

Steven D. Grierson

IN THE Eighth Judicial District Court
For the County of Clark in Nevada

2 ----- X
3 ANTONIO LEE MIXON JR. :

4 Defendant :

5 V. :

6 THE STATE OF NEVADA :

7 Plaintiffs :

8 ----- X

9 Case No.: C-17-327439-1 Dept. 17

10 Notice is hereby given that Antonio Lee Mixon
11 Jr, Defendant in the above named case, hereby Appeal
12 to the SUPREME COURT OF NEVADA From the Final
13 Judgment, From an order denying Defendant's
14 MOTION TO Suppress Entered in this action on
15 the 11th day of October, 2018

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Dated: 10/11/2018

29 A. L. Mixon Jr.

30 ANTONIO LEE MIXON JR

31 High Desert State Prison

32 P.O. BOX 650

33 INDIAN SPRINGS, NEVADA 89070

RECEIVED
OCT 15 2018
CLERK OF THE COURT

Memorandum of Points And Authorities

Notice is hereby given that the Defendant
in the named case, hereby Appeal to the Supreme Court
of Nevada From the Final Judgment, From an order
denying denying Defendant's Motion to Suppress Entered in
this action on the 11th day of October, 2018.

Certificate of Service

I certify that I am the Defendant /pro-se and that on this 11th day of October, 2018, I caused to be deposited for mailing a true and correct copy of the foregoing, Notice of Appeal, to the following:

Chelsa N. Kallas	STEVEN D. BRIPSON,
Deputy Attorney General	Clerk of the Court
Office of the Attorney General	200 Lewis Avenue, 3rd Floor
555 E. Washington Ave., STE. 3900	Las Vegas, NV 89155-1760
Las Vegas, Nevada 89101-1068	

CC: Filp

Dated: 10/11/2018

s. L. Nixon Jr.

Defendant

Self-representative

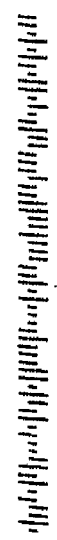
Andromeda Milton 10/19/2018
H.D.S.O.
P.O. Box 650
Indian Springs, NV 89070

LAS VEGAS NV 890
12 OCT 2018 PM 3:41



Steven D. Grier, Sr.,
Clerk of the Court
200 Lewis Avenue, 3rd Floor
LV, NV 89155-1160

69101-630000



HIGH DESERT STATE PRISON
OCT 11 2018
UNIT 4 A/B



1 ASTA

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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 ANTONIO LEE MIXON,

14 Defendant(s),

Case No: C-17-327439-1

Dept No: XVII

15
16
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): A. L. Mixon Jr.

19 2. Judge: Michael Villani

20 3. Appellant(s): A. L. Mixon Jr.

21 Counsel:

22 A. L. Mixon Jr. #1019828
23 P.O. Box 650
24 Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Adam Paul Laxalt, Attorney General
28 555 E. Washington Ave., Suite 3900
Las Vegas, NV 89101-1068

(702) 486-3825

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: Yes

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: October 24, 2017

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

Type of Judgment or Order Being Appealed: Unknown

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 17 day of October 2018.

Steven D. Grierson, Clerk of the Court

/s/ Courtnie Hoskin

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

cc: A. L. Mixon Jr.

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-17-327439-1**

State of Nevada
vs
Antonio Mixon

§ Location: **Department 17**
 § Judicial Officer: **Villani, Michael**
 § Filed on: **10/24/2017**
 § Cross-Reference Case **C327439**
 § Number:
 § Defendant's Scope ID #: **1968172**
 § ITAG Booking Number: **0**
 § ITAG Case ID: **1943959**
 § Lower Court Case # Root: **17F14741**
 § Lower Court Case Number: **17F14741X**

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court				
1. BATTERY BY A PRISONER PCN: 0030270532 ACN: 0 Arrest: 12/04/2015 MET - Metro	F	12/04/2015	Case Status:	10/24/2017 Open
2. POSSESSION OR CONTROL OF DANGEROUS WEAPON OR FACSIMILE BY INCARCERATED PERSON	F	12/04/2015		






DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number	C-17-327439-1
Court	Department 17
Date Assigned	10/24/2017
Judicial Officer	Villani, Michael

PARTY INFORMATION

Defendant	Mixon, Antonio Lee	<i>Lead Attorneys</i>
		Pro Se
Plaintiff	State of Nevada	Laxalt, Adam Paul 702-486-3420(W)

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

10/24/2017	 Criminal Bindover Packet Las Vegas Justice Court
10/24/2017	 Criminal Bindover - Confidential
10/25/2017	 Information Party: Plaintiff State of Nevada <i>Information</i>
11/14/2017	 Motion to Compel <i>Motion to Compel Production of Discovery & Brady Material</i>
12/01/2017	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Compel Discovery & Brady Material</i>

CASE SUMMARY
CASE NO. C-17-327439-1

12/13/2017	 Notice Filed By: Plaintiff State of Nevada <i>Notice of Intent to Use COR Affidavit and/or Unsworn Declaration</i>
12/15/2017	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>State's Notice of Witnesses and / or Expert Witnesses</i>
12/15/2017	 Motion <i>Motion to Withdraw and Allow Defendant to Represent Himself Pursuant to Faretta v. California with Exhibits</i>
12/15/2017	 Motion <i>Motion to Withdraw and Allow Defendant to Represent Himself Pursuant to Faretta v. California with Exhibits</i>
12/15/2017	 Re-Notice <i>Renotice of Hearing on Motion to Withdraw and Allow Defendant to Represent himself Pursuant to Faretta v California</i>
12/22/2017	 Notice <i>Defendant's Notice of Witnesses, Pursuant to NRS 174.234</i>
12/29/2017	 Motion for Withdrawal Filed By: Defendant Mixon, Antonio Lee <i>Defendant's Motion for Withdrawal of Attorney of Record, Request to Obtain Copy of Defendant's File, and Request for Self-Representation</i>
12/29/2017	 Motion Filed By: Plaintiff State of Nevada <i>Motion In Limine to Exclude Defense Witnesses from Testifying</i>
01/02/2018	 Jury List
01/04/2018	 Order <i>Discovery Order</i>
01/25/2018	 Order <i>Order for Transcript</i>
02/01/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing Jury Trial - Day 1 (State's Opening; Direct and Cross-Examination of Dean Ontiveros Heard on January 2, 2018)</i>
02/09/2018	 Motion <i>Motion for Clarification on Last Ruling and Order</i>
03/05/2018	 Motion Filed By: Defendant Mixon, Antonio Lee <i>Motion To Dismiss Based Upon Vindictive Prosecution</i>
03/05/2018	 Motion

CASE SUMMARY

CASE NO. C-17-327439-1

Filed By: Defendant Mixon, Antonio Lee
Motion To Disqualify The Attorney General's Office

03/05/2018



Motion

Filed By: Defendant Mixon, Antonio Lee
Defendant's Motion To Dismiss With Prejudice

03/12/2018



Opposition to Motion

State's Opposition to Defendant's Motion to Dismiss Based Upon Vindictive Prosecution

03/12/2018



Opposition to Motion

Filed By: Plaintiff State of Nevada
State's Opposition to Defendant's Motion to Disqualify the Attorney General's Office

03/13/2018



Opposition

Filed By: Plaintiff State of Nevada
State's Amended Opposition to Defendant's Motion to Dismiss Based Upon Vindictive Prosecution

03/13/2018



Opposition

Filed By: Plaintiff State of Nevada
State's Amended Opposition to Defendant's Motion to Disqualify the Attorney General's Office

03/14/2018



Opposition to Motion

Filed By: Plaintiff State of Nevada
State's Opposition to Defendant's Motion to Dismiss with Prejudice

03/28/2018



Motion for Withdrawal

Filed By: Defendant Mixon, Antonio Lee
Defendant's Motion for Withdrawal of Attorney of Record, Request to Obtain Copy of Defendant's File, and Request for Self- Representation

04/04/2018



Notice of Hearing

Notice of Hearing

05/14/2018



Motion

Filed By: Defendant Mixon, Antonio Lee
Defendant's Motion for Expert Witnesses/Transport Order

08/08/2018



Notice of Motion

Filed By: Defendant Mixon, Antonio Lee
Notice of Motion

08/08/2018



Motion

Motion for Status Check; Trial Readiness; Discovery Issue; Transportation Order; Oral Agreement Requested

08/27/2018



Motion for Discovery

Filed By: Defendant Mixon, Antonio Lee
Motion for Discovery, for Trial Date to be Reset and for Order Transporting Inmate for Oral Argument at the Time of the Hearing

09/19/2018



Motion


Filed By: Defendant Mixon, Antonio Lee

CASE SUMMARY
CASE NO. C-17-327439-1

Motion to Suppress and or Pursuant to NRS 47.090

09/19/2018	 Notice of Motion Filed By: Defendant Mixon, Antonio Lee
09/19/2018	 Motion Filed By: Defendant Mixon, Antonio Lee <i>Motion for Expert Witness</i>
09/19/2018	 Notice of Motion Filed By: Defendant Mixon, Antonio Lee
09/26/2018	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>Opposition to Defendant's Motion for Expert Witnesses</i>
09/26/2018	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>Opposition to Defendant's Motion to Suppress</i>
10/01/2018	 Motion Filed By: Defendant Mixon, Antonio Lee <i>Motion for Leave to File an Amended Motion to Support and Motion for Expert Witnesses</i>
10/01/2018	 Notice of Motion Filed By: Defendant Mixon, Antonio Lee
10/09/2018	 Reply Filed by: Defendant Mixon, Antonio Lee <i>Reply to State's opposition to Defendant's Motion for Expert Witnesses</i>
10/09/2018	 Reply to Opposition Filed by: Defendant Mixon, Antonio Lee <i>Reply to State's Opposition to Defendant's Motion to Suppress</i>
10/15/2018	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
10/15/2018	 Motion <i>Motion for Extension of Time</i>
10/17/2018	 Case Appeal Statement Filed By: Defendant Mixon, Antonio Lee <i>Case Appeal Statement</i>

HEARINGS

11/01/2017	 Initial Arraignment (10:00 AM) (Judicial Officer: De La Garza, Melisa) Plea Entered; Journal Entry Details: <i>DEFT. MIXON ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT FURTHER ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. Ms. Sisolak advised for the record there will not be any transcripts. CUSTODY (COC-NDC) 12/12/17 8:30 AM CALENDAR CALL (DEPT 17) 01/02/18 JURY TRIAL (DEPT 17);</i>
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CASE SUMMARY

CASE NO. C-17-327439-1

12/05/2017



Motion to Compel (8:30 AM) (Judicial Officer: Villani, Michael)

Defendant's Motion to Compel Production of Discovery & Brady Material
Matter Heard;

Journal Entry Details:

Court noted this was Defendant's Motion for Discovery and inquired as to Ms. Sisolak request for items 43-49 regarding electronic devices. Ms. Sisolak noted that was an error. COURT ORDERED, Request 43-49 DENIED. Court stated if Ms. Sisolak learn those items existed to re-file the matter. Ms. Kallas advised it was her understanding there were none used. Ms. Sisolak noted the Attorney General turned over a disk of documents as well as her office picked up documents, this was their standard motion. Court stated it prepared a minute order entry and the Court would forward to counsel this afternoon. Ms. Sisolak was to prepare a formal Order with the Court's decision and submit to opposing counsel to sign off as to form and content. NIC (COC-NDC) CLERK'S NOTE: Subsequent to Court, via e-mail the Department XVII Law Clerk forwarded the minute order entry to Ms. Kallas and Ms. Sisolak.//ob/12/6/17.;

12/12/2017



Calendar Call (8:30 AM) (Judicial Officer: Villani, Michael)

Matter Heard;

Journal Entry Details:

Ms. Sisolak advised she was prepared to announce ready; however, Ms. Sisolak further advised she received a letter from Defendant requesting her to file a motion based on the denial of his ability to represent himself. Ms. Sisolak noted in Justice Court Judge Bennett conducted a Faretta Canvas and determined Defendant could not represent himself thereafter the Public Defender's Office was appointed. Ms. Sisolak advised Defendant stated he would like to represent himself. Ms. Kallas announced ready for trial. Court noted Defendant had a trial date set for January 2nd and inquired as to Defendant being ready for trial if he represented himself. Defendant stated he would not be ready for trial. Further statements by Defendant. Upon Court's inquiry, Ms. Sisolak advised Defendant had not requested to represent himself since arriving in District Court. Ms. Sisolak further advised she received a letter from Defendant yesterday stating he was entitled to represent himself based on the denial from Justice Court. Court stated based upon counsel's representation and Defendant stating he would not be ready to go forward, COURT ORDERED, Defendant's request DENIED as that would cause his trial to be continued; Trial date STANDS. Counsel estimated 2 to 3 witnesses and 1 day for trial. NIC (COC-NDC) ;

01/02/2018



Motion to Withdraw as Counsel (8:30 AM) (Judicial Officer: Villani, Michael)

Motion to Withdraw and Allow Defendant to Represent Himself Pursuant to Faretta v. California with Exhibits

Per Email Rcvd. 12-15-17 From Dept. XVII LC F. Ghadiri Re: Rescheduling 01-09-18 MWAC to 01-02-18

Withdrawn;

Journal Entry Details:

Def. present in custody on other charges. Attorney General not present. Upon Court's inquiry, Def. stated he wanted Ms. Sisolak to continue representing him on this matter. COURT SO ACKNOWLEDGE and ADVISED the Jury Trial currently set today at 10:30 AM stands. NIC (COC-NDC) 1/2/18 - 10:30 AM - JURY TRIAL;

01/02/2018



Jury Trial (10:30 AM) (Judicial Officer: Villani, Michael)

Mistrial;

Mistrial

Journal Entry Details:

PROSPECTIVE JURY PANEL PRESENT: Role Call. Voir Dire Oath administered. Introduction by the Court and counsel. CONFERENCE AT THE BENCH. General Voir Dire conducted. Jurors excused. Voir Dire Continued. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Ms. Machnich stated she made a timely objection with regards to the jury poll, and argued as to the systematic exclusion of African Americans and requested an evidentiary hearing with the Jury Commissioner regarding the process. If not, they would make an offer. Upon Court's inquiry, counsel stated her information was based upon prior trials and testimony. Ms. Kallis objected as they have already heard from the Commissioner and the answer is going to be same. Counsel requested the Court take judicial notice of her testimony from within that transcript to show there is no systematic exclusion with the jury.

CASE SUMMARY

CASE NO. C-17-327439-1

Court stated its findings and ORDERED, Motion for Evidentiary Hearing DENIED. PROSPECTIVE JURY PANEL PRESENT: Voir Dire Continued. CONFERENCE AT THE BENCH. Additional Panel Members excused for cause and for Peremptory Challenges during discussions at the Bench. Twelve jurors and one alternate selected and sworn. Jury list FILED IN OPEN COURT. Clerk read the Information to the jury and stated the defendant's plea thereto. Court instructed the jury. OUTSIDE THE PRESENCE OF THE JURY: Upon Court's inquiry, Ms. Machnich stated depending on what comes out on State's opening, they may reserve. State objected to Defense providing a proffer, in camera. Statement by the Court. Exclusionary Rule INVOKED. COURT ORDERED, hearing sealed. Hearing conducted and outside the presence of the Attorney General. JAVS FILE SEALED from 3:40:11 to 3:53:14. Following closed hearing, Court advised State he met with defense in a closed hearing, and the transcript of the hearing was going to be sealed. At this time, Defense reserved their opening. Colloquy regarding jury instructions. Based upon stipulation Defense had no objection to reading the instruction to the jury relating to Defendant's custody status. INSIDE THE PRESENCE OF THE JURY: Opening Statement by Mr. Gunnell. Testimony and Exhibits. CONFERENCES AT THE BENCH. Court advised the jury a legal issue has arisen in this case which is requiring the Court to declare a Mistrial. Court thanked and EXCUSED the Jury. Ms. Sisolak requested the Court issue a mistrial with prejudice based on the fact there was a statement on a C-I form, that was filled out by Officer Ontiveros, that should have been turned over in discovery. Ms. Kallis objected as the first time they heard about a worker's comp claim was when Officer Ontiveros testified on the stand today. They reached out to the Inspector General's office and were informed they had everything. Officer Ontiveros never discussed injuries; therefore, they did not have any reason to believe he would have to make worker's comp claim. Ms. Kallis stated it was not exculpatory, nor a Brady violation, and thinks a curative instructive could cure any type of prejudice. COURT ADVISED it does not find any egregious conduct or recklessness on behalf of the State. Court stated the C-I form was strictly a worker's comp form and has to be filed anytime someone is injured. It was not part of the investigation file, more administrative. However, the Court did order that all statements by the witnesses be turned over. Court does not believe the State was aware that there was C-I form; therefore, Court is not dismissing the case with prejudice. Court advised if counsel has any evidence this was intentional or a gross negligence act they can file the appropriate motion. COURT ORDERED, matter SET for status check. CUSTODY 1/4/18 8:30 AM STATUS CHECK: RESET TRIAL ;

01/04/2018



Status Check (8:30 AM) (Judicial Officer: Villani, Michael)

STATUS CHECK: RESET TRIAL

Trial Date Set;

Journal Entry Details:

Ms. Sisolak noted she did received the C1 form on a disk. Ms. Sisolak further noted the State had offered Defendant negotiations; however, Defendant was not inclined to accept the negotiations. Ms. Sisolak placed the offer on the record. Defendant concurred. Following representations by Ms. Sisolak, COURT ORDERED, matter SET for trial. CUSTODY (COC-NDC) 03/20/18 8:30 AM CALENDAR CALL 03/26/18 9:00 AM JURY TRIAL;

01/23/2018

CANCELED Motion for Withdrawal (8:30 AM) (Judicial Officer: Villani, Michael)

Vacated

Defendant's Motion for Withdrawal of Attorney of Record, and Request for Self-Representation; Submission of the Motion

02/08/2018



Status Check (8:30 AM) (Judicial Officer: Villani, Michael)

Status Check: Pre-Trial Motions

Matter Heard;

Journal Entry Details:

CONFERENCE AT BENCH. Court noted the Defendant's upcoming trial date. Upon Court's inquiry, Ms. Sisolak confirmed she had received the C1 form and noted her upcoming motion practice. COURT SO NOTED. NIC (COC-NDC);

02/15/2018

CANCELED Motion for Clarification (8:30 AM) (Judicial Officer: Villani, Michael)

Vacated - per Law Clerk

Defendant's Motion for Clarification on Last Ruling and Order



03/15/2018

Motion to Dismiss (8:30 AM) (Judicial Officer: Villani, Michael)

03/15/2018, 03/29/2018, 04/05/2018-04/06/2018

Defendant's Motion to Dismiss Base Upon Vindictive Prosecution

CASE SUMMARY
CASE NO. C-17-327439-1

	<p>Matter Continued; Continued; Matter Continued; Continued;</p>
03/15/2018	<p>Motion to Disqualify Attorney (8:30 AM) (Judicial Officer: Villani, Michael) <i>Defendant's Motion to Disqualify the Attorney General's Office</i> Motion Denied;</p>
03/15/2018	<p>Motion to Dismiss (8:30 AM) (Judicial Officer: Villani, Michael) <i>Defendant's Motion to Dismiss with Prejudice</i> Motion Denied;</p>
03/15/2018	<p> All Pending Motions (8:30 AM) (Judicial Officer: Villani, Michael) Matter Heard; Journal Entry Details: <i>DEFENDANT'S MOTION TO DISMISS WITH PREJUDICE Arguments by counsel regarding the merit of the motion. COURT stated its FINDINGS and ORDERED, Motion DENIED. DEFENDANT'S MOTION TO DISQUALIFY THE ATTORNEY GENERAL'S OFFICE Arguments by counsel regarding the merit of the motion. COURT stated its FINDINGS and ORDERED, Motion DENIED. DEFENDANT'S MOTION TO DISMISS BASE UPON VINDICTIVE PROSECUTION Arguments by counsel regarding the merit of the motion. Statement by Defendant. Court instructed Defendant several times to be quiet as counsel were arguing the motions. Defendant escorted out of the courtroom. COURT ORDERED, Motion CONTINUED; Trial date VACATED and Status Check SET for resetting the trial. NIC (COC-NDC) 03/29/18 8:30 AM - DEFENDANT'S MOTION TO DISMISS BASE UPON VINDICTIVE PROSECUTION...STATUS CHECK: RESET TRIAL ;</i></p>
03/20/2018	<p>CANCELED Calendar Call (8:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Judge</i></p>
03/26/2018	<p>CANCELED Jury Trial (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Judge</i></p>
03/29/2018	<p>Status Check (8:30 AM) (Judicial Officer: Villani, Michael) 03/29/2018, 04/05/2018-04/06/2018 <i>Status Check: Trial Setting</i> Matter Continued; Matter Continued; Trial Date Set; Matter Continued; Matter Continued; Trial Date Set; Matter Continued; Matter Continued; Trial Date Set;</p>
03/29/2018	<p> All Pending Motions (8:30 AM) (Judicial Officer: Becker, Nancy) Matter Heard; Journal Entry Details: <i>STATUS CHECK: TRIAL SETTING...DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION Ms. Kallas stated there was a tortured history with this case and noted during the trial the Defense gave an in-camera review where they gave a proffer of their defense and there was a mistrial for an unrelated issue. Ms. Kallas further noted after the mistrial the Court instructed the defense to file this motion and requested a continuance for the sitting Judge to hear the motion. COURT ORDERED, matters CONTINUED. CUSTODY (COC-NDC) CONTINUED TO: 04/05/18 8:30 AM;</i></p>
04/05/2018	<p>Motion to Withdraw as Counsel (8:30 AM) (Judicial Officer: Villani, Michael) 04/05/2018-04/06/2018 <i>Defendant's Motion for Withdrawal of Attorney of Record, Request to Obtain Copy of</i></p>

CASE SUMMARY

CASE NO. C-17-327439-1

Defendant's File, and Request for Self- Representation

Motion Granted;
Matter Continued;

Motion Granted;
Matter Continued;

04/05/2018



All Pending Motions (8:30 AM) (Judicial Officer: Villani, Michael)

Matter Heard;

Journal Entry Details:

STATUS CHECK: TRIAL SETTING...DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION...DEFENDANT'S PRO PER MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD, REQUEST TO OBTAIN COPY OF DEFENDANT'S FILE, AND REQUEST FOR SELF-REPRESENTATION Ms. Sisolak gave a background of the previous hearing and noted at the last hearing Judge Becker was not willing to make a ruling and continued the matter. Ms. Sisolak further noted since then Defendant filed a Motion to Withdraw counsel and represent himself. Ms. Kallas concurred. Upon Court s inquiry, Defendant stated he could not afford to hire his own attorney. Ms. Sisolak advised Defendant just wanted to represent himself and didn't believe he had an issue with her personally. COURT ORDERED, matters CONTINUED; Faretta Canvass SET. COURT FURTHER ORDERED, Defendant s Pro Per Motion for Withdrawal of Attorney of Record ADVANCED and CONTINUED. 04/06/18 9:00 AM FARETTA CANVASS...DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION...DEFENDANT'S PRO PER MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD, REQUEST TO OBTAIN COPY OF DEFENDANT S FILE, AND REQUEST FOR SELF-REPRESENTATION...STATUS CHECK: TRIAL SETTING ;

04/06/2018

Faretta Canvass (9:00 AM) (Judicial Officer: Villani, Michael)

Matter Heard;

04/06/2018



All Pending Motions (9:00 AM) (Judicial Officer: Villani, Michael)

Matter Heard;

Journal Entry Details:

Upon Court's inquiry, Defendant advised he wanted to withdraw his attorney from representation and proceed pro se. Court provided notice to the Defendant of constitutional right of self-representation and advised of the risks involved in self-representation. Court inquired as to the reason Defendant did not want Ms. Sisolak to remain as his counsel. Defendant stated Ms. Sisolak did not file his motion to dispute the Court's jurisdiction in this matter. Ms. Sisolak stated she reviewed Defendant's motion, saw no basis for Defendant's argument and decided not to file the frivolous motion. Court advised Defendant that in the past, similar motions had been filed and the Court had denied those motions. FARETTA CANVAS was Administered by the Court. CONFERENCE AT BENCH. Colloquy regarding trial dates. COURT FURTHER ORDERED, matter SET for JURY TRIAL. AS TO DEFENDANT'S PRO PER MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD, REQUEST TO OBTAIN COPY OF DEFENDANT'S FILE, AND REQUEST FOR SELF-REPRESENTATION, COURT ORDERED, Motion GRANTED; Ms. Sisolak to forward a copy of discovery to Defendant. AS TO DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION, COURT ORDERED, motion CONTINUED. CUSTODY (COC-NDC) 8/21/18 8:30 AM CALENDAR CALL...DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION 8/27/18 9:00 AM JURY TRIAL;

06/05/2018



Motion (8:30 AM) (Judicial Officer: Villani, Michael)

Defendant's Motion for Expert Witnesses/Transport Order

Granted;

Journal Entry Details:

Martin Hart, Esq. also present. Upon Court's inquiry, Defendant requested a private investigator and paralegal. Defendant stated he did not have an investigator in mind. Court noted it could not pick an investigator for Defendant. Mr. Hart noted Mark Prusch from Global Reliance for a private investigator was who Drew Christensen used for Pro Se Defendants. COURT ORDERED, Motion for Private Investigator GRANTED. Defendant inquired as to a paralegal. Court noted Defendant was representing himself. Defendant stated he has been denied access to the law library. Court instructed the State to follow up with the prison system and inquiry why Defendant has been denied. COURT FURTHER ORDERED, Status Check SET as to Defendant's library privilege. CUSTODY (COC-NDC) 06/19/18 8:30

CASE SUMMARY

CASE NO. C-17-327439-1

AM STATUS CHECK: DEFENDANT'S LIBRARY PRIVILEGE;

06/19/2018



Status Check (8:30 AM) (Judicial Officer: Villani, Michael)

Status Check: Library Privilege

Matter Heard;

Journal Entry Details:

Court noted at the previous hearing there was an issue with Defendant's library privilege as well as an investigator. Mr. Gunell advised he contacted the High Desert Prison law library supervisor and they stated Defendant was in housing were he couldn't go to the library they brought the documents to Defendant. Mr. Gunell further advised the law library gave Defendant a number of documents but the Defendant refused the documents. Defendant stated he received the documents but it wasn't complete so he refused to sign it and there was no where to note that on the documents. Court suggested putting in a requesting advising the law library it was incomplete. Court stated it was not going to order special transport and the issue was resolved. As to the investigator, Court stated it would resend the minutes from the previous hearing with the investigator name. Defendant requested an Order to allow the investigator to visit. Mr. Gunnell noted the investigator was allowed to visit. At the request of Defendant COURT ORDERED, Trial dates VACATED and RESET. CUSTODY (COC-NDC) 10/23/18 8:30 AM CALENDAR CALL 10/29/18 9:00 AM JURY TRIAL CLERK'S NOTE: The above minute order has been distributed to: ANTONIO MIXON #1019828 PO Box 650 Indian Springs, NV 89070 //ob/06/20/18 ;

08/21/2018

CANCELED Calendar Call (8:30 AM) (Judicial Officer: Villani, Michael)

Vacated - per Judge

08/27/2018

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Villani, Michael)

Vacated - per Judge

08/30/2018



Motion (8:30 AM) (Judicial Officer: Villani, Michael)

Defendant's Pro Per Motion for Status Check; Trial Readiness; Discovery Issue; Transportation Order; Oral Agreement Requested

Granted;

Journal Entry Details:

Colloquy regarding Motions. At request for Defendant, COURT ORDERED, Motion GRANTED; 09/18/18 Motion VACATED; trial dates VACATED and RESET. State noted a Transport Order will be prepared. CUSTODY (NDC) 01/03/19 8:30 CALENDAR CALL 01/07/19 9:00 AM JURY TRIAL;

09/18/2018

CANCELED Motion for Discovery (8:30 AM) (Judicial Officer: Hardcastle, Kathy)

Vacated - per Judge

Defendant's Motion for Discovery, for Trial Date to be Reset and for Order Transporting Inmate for Oral Argument at the Time of the Hearing

10/11/2018

Motion (8:30 AM) (Judicial Officer: Villani, Michael)

Defendant's Pro Per Motion to Suppress and or Pursuant to NRS 47.090

Denied;

10/11/2018

Motion (8:30 AM) (Judicial Officer: Villani, Michael)

Defendant's Pro Per Motion for Expert Witness

Granted;

10/11/2018



All Pending Motions (8:30 AM) (Judicial Officer: Villani, Michael)

Matter Heard;

Journal Entry Details:

DEFENDANT'S PRO PER MOTION TO SUPPRESS AND OR PURSUANT TO NRS 47.090 ... DEFENDANT'S PRO PER MOTION FOR EXPERT WITNESS At request of the Defendant, COURT ORDERED, Motion for Expert Witness GRANTED. Court inquired as to what expert witness the Defendant is wanting to retain. Defendant advised he is in communication with his private investigator with regards to who to retain. Court directed the Defendant to submit the appropriate Order. As to the Motion to Suppress, Defendant submitted. Mr. Gunnell argued in regards to the Motion to Suppress. COURT ORDERED, Motion to Suppress DENIED; State to prepare Order. Upon Court's inquiry, Defendant announced not ready and will file a Motion

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-17-327439-1

for an Extension of Time. Court stated that Motion will be dealt with in due course. CUSTODY (COC-NDC);

10/23/2018	CANCELED Calendar Call (8:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Judge</i>
10/25/2018	Motion (8:30 AM) (Judicial Officer: Villani, Michael) <i>Motion for Leave to File an Amended Motion to Support and Motion for Expert Witnesses</i>
10/29/2018	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Judge</i>
11/06/2018	Motion (8:30 AM) (Judicial Officer: Villani, Michael) <i>Defendant's Motion for Extension of Time</i>
01/03/2019	Calendar Call (8:30 AM) (Judicial Officer: Villani, Michael)
01/07/2019	Jury Trial (9:00 AM) (Judicial Officer: Villani, Michael)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 01, 2017

C-17-327439-1 State of Nevada
 vs
 Antonio Mixon

November 01, 2017 10:00 AM Initial Arraignment

HEARD BY: De La Garza, Melisa

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala
 Lauren Kidd

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Kallas, Chelsea	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

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

CUSTODY (COC-NDC)

12/12/17 8:30 AM CALENDAR CALL (DEPT 17)

01/02/18 JURY TRIAL (DEPT 17)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 05, 2017

C-17-327439-1 State of Nevada
 vs
 Antonio Mixon

December 05, 2017 8:30 AM Motion to Compel

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Kallas, Chelsea	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted this was Defendant's Motion for Discovery and inquired as to Ms. Sisolak request for items 43-49 regarding electronic devices. Ms. Sisolak noted that was an error. COURT ORDERED, Request 43-49 DENIED. Court stated if Ms. Sisolak learn those items existed to re-file the matter. Ms. Kallas advised it was her understanding there were none used. Ms. Sisolak noted the Attorney General turned over a disk of documents as well as her office picked up documents, this was their standard motion. Court stated it prepared a minute order entry and the Court would forward to counsel this afternoon. Ms. Sisolak was to prepare a formal Order with the Court's decision and submit to opposing counsel to sign off as to form and content.

NIC (COC-NDC)

CLERK'S NOTE: Subsequent to Court, via e-mail the Department XVII Law Clerk forwarded the minute order entry to Ms. Kallas and Ms. Sisolak.//ob/12/6/17.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 12, 2017**

C-17-327439-1 State of Nevada
 vs
 Antonio Mixon

December 12, 2017 8:30 AM Calendar Call

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Kallas, Chelsea	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Sisolak advised she was prepared to announce ready; however, Ms. Sisolak further advised she received a letter from Defendant requesting her to file a motion based on the denial of his ability to represent himself. Ms. Sisolak noted in Justice Court Judge Bennett conducted a Faretta Canvas and determined Defendant could not represent himself thereafter the Public Defender's Office was appointed. Ms. Sisolak advised Defendant stated he would like to represent himself. Ms. Kallas announced ready for trial. Court noted Defendant had a trial date set for January 2nd and inquired as to Defendant being ready for trial if he represented himself. Defendant stated he would not be ready for trial. Further statements by Defendant. Upon Court's inquiry, Ms. Sisolak advised Defendant had not requested to represent himself since arriving in District Court. Ms. Sisolak further advised she received a letter from Defendant yesterday stating he was entitled to represent himself based on the denial from Justice Court. Court stated based upon counsel's representation and Defendant stating he would not be ready to go forward, COURT ORDERED, Defendant's request DENIED as that would cause his trial to be continued; Trial date STANDS. Counsel estimated 2 to 3 witnesses and 1 day for trial.

NIC (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 02, 2018

C-17-327439-1 State of Nevada
vs
Antonio Mixon

**January 02, 2018 8:30 AM Motion to Withdraw as
Counsel**

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Louisa Garcia
Andrea Natali

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Gunnell, Jason	Attorney
	Kallas, Chelsea	Attorney
	Machnich, Tegan	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Deft. present in custody on other charges. Attorney General not present. Upon Court's inquiry, Deft. stated he wanted Ms. Sisolak to continue representing him on this matter. COURT SO ACKNOWLEDGE and ADVISED the Jury Trial currently set today at 10:30 AM stands.

NIC (COC-NDC)

1/2/18 - 10:30 AM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 02, 2018

C-17-327439-1 State of Nevada
vs
Antonio Mixon

January 02, 2018 10:30 AM Jury Trial

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Louisa Garcia

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Gunnell, Jason	Attorney
	Kallas, Chelsea	Attorney
	Machnich, Tegan	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- PROSPECTIVE JURY PANEL PRESENT: Role Call. Voir Dire Oath administered. Introduction by the Court and counsel. CONFERENCE AT THE BENCH. General Voir Dire conducted. Jurors excused. Voir Dire Continued.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Ms. Machnich stated she made a timely objection with regards to the jury poll, and argued as to the systematic exclusion of African Americans and requested an evidentiary hearing with the Jury Commissioner regarding the process. If not, they would make an offer. Upon Court's inquiry, counsel stated her information was based upon prior trials and testimony. Ms. Kallis objected as they have already heard from the Commissioner and the answer is going to be same. Counsel requested the Court take judicial notice of her testimony from within that transcript to show there is no systematic exclusion with the jury. Court stated its findings and ORDERED, Motion for Evidentiary Hearing DENIED.

PROSPECTIVE JURY PANEL PRESENT: Voir Dire Continued. CONFERENCE AT THE BENCH. Additional Panel Members excused for cause and for Peremptory Challenges during discussions at the Bench. Twelve jurors and one alternate selected and sworn. Jury list FILED IN OPEN COURT. Clerk read the Information to the jury and stated the defendant's plea thereto. Court instructed the jury.

OUTSIDE THE PRESENCE OF THE JURY: Upon Court's inquiry, Ms. Machnich stated depending on what comes out on State's opening, they may reserve. State objected to Defense providing a proffer, in camera. Statement by the Court. Exclusionary Rule INVOKED. COURT ORDERED, hearing sealed. Hearing conducted and outside the presence of the Attorney General. JAVS FILE SEALED from 3:40:11 to 3:53:14. Following closed hearing, Court advised State he met with defense in a closed hearing, and the transcript of the hearing was going to be sealed. At this time, Defense reserved their opening. Colloquy regarding jury instructions. Based upon stipulation Defense had no objection to reading the instruction to the jury relating to Defendant's custody status.

INSIDE THE PRESENCE OF THE JURY: Opening Statement by Mr. Gunnell. Testimony and Exhibits. CONFERENCES AT THE BENCH. Court advised the jury a legal issue has arisen in this case which is requiring the Court to declare a Mistrial. Court thanked and EXCUSED the Jury.

Ms. Sisolak requested the Court issue a mistrial with prejudice based on the fact there was a statement on a C-1 form, that was filled out by Officer Ontiveros, that should have been turned over in discovery. Ms. Kallis objected as the first time they heard about a worker's comp claim was when Officer Ontiveros testified on the stand today. They reached out to the Inspector General's office and were informed they had everything. Officer Ontiveros never discussed injuries; therefore, they did not have any reason to believe he would have to make worker's comp claim. Ms. Kallis stated it was not exculpatory, nor a Brady violation, and thinks a curative instructive could cure any type of prejudice. COURT ADVISED it does not find any egregious conduct or recklessness on behalf of the State. Court stated the C-I form was strictly a worker's comp form and has to be filed anytime someone is injured. It was not part of the investigation file, more administrative. However, the Court did order that all statements by the witnesses be turned over. Court does not believe the State was aware that there was C-I form; therefore, Court is not dismissing the case with prejudice. Court advised if counsel has any evidence this was intentional or a gross negligence act they can file the appropriate motion. COURT ORDERED, matter SET for status check.

CUSTODY

1/4/18 8:30 AM STATUS CHECK: RESET TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 04, 2018

C-17-327439-1 State of Nevada
vs
Antonio Mixon

January 04, 2018 8:30 AM Status Check

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Kallas, Chelsea	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Sisolak noted she did received the C1 form on a disk. Ms. Sisolak further noted the State had offered Defendant negotiations; however, Defendant was not inclined to accept the negotiations. Ms. Sisolak placed the offer on the record. Defendant concurred. Following representations by Ms. Sisolak, COURT ORDERED, matter SET for trial.

CUSTODY (COC-NDC)

03/20/18 8:30 AM CALENDAR CALL

03/26/18 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 08, 2018

C-17-327439-1 State of Nevada
 vs
 Antonio Mixon

February 08, 2018 8:30 AM Status Check

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Olivia Black

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Engler, Alissa	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- CONFERENCE AT BENCH. Court noted the Defendant's upcoming trial date. Upon Court's inquiry, Ms. Sisolak confirmed she had received the C1 form and noted her upcoming motion practice. COURT SO NOTED.

NIC (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 15, 2018

C-17-327439-1 State of Nevada
 vs
 Antonio Mixon

March 15, 2018 8:30 AM All Pending Motions

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Olivia Black
 Vanessa Medina

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Kallas, Chelsea	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO DISMISS WITH PREJUDICE

Arguments by counsel regarding the merit of the motion. COURT stated its FINDINGS and ORDERED, Motion DENIED.

DEFENDANT'S MOTION TO DISQUALIFY THE ATTORNEY GENERAL'S OFFICE

Arguments by counsel regarding the merit of the motion. COURT stated its FINDINGS and ORDERED, Motion DENIED.

DEFENDANT'S MOTION TO DISMISS BASE UPON VINDICTIVE PROSECUTION

Arguments by counsel regarding the merit of the motion. Statement by Defendant. Court instructed Defendant several times to be quiet as counsel were arguing the motions. Defendant escorted out of the courtroom. COURT ORDERED, Motion CONTINUED; Trial date VACATED and Status Check SET for resetting the trial.

NIC (COC-NDC)

03/29/18 8:30 AM - DEFENDANT'S MOTION TO DISMISS BASE UPON VINDICTIVE
PROSECUTION...STATUS CHECK: RESET TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 29, 2018

C-17-327439-1 State of Nevada
 vs
 Antonio Mixon

March 29, 2018 8:30 AM All Pending Motions

HEARD BY: Becker, Nancy **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Olivia Black
 Vanessa Medina

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Kallas, Chelsea	Attorney
	Machnich, Tegan	Attorney
	Mixon, Antonio Lee	Defendant
	Sisolak, Ashley L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: TRIAL SETTING...DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION

Ms. Kallas stated there was a tortured history with this case and noted during the trial the Defense gave an in-camera review where they gave a proffer of their defense and there was a mistrial for an unrelated issue. Ms. Kallas further noted after the mistrial the Court instructed the defense to file this motion and requested a continuance for the sitting Judge to hear the motion. COURT ORDERED, matters CONTINUED.

CUSTODY (COC-NDC)

CONTINUED TO: 04/05/18 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 05, 2018**

C-17-327439-1 State of Nevada
vs
Antonio Mixon

April 05, 2018**8:30 AM****All Pending Motions****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Olivia Black**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- STATUS CHECK: TRIAL SETTING...DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION...DEFENDANT'S PRO PER MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD, REQUEST TO OBTAIN COPY OF DEFENDANT'S FILE, AND REQUEST FOR SELF-REPRESENTATION

Ms. Sisolak gave a background of the previous hearing and noted at the last hearing Judge Becker was not willing to make a ruling and continued the matter. Ms. Sisolak further noted since then Defendant filed a Motion to Withdraw counsel and represent himself. Ms. Kallas concurred. Upon Court s inquiry, Defendant stated he could not afford to hire his own attorney. Ms. Sisolak advised Defendant just wanted to represent himself and didn't believe he had an issue with her personally. COURT ORDERED, matters CONTINUED; Faretta Canvass SET. COURT FURTHER ORDERED, Defendant s Pro Per Motion for Withdrawal of Attorney of Record ADVANCED and CONTINUED.

04/06/18 9:00 AM FARETTA CANVASS...DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION...DEFENDANT'S PRO PER MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD, REQUEST TO OBTAIN COPY OF DEFENDANT S FILE, AND REQUEST FOR SELF-REPRESENTATION...STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 06, 2018**

C-17-327439-1 State of Nevada
vs
Antonio Mixon

April 06, 2018**9:00 AM****All Pending Motions****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Lauren Kidd**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES****PRESENT:**

Kallas, Chelsea
Mixon, Antonio Lee
Sisolak, Ashley L.
State of Nevada

Attorney
Defendant
Attorney
Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Defendant advised he wanted to withdraw his attorney from representation and proceed pro se. Court provided notice to the Defendant of constitutional right of self-representation and advised of the risks involved in self-representation. Court inquired as to the reason Defendant did not want Ms. Sisolak to remain as his counsel. Defendant stated Ms. Sisolak did not file his motion to dispute the Court's jurisdiction in this matter. Ms. Sisolak stated she reviewed Defendant's motion, saw no basis for Defendant's argument and decided not to file the frivolous motion. Court advised Defendant that in the past, similar motions had been filed and the Court had denied those motions. FARETTA CANVAS was Administered by the Court. CONFERENCE AT BENCH. Colloquy regarding trial dates. COURT FURTHER ORDERED, matter SET for JURY TRIAL.

AS TO DEFENDANT'S PRO PER MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD, REQUEST TO OBTAIN COPY OF DEFENDANT'S FILE, AND REQUEST FOR SELF-REPRESENTATION, COURT ORDERED, Motion GRANTED; Ms. Sisolak to forward a copy of discovery to Defendant.

AS TO DEFENDANT'S MOTION TO DISMISS BASED UPON VINDICTIVE PROSECUTION,
COURT ORDERED, motion CONTINUED.

CUSTODY (COC-NDC)

8/21/18 8:30 AM CALENDAR CALL...DEFENDANT'S MOTION TO DISMISS BASED UPON
VINDICTIVE PROSECUTION

8/27/18 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 05, 2018**

C-17-327439-1 State of Nevada
vs
Antonio Mixon

June 05, 2018**8:30 AM****Motion****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Olivia Black**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES****PRESENT:**

Gunnell, Jason
Mixon, Antonio Lee
State of Nevada

Attorney
Defendant
Plaintiff

JOURNAL ENTRIES

- Martin Hart, Esq. also present.

Upon Court's inquiry, Defendant requested a private investigator and paralegal. Defendant stated he did not have an investigator in mind. Court noted it could not pick an investigator for Defendant. Mr. Hart noted Mark Prusch from Global Reliance for a private investigator was who Drew Christensen used for Pro Se Defendants. COURT ORDERED, Motion for Private Investigator GRANTED. Defendant inquired as to a paralegal. Court noted Defendant was representing himself. Defendant stated he has been denied access to the law library. Court instructed the State to follow up with the prison system and inquiry why Defendant has been denied. COURT FURTHER ORDERED, Status Check SET as to Defendant's library privilege.

CUSTODY (COC-NDC)

06/19/18 8:30 AM STATUS CHECK: DEFENDANT'S LIBRARY PRIVILEGE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 19, 2018**

C-17-327439-1 State of Nevada
vs
Antonio Mixon

June 19, 2018 8:30 AM Status Check

HEARD BY: Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Olivia Black**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES**

PRESENT:	Gunnell, Jason	Attorney
	Mixon, Antonio Lee	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted at the previous hearing there was an issue with Defendant's library privilege as well as an investigator. Mr. Gunell advised he contacted the High Desert Prison law library supervisor and they stated Defendant was in housing where he couldn't go to the library they brought the documents to Defendant. Mr. Gunell further advised the law library gave Defendant a number of documents but the Defendant refused the documents. Defendant stated he received the documents but it wasn't complete so he refused to sign it and there was no where to note that on the documents. Court suggested putting in a requesting advising the law library it was incomplete. Court stated it was not going to order special transport and the issue was resolved. As to the investigator, Court stated it would resend the minutes from the previous hearing with the investigator name. Defendant requested an Order to allow the investigator to visit. Mr. Gunnell noted the investigator was allowed to visit. At the request of Defendant COURT ORDERED, Trial dates VACATED and RESET.

CUSTODY (COC-NDC)

10/23/18 8:30 AM CALENDAR CALL

10/29/18 9:00 AM JURY TRIAL

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

ANTONIO MIXON #1019828

PO Box 650

Indian Springs, NV 89070 //ob/06/20/18

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 30, 2018

C-17-327439-1 State of Nevada
 vs
 Antonio Mixon

August 30, 2018 8:30 AM Motion

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Haly Pannullo

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT: Gunnell, Jason Attorney
 Mixon, Antonio Lee Defendant
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Colloquy regarding Motions. At request for Defendant, COURT ORDERED, Motion GRANTED; 09/18/18 Motion VACATED; trial dates VACATED and RESET. State noted a Transport Order will be prepared.

CUSTODY (NDC)

01/03/19 8:30 CALENDAR CALL

01/07/19 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 11, 2018

C-17-327439-1 State of Nevada
vs
Antonio Mixon

October 11, 2018 8:30 AM All Pending Motions

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Haly Pannullo

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Gunnell, Jason	Attorney
	Mixon, Antonio Lee	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION TO SUPPRESS AND OR PURSUANT TO NRS 47.090 ...
DEFENDANT'S PRO PER MOTION FOR EXPERT WITNESS

At request of the Defendant, COURT ORDERED, Motion for Expert Witness GRANTED. Court inquired as to what expert witness the Defendant is wanting to retain. Defendant advised he is in communication with his private investigator with regards to who to retain. Court directed the Defendant to submit the appropriate Order. As to the Motion to Suppress, Defendant submitted. Mr. Gunnell argued in regards to the Motion to Suppress. COURT ORDERED, Motion to Suppress DENIED; State to prepare Order. Upon Court's inquiry, Defendant announced not ready and will file a Motion for an Extension of Time. Court stated that Motion will be dealt with in due course.

CUSTODY (COC-NDC)

EXHIBIT(S) LIST

Case No.: **C327439-1**

Trial Date:

1/2/2018

Dept. No.: **17**

Judge:

Michael Villani

Court Clerk:

LOUISA Garcia

PLAINTIFF'S: STATE OF NEVADA

Recorder:

Cynthia Georgilas

Counsel for Plaintiff:

Jason Gunnell

VS.

DEFENDANT'S: **ANTONIO MIXON**

Chelsea Kallas

Counsel for Defendant:

Tegan Machnich

Ashley Sisolak

TRIAL BEFORE THE COURT

STATE'S EXHIBITS

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

A. L. MIXON JR. #1019828
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: October 17, 2018
CASE: C-17-327439-1

RE CASE: STATE OF NEVADA vs. ANTONIO LEE MIXON

NOTICE OF APPEAL FILED: October 15, 2018

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement
- NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

ANTONIO LEE MIXON,

Defendant(s).

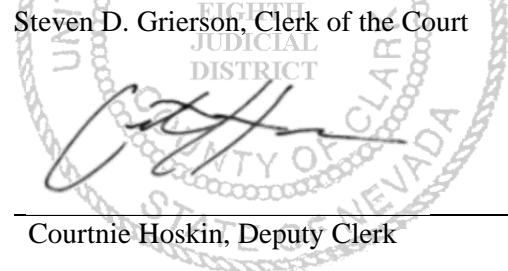
Case No: C-17-327439-1

Dept No: XVII

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 17 day of October 2018.

Steven D. Grierson, Clerk of the Court

The seal is circular with a double-lined border. The outer ring contains the text "EIGHTH JUDICIAL DISTRICT COURT" at the top and "CLARK COUNTY, NEVADA" at the bottom. The inner circle contains the text "OF THE" at the top, "EIGHTH" in the middle, "JUDICIAL" below it, and "DISTRICT" at the bottom. A signature is written across the seal.

Courtne Hoskin, Deputy Clerk