/ BLOOD				
48.	" - BLOOD W/ RULER #7				
49.	" - SHOW CASE (BIG RED BOW ON WALL)	4/27	✓ N/O	✓ 4/27	
50.	" - SHOW CASE (1 ST OF 3)	4/27	✓ N/O	✓ 4/27	

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
*51.	PHOTO - SHOW CASE (MIDDLE OF 3)	4/27	✓ N/O	✓ 4/27	
*52.	" - SHOW CASE (3 of 3)	4/27	✓ N/O	✓ 4/27	
*53.	" - BEHIND SHOWCASE - ITEMS ON FLOOR	4/27	✓ N/O	✓ 4/27	
*54.	" - NECKLACES + RINGS ON FLOOR	4/27	✓ N/O	✓ 4/27	
*55.	" - HALLWAY GOING TO BACK ROOM	4/27	✓ N/O	✓ 4/27	
*56.	" - BLOOD ON WALL GOING TO BACKROOM	4/27	✓ N/O	✓ 4/27	
*57.	" - CLOSE UP OF BLOOD SMEAR	4/27	✓ N/O	✓ 4/27	
*58.	" - BLOOD + ITEMS ON FLOOR - BACKROOM	4/27	✓ N/O	✓ 4/27	
*59.	" - BLOOD W/ RULER #5 - CLOSE UP				
*60.	" - TILE FLOOR W/ BLOOD + ITEMS ON FLOOR	4/27	✓ N/O	✓ 4/27	
*61.	" - BLOOD SPOTS + BOX W/ RAGS ON FLOOR	4/27	✓ N/O	✓ 4/27	
*62.	PHOTO	4/27	✓ N/O	✓ 4/27	
*63.	PHOTO	4/27	✓ N/O	✓ 4/27	
*64.	PHOTO	4/27	✓ N/O	✓ 4/27	
*65.	PHOTO	4/27	✓ N/O	✓ 4/27	
*66.	PHOTO	4/27	✓ N/O	✓ 4/27	
*67.	PHOTO	4/27	✓ N/O	✓ 4/27	
*68.	PHOTO	4/27	✓ N/O	✓ 4/27	
*69.	PHOTO	4/27	✓ N/O	✓	
*70.	PHOTO	4/27	✓ N/O	✓ 4/27	
*71.	PHOTO	4/27	✓ N/O	✓ 4/27	
*72.	PHOTO -				

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
73.	PHOTO -				
74.	PHOTO - M. GOLCEKER - HOSPITAL	6/28	✓ N/O	✓ 6/28	
75.	PHOTO - " Close up of FACE	6/28	✓ N/O	✓ 6/28	
76.	PHOTO - " Right SIDE OF FACE	6/28	✓ N/O	✓ 6/28	
77.	PHOTO - " - LEFT SIDE OF HEAD/FACE	6/28	✓ N/O	✓ 6/28	
78.	PHOTO - " - MOUTH / MISSING TOOTH	6/28	✓ N/O	✓ 6/28	
79.	PHOTO - " - RIGHT ARM w/ BRUISE	6/28	✓ N/O	✓ 6/28	
80.	PHOTO - " - HANDS	6/28	✓ N/O	✓ 6/28	
81.	PHOTO - " - PALMS	6/28	✓ N/O	✓ 6/28	
82.	LAS VEGAS MANUFACTURING INVENTORY LIST	6/28	✓ N/O	✓ 6/28	
A.	COVER SHEET	6/28	✓ N/O	✓ 6/28	
83.	HPD LABORATORY REPORT 11/25/02				
84.	HPD LABORATORY REPORT 4/14/03				
85.	SMALL EVIDENCE ENVELOPE	6/29	✓ N/O	✓ 6/29	
A.	LATENT FINGER PRINT CARD	6/29	✓ N/O	✓ 6/29	
B.	LATENT FINGER PRINT CARD	6/29	✓ N/O	✓ 6/29	
C.	LATENT FINGER PRINT CARD	6/29	✓ N/O	✓ 6/29	
D.	LATENT FINGER PRINT CARD	6/29	✓ N/O	✓ 6/29	
E.	LATENT FINGER PRINT CARD	6/29	✓ N/O	✓ 6/29	
F.	LATENT FINGER PRINT CARD	6/29	✓ N/O	✓ 6/29	
G.	LATENT FINGER PRINT CARD	6/29	✓ N/O	✓ 6/29	
H.	LATENT FINGER PRINT CARD	6/29	✓ N/O	✓ 6/29	

STATE'S

EXHIBITS

CASE NO. C189658

		OFFERED		ADMITTED	
		DATE	OBJ	DATE	
• 85.	LATENT FINGER PRINT CARD	4/29	✓ N/O	✓	4/29
• 86.	AERIAL MAP	4/27	✓ N/O	✓	4/27
• 87.	SUBPOENA w/ ENVELOPE + 911 LOG	4/27	✓ SNP	✓	4/27
✓	A. TAPE	4/27	✓ "	✓	4/27
• 88.	Hyatt Regency Hotel Records (4)	4/29	✓ N/O	✓	4/29
• 89.	CHART ONE MEDICAL RECORDS (GOLCEKER)	4/28	✓ STIP	✓	4/28
• 90.	CHART ONE MEDICAL RECORDS (Connley)	4/27	✓ STIP	✓	4/27
• 91.	PHOTO - WATCH w/ RED FACE (Roller)	4/27	✓ N/O	✓	4/27
• 92.	HAND DRAWN DIAGRAM - MAIN CUSTOMER AREA	4/27	✓ Y/O	✓	4/27
• A.	" " " - BACKROOM AREA	4/27	✓ N/O	✓	4/27
• 93.	PHOTO - Diamond Ring	4/28	✓ N/O	✓	4/28
W 94.	Supplemental Report (OFFICER BRIGHTWELL)	WITHDRAWN			
• 95.	PHOTO - BLACKWELL	4/28	✓ N/O	✓	4/28
• 96.	PHOTO - BROWN	4/28	✓ N/O	✓	4/28
• 97.	PHOTO - FRONT DOOR (BOTTOM)	4/29	✓ Y/O	✓	4/29
• 98.	PHOTO - " (TOP)	4/29	✓ N/O	✓	4/29
• 99.	PHOTO - BACK DOOR	4/29	✓ N/O	✓	4/29
• 100.	LAPD - FINGER PRINT LOG	4/29	✓ N/O	✓	4/29
• 101.	Finger Prints - BLACKWELL	4/29	✓ N/O	✓	4/29
• 102.	" " - BROWN	4/29	✓ N/O	✓	4/29
• 103.	PHOTO - M. Williams	4/30	✓ N/O	✓	4/30
• 104.	MIRANDA FORM				

CASE NO. C189658

Exhibit Sheet 5-01/jh

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; DESIGNATION OF RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

ERICK M. BROWN
aka FREDRICK M. BROWN,

Defendant(s).

Case No: 03C189658-1

Dept No: XXV

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 25 day of February 2019.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk