

1 COURT OF APPEALS  
2 IN THE ~~SUPREME COURT~~ OF THE STATE OF  
3 NEVADA  
4

5 CHRISTIAN STEPHON MILES

6 Petitioner,

Supreme Court No. 75839

7 District Court Case No. C306436

8 vs.

9 THE EIGHTH JUDICIAL DISTRICT COURT  
10 OF THE STATE OF NEVADA, IN AND FOR  
11 THE COUNTY OF CLARK,  
12

13 Respondent,

and

14 THE STATE OF NEVADA  
15 Real Party in Interest.

**FILED**

JUN 12 2018

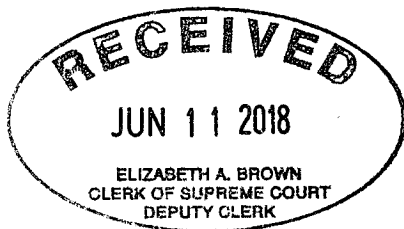
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

16 PETITION FOR WRIT OF MANDAMUS / PROHIBITION  
17 FROM THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
18 STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK

19 APPELLANT'S APPENDIX  
20  
21  
22

23 Christian Miles

24 Christian Stephon Miles #2888634  
25 Clark County Detention Center  
26 330 S. Casino Center  
27 Las Vegas, NV 89101  
28 Petitioner / in Proper Person



18-901241

*Steven D. Grierson*

MOT  
CHRISTIAN MILES #2888634  
CLARK COUNTY DETENTION CENTER  
330 S CASINO CTR  
LAS VEGAS, NV, 89101

DISTRICT COURT  
CLARK COUNTY, NEVADA

STATE OF NEVADA

Plaintiffs,

vs.

CHRISTIAN STEPHON MILES,  
#2888634

Defendant.

) CASE NO. C-15-306436-1

) DEPT. NO. IX

) 10-03-17 9:00A

MOTION TO DISMISS FOR UNCORROBORATED ACCOM-  
PLICE TESTIMONY

COMES NOW, CHRISTIAN STEPHON MILES, proceeding in proper person, moves this  
Honorable Court for an ORDER to dismiss count 1, count 2, count 3, and  
count 4, charged in the Information.

This Motion is made and based on all the papers and pleadings on file  
herein, the attached points and authorities in support here-  
of, and oral argument at the time of hearing.

DATED this 4<sup>th</sup> day of September, 2017.

CHRISTIAN STEPHON MILES

*Christian Miles*  
CHRISTIAN STEPHON MILES #2888634  
CLARK COUNTY DETENTION CENTER  
330 S CASINO CTR  
LAS VEGAS, NV, 89101

## POINTS AND AUTHORITIES

NRS 175.291 provides in part:

1. A conviction shall not be had on the testimony of an accomplice unless he is corroborated by other evidence which in itself, and without the aid of the accomplice tends to connect the defendant with the commission of the offense.

The requirement that the testimony of an accomplice be corroborated is applicable to preliminary hearings. In re Oxley and Mulvaney, 38 Nev. 379, 149 P. 992 (1915); In re Bowman and Best, 38 Nev. 484, 151 P. 517 (1915); Ex parte Hutchinson, 76 Nev. 478, 357 P.2d 589 (1960); State v. Wyatt, 84 Nev. 731, 448 P.2d 827 (1968).

An accomplice is one who is liable to prosecution for the identical offense charged against the defendant, NRS 175.291(2), or who is culpably implicated in, or unlawfully cooperates, aids or abets in the commission of the crime charged. Austin v. State, 87 Nev. 578, 491 P.2d 724 (1971).

Pursuant to NRS 175.291 and the Nevada Supreme Courts holding in Austin v. State, an Information should be dismissed when based on uncorroborated accomplice testimony.

## STATEMENT OF THE CASE

On May 7<sup>th</sup>, 2015, a preliminary hearing was held and defendant was bound over to district Court to stand trial.

///

///

## STATEMENT OF RELEVANT FACTS

On May 12<sup>th</sup>, 2015 an Information was filed, the charging part of the Information is in part as follows: "That Christian Stephon Miles... on or between 8, 2015 and February 13, 2015, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada... did willfully, unlawfully and feloniously harbor, obtain and/or maintain G.K., a child under eighteen years of age, to engage in prostitution... did willfully, unlawfully, and feloniously, lead, take, entice, carry away or kidnap G.K., a minor, with the intent to keep, imprison, or confine said G.K. from BECKY YORK, her parents, guardians, or other person or persons having lawful custody of G.K. or with the intent to hold G.K. to unlawful service, or to perpetrate upon the person of G.K. any unlawful act, to wit: prostitution... did then and there wilfully, feloniously, and knowingly, accept, receive, levy or appropriate money, without consideration, from G.K., the proceeds of prostitution activity... did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to wit: G.K., being approximately 17 year(s) of age, to suffer unjustifiable physical pain and/or mental suffering as a result of abuse or neglect, to wit: sexual exploitation, and/or cause G.K. to be placed in a situation where she might have suffered unjustifiable physical pain or mental suffering as a result of abuse or neglect, to wit: sexual exploitation, by encouraging and/or directing the said G.K. to engage

1 in prostitution

2 On May 7<sup>th</sup>, 2015 a preliminary hearing was held  
3 G.K. was called to testify as a witness for the State. G.K.  
4 alleged in her testimony that she "inboxed" the defen-  
5 ant "on Facebook" and "told him to come pick" her up from  
6 her home. Preliminary Hearing Transcripts  
7 pages 5-6, line 25-1 (hereinafter [Page Number(s)] [Line  
8 Number(s)]). G.K. alleged in her testimony that she did-  
9 nt tell her mother, Becky York that she was leaving her  
10 home 7. 5-7 and that she "got in" the defendant's car  
11 with her bags and they drove off 7. 21-22, thereafter  
12 her mother "pulled up on the side" of the car "trying  
13 to flag" them down, but they "got away from her" 7.  
14 22-24. G.K.'s testimony alleged that the defendant took  
15 pictures of her "So he [defendant] can post them on  
16 a site 10. 4-19, and that "he [defendant] told me that he  
17 was going to post pictures on the site and I was going  
18 to get clients and I was going to have sex with them  
19 and I was going to get money and I was going to give  
20 it to him. G.K. alleged in her testimony that the defen-  
21 dant bought her a cellular phone because she "didn't  
22 have one at the time..." 12. 8-15, and that clients would  
23 text her phone "but he [defendant] will also get the text  
24 and he would reply to them" 12. 10-12 and that the cell-  
25 ular phone allegedly provided to her by the defendant  
26 was a "Galaxy 1..." 25. 3-7, and that the phone number  
27 for that cellular phone was "517-1020" 34. 11-14

28 ///

1 G.K. alleged in her testimony that "An incall is when some  
2 one comes to the suite and I have sex with them and  
3 they give me money. An out-call is when I go out to  
4 them or to their house or to their suite and have  
5 sex with them and get money." 16. 2-6. and that she  
6 had sex with "five or six" men for money and made  
7 "500," total on the incalls and "gave it to" the defen-  
8 dant 16. 7-25. and that she went on "one" outcall that  
9 the defendant allegedly drove her to 17. 1-22. and that  
10 she gave the money she made to the defendant 18. 2-18.

11 G.K. also alleged in her testimony that the out-  
12 call she went to was based on a text message or a  
13 phone call that she got based on an advertisement 17-  
14 18. 23-1. and that she would have sex with men for  
15 money 16. 15-19.

16 G.K. alleged in her testimony that the defen-  
17 dant was able to read text messages and send text  
18 messages from her phone number through an app-  
19 lication 14. 4-24. that the name of the application was  
20 called "TextNow" 24. 5-9. and that the number for the  
21 TextNow application was "517-2010" 24. 5-13.

## 22 ARGUMENT

### 23 POINT 1

24 THE TESTIMONY OF THE ACCOMPLICE WAS UNCORRO-  
25 BORATED AT THE PRELIMINARY HEARING

26 After a preliminary examination, the defendant  
27 was ordered to stand trial for the charges set forth in  
28

1 the information.

2 In the preliminary hearing the State adduced  
3 no evidence to corroborate its principal witness, G.K.,  
4 who was shown to be an accomplice by her own testi-  
5 mony, which was not corroborated as required by  
6 NRS 175.291 and The Supreme Court of Nevada's holding  
7 in Austin v. State, 87 Nev. 578, 491 P.2d 724 (1971).

8 However, the defendant anticipates that the  
9 State may argue that the test of corroboration, as  
10 enunciated in Austin and authorities there cited,  
11 applies only at the trial stage.

12 In Lamb v. Bennett, 87 Nev. 89, 482 P.2d 298 (1971),  
13 the Supreme Court said: "The requirement that the  
14 testimony of an accomplice be corroborated is appli-  
15 cable to preliminary hearings."

16 Accordingly, "The committing magistrate was  
17 without authority to bind over [defendant] for trial."  
18 Ex parte Hutchinson, 76 Nev. 478, 482, 357 P.2d 589, 591 (1960).

19 Excluding the testimony given by G.K., the record  
20 does not connect the defendant with the offenses ch-  
21 arged in the information.

22 The defendant may not be tried on the pandering,  
23 kidnapping, accepting/receiving earnings of a prostitute,  
24 and child abuse charges if the information is support-  
25 ed only by the uncorroborated testimony of G.K., the  
26 person upon whom the offense was allegedly com-  
27 mitted. State v. Wyatt, 84 Nev. 731, 448 P.2d 827 (1968).

28 ///

CONCLUSION

Wherefore, based on the foregoing the defendant, Christian Stephon Miles, respectfully request that count 1, count 2, count 3 and count 4, as charged in the information be dismissed.

Dated this 4<sup>th</sup> day of September, 2017

Respectfully submitted,

By: Christian Miles

Christian S. Miles #2888634

/In proper person



**CERTIFICATE OF SERVICE BY MAILING**

I, Christian Miles, hereby certify, pursuant to NRCP 5(b), that on this 4<sup>th</sup> day of September, 2017, I mailed a true and correct copy of the foregoing, "Motion to Dis-  
miss for uncorroborated Accomplice Testimony"  
by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,  
addressed as follows:

Samuel Martinez  
Chief Deputy District Attorney  
Nevada Bar #1010671  
2010 Lewis Avenue  
Las Vegas, Nevada 89155-2212

CC:FILE

DATED: this 4<sup>th</sup> day of September, 2017.

Christian Miles #11094169  
/s/ Christian Miles /In Propria Personam  
Post Office box 650 [HDSP]  
Indian Springs, Nevada 89018  
**IN FORMA PAUPERIS:**

*Steven D. Grierson*

OPPS  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
SAMUEL S. MARTINEZ  
Chief Deputy District Attorney  
Nevada Bar #10671  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
  
Plaintiff,

-vs-

CHRISTIAN STEPHON MILES,  
#2888638  
  
Defendant.

CASE NO: C-15-306436-1

DEPT NO: IX

**STATE'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS FOR  
UNCORROBORATED ACCOMPLICE TESTIMONY**

DATE OF HEARING: SEPTEMBER 28, 2017  
TIME OF HEARING: 9:00 AM

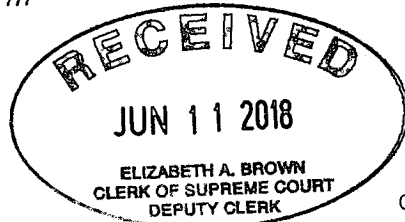
COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through SAMUEL S. MARTINEZ, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in State's Opposition to Defendant's Motion to Dismiss for Uncorroborated Accomplice Testimony.

This Opposition is made and based upon all the papers and pleadings on file herein, the attached points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On May 12, 2015, the State filed an Information charging Defendant Christian Miles  
4 ("Defendant") with one (1) count of Sex Trafficking of a Child Under 18 Years of Age  
5 (Category A Felony); one (1) count of First Degree Kidnapping (Category A Felony); one (1)  
6 count of Living from the Earnings of a Prostitute (Category D Felony); and one (1) count of  
7 Child Abuse, Neglect, or Endangerment (Category B Felony). The date range of the charged  
8 offenses is February 8, 2015 through February 13, 2015.

9 On June 28, 2016, after a Faretta canvass, Defendant was allowed to represent himself  
10 and Bob Beckett, Esq., was appointed as stand-by counsel.

11 On September 8, 2017, Defendant filed the instant motion to dismiss for uncorroborated  
12 accomplice testimony. The State responds as follows.

13 **ARGUMENT**

14 An accomplice is "one who is liable to prosecution, for the **identical offense** charged  
15 against the defendant on trial in the cause in which the testimony of the accomplice is given."  
16 NRS 175.291 (emphasis added). Also relevant is NRS 201.300(4) which states that "consent  
17 of a victim of pandering or sex trafficking to an act of prostitution is not a defense to a  
18 prosecution for any of the acts prohibited by this section."

19 Defendant has not set forth any law or analysis that would support his contention, and  
20 the State utterly fails to see how G.K. is liable for prosecution for Sex Trafficking of a Child  
21 Under 18 Years of Age (NRS 201.300), or First Degree Kidnapping (NRS 200.310), or Living  
22 From the Earnings of a Prostitute (NRS 200.320), or Child Abuse, Neglect Or Endangerment  
23 (NRS 200.508). Per the plain language and definitions of the relevant statutes, NRS 201.300,  
24 200.310, 201.320, and 200.508, G.K. is not liable for prosecution for any of these crimes.

25 ///

26 ///

27 ///

28 ///

1 **CONCLUSION**

2 Based on the foregoing, the State respectfully requests that Defendant's motion to  
3 dismiss for uncorroborated accomplice testimony be denied.

4 DATED this 26th day of September, 2017.

5 Respectfully submitted,

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

9 BY /s/ SAMUEL S. MARTINEZ  
10 SAMUEL S. MARTINEZ  
11 Chief Deputy District Attorney  
12 Nevada Bar #10671

13 **CERTIFICATE OF SERVICE**

14 I hereby certify that service of the above and foregoing was made this 26th day of  
15 September 2017, to:

16 CHRISTIAN MILES, ID#2888634  
17 CLARK COUNTY DETENTION CENTER  
18 330 S CASINO CENTER  
19 LAS VEGAS, NV 89101

20 BY /s/ J. MOSLEY  
21 Secretary for the District Attorney's Office  
22  
23  
24  
25  
26  
27  
28

*SA*  
*Steven D. Grierson*

1 RPLY  
2 ~~MOT~~  
3 CHRISTIAN MILES #2888634  
4 CLARK COUNTY DETENTION CENTER  
5 330 S CASINO CTR  
6 LAS VEGAS, NV, 89101

DISTRICT COURT  
CLARK COUNTY, NEVADA

STATE OF NEVADA

Plaintiffs,

vs.

CHRISTIAN STEPHON MILES,  
#2888634

Defendant.

) CASE NO. C-15-306436-1

) DEPT. NO. IX

) Date of hearing: February 22, 2018

) Time of hearing: 10:00 AM

Defendant's Reply to State's Opposition to Defendant's Motion to Dismiss  
for Un corroborated Accomplice testimony

COMES NOW, CHRISTIAN STEPHON MILES, proceeding in proper person, moves this

Honorable Court for an ORDER hereby submits the attached Points and Author-  
ities in Defendant's Reply to State's Opposition to Defendant's Motion to  
Dismiss for Un corroborated Accomplice testimony.

Reply  
This Motion is made and based on all the papers and pleadings on file herein,  
the attached points and authorities in support hereof, and oral ar-  
gument at the time of hearing.

DATED this 31<sup>st</sup> day of January, 2018

CHRISTIAN STEPHON MILES

*Christian Miles*  
CHRISTIAN STEPHON MILES #2888634  
CLARK COUNTY DETENTION CENTER  
330 S CASINO CTR  
LAS VEGAS, NV, 89101

RECEIVED

FEB 05 2018

CLERK OF THE COURT

CLERK OF THE COURT

FEB 21 2018

RECEIVED

1 **POINTS AND AUTHORITIES**

2 NRS 175, 291 provides in part:

3 1. A conviction shall not be had on the testimony of an accomplice unless <sup>he</sup> it is corroborated by

4 other evidence which in itself, and without the aid of the testimony of the accomplice, tends to  
5 connect the defendant with the commission of the offense.

6 The requirement that the testimony of an accomplice be corroborated is applicable to preliminary  
7 hearings. In re Oxley and Muluaney, 38 Nev. 379, 149 P. 992 (1915); In re Bowman and Best,  
8 38 Nev 484, 151 P. 517 (1915); Ex parte Hutchinson, 76 Nev. 478, 357 P. 2d 589 (1960); State  
9 v. Wyatt, 84 Nev. 731, 448 P. 2d 827 (1968).

10 An accomplice is one who is liable to prosecution for the identical offense charged against the  
11 defendant. NRS, 175, 291 (2), or who is culpably implicated in, or unlawfully cooperates, aids or  
12 abets in the commission of the crime charged. Austin v. State, 87 Nev. 578, 491, P. 2d 724  
13 (1971).

14 "The test as to whether one is an accomplice is whether his participation in the offense has been  
15 criminally corrupt." Austin v. State, 87 Nev. 578, 587, 491 P 2d 724, 730 (1971). (quoting Blake  
16 v. State, 24 P. 2d 362 (Okla.(rim.App. 1933))

17 **STATEMENT OF RELEVANT FACTS**

18 On May 7<sup>th</sup>, 2015 a preliminary was held and G.K. testified as a witness for the State. G.K.  
19 alleged in her testimony that she was "going to run away" and "leave with" the defendant.

20 I E.A.  
21 PRELIMINARY HEARING TRANSCRIPTS, pages 5-6, lines 25-1 (herein after (PHT, [Page  
22 Number(s)], [line Number(s)]). G.K. alleged in her testimony that she "inboxed" the defendant

23 "on Facebook" and "told him to come pick her up from her home, PHT, 6, 6-10, that she didn't  
24 tell her mother, Becky York that she was leaving her home. PHT, 7, 5-7, and that she "got in" the

1 defendant's car with her bags and they drove off. Thereafter, her mother Becky York "pulled up  
2 on the side" of the car "trying to flag" her and the defendant down, but they "got away from  
3 her." PHT, 7, 21-25.

4  
5 G.K. alleged in her testimony that "he [defendant] was explaining for me to get down, like what  
6 he was going to do and what was going to happen. So he told me that he was going to post  
7 pictures on the site and I was going to get clients and I was going to have sex with them and I  
8 was going to get money and I was going to give it to him." PHT, 11, 12-17. The prosecutor  
9 Samuel Martinez (Martinez), asked G.K., "And the defendant explained that process to you?"  
10 PHT, 11, 18-19. G.K. alleged in her testimony, "...yes." PHT, 11, 20. Martinez stated to the  
11 Court that, "She [G.K.] testified previously that he [defendant] had explained why he was taking  
12 the pictures and that he was going to post her photos on different websites." PHT, 15, 6-9.

13  
14 Martinez set a timeframe stating to the court "When he [defendant] picked her [G.K.] up when  
15 she thought she was going to go to the grandma's house." PHT, 21, 1-3, the Court stated "Right  
16 at that time." PHT, 21, 5, and thereafter Martinez asked G.K. "Did there ever come a point in  
17 time after that when you were with the defendant that he explained to you what he wanted you to  
18 do?" PHT, 21, 6-8, and G.K. alleged in her testimony "No. He explained to me before we even  
19 met." PHT, 21, 9-10.

20  
21  
22 G.K. alleged in her testimony that she and the defendant "went to go get me a phone because I  
23 didn't have one at the time, and then he [defendant] processed some type of texting so were the  
24 clients would text my phone but he will also get the text and he would reply to them." PHT, 12,  
25 8-12. Martinez asked G.K. "So he [defendant] bought you the cell phone, is that correct?" PHT,  
26 12, 13-14, and G.K. alleged "Yes." In her testimony. PHT, 12, 15. Martinez asked G.K. "And  
27 then associated with that cell phone, you had your own phone number?" PHT, 12, 16-17, and  
28

1 G.K. alleged "Yes." In her testimony. PHT, 12, 18. G.K. was asked "What is the name of the app  
2 that you describe where two parties can get the same message?" PHT, 24, 5-6, and G.K. testified  
3 "TextNow." PHT, 24, 7, and was asked "What was the phone number for that [TextNow]?"  
4 PHT, 24, 12, and G.K. testified that the phone number was "517-2010." PHT, 24, 13. G.K.  
5 testified that the model of the cellular phone allegedly provided to her by the defendant was a  
6 "Galaxy 1..." PHT, 25, 7-8, and testified that the phone number for that cellular phone was "517-  
7 1020" PHT, 34, 12-14. Martinez asked G.K. "Did he [defendant] tell you or explain to you what  
8 the purpose of that [Text Now] app or device was on his phone?" PHT, 13, 7-8, and G.K.  
9 answered "No..." PHT, 12, 9.

10 G.K. testified that "An in-call is when someone comes to the suite and I have sex with them and  
11 they give me money. An out-call is when I go out to them or to their house or to their suite and  
12 have sex with them and get money, PHT 16, 2-6, and alleged in her testimony that she had sex  
13 with "five or six" men for money and made "\$500." Total on the in-calls and "gave it to" the  
14 defendant. PHT, 16, 7-25. G.K. also alleged in her testimony that she went on "one" out-call that  
15 the defendant drove her to. PHT, 17, 2-18, and alleged in her testimony that she gave the money  
16 she made on the out-call to the defendant. PHT, 18, 2-23.

#### 17 ARGUMENT POINT 1

#### 18 THE STATE'S OPPOSITION IS WITHOUT MERIT

19 Under Sheriff v. Gordon, 96 Nev. 205, 606 P. 2d 533 (1980), A defendant cannot be tried on a  
20 charge of pandering, NRS 201.300, where the indictment is supported only by uncorroborated  
21 testimony of the prostitute, nor can an indictment be sustained by the combined testimony of the  
22 prostitute and the accomplice because witnesses whose testimony requires corroboration may not  
23 corroborate each other. Id at 207



1 The State argues that NRS 201.300 (4) <sup>states</sup> ~~states~~ that "consent of a victim of pandering or sex  
2 ~~trafficking to an act of prostitution is not a defense to a prosecution for any of the acts prohibited~~  
3 ~~by this section."~~ However the State's argument fails under Sheriff v. Gordon.

4 In Sheriff v. Gordon, 96 Nev. 205, 606 P. 2d 533 (1980). Gordon petitioned the District Court  
5 for writ of habeas corpus contending, among other things, that the indictment was not supported  
6 by sufficient evidence because the incriminating testimony was not corroborated as required by  
7 NRS 175.291.96 NEV. At 205-206. The State conceded that the testimony of Carl, who would  
8 be an accomplice of Gordon under the facts of the case, required corroboration under NRS  
9 175.291, but argued that Carl's testimony was corroborated by Sara's. The District Court  
10 disagreed and granted the petition. The Court held that "Gordon may not be tried on the  
11 pandering charge if the indictment is supported only by uncorroborated testimony of Sara, the  
12 person upon whom the offense was allegedly committed, or the uncorroborated accomplice  
13 testimony of Carl. Nor may the indictment be sustained by the combined testimony of Sara and  
14 Carl. Witnesses whose testimony requires corroboration may not corroborate each other." 96  
15 Nev. at 206-207 (internal citations omitted).

16 The State went on to argue that G.K. is not liable for prosecution for any of the crimes set forth  
17 in the information, and that defendant has not set forth any law or analysis that would support  
18 this contention.

19 The State's argument is misleading, and refuses to consider the defense's argument that G.K. is  
20 an accomplice under Austin v. State and NRS 175.291. G.K.'s testimony established that she  
21 was an accomplice that was culpably implicated in, unlawfully co-operated, aided, abetted, and  
22 insists in, the commission of the crimes charged. The State does not rebut this argument, rather  
23 the State solely argues that G.K. is not liable for prosecution for any of the crimes, therefore the  
24  
25  
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1 argument fails under Austin v. State and Sheriff v. Gordon.

3  
4 CONCLUSION

5 Wherefore, based on the foregoing, the defendant respectfully requests that Defendant's motion  
6 to dismiss for uncorroborated accomplice testimony be Granted.  
7

8  
9 Dated this 31 day of January 2018  
10

11  
12 Respectfully submitted,

13 By: Christian Miles

14 Christian Stephon Miles

15 / in proper person  
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*Steven D. Grierson*

1 DAO

2 EIGHTH JUDICIAL DISTRICT COURT

3 CLARK COUNTY, NEVADA

4 STATE OF NEVADA

5  
6 vs.

Case No.

C-15-306436-1

7 CHRISTIAN STEPHON MILES

Dept. No.

IX

8  
9 DECISION AND ORDER

10 This Court, having reviewed Defendant's Motion to Dismiss Uncorroborated Accomplice  
11 Testimony filed November 8, 2017, the State's Opposition, Defendant's Reply, and oral argument,  
12 FINDS the Defendant's Motion to be without merit as detailed here and therefore ORDERS the  
13 Motion DENIED.

14 Defendant Christian Miles, *in propria persona*, is charged by way of Information with the  
15 following counts: (1) Sex Trafficking of a Child Under 18 Years of Age, (2) First Degree  
16 Kidnapping, (3) Living From the Earnings of a Prostitute, and (4) Child Abuse, Neglect, or  
17 Endangerment. In essence, these charges stem from the allegation that Defendant took G.K. from  
18 her home to prostitute her out into the community.

19 Defendant's instant motion contends that pursuant to NRS 175.291, the charges against him  
20 should be dismissed because they are based on, "the uncorroborated testimony of G.K., the person  
21 upon whom the offense was allegedly committed." Defendant's Motion, p. 5, lines 25-27.  
22 Defendant's reading of NRS 175.291 is incorrect.

23 NRS 175.291 reads:

24 1. A conviction shall not be had on the testimony of an accomplice unless the  
25 accomplice is corroborated by other evidence which in itself, and without the aid  
26 of the testimony of the accomplice, tends to connect the defendant with the  
27 commission of the offense; and the corroboration shall not be sufficient if it  
28 merely shows the commission of the offense or the circumstances thereof.

2. An accomplice is hereby defined as one who is liable to prosecution, for  
the identical offense charged against the defendant on trial in the cause in  
which the testimony of the accomplice is given.

JENNIFER TOGLIATTI  
DISTRICT JUDGE  
DEPARTMENT IX

JUN 11 2018


ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

1 Simply put, G.K. is not, nor can she ever be, liable for any of the identical crimes charged  
2 against Defendant. A plain reading of NRS 201.300 (Sex Trafficking of a Child Under 18 Years of  
3 Age), NRS 200.310 (First Degree Kidnapping), NRS 201.320 (Living From the Earnings of a  
4 Prostitute), and NRS 200.508 (Child Abuse, Neglect or Endangerment), clearly demonstrate that  
5 G.K. cannot, as the victim, be liable for those offenses.  
6

7 Defendant's arguments fail for the following reasons: A child victim who is sex trafficked  
8 cannot also be guilty of trafficking him or herself. A child cannot kidnap him or herself. A child  
9 cannot be guilty of abusing, neglecting, or endangering him or herself. A prostitute cannot be guilty  
10 of living off the earnings of his or her own prostitution. *See Sheriff, Clark County v. Horner*, 96  
11 Nev. 312, 314 (1980) (Testimony of prostitute, who could not be tried under statute proscribing  
12 Living From Earnings of Prostitute, was not that of "accomplice" requiring corroboration under  
13 statute requiring corroboration of accomplice's testimony).  
14

15 For the aforementioned reasons, this Court FINDS the Defendant's Motion to Dismiss  
16 Uncorroborated Accomplice Testimony to be without merit as detailed here and therefore ORDERS  
17 the Motion DENIED.

18 DATED this 11<sup>th</sup> of April, 2018.

19  
20   
21 JENNIFER P. TOGLIATTI  
DISTRICT COURT JUDGE

22 I hereby certify that on the date filed, a copy of this  
23 Order was electronically served through the Eighth  
24 Judicial District Court EFP system, or, if no e-mail  
was provided, mailed or placed in the Clerk's Office  
attorney folder for:

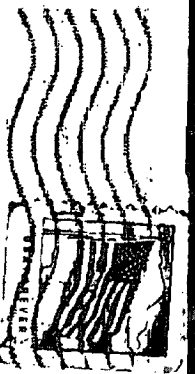
25 Samuel Martinez, Esq. (District Attorney - Criminal)  
26 Robert Beckett, Esq. (Robert Beckett)  
Christian Miles (Defendant *Pro Per*)  
330 Casino Center  
Las Vegas, NV 89101

27   
28 DIANE SANZO, Judicial Assistant

JENNIFER TOGLIATTI  
DISTRICT JUDGE  
DEPARTMENT IX

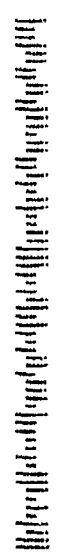
Christian Miles #1109469  
S.D.C.C.  
P.O. Box 208  
Indian Springs NV, 89070

LAS VEGAS, NV, 890  
01 FEB 2010 PM 2 L



Steven D. Grierson, Clerk of the Court  
200 Lewis Avenue, 3rd Floor  
Las Vegas NV, 89155-1160

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