

MINUTES DATE: 09/17/98

PAGE: 007

CRIMINAL COURT MINUTES

vs Thomas, Darrell B

CONTINUED FROM PAGE: 006

97-C-147517-C STATE OF NEVADA

requested by the parole and probation officer assigned to the Deft.

6) Abstain from consuming alcohol.

7) Not to have contact with or communicate with any of the victims of the instant offense or witnesses who testified against the Deft. or solicit another person to engage in such contact or communication on behalf of the Deft.

8) Not use aliases or fictitious names.

9) Not obtain a post office box unless the Deft. receives permission from the parole and probation officer assigned to the Deft.

10) Not have contact with a person less than 18 years of age in any environment unless another adult who has never been convicted of a sexual offense is present.

11) Register as a sex offender in accordance with NRS 179D.460 within 48 hours after sentencing.

12) Submit to blood testing to determine genetic markers or secretor status within 30 days of his probation grant.

13) Complete 16 HOURS COMMUNITY SERVICE work EACH MONTH during the term of probation not to exceed the statute.

14) Pursuant to NRS 176.185, defendant to be supervised in P & P's Intensive Supervision Program to include Electronic Monitoring for a period deemed appropriate.

DEFT. TO RECEIVE 1 DAY CREDIT FOR TIME SERVED.

11/30/98 09:00 AM 00 DEFT'S MOTION TO PLACE ON CALENDAR

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: 003901 STATE OF NEVADA
Lowry, Teresa

001 D1 Thomas, Darrell B
003889 Amesbury, David C.

P & P represented by Dean Prater. Mr. Amesbury requested two of the conditions of probation be modified. Mr. Amesbury stated that condition 10 specifies no contact with minor children, but the defendant has children. Mr. Amesbury also requested condition #3 be modified to include the approval of P & P and the board of directors. Ms. Lowry requested condition #3 be rescinded, subject to reinstatement by P & P, if appropriate. COURT ORDERED, MOTION GRANTED.

MINUTES DATE: 1

PAGE: 007

PRINT DATE: 12/01/98

EXHIBIT 57

EXHIBIT 57

NORTH LAS VEGAS POLICE DEPARTMENT

ARREST REPORT

<p>1. NAME OF ARRESTED: LEWIS, BOBBY</p>		<p>11. DATE TIME ARRESTED: 11-7-79 1625</p>	
<p>2. NAME OF ARRESTING OFFICER: CHAS BUNTER</p>		<p>12. DATE TIME REPORTED: 11-7-79 1625</p>	
<p>3. NAME OF WITNESS: ROSETT, 498, McDOUGLAS, 476</p>		<p>13. DATE TIME RECEIVED: 11-7-79 1625</p>	
<p>4. NAME OF VICTIM: ANNE BELL LEWIS 1049 PARTLEY, LND</p>		<p>14. PROBATION OR DESIRED: NO</p>	
<p>5. NAME OF ARRESTING OFFICER: CHAS BUNTER</p>		<p>15. M.O. CLASSIFICATION: AB 008363</p>	
<p>6. NAME OF ARRESTING OFFICER: CHAS BUNTER</p>		<p>16. M.O. CLASSIFICATION: AB 008363</p>	
<p>7. NAME OF ARRESTING OFFICER: CHAS BUNTER</p>		<p>17. M.O. CLASSIFICATION: AB 008363</p>	
<p>8. NAME OF ARRESTING OFFICER: CHAS BUNTER</p>		<p>18. M.O. CLASSIFICATION: AB 008363</p>	
<p>9. NAME OF ARRESTING OFFICER: CHAS BUNTER</p>		<p>19. M.O. CLASSIFICATION: AB 008363</p>	
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<p>97. NAME OF ARRESTING OFFICER: CHAS BUNTER</p>		<p>98. M.O. CLASSIFICATION: AB 008363</p>	
<p>99. NAME OF ARRESTING OFFICER: CHAS BUNTER</p>		<p>100. M.O. CLASSIFICATION: AB 008363</p>	

UNLAWFUL DISSEMINATION of this restricted information is PROHIBITED. Violation will subject the offender to Criminal and Civil Liability.

Rel. To: **Internal Pub. Aff. Office**
 Date: **5/17/79**
 North Las Vegas Police Department
 By: **[Signature]**

ON 11-7-79 CONTACTED LEWIS BOBBY NMA IN NEW PD SUBJECT WAS TAKEN UP TO THE JAIL WHERE HE WAS BOOKED AND INCARCERATED CAI BIK NO OPER ALL IN POSS BAIL \$1,500 CASH OR 1500 BIK

IN THE MUNICIPAL COURT OF THE CITY OF

NORTH LAS VEGAS, COUNTY OF CLARK

STATE OF NEVADA

JUDGMENT OF SENTENCE

DEFENDANT Lino Petty M F # 1199

DATE OF ARREST 11-27-79

VIOLATION OF ORDINANCE (S) B/W 599736 Driv. w/o license

DATE OF DISPOSITION 11-7-79 IN OPEN COURT

FINAL CHARGE(S)	DISCHARGED	HOW CONVICTED	DISPOSITION OF SENT.
<u>no 2</u>	Dism. _____ Not Glty. _____ Bail Forf. _____ Incarcerated _____	Plea G. <u>X</u> Found G. _____ Plea N/C _____	<u>Fine \$ 175 or</u> <u>43 3/4 days in prison</u> <u>30 days served</u> <u>30 days</u>
	Dism. _____ Not Glty. _____ Bail Forf. _____ Incarcerated _____	Plea G. _____ Found G. _____ Plea N/C _____	
	Dism. _____ Not Glty. _____ Bail Forf. _____ Incarcerated _____	Plea G. _____ Found G. _____ Plea N/C _____	
	Dism. _____ Not Glty. _____ Bail Forf. _____ Incarcerated _____	Plea G. _____ Found G. _____ Plea N/C _____	
	Dism. _____ Not Glty. _____ Bail Forf. _____ Incarcerated _____	Plea G. _____ Found G. _____ Plea N/C _____	

CLERK

MUNICIPAL JUDGE

Form 07.12

AA2393

1. NAME (LAST, FIRST, MIDDLE) John Doe										2. DATE OF BIRTH 02/15/1900										3. SEX M										4. RACE W										5. ETHNIC W										6. HEIGHT 6'2"										7. WEIGHT 195										8. HAIR B										9. EYES B										10. MARKS, SCARS, TCS None																			
11. ADDRESS (STREET, CITY, STATE, ZIP) 1111 N. 1st St., Las Vegas, NV 89101										12. PHONE NO. 702-555-1234										13. DATE OF BIRTH 02/15/1900										14. SEX M										15. RACE W										16. ETHNIC W										17. HEIGHT 6'2"										18. WEIGHT 195										19. HAIR B										20. EYES B										21. MARKS, SCARS, TCS None									
22. NAME (LAST, FIRST, MIDDLE) John Doe										23. DATE OF BIRTH 02/15/1900										24. SEX M										25. RACE W										26. ETHNIC W										27. HEIGHT 6'2"										28. WEIGHT 195										29. HAIR B										30. EYES B										31. MARKS, SCARS, TCS None																			
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212. NAME (LAST, FIRST, MIDDLE) John Doe										213. DATE OF BIRTH 02/15/1900										214. SEX M										215. RACE W										216. ETHNIC W										217. HEIGHT 6'2"										218. WEIGHT 195										219. HAIR B										220. EYES B										221. MARKS, SCARS, TCS None																			
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INVESTIGATIVE REPORT

1. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) Mr. J. Edgar Hoover		2. CLASS CODE - PRIMARY 0A634		3. EMPLOYED BY 0100241 0800		4. DATE/TIME 0287 2503		5. DATE/TIME 0287 2503	
6. POSITION OF OCCUPATION Director		7. CLASS CODE - SEC 00		8. B.O.B. OCCURRED 11530		9. B.O.B. OCCURRED 11530		10. B.O. OF NOT ESTABLISHED YES	
11. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) Mr. J. Edgar Hoover		12. STATE VA		13. SEX M		14. RACE W		15. ETHNIC W	
16. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) 2500 R Street N.W., Washington, D.C. 20535		17. BUSINESS ADDRESS (CITY, STATE, ZIP) Washington, D.C.		18. BUSINESS PHONE 202-456-7890		19. BUSINESS PHONE 202-456-7890		20. OCCUPATION Director	
21. BIRTH (M, D, Y) 01-01-1892		22. AGE 34		23. HEIGHT 5' 10"		24. WEIGHT 175		25. HAIR B	
26. EYES B		27. SKIN F		28. BUILD M		29. MENTAL CONDITION N		30. PROBABLE CAUSE OF ABSENCE N	
31. CLOTHING DESCRIPTION Suit, white shirt, tie									
32. TYPE OF VEHICLE, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER 1965 Ford Mustang, black, 1965 Ford Mustang, black, 1965 Ford Mustang, black									
33. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) Mr. J. Edgar Hoover		34. STATE VA		35. SEX M		36. RACE W		37. ETHNIC W	
38. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) 2500 R Street N.W., Washington, D.C. 20535		39. BUSINESS ADDRESS (CITY, STATE, ZIP) Washington, D.C.		40. BUSINESS PHONE 202-456-7890		41. BUSINESS PHONE 202-456-7890		42. OCCUPATION Director	
43. BIRTH (M, D, Y) 01-01-1892		44. AGE 34		45. HEIGHT 5' 10"		46. WEIGHT 175		47. HAIR B	
48. EYES B		49. SKIN F		50. BUILD M		51. MENTAL CONDITION N		52. PROBABLE CAUSE OF ABSENCE N	
53. CLOTHING DESCRIPTION Suit, white shirt, tie									
54. TYPE OF VEHICLE, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER 1965 Ford Mustang, black, 1965 Ford Mustang, black, 1965 Ford Mustang, black									
55. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) Mr. J. Edgar Hoover		56. STATE VA		57. SEX M		58. RACE W		59. ETHNIC W	
60. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) 2500 R Street N.W., Washington, D.C. 20535		61. BUSINESS ADDRESS (CITY, STATE, ZIP) Washington, D.C.		62. BUSINESS PHONE 202-456-7890		63. BUSINESS PHONE 202-456-7890		64. OCCUPATION Director	
65. BIRTH (M, D, Y) 01-01-1892		66. AGE 34		67. HEIGHT 5' 10"		68. WEIGHT 175		69. HAIR B	
70. EYES B		71. SKIN F		72. BUILD M		73. MENTAL CONDITION N		74. PROBABLE CAUSE OF ABSENCE N	
75. CLOTHING DESCRIPTION Suit, white shirt, tie									
76. TYPE OF VEHICLE, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER 1965 Ford Mustang, black, 1965 Ford Mustang, black, 1965 Ford Mustang, black									
77. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) Mr. J. Edgar Hoover		78. STATE VA		79. SEX M		80. RACE W		81. ETHNIC W	
82. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) 2500 R Street N.W., Washington, D.C. 20535		83. BUSINESS ADDRESS (CITY, STATE, ZIP) Washington, D.C.		84. BUSINESS PHONE 202-456-7890		85. BUSINESS PHONE 202-456-7890		86. OCCUPATION Director	
87. BIRTH (M, D, Y) 01-01-1892		88. AGE 34		89. HEIGHT 5' 10"		90. WEIGHT 175		91. HAIR B	
92. EYES B		93. SKIN F		94. BUILD M		95. MENTAL CONDITION N		96. PROBABLE CAUSE OF ABSENCE N	
97. CLOTHING DESCRIPTION Suit, white shirt, tie									
98. TYPE OF VEHICLE, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER, MAKE, MODEL, YEAR, COLOR, MAKE AND ADDRESS OF PREVIOUS OWNER 1965 Ford Mustang, black, 1965 Ford Mustang, black, 1965 Ford Mustang, black									
99. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) Mr. J. Edgar Hoover		100. STATE VA		101. SEX M		102. RACE W		103. ETHNIC W	
104. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) 2500 R Street N.W., Washington, D.C. 20535		105. BUSINESS ADDRESS (CITY, STATE, ZIP) Washington, D.C.		106. BUSINESS PHONE 202-456-7890		107. BUSINESS PHONE 202-456-7890		108. OCCUPATION Director	

On Friday 1-6-84 at approximately 1315 hrs D/R and Det. King made contact with a Shirley Cooper at 537 Kings in reference to interviewing her in reference to [redacted] being held against her will by a Bobby Lewis, while at 537 Kings victim [redacted] walked in the front door and stated that Bobby Lewis had dropped her off [redacted] related Bobby was with an unknown black male who was driving an old white / blue car. These Detectives then drove to Raven and Corey and observed an older model car driving south on Revere, Upon closing on the vehicle it was observed to be a white over light blue Chrysler. The vehicle had Florida license plate 6R7 ALM. A traffic stop was made on the vehicle on H^o St. at Delittle. The driver and the passenger exited the vehicle and walked to the rear of their vehicle. The passenger was identified as Bobby Lewis 24 years old black male. The driver was identified as Willie Myers 52 yrs old black male. The vehicle was returned to Mr. Myers and was a 1974

CONTINUATION REPORT

Case No. 44-177	DATE OF REPORT 8-50	NAME OF VICTIM OR PERSON REPORTING Timerson, Virgie
CLASSIFICATION Kidnap		

Bobby Lewis was listed as the suspect in a kidnap of [redacted] and Shirley Cooper from 537 Kings on 1-6-74 at 0200 hrs. Lewis was reported to have broken into the 537 Kings address and with the use of a sawed off shotgun was able to kidnap the two victims. As a result of interviewing Willie Myers it was determined that he was not involved in the incident and was only giving Bobby Lewis a ride back to 537 Kings so he could return [redacted] to her home. No weapons were located on either subject or in Myers Vehicle. Mr. Myers was advised he was free to leave the area. Det. King placed Bobby Lewis under arrest for 2 counts of kidnap, 1 count of burglary, possession of a sawed off shotgun and 2 counts of using a deadly weapon in the commission of a crime. The arrestee was transported to the N. Las Vegas Jail and while enroute to the jail Det. King advised Mr. Lewis of his rights per Miranda. Upon arriving at the jail O/R proceeded to book Lewis into jail. Prior to completing the booking Det. King informed O/R by telephone that he was interviewing [redacted] and that she had informed him that Lewis had sexually assaulted her after kidnapping her. One count of sexual assault and one additional count of using a deadly weapon in the commission of a crime was placed on Lewis. Lewis was booked into jail on the following charges. Two counts of kidnap, one count sexual assault, one count burglary, possession of a sawed off shotgun and four counts of using a deadly weapon in the commission of a crime.

NORTH LAS VEGAS POLICE DEPARTMENT

INCIDENT		CLASS CODE - PRIMARY		DATE/TIME		CLK SER NO	
1. CASE NO. 88-177		2. CLASS CODE - PRIMARY 02626		3. DATE/TIME 01/08/84 0200		4. CLK SER NO 0	
5. LOCATION OF OCCURRENCE 537 KINGS, NCV		6. OCCURRED FROM 01/08/84 0200		7. DATE/TIME 0		8. CLK SER NO 0	
9. CLASS CODE - USER 01		10. SUBMITTED TO CIA YES NO X		11. ADDITIONAL INFORMATION OR CHARGES - DATA FOR COMPUTERIZED RETRIEVAL 21406100		12. M.O. CLASSIFICATION A3 RGL	
13. NAME LAST FIRST, MIDDLE OR FIRM NAME		14. BUSINESS NAME		15. BUSINESS PHONE		16. BUSINESS ADDRESS CITY, STATE ZIP	
17. NAME LAST FIRST, MIDDLE OR FIRM NAME		18. BUSINESS NAME		19. BUSINESS PHONE		20. BUSINESS ADDRESS CITY, STATE ZIP	
21. NAME LAST FIRST, MIDDLE OR FIRM NAME		22. BUSINESS NAME		23. BUSINESS PHONE		24. BUSINESS ADDRESS CITY, STATE ZIP	
25. NAME LAST FIRST, MIDDLE OR FIRM NAME		26. BUSINESS NAME		27. BUSINESS PHONE		28. BUSINESS ADDRESS CITY, STATE ZIP	
29. NAME LAST FIRST, MIDDLE OR FIRM NAME		30. BUSINESS NAME		31. BUSINESS PHONE		32. BUSINESS ADDRESS CITY, STATE ZIP	
33. NAME LAST FIRST, MIDDLE OR FIRM NAME		34. BUSINESS NAME		35. BUSINESS PHONE		36. BUSINESS ADDRESS CITY, STATE ZIP	
37. NAME LAST FIRST, MIDDLE OR FIRM NAME		38. BUSINESS NAME		39. BUSINESS PHONE		40. BUSINESS ADDRESS CITY, STATE ZIP	
41. NAME LAST FIRST, MIDDLE OR FIRM NAME		42. BUSINESS NAME		43. BUSINESS PHONE		44. BUSINESS ADDRESS CITY, STATE ZIP	
45. NAME LAST FIRST, MIDDLE OR FIRM NAME		46. BUSINESS NAME		47. BUSINESS PHONE		48. BUSINESS ADDRESS CITY, STATE ZIP	
49. NAME LAST FIRST, MIDDLE OR FIRM NAME		50. BUSINESS NAME		51. BUSINESS PHONE		52. BUSINESS ADDRESS CITY, STATE ZIP	
53. NAME LAST FIRST, MIDDLE OR FIRM NAME		54. BUSINESS NAME		55. BUSINESS PHONE		56. BUSINESS ADDRESS CITY, STATE ZIP	
57. NAME LAST FIRST, MIDDLE OR FIRM NAME		58. BUSINESS NAME		59. BUSINESS PHONE		60. BUSINESS ADDRESS CITY, STATE ZIP	
61. NAME LAST FIRST, MIDDLE OR FIRM NAME		62. BUSINESS NAME		63. BUSINESS PHONE		64. BUSINESS ADDRESS CITY, STATE ZIP	
65. NAME LAST FIRST, MIDDLE OR FIRM NAME		66. BUSINESS NAME		67. BUSINESS PHONE		68. BUSINESS ADDRESS CITY, STATE ZIP	
69. NAME LAST FIRST, MIDDLE OR FIRM NAME		70. BUSINESS NAME		71. BUSINESS PHONE		72. BUSINESS ADDRESS CITY, STATE ZIP	
73. NAME LAST FIRST, MIDDLE OR FIRM NAME		74. BUSINESS NAME		75. BUSINESS PHONE		76. BUSINESS ADDRESS CITY, STATE ZIP	
77. NAME LAST FIRST, MIDDLE OR FIRM NAME		78. BUSINESS NAME		79. BUSINESS PHONE		80. BUSINESS ADDRESS CITY, STATE ZIP	
81. NAME LAST FIRST, MIDDLE OR FIRM NAME		82. BUSINESS NAME		83. BUSINESS PHONE		84. BUSINESS ADDRESS CITY, STATE ZIP	
85. NAME LAST FIRST, MIDDLE OR FIRM NAME		86. BUSINESS NAME		87. BUSINESS PHONE		88. BUSINESS ADDRESS CITY, STATE ZIP	
89. NAME LAST FIRST, MIDDLE OR FIRM NAME		90. BUSINESS NAME		91. BUSINESS PHONE		92. BUSINESS ADDRESS CITY, STATE ZIP	
93. NAME LAST FIRST, MIDDLE OR FIRM NAME		94. BUSINESS NAME		95. BUSINESS PHONE		96. BUSINESS ADDRESS CITY, STATE ZIP	
97. NAME LAST FIRST, MIDDLE OR FIRM NAME		98. BUSINESS NAME		99. BUSINESS PHONE		100. BUSINESS ADDRESS CITY, STATE ZIP	
101. NAME LAST FIRST, MIDDLE OR FIRM NAME		102. BUSINESS NAME		103. BUSINESS PHONE		104. BUSINESS ADDRESS CITY, STATE ZIP	
105. NAME LAST FIRST, MIDDLE OR FIRM NAME		106. BUSINESS NAME		107. BUSINESS PHONE		108. BUSINESS ADDRESS CITY, STATE ZIP	
109. NAME LAST FIRST, MIDDLE OR FIRM NAME		110. BUSINESS NAME		111. BUSINESS PHONE		112. BUSINESS ADDRESS CITY, STATE ZIP	
113. NAME LAST FIRST, MIDDLE OR FIRM NAME		114. BUSINESS NAME		115. BUSINESS PHONE		116. BUSINESS ADDRESS CITY, STATE ZIP	
117. NAME LAST FIRST, MIDDLE OR FIRM NAME		118. BUSINESS NAME		119. BUSINESS PHONE		120. BUSINESS ADDRESS CITY, STATE ZIP	
121. NAME LAST FIRST, MIDDLE OR FIRM NAME		122. BUSINESS NAME		123. BUSINESS PHONE		124. BUSINESS ADDRESS CITY, STATE ZIP	
125. NAME LAST FIRST, MIDDLE OR FIRM NAME		126. BUSINESS NAME		127. BUSINESS PHONE		128. BUSINESS ADDRESS CITY, STATE ZIP	
129. NAME LAST FIRST, MIDDLE OR FIRM NAME		130. BUSINESS NAME		131. BUSINESS PHONE		132. BUSINESS ADDRESS CITY, STATE ZIP	
133. NAME LAST FIRST, MIDDLE OR FIRM NAME		134. BUSINESS NAME		135. BUSINESS PHONE		136. BUSINESS ADDRESS CITY, STATE ZIP	
137. NAME LAST FIRST, MIDDLE OR FIRM NAME		138. BUSINESS NAME		139. BUSINESS PHONE		140. BUSINESS ADDRESS CITY, STATE ZIP	
141. NAME LAST FIRST, MIDDLE OR FIRM NAME		142. BUSINESS NAME		143. BUSINESS PHONE		144. BUSINESS ADDRESS CITY, STATE ZIP	
145. NAME LAST FIRST, MIDDLE OR FIRM NAME		146. BUSINESS NAME		147. BUSINESS PHONE		148. BUSINESS ADDRESS CITY, STATE ZIP	
149. NAME LAST FIRST, MIDDLE OR FIRM NAME		150. BUSINESS NAME		151. BUSINESS PHONE		152. BUSINESS ADDRESS CITY, STATE ZIP	
153. NAME LAST FIRST, MIDDLE OR FIRM NAME		154. BUSINESS NAME		155. BUSINESS PHONE		156. BUSINESS ADDRESS CITY, STATE ZIP	
157. NAME LAST FIRST, MIDDLE OR FIRM NAME		158. BUSINESS NAME		159. BUSINESS PHONE		160. BUSINESS ADDRESS CITY, STATE ZIP	
161. NAME LAST FIRST, MIDDLE OR FIRM NAME		162. BUSINESS NAME		163. BUSINESS PHONE		164. BUSINESS ADDRESS CITY, STATE ZIP	
165. NAME LAST FIRST, MIDDLE OR FIRM NAME		166. BUSINESS NAME		167. BUSINESS PHONE		168. BUSINESS ADDRESS CITY, STATE ZIP	
169. NAME LAST FIRST, MIDDLE OR FIRM NAME		170. BUSINESS NAME		171. BUSINESS PHONE		172. BUSINESS ADDRESS CITY, STATE ZIP	
173. NAME LAST FIRST, MIDDLE OR FIRM NAME		174. BUSINESS NAME		175. BUSINESS PHONE		176. BUSINESS ADDRESS CITY, STATE ZIP	
177. NAME LAST FIRST, MIDDLE OR FIRM NAME		178. BUSINESS NAME		179. BUSINESS PHONE		180. BUSINESS ADDRESS CITY, STATE ZIP	
181. NAME LAST FIRST, MIDDLE OR FIRM NAME		182. BUSINESS NAME		183. BUSINESS PHONE		184. BUSINESS ADDRESS CITY, STATE ZIP	
185. NAME LAST FIRST, MIDDLE OR FIRM NAME		186. BUSINESS NAME		187. BUSINESS PHONE		188. BUSINESS ADDRESS CITY, STATE ZIP	
189. NAME LAST FIRST, MIDDLE OR FIRM NAME		190. BUSINESS NAME		191. BUSINESS PHONE		192. BUSINESS ADDRESS CITY, STATE ZIP	
193. NAME LAST FIRST, MIDDLE OR FIRM NAME		194. BUSINESS NAME		195. BUSINESS PHONE		196. BUSINESS ADDRESS CITY, STATE ZIP	
197. NAME LAST FIRST, MIDDLE OR FIRM NAME		198. BUSINESS NAME		199. BUSINESS PHONE		200. BUSINESS ADDRESS CITY, STATE ZIP	
201. NAME LAST FIRST, MIDDLE OR FIRM NAME		202. BUSINESS NAME		203. BUSINESS PHONE		204. BUSINESS ADDRESS CITY, STATE ZIP	

AA2397

NORTH LAS VEGAS POLICE DEPARTMENT

CASE NO. 84-177										CRIMINAL NAME REPORT										P. 2 of 2		3 CAR SER. NO.					
4. CLASSIFICATION KIDNAP					5. RPT. BY 8287					6. NAME OF VICTIM OR P.R. AS ON PAGE ONE																	
8. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) CLAYTON TROV										10. STATE NY										11. SEX M		12. RACE B		13. ETHNIC N		14. DATE OF BIRTH 68	
15. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) NLU										16. BUSINESS PHONE 622-5551										17. SOCIAL SECURITY NO. [REDACTED]		18. OCCUPATION [REDACTED]					
19. BUSINESS ADDRESS (CITY, STATE, ZIP) NLU										20. BUSINESS NAME [REDACTED]										21. SEX F		22. RACE B		23. ETHNIC N		24. DATE OF BIRTH 68	
25. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) DAVIS BRENDA										26. STATE NY										27. SEX F		28. RACE B		29. ETHNIC N		30. DATE OF BIRTH 68	
31. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) NLU										32. BUSINESS PHONE 622-5551										33. SOCIAL SECURITY NO. [REDACTED]		34. OCCUPATION [REDACTED]					
35. BUSINESS ADDRESS (CITY, STATE, ZIP) NLU										36. BUSINESS NAME [REDACTED]										37. SEX F		38. RACE B		39. ETHNIC N		40. DATE OF BIRTH 68	
41. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) [REDACTED]										42. STATE NY										43. SEX F		44. RACE B		45. ETHNIC N		46. DATE OF BIRTH 68	
47. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) [REDACTED]										48. BUSINESS PHONE [REDACTED]										49. SOCIAL SECURITY NO. [REDACTED]		50. OCCUPATION [REDACTED]					
49. BUSINESS ADDRESS (CITY, STATE, ZIP) [REDACTED]										50. BUSINESS NAME [REDACTED]										51. SEX F		52. RACE B		53. ETHNIC N		54. DATE OF BIRTH 68	
51. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) [REDACTED]										52. STATE NY										53. SEX F		54. RACE B		55. ETHNIC N		56. DATE OF BIRTH 68	
53. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) [REDACTED]										54. BUSINESS PHONE [REDACTED]										55. SOCIAL SECURITY NO. [REDACTED]		56. OCCUPATION [REDACTED]					
55. BUSINESS ADDRESS (CITY, STATE, ZIP) [REDACTED]										56. BUSINESS NAME [REDACTED]										57. SEX F		58. RACE B		59. ETHNIC N		60. DATE OF BIRTH 68	
57. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) [REDACTED]										58. STATE NY										59. SEX F		60. RACE B		61. ETHNIC N		62. DATE OF BIRTH 68	
59. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) [REDACTED]										60. BUSINESS PHONE [REDACTED]										61. SOCIAL SECURITY NO. [REDACTED]		62. OCCUPATION [REDACTED]					
61. BUSINESS ADDRESS (CITY, STATE, ZIP) [REDACTED]										62. BUSINESS NAME [REDACTED]										63. SEX F		64. RACE B		65. ETHNIC N		66. DATE OF BIRTH 68	
63. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) [REDACTED]										64. STATE NY										65. SEX F		66. RACE B		67. ETHNIC N		68. DATE OF BIRTH 68	
65. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) [REDACTED]										66. BUSINESS PHONE [REDACTED]										67. SOCIAL SECURITY NO. [REDACTED]		68. OCCUPATION [REDACTED]					
67. BUSINESS ADDRESS (CITY, STATE, ZIP) [REDACTED]										68. BUSINESS NAME [REDACTED]										69. SEX F		70. RACE B		71. ETHNIC N		72. DATE OF BIRTH 68	
69. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) [REDACTED]										70. STATE NY										71. SEX F		72. RACE B		73. ETHNIC N		74. DATE OF BIRTH 68	
71. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) [REDACTED]										72. BUSINESS PHONE [REDACTED]										73. SOCIAL SECURITY NO. [REDACTED]		74. OCCUPATION [REDACTED]					
73. BUSINESS ADDRESS (CITY, STATE, ZIP) [REDACTED]										74. BUSINESS NAME [REDACTED]										75. SEX F		76. RACE B		77. ETHNIC N		78. DATE OF BIRTH 68	
75. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) [REDACTED]										76. STATE NY										77. SEX F		78. RACE B		79. ETHNIC N		80. DATE OF BIRTH 68	
77. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) [REDACTED]										78. BUSINESS PHONE [REDACTED]										79. SOCIAL SECURITY NO. [REDACTED]		80. OCCUPATION [REDACTED]					
79. BUSINESS ADDRESS (CITY, STATE, ZIP) [REDACTED]										80. BUSINESS NAME [REDACTED]										81. SEX F		82. RACE B		83. ETHNIC N		84. DATE OF BIRTH 68	
81. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) [REDACTED]										82. STATE NY										83. SEX F		84. RACE B		85. ETHNIC N		86. DATE OF BIRTH 68	
83. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) [REDACTED]										84. BUSINESS PHONE [REDACTED]										85. SOCIAL SECURITY NO. [REDACTED]		86. OCCUPATION [REDACTED]					
85. BUSINESS ADDRESS (CITY, STATE, ZIP) [REDACTED]										86. BUSINESS NAME [REDACTED]										87. SEX F		88. RACE B		89. ETHNIC N		90. DATE OF BIRTH 68	
87. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) [REDACTED]										88. STATE NY										89.							

AA2398

**NO. 1 LAS VEGAS POLICE DEPARTMENT
INVESTIGATIVE REPORT**

1. CASE NO. 84-177		<input type="checkbox"/> ORIGINAL <input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> FOLLOW-UP		2. CLERK SER. NO. 1	
3. CLASSIFICATION KIDNAP		5. CLASS CODE - PRIMARY		8. OCCURRED FROM: DATE/TIME 10:06 PM 10/20/84 TO: DATE/TIME 8-1 P	
4. LOCATION OF OCCURRENCE 537 KINGS		6. RPT DFC SER. NO. 197		9. INV DFC SER. NO. 83	
12. WHEN REPORTED 10/10/84 10:26 PM		13. D.O. OCCURRED 10/20/84		14. PROSECUTION DESIRED YES NO 1	
16. CLASS CODE - UCR		17. SUBMITTED TO CIA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		18. ADDITIONAL INFORMATION ON CHARGES - DATA FOR COMPUTERIZED RETRIEVAL	
19. 1. DOB NAME (LAST, FIRST, MIDDLE OR FIRM NAME)		21. STAT V		23. SEX M 24. RACE N 25. ETHNIC M	
26. BUSINESS ADDRESS (CITY, STATE, ZIP)		27. RESIDENTIAL PHONE		28. BUSINESS PHONE	
29. BUSINESS NAME		30. BUSINESS PHONE		31. OCCUPATION	
32. IF VICTIM IS MISSING PERSON YES		33. AGE		34. HGT	
35. WGT		36. HAIR		37. EYES	
38. BLD		39. COMP		40. MENTAL CONDITION	
41. PROBABLE CAUSE OF ABSENCE		42. CLOTHING DESCRIPTION		43. IF THIS IS A MISSING PERSON REPORT GIVE PROBABLE DESTINATION, NAME AND ADDRESS OF FRIENDS VEHICLES W/ P. MAY HAVE ACCESS TO MONEY-VALUABLES CARRIED, WHERE LAST SEEN IN NARRATIVE OF REPORT CLASSIFY AT BOX NO. 4 TO DIFFERENTIATE BETWEEN MISSING PERSON AND RUNAWAY JUVENILE	
44. 45. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) COOPER SHIRLEY MAE		46. STAT P		47. SEX F	
48. RACE N		49. ETHNIC M		50. DATE OF BIRTH 45	
51. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP)		52. RESIDENCE PHONE 6427557		53. SOCIAL SECURITY NO.	
54. BUSINESS ADDRESS (CITY, STATE, ZIP)		55. BUSINESS PHONE		56. OCCUPATION	
57. NAME (LAST, FIRST, MIDDLE OR FIRM NAME)		58. STAT		59. SEX	
60. RACE		61. ETHNIC		62. DATE OF BIRTH	
63. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP)		64. RESIDENCE PHONE		65. SOCIAL SECURITY NO.	
66. BUSINESS ADDRESS (CITY, STATE, ZIP)		67. BUSINESS PHONE		68. OCCUPATION	
69. NAME - SUSPECT NO. 1 LEWIS ROBBY		70. ADDITIONAL INFORMATION 619 VAN BUREN #8 LV		71. ADDITIONAL INFORMATION	
72. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION BLUE 34 LENGTH PANTS, CLEAR PLASTIC SHOULDER CAP		73. TYPE E		74. SEX M	
75. RACE N		76. ETHNIC M		77. DATE OF BIRTH 10/18/47	
78. AGE 34		79. HGT 602		80. WGT 155	
81. HAIR BLK		82. EYES BRN		83. BLD M	
84. COMP 1		85. WARRANT YES		86. NO	
87. NAME - SUSPECT NO. 2		88. ADDITIONAL INFORMATION		89. ADDITIONAL INFORMATION	
90. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION		91. TYPE		92. SEX	
93. RACE		94. ETHNIC		95. DATE OF BIRTH	
96. AGE		97. HGT		98. WGT	
99. HAIR		100. EYES		101. BLD	
102. COMP		103. WARRANT		104. YES	
105. NO		106. STATE		107. LIC. NUMBER	
108. MAKE		109. MODEL		110. YR. MFG	
111. STYLE		112. COLOR		113. COLOR	
114. CONTINUED AND ADDITIONAL DESCRIPTION		115. UNFOUNDED		116. NON-CRIMINAL - JUVENILE	
117. NON-DETECTIVE CLEARANCE		118. DETECTIVE ARREST		119. SUBMITTED - CITY ATTORNEY	
120. SUBMITTED - DISTRICT ATTORNEY		121. ADMINISTRATIVELY CLEARED		122. EXCEPTIONALLY CLEARED	
123. SCREEN CLEARED		124. INVESTIGATION PENDING		125. RECLASSIFY AT NO. 3	
126. VICTIM REFUSED TO PROSECUTE		127. STATISTICAL RECOVERY		128. NO CHARGES FILED - INCT	
129. ADULT		130. JUVENILE DETAINMENT		131. CHINS	
132. WARRANT AFFIDAVIT SUBMITTED		133. SEARCH WARRANT EXECUTED		134. INSUFFICIENT EVIDENCE - ELEMENTS	
135. ENTER NCIC - NC C NO.		136. OTHER		137. OTHER	
138. NARRATIVE					
<p>AT APPROX 10:26 AM, OIR WAS DISPATCHED TO 537 KINGS TO CONTACT MRS. COOPER.</p> <p>MRS. COOPER ADVISED THAT THE SUSPECT HAD JUST TELEPHONED HER & STATED THAT HE & THE VICTIM WERE IN A HANDCUFFED IN THE AREA OF "D" ST & JACKSON. THEY WERE ALLEGEDLY GOING TO WALK TO NLVPO SO [REDACTED] COULD DROP THE CHARGES. HE FURTHER STATED "HE'D BETTER NOT SEE NO COPS ON THE WAY OR SOMEONE WOULD GET HURT". HE THEN STATED HE WOULD BE CALLING BACK.</p> <p>OIR CONTACTED DET. KING & VANLANDSHOOT WHO WERE ADVISED OF THE SITUATION.</p>					
139. 810 MISSING PERSON					
140. DATE/TIME PROCESSED					
141. DATE/TIME PROCESSED					
142. DATE/TIME PROCESSED					
143. DATE/TIME PROCESSED					
144. DATE/TIME PROCESSED					
145. DATE/TIME PROCESSED					
146. DATE/TIME PROCESSED					
147. DATE/TIME PROCESSED					
148. DATE/TIME PROCESSED					
149. DATE/TIME PROCESSED					
150. DATE/TIME PROCESSED					
151. DATE/TIME PROCESSED					
152. DATE/TIME PROCESSED					
153. DATE/TIME PROCESSED					
154. DATE/TIME PROCESSED					
155. DATE/TIME PROCESSED					
156. DATE/TIME PROCESSED					
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200. DATE/TIME PROCESSED					

LAS VEGAS POLICE DEPARTMENT
INVESTIGATIVE REPORT

1. CASE NO. 84-177		<input type="checkbox"/> ORIGINAL <input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> FOLLOW-UP		2. CLS. SER. NO. 1 1 377	
4. CLASSIFICATION Kidnap - Sex. Asslt.		5. CLASS CODE - PRIMARY 02626		6. CLERK'S NO. 010684	
7. LOCATION OF OCCURRENCE 537 Kings, NLV		8. RPT. OFF. SER. NO. 0287		9. INV. OFF. SER. NO. 3215	
10. WHEN REPORTED 01 10 84 1600		11. TIME Tues.		12. PROBATION DESIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
13. CLASS CODE - UCR 01 10 84 1600		14. SUBMITTED TO C/A YES <input type="checkbox"/> NO <input type="checkbox"/>		15. MO IF NOT ESTABLISHED	
16. ADDITIONAL INFORMATION OR CHARGES - DATA FOR COMPUTERIZED RETRIEVAL					
17. NAME (LAST, FIRST, MIDDLE OR FIRM NAME)		18. STATE V		19. SEX F	
20. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP)		21. RACE B		22. ETHNIC H	
23. BUSINESS ADDRESS (CITY, STATE, ZIP)		24. RESIDENCE PHONE		25. SOCIAL SECURITY NO.	
26. BUSINESS NAME		27. BUSINESS PHONE		28. OCCUPATION	
29. IF VICTIM IS MISSING PERSON		30. AGE		31. HGT	
32. WGT		33. HAIR		34. EYES	
35. BLD		36. COMP		37. MENTAL CONDITION	
38. PROBABLE CAUSE OF ABSENCE		39. CLOTHING DESCRIPTION			
40. IF THIS IS A MISSING PERSON REPORT GIVE PROBABLE DESTINATION, NAME AND ADDRESS OF FRIENDS, VEHICLES, ETC. MAY HAVE ACCESS TO, MONEY/VARIABLES CARRIED, WHERE LAST SEEN IN NARRATIVE OF REPORT. CLASSIFY AT BOX NO. 4 TO DIFFERENTIATE BETWEEN MISSING PERSON AND RUNAWAY JUVENILE.					
41. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) COOPER, Shirley Mae		42. STATE V		43. SEX F	
44. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP)		45. RACE B		46. ETHNIC H	
47. BUSINESS ADDRESS (CITY, STATE, ZIP)		48. RESIDENCE PHONE		49. SOCIAL SECURITY NO.	
50. BUSINESS NAME		51. BUSINESS PHONE		52. OCCUPATION	
53. NAME (LAST, FIRST, MIDDLE OR FIRM NAME)		54. STATE V		55. SEX F	
56. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP)		57. RACE B		58. ETHNIC H	
59. BUSINESS ADDRESS (CITY, STATE, ZIP)		60. RESIDENCE PHONE		61. SOCIAL SECURITY NO.	
62. BUSINESS NAME		63. BUSINESS PHONE		64. OCCUPATION	
65. NAME - SUSPECT NO. 1 LEWIS, Bobby		66. AKA ADDITIONAL INFORMATION MF-1199 CS-131182			
67. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION					
68. TYPE F		69. SEX M		70. RACE B	
71. ETHNIC H		72. DATE OF BIRTH 012849		73. AGE 34	
74. HGT 602		75. WGT 195		76. HAIR Blk	
77. EYES Bro		78. BLD M		79. COMP D	
80. WARRANT YES <input type="checkbox"/> NO <input type="checkbox"/>		81. AKA ADDITIONAL INFORMATION			
82. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION					
83. TYPE F		84. SEX M		85. RACE B	
86. ETHNIC H		87. DATE OF BIRTH		88. AGE	
89. HGT		90. WGT		91. HAIR	
92. EYES		93. BLD		94. COMP	
95. WARRANT YES <input type="checkbox"/> NO <input type="checkbox"/>		96. AKA ADDITIONAL INFORMATION			
97. STATE		98. LIC NUMBER		99. YR	
100. MAKE		101. MODEL		102. YR MFG	
103. STYLE		104. COLOR(S)		105. CONTINUED AND ADDITIONAL DESCRIPTION	
106. RECLASSIFY AT NO. 9					
107. VICTIM REFUSED TO PROSECUTE					
108. STATISTICAL RECOVERY					
109. NO CHARGES FILED - MCD					
110. ADULT <input type="checkbox"/> JUVENILE OBTAINMENT <input type="checkbox"/> CHRG					
111. WARRANT APPOINTMENT SUBMITTED					
112. SEARCH WARRANT EXECUTED					
113. INSUFFICIENT EVIDENCE - ELEMENTS					
114. ENTER NCIC - NCIC NO.					
115. OTHER					
116. NARRATIVE					
On Friday, 1-6-84, at about 1500 hours, O/R obtained voluntary, type-written, signed statements from victims [redacted] COOPER. It was learned that suspect had sexually assaulted victim [redacted] while she had been with him during the early morning hours of 1-6-84. See statements for details. O/R also interviewed suspect LEWIS at NLVPD after first Mirandizing him. He declined to provide a formal statement without an attorney but did relate that he did not have a sawed-off shotgun that it was "only a .22". He declined any further information. Victim [redacted] pointed out to O/R an apartment building (vacant) at 708 Jackson St, L.V. and indicated LEWIS had taken her to apartment #4 there, where he kept her all night which is where the sexual assault took place. She attempted to locate an apartment on Monroe Street (900 block) where LEWIS had left the weapon with an older Black male subject. Contact was made at an apartment which she "believed" to be the one without success. Subsequent photos of the vacant apartment were obtained by I.D. Officer JUDD on 1-10-84. Further attempts to locate the apartment on Monroe street have been to no avail in an effort to recover the weapon.					
117. 101. MISSING PERSON					
118. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.					

NO. 1 LAS VEGAS POLICE DEPARTMENT
INVESTIGATIVE REPORT

1. CASE NO. 84-177		2. ORIGINAL <input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> FOLLOW-UP		3. 1 OF 1		4. SER. NO. 376	
5. CLASSIFICATION Kidnap - Sex: Assit.		6. CLASS CODE - PRIMARY 02626		7. OCCURRED FROM DATE/TIME 010684		8. TO DATE/TIME	
9. LOCATION OF OCCURRENCE 537 Kings, NLV		10. RPT DFC SER NO. 0287		11. INV DFC SER NO. 3213		12. RPT DFT H. NUMBER	
13. WHEN REPORTED 01 06 84 1800		14. HOW OCCURRED Fri.		15. PROSECUTION DES. YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		16. MO. IF NOT ESTABLISHED	
17. CLASS CODE - UCR		18. SUBMITTED TO CIA YES <input type="checkbox"/> NO <input type="checkbox"/>		19. ADDITIONAL INFORMATION OR CHARGES - DATA FOR COMPUTERIZED RETRIEVAL			
20. NAME (LAST, FIRST, MIDDLE OR FIRM NAME)		21. STAT V		22. SEX F		23. RACE B	
24. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP)		25. RESIDENCE PHONE		26. ETHNIC N		27. DATE OF BIRTH	
28. BUSINESS ADDRESS (CITY, STATE, ZIP)		29. BUSINESS NAME		30. BUSINESS PHONE		31. SOCIAL SECURITY NO.	
32. IF VICTIM IS MISSING PERSON		33. AGE		34. HGT.		35. WGT.	
36. HAIR		37. EYES		38. BLD.		39. COMP.	
40. MENTAL CONDITION		41. PROBABLE CAUSE OF ABSENCE					
42. CLOTHING DESCRIPTION							
43. IF THIS IS A MISSING PERSON REPORT GIVE PROBABLE DESTINATION NAME AND ADDRESS OF FRIENDS VEHICLES M/P MAY HAVE ACCESS TO MONEY VALUABLES CARRIED, WHERE LAST SEEN IN NARRATIVE OF REPORT, CLASSIFY AT BOX NO. 4 TO DIFFERENTIATE BETWEEN MISSING PERSON AND RUNAWAY JUVENILE							
44. 45. NAME (LAST, FIRST, MIDDLE OR FIRM NAME) COOPER, Shirley Mae							
46. STAT V							
47. SEX F							
48. RACE B							
49. ETHNIC N							
50. DATE OF BIRTH 45							
51. ADDRESS (HOUSE NO., STREET NAME, CITY, STATE, ZIP) NLV							
52. RESIDENCE PHONE 6427557							
53. SOCIAL SECURITY NO.							
54. BUSINESS ADDRESS (CITY, STATE, ZIP)							
55. BUSINESS NAME							
56. BUSINESS PHONE							
57. DATE OF BIRTH							
58. SOCIAL SECURITY NO.							
59. OCCUPATION							
60. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
61. TYPE F							
62. SEX M							
63. RACE B							
64. ETHNIC N							
65. DATE OF BIRTH 012849							
66. AGE 34							
67. HGT. 602							
68. WGT. 195							
69. HAIR Blk							
70. EYES Bro							
71. BLD. M							
72. COMP. D							
73. WARRANT YES NO							
74. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
75. TYPE							
76. SEX							
77. RACE							
78. ETHNIC							
79. DATE OF BIRTH							
80. AGE							
81. HGT.							
82. WGT.							
83. HAIR							
84. EYES							
85. BLD.							
86. COMP.							
87. WARRANT							
88. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
89. TYPE							
90. SEX							
91. RACE							
92. ETHNIC							
93. DATE OF BIRTH							
94. AGE							
95. HGT.							
96. WGT.							
97. HAIR							
98. EYES							
99. BLD.							
100. COMP.							
101. WARRANT							
102. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
103. TYPE							
104. SEX							
105. RACE							
106. ETHNIC							
107. DATE OF BIRTH							
108. AGE							
109. HGT.							
110. WGT.							
111. HAIR							
112. EYES							
113. BLD.							
114. COMP.							
115. WARRANT							
116. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
117. TYPE							
118. SEX							
119. RACE							
120. ETHNIC							
121. DATE OF BIRTH							
122. AGE							
123. HGT.							
124. WGT.							
125. HAIR							
126. EYES							
127. BLD.							
128. COMP.							
129. WARRANT							
130. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
131. TYPE							
132. SEX							
133. RACE							
134. ETHNIC							
135. DATE OF BIRTH							
136. AGE							
137. HGT.							
138. WGT.							
139. HAIR							
140. EYES							
141. BLD.							
142. COMP.							
143. WARRANT							
144. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
145. TYPE							
146. SEX							
147. RACE							
148. ETHNIC							
149. DATE OF BIRTH							
150. AGE							
151. HGT.							
152. WGT.							
153. HAIR							
154. EYES							
155. BLD.							
156. COMP.							
157. WARRANT							
158. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
159. TYPE							
160. SEX							
161. RACE							
162. ETHNIC							
163. DATE OF BIRTH							
164. AGE							
165. HGT.							
166. WGT.							
167. HAIR							
168. EYES							
169. BLD.							
170. COMP.							
171. WARRANT							
172. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
173. TYPE							
174. SEX							
175. RACE							
176. ETHNIC							
177. DATE OF BIRTH							
178. AGE							
179. HGT.							
180. WGT.							
181. HAIR							
182. EYES							
183. BLD.							
184. COMP.							
185. WARRANT							
186. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
187. TYPE							
188. SEX							
189. RACE							
190. ETHNIC							
191. DATE OF BIRTH							
192. AGE							
193. HGT.							
194. WGT.							
195. HAIR							
196. EYES							
197. BLD.							
198. COMP.							
199. WARRANT							
200. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
201. TYPE							
202. SEX							
203. RACE							
204. ETHNIC							
205. DATE OF BIRTH							
206. AGE							
207. HGT.							
208. WGT.							
209. HAIR							
210. EYES							
211. BLD.							
212. COMP.							
213. WARRANT							
214. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
215. TYPE							
216. SEX							
217. RACE							
218. ETHNIC							
219. DATE OF BIRTH							
220. AGE							
221. HGT.							
222. WGT.							
223. HAIR							
224. EYES							
225. BLD.							
226. COMP.							
227. WARRANT							
228. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
229. TYPE							
230. SEX							
231. RACE							
232. ETHNIC							
233. DATE OF BIRTH							
234. AGE							
235. HGT.							
236. WGT.							
237. HAIR							
238. EYES							
239. BLD.							
240. COMP.							
241. WARRANT							
242. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
243. TYPE							
244. SEX							
245. RACE							
246. ETHNIC							
247. DATE OF BIRTH							
248. AGE							
249. HGT.							
250. WGT.							
251. HAIR							
252. EYES							
253. BLD.							
254. COMP.							
255. WARRANT							
256. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
257. TYPE							
258. SEX							
259. RACE							
260. ETHNIC							
261. DATE OF BIRTH							
262. AGE							
263. HGT.							
264. WGT.							
265. HAIR							
266. EYES							
267. BLD.							
268. COMP.							
269. WARRANT							
270. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
271. TYPE							
272. SEX							
273. RACE							
274. ETHNIC							
275. DATE OF BIRTH							
276. AGE							
277. HGT.							
278. WGT.							
279. HAIR							
280. EYES							
281. BLD.							
282. COMP.							
283. WARRANT							
284. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
285. TYPE							
286. SEX							
287. RACE							
288. ETHNIC							
289. DATE OF BIRTH							
290. AGE							
291. HGT.							
292. WGT.							
293. HAIR							
294. EYES							
295. BLD.							
296. COMP.							
297. WARRANT							
298. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
299. TYPE							
300. SEX							
301. RACE							
302. ETHNIC							
303. DATE OF BIRTH							
304. AGE							
305. HGT.							
306. WGT.							
307. HAIR							
308. EYES							
309. BLD.							
310. COMP.							
311. WARRANT							
312. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
313. TYPE							
314. SEX							
315. RACE							
316. ETHNIC							
317. DATE OF BIRTH							
318. AGE							
319. HGT.							
320. WGT.							
321. HAIR							
322. EYES							
323. BLD.							
324. COMP.							
325. WARRANT							
326. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
327. TYPE							
328. SEX							
329. RACE							
330. ETHNIC							
331. DATE OF BIRTH							
332. AGE							
333. HGT.							
334. WGT.							
335. HAIR							
336. EYES							
337. BLD.							
338. COMP.							
339. WARRANT							
340. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
341. TYPE							
342. SEX							
343. RACE							
344. ETHNIC							
345. DATE OF BIRTH							
346. AGE							
347. HGT.							
348. WGT.							
349. HAIR							
350. EYES							
351. BLD.							
352. COMP.							
353. WARRANT							
354. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
355. TYPE							
356. SEX							
357. RACE							
358. ETHNIC							
359. DATE OF BIRTH							
360. AGE							
361. HGT.							
362. WGT.							
363. HAIR							
364. EYES							
365. BLD.							
366. COMP.							
367. WARRANT							
368. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
369. TYPE							
370. SEX							
371. RACE							
372. ETHNIC							
373. DATE OF BIRTH							
374. AGE							
375. HGT.							
376. WGT.							
377. HAIR							
378. EYES							
379. BLD.							
380. COMP.							
381. WARRANT							
382. ADDITIONAL SUSPECT INFORMATION - DESCRIPTION							
383. TYPE							
384. SEX							
385. RACE							
386. ETHNIC							
387. DATE OF BIRTH							
388. AGE							
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**NORTH LAS VEGAS POLICE DEPARTMENT
INVESTIGATIVE REPORT**

1. CLASSIFICATION KIDNAP		2. CLASS OF CASE - PRIMARY		3. REPORTED FROM		4. DATE/TIME		5. DATE/TIME		6. CLERK NO.	
7. LOCATION OF OCCURRENCE 708 JACKSON #4		8. RPT OFC SER. NO.		9. INV. OFC SER. NO.		10. RPT DIST		11. INTRND		12. CLERK NO.	
13. CLASS CODE - UCR 01 110 184 1240		14. DATE/TIME OCCURRED TUES		15. PROSECUTION DESIRED		16. M.O. IF NOT ESTABLISHED		17. SUBMITTED TO C/A		18. ADDITIONAL INFORMATION OR CHARGES - DATA FOR COMPUTERIZED RETRIEVAL	
19. NAME (LAST, FIRST MIDDLE OR FIRM NAME)		20. NAME (LAST, FIRST MIDDLE OR FIRM NAME)		21. STAT		22. SEX		23. RACE		24. ETHNIC	
25. ADDRESS (HOUSE NO. STREET NAME CITY STATE ZIP)		26. ADDRESS (HOUSE NO. STREET NAME CITY STATE ZIP)		27. RESIDENCE PHONE		28. SOCIAL SECURITY NO.		29. BUSINESS ADDRESS (CITY STATE ZIP)		30. BUSINESS PHONE	
31. BUSINESS NAME		32. BUSINESS PHONE		33. OCCUPATION		34. PROBABLE CAUSE OF ABSENCE		35. IF VICTIM IS MISSING PERSON		36. AGE	
37. HEIGHT		38. WEIGHT		39. HAIR		40. EYES		41. BLD		42. COMP	
43. MENTAL CONDITION		44. PROBABLE CAUSE OF ABSENCE		45. CLOTHING DESCRIPTION		46. PROBABLE CAUSE OF ABSENCE		47. PROBABLE CAUSE OF ABSENCE		48. PROBABLE CAUSE OF ABSENCE	
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121. NAME - SUSPECT NO 1		122. AGE		123. ADDITIONAL INFORMATION	
124. TYPE		125. RACE		126. ETHNIC	
127. DATE OF BIRTH		128. AGE		129. HEIGHT	
130. WEIGHT		131. HAIR		132. EYES	
133. BLD		134. COMP		135. WARRANT	
136. STATE		137. LIC NUMBER		138. MAKE	
139. MODEL		140. YR MFG		141. TITLE	
142. COLOR(S)		143. CONTINUED AND ADDITIONAL DESCRIPTION		144. RECLASSIFY AT NO. 37	
145. VICTIM REFUSED TO PROSECUTE		146. STATISTICAL RECOVERY		147. NO CHARGES FILED	
148. WARRANT AFFIDAVIT		149. SEARCH WARRANT		150. INSUFFICIENT EVIDENCE	
151. OTHER		152. OTHER		153. OTHER	

ON 1-10-84 I WAS CONTACTED BY DETECTIVES KING AND LANDRUM IN REFERENCE TO THE CRIME SCENE. CRIME SCENE: 708 JACKSON #4. THE APARTMENT WAS ABANDONED AND HAD BEEN VANDALIZED. THE WERE SHOE PRINT IMPRESSIONS ON THE FRONT DOOR WHICH WAS PARTIALLY OPEN. A SINK BATHROOM TYPE WAS BEHIND THE FRONT DOOR. THE DOOR LEADING INTO THE BEDROOM HAD NUMEROUS HOLES IN IT AND LEANED INTO THE BEDROOM. THE BEDROOM WAS EMPTY EXCEPT FOR A MATTRESS LYING ON THE FLOOR PARTIALLY INTO THE CLOSET. THERE WAS A SHEET ON THE MATTRESS AND SOME OTHER ARTICLES JUST EAST OF THE MATTRESS. PHOTOGRAPHY: PHOTOGRAPHS WERE TAKEN OF THE SCENE.

CITY OF NORTH LAS VEGAS
POLICE DEPARTMENT
1301 E. LAKE MEAD BLVD.

ME 11199
84-177

I, [REDACTED], am not under arrest for, nor am I being detained for any criminal offenses concerning the events I am about to make known to Det. R. L. King #321

Without being accused of or questioned about any criminal offenses regarding the facts I am about to state, I volunteer the following information of my own free will, for whatever purposes it may serve.

I am [REDACTED] years of age, and I live at 537 Kings, NLV (642-7557)

Q: [REDACTED], would you tell me in your own words what has occurred starting from about 2:00AM this morning and about 1:45PM this afternoon when you were dropped off at your home by Bobby Lewis ?

A: Last night Bobby busted through the living room side window while I was sleeping and he called Shirley [REDACTED] out of her room then he told her to bring her old man (Willie Stevenson) out of the room to. All the noise woke me up and I looked down the hall and he was standing there in the hallway with a sawed-off shotgun. Then Bobby came down to the room where I was and told Shirley that she was going to take me and Bobby over to his house.

Q: Did he say this in a way that you and [REDACTED] felt threatened?

A: Yes, he was pushing me and he had that gun and he said he didn't want to hurt anybody but he would if we didn't do as he said. Then Shirley drove me and Bobby over to his house. When we got there he told her to get out too and said that she was going with us. He thought someone called the police from the house and he wanted to make sure that they weren't following him before he would let her go. Then after he made sure the police wasn't around he let her go and took me in the house which is an old empty apartment near Van Buren Street where he stays. He still had the gun and there was an old raggeddy mattress there and he made me get down on the mattress with him and he told me to take my panties off and I did because I was afraid, he said if I didn't do it he would blow my head off because he had nothing else to

I have read each page of this statement consisting of 3 page(s), each page of which bears my signature, corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Dated at NLVD 1515 hours this 5th day of January

Witness: R. King #321

POLICE DEPARTMENT
City of North Las Vegas
1301 E. Lake Mead Blvd.

84-177

Date 1-6-84 Page No. 2

STATEMENT OF: [REDACTED]

loose. He then had sex with me, and he came. After he had sex with me he just laid there and talked to ^{ME} [REDACTED] and kept the gun in his hand saying he was going to kill me because he didn't want me to be with another man and that he had nothing to live for. He talked me to sleep until about nine or ten o'clock this morning when we went over to some lady's house he knows, I don't know her name or nothing but it was an apartment somewhere in the projects. He called [REDACTED] and asked her if she called the police or anything and he made tell [REDACTED] that I wanted to be with him and stuff, but the only reason I was telling her that was because he still had the gun on me. He told her to call the police and drop the charges because if she didn't he was going to kill me like he told her last night. We were at this lady's house the whole time he was making the phone calls to [REDACTED] and to you all. The lady didn't know anything was wrong because he kept the gun under this big ole coat he was wearing, and she was in another room during the time he was calling. I was afraid to tell her anything and he had her believing that everything was ok between the two of us. I was scared to that she might have told him since they were friends and everything and if she told him he may have pulled it out and shot me right there, so I really didn't trust her to tell her what was happening. Then after he talked to you about getting a cab and taking me home we left the lady's apartment and went to some old man's apartment and he asked him if he would keep the gun for him and he handed to him and said he would be back to get it latter on. We left and went over to where he stays and caught a ride with the guy who brought me home. The guy didn't act like he knew what was going on only just giving me a ride home. That's about it.

Q: Were you in fear for your life during this entire incident?

A: Yes, I sure was, he's capable of doing anything.
Form 20.05 (12/77)

AA2404

POLICE DEPARTMENT
City of North Las Vegas
1301 E. Lake Mead Blvd.

84-177

Date 1-6-84 Page No. 3

STATEMENT OF: 

Q: Why didn't you make some attempt to either get away from him or to let someone know what was happening during all this ?

A: He wouldn't let me, he was always right beside of me and would never leave my side. I may have been able to when I fell asleep but when I woke up he was already awake too.

Q: Would you describe the gun Bobby had for me ?

A: It was long type gun that looked like it was sawed off and it had some white tape on the handle where someone had sawed it off at the back of it, I'm not familiar with guns to say what kind it was or anything.

Q: How long have you known Bobby Lewis and has he ever done anything like this before ?

A: I've known him about a year, we used to go together but we been broke up a couple of months. Before Christmas he shot up into another ladies house trying to make me come out of there. Because I didn't want to see him then either. He got arrested then by Metro. About a year ago he shot a guy's eye out at the Brown Bomber because I wouldn't leave with him then. He used a pistol that time.

Q: Is there anything else you would like to add ?

A: That's about it except this scar on the left side of my face, he did that with a little razor thing on a key-chain because I wouldn't leave with him then, I reported that to Metro downtown but nothing happened. I do want to prosecute and go to court.

X 

CITY OF NORTH LAS VEGAS
POLICE DEPARTMENT
1301 E. LAKE MEAD BLVD.

84-177

I, Shirley Mae Cooper, am not under arrest for, nor am I being detained for any criminal offenses concerning the events I am about to make known to Det. R. L. King #321

Without being accused of or questioned about any criminal offenses regarding the facts I am about to state, I volunteer the following information of my own free will, for whatever purposes it may serve.

I am 38 years of age, and I live at 537 Kings, NLV (642-7557)

Q: Ms. Cooper, would you tell me in your own words what occurred at your home early this morning at about two o'clock AM until this afternoon when [REDACTED] came home?

A: About two o'clock I was in bed asleep and woke up by my daughter Brenda Cooke and told me Bobby was out there in the living room with a gun and he was trying to come into my room. I went out there and he was in [REDACTED] room and we all went into the living room and he said he was sorry about breaking the window and stuff but he had to do it. He said he would let all the kids go in the back but he told me that you better not let anyone call the police because he wanted to talk to [REDACTED]. He had short gun that looked like a shotgun and he just told me that I was going to take [REDACTED] and him where he wanted to go. So I put my shoes and coat on and got my purse cause he told me too but I took my money out and put it under the mattress. So we got in the car, I was driving, Bobby got in the back seat and [REDACTED] got in the front with me and all the time he had the gun. He said that if he had to hurt anyone he would but he didn't want to. He asked if I had a dollar and I told him no. We went to Hi-view market and he said no you don't get out, let [REDACTED] get out and get the cigarettes. We passed by Friendly Liquors and he saw a dude which he said he should go in there and blow his head off. (The guy that works there, he didn't actually see him). We went to where he stays there on Van Buren, We got out of the car he told me to walk up to the corner to see if I saw Will driving by. I stood there for a couple minutes than came to where they were. He then had me walk first and then [REDACTED] and he walked behind us around back of his apartment. I have read each page of this statement consisting of 2 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct.

Dated at NLVPD 1550 hours, this 6th day of January, 1984

WITNESS:

WITNESS:

Form 20.44 (12/77)

R. King #321
Signature of person giving voluntary statement

AA2406

POLICE DEPARTMENT
City of North Las Vegas
1301 E. Lake Mead Blvd.

84-177

Date 1-6-84 Page No. 2

STATEMENT OF: Shirley Cooper

and we stood there for a few minutes, we walked back around front and he told me I could go, so I left and went home. He said that if he saw any polices that would jeopardize my life and [REDACTED] life too. The police came out to the house and I told them what happened.

Q: Were you in fear for your life ?

A: Yes, because he's been going around shooting people and shooting up into people's houses and stuff. He always seems to find out where she's at.

Q: Does [REDACTED] ever see Bobby voluntarily ?

A: As far as I know she's been trying to stay away from him for two years or so.

Q: Do you wish to prosecute Bobby ?

A: Yes.

Q: Is there anything else you would like to add to this statement ?

A: Every time he goes to jail for shooting up into peoples houses and stuff he always seem to get out of it. He said that if he ever goes to prison that he would get us [REDACTED] because we would be the two key witnesses.

x Shirley M Cooper

NOTICE OF DENIAL OF REQUEST
CLARK COUNTY DISTRICT ATTORNEY

11199

Supervisor: CAPT. J. MILLER Arrest Date: 1/6/84
Submitting Officer: R. L. KING Date Rec'd. by D.A.: 1/12/84
Agency: NLVPD Date Typed: 1/16/84
In Custody: Yes ☐ No ☒ Ball Date: _____

DEFENDANT NAME:	I.D. NO.	D.R./CIT. NO.
<u>LEWIS, Bobby</u>	<u>131182</u>	<u>84-00177</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

CHARGE: POSSESSION SHOTGUN

REASON FOR DENIAL: NO EVIDENCE OF LENGTH.

APPROVED: BURGLARY;1° KIDNAP W/WPN;2° KIDNAP W/WPN;SEXUAL
ASSAULT W/WPN

If any of the above legal defects can be cured by further investigation or other action by your personnel, the District Attorney recommends that the request be resubmitted together with such information or other matter which you believe will strengthen the case upon reconsideration.

CLARK COUNTY DISTRICT ATTORNEY

DAVE SCHWARTZ/sh
Deputy

DISTRIBUTION:

WHITE — Addressee BLUE — D.A. Liaison GREEN — Metro Records CANARY — Jail PINK — Jail GOLDENROD — Justice Court

sh

AA2408

66-16-85 King D

CASE DISPOSITION

DEFENDANT: LEWIS, BOBBY

DA #: 84-655007

DATE CC FILED: 1/17/84

CHARGE: BURG, 1° Kidnap W/Use of D/W; 2° Kidnap W/Use of D/W; Sex. Assault
W/Use of D/W

AGENCY: NLVPH

AGENCY DR #: 84-00177

DATE CLOSED: 5/13/85

COURT: District

CASE #: ID#131182
C 55500

JUDGE: WENDELL

PLEA: Not guilty

TRIAL: Jury, guilty

DISMISSED: Eight yrs in MSP for Burglary (Count I); 12 years in MSP for
2° Kidnapping and consecutive term of 12 yrs in MSP for Use of D/W,
Count II; 13 yrs in MSP for 2° Kidnapping and consecutive 13 years
in MSP for Use of D/W; (Count III); life imprisonment w/parole, parole
SENTENCE: for Sexual Assault and consecutive term of life imprisonment w/
parole for U/DW (Count IV); Cts. II, III and IV will be served
concurrently with each other and consecutive to Count I, with one
of 489 days.

RJC/11h

DEPUTY DA:

EXHIBIT 58

EXHIBIT 58

Declaration of Annie Outland

I, Annie Outland, hereby declare as follows:

1. I am seventy-one years old. I currently reside in Clark County, Nevada. I am Marlo Thomas's maternal aunt. His mother, Georgia, is my younger sister. I am the third oldest sibling and the oldest of my siblings still living.
2. My siblings and I grew up in Tallulah, Louisiana. Tallulah was racially segregated during that time: blacks lived in one section of town and whites lived in another. My family was raised in a candle lit four room home, made of wooden planks. There were two bedrooms, a living room, a kitchen, and an outhouse. My father TJ and his twin brother JT built the home on property owned by Mr. Harris. Mr. Harris was married to my maternal grandmother. There were three houses on the property, one behind the other. My uncle JT's home was at the front, our home was in the middle, and a third home was ^{on the right of} ~~behind~~ ours. I have fond childhood memories of me and my brother John fishing and building a stove out of two wash tubs.
3. My father worked in the mill and cotton fields. My mother, Jesse, also worked in the cotton fields. My mother married my father when she was twelve years old. My father didn't drink alcohol but he was just a mean son of a gun. He was a womanizer and an abuser. My mother was frightened of my father. He beat her with anything he got his hands on and whenever he wanted to. He beat her a lot. One time, I was running around the house, playing with my friends.

When we ran back around to the front of the house, we ran into my father beating my mother. I stood there and screamed; my friends ran away. It was difficult to see my mother abused so much.

4. I didn't have a good relationship with my father. If I could have gotten the gun he kept under his mattress, I would have killed him. When I was nine, he sexually abused me. By the time I was twelve, my mother ran away from home to escape his abuse of her. She left me and my siblings Johnnie, John, Georgia, Rebecca, Shirley, Larry, Linda, and TJ alone with our father. My two older sisters, Betty and Emma, had already moved to Las Vegas. Shortly after our mother left, my father also left the home and told me to take care of my younger brothers and sisters. He went to Las Vegas with my uncle JT. Things were bad back then.
5. I dropped out of school to take care of the kids. My mother remained in Tallulah and we saw her around town sometimes but she did not return home to take care of us until she was sure my father was gone for good: about two years after he left. My siblings and I survived because of a school teacher in the neighborhood, Ms. Viola. She took us around the back of stores, where we went through the trash. People looked out for Ms. Viola helping us. Once, without Ms. Viola, we went to the back of a store and they had left a whole crate of chickens out there.
6. One day my mom, Jessie and my siblings, Jonnie, John, and Georgia were injured in a terrible accident after being picked up on a truck to go work. The

to
410

truck came around for people who wanted to work the cotton fields. Georgia was around ten years old. Betty and her husband returned to Tallulah for a while after the accident. When they went back to Las Vegas, they took me with them. I was around thirteen at the time. I didn't return to Tallulah until the death of my mother and I haven't returned since. My father returned to Tallulah after the accident. He was supposed to come for my siblings but instead he came for my stepmother, Shirley Beatrice, and took her back to Las Vegas. At some point later, they returned for the kids.

7. After coming to Las Vegas, I stayed away from my family. I got married and put my time into raising my four children. I never lived with my father and stepmother. When my father was older and sick, he came back to Las Vegas from Kansas City and stayed with me for about a month. My uncle JT brought him to my home. There was nowhere else for him to go because everyone was working. After a month, I said he had to go.
8. Marlo's mother, Georgia, was a funny person who joked around but she had a mean streak and fought a lot. She even beat our stepmother, Shirley Beatrice, and was sent off to a girl's home. I remember Georgia's pregnancies with Larry and Darrell but I don't know much about Marlo. Georgia worked hard to take care of her boys. Marlo's father, Bobby Lewis, was a good friend of my husband but I don't know about his relationship with Georgia because I wasn't around them. Georgia and I only became close in later years when we attended the same church.

9. I remember someone coming to see me during one of Marlo's trials. They asked if I knew him and I told them no, which is true. If someone had asked me the same questions Cassie Ragsdale asked me, I would have told them the things in this declaration. If I had been asked to testify at Marlo's original trial in 1997, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Clark County, Nevada, on June 27, 2017.



Annie Outland

EXHIBIT 59

EXHIBIT 59

Declaration of Bobby Gronauer

I, Bobby Gronauer, hereby declare as follows:

1. I am seventy years old. I currently reside in Clark County, Nevada. I am a retired sergeant with the Las Vegas Metropolitan Police Department. I worked the West Side of Las Vegas and am familiar with the areas where Marlo Thomas was raised.
2. When I started working as a training officer in the early 1980s, the Gerson Park area was really bad. Gun violence was at an all-time high. Shootings happened all through the night and mother's laid their children to sleep in bathtubs for their safety. Police were shot at regularly. Domino's Pizza would not deliver and the fire department would not answer a call without police escort. The community was drug infested. People were dying daily. Kids didn't play outside and families were afraid to leave their homes. It was a terrible place to live.
3. There was a high presence of street gang activity in the area. Kids that grew up in Gerson Park were made to be part of the Gerson Park Kingsmen simply because of where they lived. GPKs were born and raised. If kids got on the school bus and were not wearing GPK colors, they were beaten. Kids as young as five and six were beaten daily until they started wearing gang colors. There was no one to protect the kids. Most of the housing was single parent homes. There were very few male figures in the community.

4. In 1989 I implemented a pilot community policing program. As part of our outreach efforts, police officers played football with gang members and local kids. Families began to feel safer coming outside. The program was a success but its success was short-lived. Not all my colleagues on the police force were in support of the program and many told me I was going to get a cop killed over there. After I left the program, things slowly deteriorated.
5. If I had been asked to testify at Marlo's original trial in 1997, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Clark County, Nevada, on June 27, 2017.



Bobby Grenauer

EXHIBIT 60

EXHIBIT 60

FILED

JAN 9 3 08 PM '95

Clark County Justice Court

NORTH LAS VEGAS TOWNSHIP CLERK

STATE OF NEVADA,

Plaintiff,

—vs—

LARRY JAMES THOMAS,

Defendant.

CERTIFICATION

District Court Case No. C125353

Justice Court Case No. 1181-94FN

I hereby certify the foregoing to be a full, true and correct copy of the proceedings as the same appear in the above case.

WITNESS my hand this date: 6 January 1995


JUSTICE OF THE PEACE, North Las Vegas Township

Clark County Justice Court

NORTH LAS VEGAS TOWNSHIP

CASE NO. 1181-94FN

STATE -vs-	<u>THOMAS, LARRY JAMES</u>
	<u>SEXUAL ASSAULT (4 cts)</u>
CHARGE	<u>STATUTORY SEXUAL SEDUCTION (3 cts)</u>
	<u>LEWDNESS WITH A MINOR (2 cts)</u>
BAIL	<u>SEXUAL ASSAULT WITH A MINOR UNDER 14 YEARS OF AGE (8 cts)</u>

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES — HEARING

CONTINUED TO:

Jan. 5, 1995 S.J.Dahl, JP L.Rojas, DA W.Hans, CR R.Archie/S.Walton Esq. VW, Clerk	<p>THIS IS THE TIME SET FOR PRELIMINARY HEARING Deft PRESENT IN Court "NLV" Custody Defense Motion to exclude T.V. camera from Court and issue a gag order....Denied Defense MOTION to excude witnesses....GRANTED</p> <p>STATE WITNESSES: CHANEL JACKSON, ARLETHA SANDERS & ROSHANDA TURNER STATES EXHIBIT #1 & 2 admitted (exhibit #1 returned to DA) DA to provide entire contents of Diary to defense - Court suggests Diary be transcribed. Mr. Archie will stipulate to chain of custody as Diary was returned to D.A.) Exhibit #1 was opened by Clerk for DA & Defense to review DA & Mr. Archie stipulate the chain of custody to clerk STATE RESTS Defendant WAIVES right to testify/call witnesses DEFENSE RESTS</p>
	<p>Defense Motion to dismiss counts 1 & 2... obj DA...Count 1 GRANTED Count 2 ...DENIED Defense Motion to Dismiss 3,4,5,6,7,...DENIED Defense Motion to Dismiss 8 & 9...obj DA...GRANTED Defense Motion to Dismiss count 10....obj DA...Denied Defense Motion to Dismiss count 11...no obj DA...Granted Defense Motion to Dismiss Count 12....Denied Defense Motion to Dismiss counts 13,14,15,16...obj DA...Denied Defense Motion to Dismiss count 17...obj DA...Denied</p>
	<p>DA Motion to amend Cts. 4-7 to "Feb. 21"...Granted THEREUPON the Court ORDERED defendant bound over & held to answer to said charge in the Eighth Judicial District Court Court resets Bail at \$55,000 Defense Motion to release deft on House Arrest...obj DA & Motion to increase bail...argu by Mr. Archie BAIL STANDS AT \$55,000...Ct. 2,3,4 -5000 ea Ct.5-O/R, Ct.6-5000, Ct. 7 - O/R, Cts. 10,12,13,14,15,16,17 \$5000 ea</p>
	<p>Remanded NLV</p>

1-26-95 9AM DC13

Clark County Justice Court

NORTH LAS VEGAS TOWNSHIP

CASE NO. 1181-94FN

STATE -vs- THOMAS, LARRY JAMES

CHARGE SEXUAL ASSAULT (4 c ts)
STATUTORY SEXUAL SEDUCTION (3 cts)

BAIL LEWDNESS WITH A MINOR (2 cts)
SEXUAL ASSAULT WITH A MINOR UNDER 14 YEARS OF AGE (8 cts)

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES — HEARING

CONTINUED TO:

11-30-94 12-1-94 JB Kelly, JP D. Herndon, DA T. DeRossett, CR CLERK, VW	COMPLAINT SWORN TO & FILED Defendant NOT PRESENT in Court ACTIVATE WARRANT/\$_170,000 (10,000 ea ct) DA to file amended complaint by	12-2-94 9am
Dec. 2, 1994 M. Robinson, JP D. Herndon, DA Clk, VW T. DeRossett, CR	Defendant NOT PRESENT DA files amended criminal complaint Warrant of Arrest STANDS/\$_170,000 (10,000 ea ct)	
12-8-94 JB Kelly, JP S. HILL, DA W. Hans, CR CLERK, VW	INITIAL ARRAIGNMENT Complaint presented, advised, waives Defendant PRESENT in Court - "NLV custody" PASSED to secure OWN COUNSEL. Defendant Remanded Metro/\$170,000 (10,000 ea. ct.)	12-13-94 9am
Dec., 13, 1994 J.B. Kelly, JP F. Coumou, DA Clk, VW W. Hans, CR S. Walton for R. Archie, esq	Defendant present "NLV custody" Mr Walton confirms for Mr Archie as retained counsel Defense motion to reduce bail to 5,000 ea ct...obj DA. Motion granted, bail re-set 85,000 (5,000 ea ct) P/H set (deft waives 15 day rule) Defendant REMANDED NLV/\$85,000 (5,000 ea ct)	1-5-95/10amPH

1 JUSTICE COURT, NORTH LAS VEGAS TOWNSHIP

2 CLARK COUNTY, NEVADA

3 THE STATE OF NEVADA,)

4 Plaintiff,)

5 -vs-)

6 LARRY JAMES THOMAS, #0846620,)

7 Defendant.)

CASE NO. 94FN1181X

CRIMINAL COMPLAINT

8
9 The Defendant above named has committed the crimes of SEXUAL
10 ASSAULT (Felony - NRS 200.364, 200.366); and STATUTORY SEXUAL
11 SEDUCTION (Felony - NRS 200.364, 200.368), in the manner following,
12 to-wit: That the said Defendant, on or between August, 1993, and
13 May 1, 1994, at and within the County of Clark, State of Nevada,
14 COUNT I - SEXUAL ASSAULT

15 did, on or between February, 1994, and March, 1994, then and
16 there wilfully, unlawfully, and feloniously sexually assault and
17 subject CHANELL JACKSON, a female person, to sexual penetration,
18 to-wit: sexual intercourse, by inserting his penis in the vagina
19 of the said CHANELL JACKSON, against her will.

20 COUNT II - STATUTORY SEXUAL SEDUCTION

21 did, on or between February, 1994, and March, 1994, then and
22 there wilfully, unlawfully, and feloniously subject CHANELL
23 JACKSON, a female person under the age of 16 years, to sexual
24 penetration, to-wit: sexual intercourse, by inserting his penis in
25 the vagina of the said CHANELL JACKSON, the defendant being 21
26 years of age, or older, with the intent of arousing, appealing to,
27 or gratifying the lust, passions, or sexual desires of said
28 defendant, or said child.

1 COUNT III - SEXUAL ASSAULT

2 did, on or about November 20, 1993, then and there wilfully,
3 unlawfully, and feloniously sexually assault and subject ARLETHA
4 SANDERS, a female person, to sexual penetration, to-wit: by
5 inserting his finger in the vagina of the said ARLETHA SANDERS,
6 against her will.

7 COUNT IV - SEXUAL ASSAULT

8 did, on or about February 12, 1994, then and there wilfully,
9 unlawfully, and feloniously sexually assault and subject ARLETHA
10 SANDERS, a female person, to sexual penetration, to-wit: sexual
11 intercourse, by inserting his penis in the vagina of the said
12 ARLETHA SANDERS, against her will.

13 COUNT V - STATUTORY SEXUAL SEDUCTION

14 did, on or about February 12, 1994, then and there wilfully,
15 unlawfully, and feloniously subject ARLETHA SANDERS, a female
16 person under the age of 16 years, to sexual penetration, to-wit:
17 sexual intercourse, by inserting his penis in the vagina of the
18 said ARLETHA SANDERS, the defendant being 21 years of age, or
19 older, with the intent of arousing, appealing to, or gratifying the
20 lust, passions, or sexual desires of said defendant, or said child.

21 COUNT VI - SEXUAL ASSAULT

22 did, on or about February 12, 1994, then and there wilfully,
23 unlawfully, and feloniously sexually assault and subject ARLETHA
24 SANDERS, a female person, to sexual penetration, to-wit:
25 cunnilingus, by inserting and/or licking the vagina of the said
26 ARLETHA SANDERS with his tongue, against her will.

27 COUNT VII - STATUTORY SEXUAL SEDUCTION

28 did, on or about February 12, 1994, then and there wilfully,

1 unlawfully, and feloniously subject ARLETHA SANDERS, a female
2 person under the age of 16 years, to sexual penetration, to-wit:
3 cunnilingus, by inserting and/or licking the vagina of the said
4 ARLETHA SANDERS with his tongue, the defendant being 21 years of
5 age, or older, with the intent of arousing, appealing to, or
6 gratifying the lust, passions, or sexual desires of said defendant,
7 or said child.

8 COUNT VIII - LEWDNESS WITH A MINOR

9 did, on or between August, 1993, and September, 1993, then and
10 there wilfully, lewdly, unlawfully, and feloniously commit a lewd
11 or lascivious act with the body of ROSHANDA TURNER, a child under
12 the age of fourteen years, by fondling the vagina of the said
13 ROSHANDA with his hands, with the intent of arousing, appealing to,
14 or gratifying the lust, passions, or sexual desires of said
15 Defendant, or said child.

16 COUNT IX - LEWDNESS WITH A MINOR

17 did, on or between August, 1993, and September, 1993, then and
18 there wilfully, lewdly, unlawfully, and feloniously commit a lewd
19 or lascivious act with the body of ROSHANDA TURNER, a child under
20 the age of fourteen years, by fondling the breasts of the said
21 ROSHANDA TURNER with his hands, with the intent of arousing,
22 appealing to, or gratifying the lust, passions, or sexual desires
23 of said Defendant, or said child.

24 COUNT X - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

25 did, on or about October 11, 1993, then and there wilfully,
26 unlawfully, and feloniously sexual assault and subject ROSHANDA
27 TURNER, a female child under fourteen years of age, to sexual
28 penetration, to-wit: sexual intercourse, by inserting his penis in

1 the vagina of the said ROSHANDA TURNER, against her will, or under
2 conditions in which Defendant knew, or should have known, that the
3 said ROSHANDA TURNER was mentally or physically incapable of
4 resisting or understanding the nature of Defendant's conduct.

5 COUNT XI - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

6 did, during November, 1993, then and there wilfully,
7 unlawfully, and feloniously sexual assault and subject ROSHANDA
8 TURNER, a female child under fourteen years of age, to sexual
9 penetration, to-wit: sexual intercourse, by inserting his penis in
10 the vagina of the said ROSHANDA TURNER, against her will, or under
11 conditions in which Defendant knew, or should have known, that the
12 said ROSHANDA TURNER was mentally or physically incapable of
13 resisting or understanding the nature of Defendant's conduct.

14 COUNT XII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
15 AGE

16 did, during December, 1993, then and there wilfully,
17 unlawfully, and feloniously sexual assault and subject ROSHANDA
18 TURNER, a female child under fourteen years of age, to sexual
19 penetration, to-wit: sexual intercourse, by inserting his penis in
20 the vagina of the said ROSHANDA TURNER, against her will, or under
21 conditions in which Defendant knew, or should have known, that the
22 said ROSHANDA TURNER was mentally or physically incapable of
23 resisting or understanding the nature of Defendant's conduct.

24 COUNT XIII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
25 AGE

26 did, on or about January 26, 1994, then and there wilfully,
27 unlawfully, and feloniously sexual assault and subject ROSHANDA
28 TURNER, a female child under fourteen years of age, to sexual
penetration, to-wit: sexual intercourse, by inserting his penis in

1 the vagina of the said ROSHANDA TURNER, against her will, or under
2 conditions in which Defendant knew, or should have known, that the
3 said ROSHANDA TURNER was mentally or physically incapable of
4 resisting or understanding the nature of Defendant's conduct.

5 COUNT XIV - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

6 did, on or about February 5, 1994, then and there wilfully,
7 unlawfully, and feloniously sexual assault and subject ROSHANDA
8 TURNER, a female child under fourteen years of age, to sexual
9 penetration, to-wit: sexual intercourse, by inserting his penis in
10 the vagina of the said ROSHANDA TURNER, against her will, or under
11 conditions in which Defendant knew, or should have known, that the
12 said ROSHANDA TURNER was mentally or physically incapable of
13 resisting or understanding the nature of Defendant's conduct.

14 COUNT XV - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

15 did, on or about February 25, 1994, then and there wilfully,
16 unlawfully, and feloniously sexual assault and subject ROSHANDA
17 TURNER, a female child under fourteen years of age, to sexual
18 penetration, to-wit: sexual intercourse, by inserting his penis in
19 the vagina of the said ROSHANDA TURNER, against her will, or under
20 conditions in which Defendant knew, or should have known, that the
21 said ROSHANDA TURNER was mentally or physically incapable of
22 resisting or understanding the nature of Defendant's conduct.

23 COUNT XVI - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

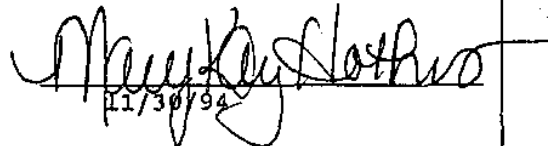
24 did, on or about May 1, 1994, then and there wilfully,
25 unlawfully, and feloniously sexual assault and subject ROSHANDA
26 TURNER, a female child under fourteen years of age, to sexual
27 penetration, to-wit: sexual intercourse, by inserting his penis in
28 the vagina of the said ROSHANDA TURNER, against her will, or under

1 conditions in which Defendant knew, or should have known, that the
2 said ROSHANDA TURNER was mentally or physically incapable of
3 resisting or understanding the nature of Defendant's conduct.

4 COUNT XVII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
5 AGE

6 did, on or between October 11, 1993, and May 1, 1994, then and
7 there wilfully, unlawfully, and feloniously sexual assault and
8 subject ROSHANDA TURNER, a female child under fourteen years of
9 age, to sexual penetration, to-wit: cunnilingus, by inserting
10 and/or licking the vagina of the said ROSHANDA TURNER with his
11 tongue, against her will, or under conditions in which Defendant
12 knew, or should have known, that the said ROSHANDA TURNER was
13 mentally or physically incapable of resisting or understanding the
14 nature of Defendant's conduct.

15 All of which is contrary to the form, force and effect of
16 Statutes in such cases made and provided and against the peace and
17 dignity of the State of Nevada. Said Complainant makes this
18 declaration subject to the penalty of perjury.

19 
20 11/30/94

21
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23
24
25
26 94FN1181X/sz
27 NLVPD DR#94-7547
28 Sex Asslt;Stat Sex Sed;LWM ~ F
TK7

1 JUSTICE COURT, NORTH LAS VEGAS TOWNSHIP

2 CLARK COUNTY, NEVADA

3 THE STATE OF NEVADA,

4 Plaintiff,

CASE NO. 94FN1181X

5 -vs-

A M E N D E D

6 LARRY JAMES THOMAS, #0846620,

7 Defendant.

CRIMINAL COMPLAINT

8
9 The Defendant above named has committed the crimes of SEXUAL
10 ASSAULT (Felony - NRS 200.364, 200.366); and STATUTORY SEXUAL
11 SEDUCTION (Felony - NRS 200.364, 200.368); LEWDNESS WITH A MINOR
12 (Felony - NRS 201.230); and SEXUAL ASSAULT WITH A MINOR UNDER
13 FOURTEEN YEARS OF AGE (Felony - NRS 200.364, 200.366), in the
14 manner following, to-wit: That the said Defendant, on or between
15 August, 1993, and May 1, 1994, at and within the County of Clark,
16 State of Nevada,

17 COUNT I - SEXUAL ASSAULT

18 did, on or between February, 1994, and March, 1994, then and
19 there wilfully, unlawfully, and feloniously sexually assault and
20 subject CHANELL JACKSON, a female person, to sexual penetration,
21 to-wit: sexual intercourse, by inserting his penis in the vagina
22 of the said CHANELL JACKSON, against her will.

23 COUNT II - STATUTORY SEXUAL SEDUCTION

24 did, on or between February, 1994, and March, 1994, then and
25 there wilfully, unlawfully, and feloniously subject CHANELL
26 JACKSON, a female person under the age of 16 years, to sexual
27 penetration, to-wit: sexual intercourse, by inserting his penis in
28 the vagina of the said CHANELL JACKSON, the defendant being 21

NM-THOMAS LARRY JAMES SID-01669655 000 SS-530685241
 CS-0846620 BD-122966 RC-N SX-M HT-509 WT-190 HR-BLK EY-BRO
 F1-21 W
 F2-20 W
 BP-TALLULAH, LA FB- SI- 01- 02-
 A1-1729 HELEN AVE NLVN 89030 122992
 WP250 MPD E122995 NON GAM BALLY'S LAS VEGAS - UTILITY PORTER 122992
 WP251 MPD E122992 WRK CRD BALLY'S - KITCHEN WORKER R111389
 WP252 MPD E122989 WRK CRD GOLDEN NUGGET - BUS (PC) 102187
 WP253 MPD E122989 WRK CRD BALLY'S LAS VEGAS - BUS (PC) 102087
 WP254 MPD E122989 WRK CRD LANDMARK - BUS PERSON 120286 (PC)
 WP255 MPD E122989 WRK CRD WESTWARD HO - BUS PERSON 002786
 PI253 MPD-***AFIS 091986**
 PI254 MPD-***BIRTH DATE NOT VERIFIED**082786
 PI255 USES SS#530685471
 DR253 MPD 022293 T/C MARTIN L KING/I-15 930222-0986
 DR254 MPD 042392 LOST PROP -V- | RECOVERED 050892 920423-0390
 DR255 MPD 032588 LOST/STLN PLT (NV.875BVS) -V- 88-54275
 ***** MPD AGC RECORD TYPE NOT AUTHORIZED FOR THIS TERMINAL

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1 years of age, or older, with the intent of arousing, appealing to,
2 or gratifying the lust, passions, or sexual desires of said
3 defendant, or said child.

4 COUNT III - SEXUAL ASSAULT

5 did, on or about November 20, 1993, then and there wilfully,
6 unlawfully, and feloniously sexually assault and subject ARLETHA
7 SANDERS, a female person, to sexual penetration, to-wit: by
8 inserting his finger in the vagina of the said ARLETHA SANDERS,
9 against her will.

10 COUNT IV - SEXUAL ASSAULT

11 did, on or about February ²¹12, 1994, then and there wilfully,
12 unlawfully, and feloniously sexually assault and subject ARLETHA
13 SANDERS, a female person, to sexual penetration, to-wit: sexual
14 intercourse, by inserting his penis in the vagina of the said
15 ARLETHA SANDERS, against her will.

16 COUNT V - STATUTORY SEXUAL SEDUCTION

17 did, on or about February ²¹12, 1994, then and there wilfully,
18 unlawfully, and feloniously subject ARLETHA SANDERS, a female
19 person under the age of 16 years, to sexual penetration, to-wit:
20 sexual intercourse, by inserting his penis in the vagina of the
21 said ARLETHA SANDERS, the defendant being 21 years of age, or
22 older, with the intent of arousing, appealing to, or gratifying the
23 lust, passions, or sexual desires of said defendant, or said child.

24 COUNT VI - SEXUAL ASSAULT

25 did, on or about February ²¹12, 1994, then and there wilfully,
26 unlawfully, and feloniously sexually assault and subject ARLETHA
27 SANDERS, a female person, to sexual penetration, to-wit:
28 cunnilingus, by inserting and/or licking the vagina of the said

1 ARLETHA SANDERS with his tongue, against her will.

2 COUNT VII - STATUTORY SEXUAL SEDUCTION

3 did, on or about February ²¹12, 1994, then and there wilfully,
4 unlawfully, and feloniously subject ARLETHA SANDERS, a female
5 person under the age of 16 years, to sexual penetration, to-wit:
6 cunnilingus, by inserting and/or licking the vagina of the said
7 ARLETHA SANDERS with his tongue, the defendant being 21 years of
8 age, or older, with the intent of arousing, appealing to, or
9 gratifying the lust, passions, or sexual desires of said defendant,
10 or said child.

11 COUNT VIII - LEWDNESS WITH A MINOR

12 did, on or between August, 1993, and September, 1993, then and
13 there wilfully, lewdly, unlawfully, and feloniously commit a lewd
14 or lascivious act with the body of ROSHANDA TURNER, a child under
15 the age of fourteen years, by fondling the vagina of the said
16 ROSHANDA with his hands, with the intent of arousing, appealing to,
17 or gratifying the lust, passions, or sexual desires of said
18 Defendant, or said child.

19 COUNT IX - LEWDNESS WITH A MINOR

20 did, on or between August, 1993, and September, 1993, then and
21 there wilfully, lewdly, unlawfully, and feloniously commit a lewd
22 or lascivious act with the body of ROSHANDA TURNER, a child under
23 the age of fourteen years, by fondling the breasts of the said
24 ROSHANDA TURNER with his hands, with the intent of arousing,
25 appealing to, or gratifying the lust, passions, or sexual desires
26 of said Defendant, or said child.

27 COUNT X - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

28 did, on or about October 11, 1993, then and there wilfully,

1 unlawfully, and feloniously sexual assault and subject ROSHANDA
2 TURNER, a female child under fourteen years of age, to sexual
3 penetration, to-wit: sexual intercourse, by inserting his penis in
4 the vagina of the said ROSHANDA TURNER, against her will, or under
5 conditions in which Defendant knew, or should have known, that the
6 said ROSHANDA TURNER was mentally or physically incapable of
7 resisting or understanding the nature of Defendant's conduct.

8 COUNT XI - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

9 did, during November, 1993, then and there wilfully,
10 unlawfully, and feloniously sexual assault and subject ROSHANDA
11 TURNER, a female child under fourteen years of age, to sexual
12 penetration, to-wit: sexual intercourse, by inserting his penis in
13 the vagina of the said ROSHANDA TURNER, against her will, or under
14 conditions in which Defendant knew, or should have known, that the
15 said ROSHANDA TURNER was mentally or physically incapable of
16 resisting or understanding the nature of Defendant's conduct.

17 COUNT XII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
18 AGE

19 did, during December, 1993, then and there wilfully,
20 unlawfully, and feloniously sexual assault and subject ROSHANDA
21 TURNER, a female child under fourteen years of age, to sexual
22 penetration, to-wit: sexual intercourse, by inserting his penis in
23 the vagina of the said ROSHANDA TURNER, against her will, or under
24 conditions in which Defendant knew, or should have known, that the
25 said ROSHANDA TURNER was mentally or physically incapable of
26 resisting or understanding the nature of Defendant's conduct.

27 COUNT XIII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
28 AGE

28 did, on or about January 26, 1994, then and there wilfully,

1 unlawfully, and feloniously sexual assault and subject ROSHANDA
2 TURNER, a female child under fourteen years of age, to sexual
3 penetration, to-wit: sexual intercourse, by inserting his penis in
4 the vagina of the said ROSHANDA TURNER, against her will, or under
5 conditions in which Defendant knew, or should have known, that the
6 said ROSHANDA TURNER was mentally or physically incapable of
7 resisting or understanding the nature of Defendant's conduct.

8 COUNT XIV - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

9 did, on or about February 5, 1994, then and there wilfully,
10 unlawfully, and feloniously sexual assault and subject ROSHANDA
11 TURNER, a female child under fourteen years of age, to sexual
12 penetration, to-wit: sexual intercourse, by inserting his penis in
13 the vagina of the said ROSHANDA TURNER, against her will, or under
14 conditions in which Defendant knew, or should have known, that the
15 said ROSHANDA TURNER was mentally or physically incapable of
16 resisting or understanding the nature of Defendant's conduct.

17 COUNT XV - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

18 did, on or about February 25, 1994, then and there wilfully,
19 unlawfully, and feloniously sexual assault and subject ROSHANDA
20 TURNER, a female child under fourteen years of age, to sexual
21 penetration, to-wit: sexual intercourse, by inserting his penis in
22 the vagina of the said ROSHANDA TURNER, against her will, or under
23 conditions in which Defendant knew, or should have known, that the
24 said ROSHANDA TURNER was mentally or physically incapable of
25 resisting or understanding the nature of Defendant's conduct.

26 COUNT XVI - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

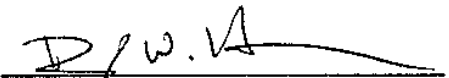
27 did, on or about May 1, 1994, then and there wilfully,
28 unlawfully, and feloniously sexual assault and subject ROSHANDA

1 TURNER, a female child under fourteen years of age, to sexual
2 penetration, to-wit: sexual intercourse, by inserting his penis in
3 the vagina of the said ROSHANDA TURNER, against her will, or under
4 conditions in which Defendant knew, or should have known, that the
5 said ROSHANDA TURNER was mentally or physically incapable of
6 resisting or understanding the nature of Defendant's conduct.

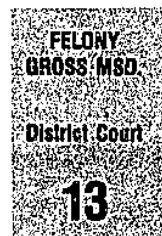
7 COUNT XVII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
8 AGE

9 did, on or between October 11, 1993, and May 1, 1994, then and
10 there wilfully, unlawfully, and feloniously sexual assault and
11 subject ROSHANDA TURNER, a female child under fourteen years of
12 age, to sexual penetration, to-wit: cunnilingus, by inserting
13 and/or licking the vagina of the said ROSHANDA TURNER with his
14 tongue, against her will, or under conditions in which Defendant
15 knew, or should have known, that the said ROSHANDA TURNER was
16 mentally or physically incapable of resisting or understanding the
17 nature of Defendant's conduct.

18 All of which is contrary to the form, force and effect of
19 Statutes in such cases made and provided and against the peace and
20 dignity of the State of Nevada. Said Complainant makes this
21 declaration subject to the penalty of perjury.

22 
23 12/1/94

24
25
26 94FN1181X/sz
27 NLVPD DR#94-7547
28 Sex Asslt;Stat Sex Sed;LWM - F
TK7



A F F I D A V I T

94-7547

1 State of NEVADA)
) ss:
2 County of Clark)

3 N. Risenhoover, being first duly sworn, deposes and says:

4 That he is a Police Detective with the North Las Vegas Police
5 Department, City of North Las Vegas, County of Clark, State of
6 Nevada, being so employed for a period of 20 years, assigned to
7 investigate the crimes of STATUTORY SEXUAL SEDUCTION (7 counts) and
8 SEXUAL ASSAULT, VICTIM UNDER 14 (15 counts), committed between
9 September, 1993, and May, 1994, which investigation has developed
10 LARRY THOMAS as the perpetrator thereof.

11 That Affiant developed the following facts in the course of
12 the investigation of said crime, to wit:

13 A complaint was filed with the North Las Vegas Police
14 Department alleging that a Mr. Larry Thomas, director of the drill
15 team known as the Queenettes, had consensual sexual intercourse
16 with three of its members, two being the age of fourteen (14) and
17 one being thirteen (13). The victims were identified as Channell
18 Jackson, Arletha Sanders and Roshanda Turner. The incidents
19 occurred between September, 1993, and May, 1994, at various
20 locations within the city limits of North Las Vegas, County of
21 Clark, State of Nevada. Usually, the sexual acts took place in his
22 vehicle, a 1991 Chevy pickup, red in color.

23 Each girl was interviewed regarding their alleged sexual
24 involvement with Mr. Thomas. Arletha Sanders advised of two
25 sexually-related incidents with him. The first occurred November
26 20, 1993, at Harry Webb's residence. Webb is a drummer for the
27 group, and at the time resided in North Las Vegas near CVT Gilbert
28 school. While outside in his vehicle, Mr. Thomas began fondling

1 Arletha, and during this time, he would insert his finger into her
2 vagina. The second incident occurred on February 12, 1994, while
3 the two were in his vehicle which was parked in the driveway of his
4 residence, 1729 Helen, North Las Vegas. During this time, he had
5 sexual intercourse with her and also performed oral copulation.

6 Channell Jackson advised of incidents that began in October,
7 1993, in which Mr. Thomas showered her with personal compliments.
8 The compliments progressed to kissing, then fondling and finally,
9 Channell had sexual intercourse with him. There were three (3) to
10 four (4) incidents of fondling where he would insert his finger
11 into her vagina. Three incidents of fondling occurred in his truck
12 while they were parked in the parking lot of an older apartment
13 complex in the 1000 block of East Carey, North Las Vegas. One
14 incident of fondling occurred in the driveway of Harry Webb's
15 residence. The incident of sexual intercourse occurred in March,
16 1994, at the same apartment complex in the 1000 block of East
17 Carey, North Las Vegas. Again, they were in his truck.

18 After Channell's mother had learned of their sexual encounter,
19 she took her to the Fremont East Medical Center to be examined. As
20 a result of that examination, she tested positive for chlamydia for
21 which she has since been treated.

22 Roshanda Turner advised that her sexual encounters with Mr.
23 Thomas began in September, 1993, with incidents of fondling. He
24 would fondle her over and under her clothing and sometimes would
25 insert his finger into her vagina. The two had sexual intercourse
26 on fifteen (15) different occasions, with the first being October
27 11, 1993, and the last May 1, 1994.

28 * * * *

1 Roshanda stated that these sexually-related incidents with Mr.
2 Thomas occurred either at Mr. Webb's residence or the apartment
3 complex on East Carey and usually in his vehicle. After a while,
4 she began recording various incidents with him in her diary. This
5 diary was turned over to my custody and later booked into evidence.


6 On January 13, 1994, Roshanda noted in her diary that she
7 thought she was pregnant and that she had had sex with Larry for
8 the 8th time. On January 17, 1994, she wrote that Larry did not
9 want their relationship to end. On January 25, 1994, she writes
10 that she was rubbing his penis and making it hard and that they
11 will probably have sex the next day. On January 26, 1994, she had
12 sex with him for the 9th time. On February 5, 1994, they had sex
13 for the 10th time. On February 25, 1994, they had sex for the 11th
14 time. On May 1, 1994, they had sex for the 15th time.

15 The three girls were examined at the S.A.I.N.T. clinic for
16 sexual abuse. The results for each indicated physical findings of
17 hymenal trauma compatible with penetration.

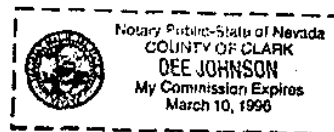
18 All three girls basically had the same reason for not telling
19 anyone that they were having a sexual relationship with Mr. Thomas.
20 Each stated that he would make threats against them or their
21 families.

22 On October 11, 1994, Mr. Thomas responded to the North Las
23 Vegas Police Department and gave a statement regarding the
24 accusations lodged against him. He admitted that Channell, Arletha
25 and Roshanda were former members of the drill team and occasionally
26 would take them and other members home. He denied having any type
27 of sexual contact with any of the three victims nor any other
28 member of the drill team.

1 WHEREFORE, Affiant prays that a Warrant of Arrest be issued
2 for LARRY THOMAS on the charges of STATUTORY SEXUAL SEDUCTION (7
3 counts) and SEXUAL ASSAULT WITH VICTIM UNDER 14 YEARS OF AGE (15
4 counts).

5
6 
7 N. Risenhoover, Affiant

8 SUBSCRIBED and SWORN to before me
9 this 10 day of November, 1994.



10
11 
12 Notary Public In and For Said
13 County and State
14
15
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17
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case number: 94007547 | ***** | pcn:
book date: 12/07/94 | NORTH LAS VEGAS POLICE DEPARTMENT | ab no: 99186
book time: 1840 | ARREST REPORT | mf: 99057815
page 1 of 1 | ***** | cs: 846620

name of arrestee: THOMAS/LARRY JAMES
sex | race/ethnic | dt birth | age | hgt | wgt | hair | eyes | bld | cmp
M | B | N BLACK | | '66 | 27 | 507 | 197 | BLK | BRO | MED | DRK

alias-aka: ALSO USES SS# 5471 | place of birth:
alias-aka: | TALLULAH/LA
alias-aka: | ssn: 15241
alias-aka: | driv lic/st: 8366/NU

scars, marks, TAT LR ARM 2"
tattoos, etc: TAT LR ARM 1-1/2"
illness/injuries: 2

address (house no; apt no; street, city, state, zip) | phone number
1729 HELEN | NORTH LAS VEGAS | NV 89030 | 7026479480

next of kin name: THOMAS/GEORGIA | relation: MOTHER
next of kin address: | phone: 7026464225
employer: BALLY'S | occupation: UTILITY PORTER

place of arrest: 1729 HELEN/NLVN | arresting officer: | veh1
date/time of arrest: 12/07/94 5:30PM | ARMSTRONG/JOHN | NO
officers present during booking: | transporting officer: | impd
MARTINE 0780/WELLS 0936 | ARMSTRONG/JOHN | NO

no.	orig	charge	warrant/nrs	cts	fgm	bail	case num
1	WA	SEXASLT4	94FN1181X	4	F	40,000	94007547
	PCN 70092270-01	SEXUAL ASSAULT					
2	WA	SEXASLT2	94FN1181X	3	F	30,000	94007547
	PCN 70092270-02	SEXUAL ASSAULT - STATUTORY SEXUAL SEDUCTION					
3	WA	LEWD2	94FN1181X	2	F	20,000	94007547
	PCN 70092270-03	LEWDNESS - WITH A MINOR UNDER 14					
4	WA	SEXASLT4	94FN1181X	8	F	80,000	94007547
	PCN 70092270-04	SEXUAL ASSAULT - VICTIM UNDER 14					

records bureau: | detective bureau:
supv approved: SCOTT/ANTHONY | officer: ARMSTRONG/JOHN

AA2439

OFFICIAL RECEIPT

CLARK COUNTY JUSTICE COURT
NORTH LAS VEGAS TOWNSHIP

DATE RECEIVED: 01/06/95 CITATION NUMBER: - CASE NUMBER: 1181-94PH
RECEIVED FROM:
O/R,
ADDRESS:

DEFENDANT:
THOMAS, LARRY JAMES
APPLICATION: LOC - FRT OPER - FRT OPERATOR NUMBER:

DEFENDANT TO APPEAR 01/26/95-09:00 AM

AMOUNT PAID - 00.00

FUND 511 - RELEASED O/R - CRM

AND CT. 7

VIOLATION:

STAT SEXUAL SED-CT. 5
RECEIPT NUMBER:

119993 00119993

MARGARET FROYD
COURT ADMINISTRATOR, CLERK

BY DEPUTY CLERK: /N

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: ORIGINAL
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 1
TIME: 7:18 -----INVESTIGATIVE PORTION----- OF: 4

-----INCIDENT ORIGINAL-----

classification/additional information: ! gang related?
SEXUAL ASSAULT/STATUTORY SEXUAL SEDUCTION/VICTIM UNDER 14 ! NO

invest bureaus/units notified:

location of occurrence: ! rpt. dist: C2 neighborhood: JBG
1000 E CAREY AVE ! CHARLIE 2 JIM BRIDGER

from: date / time ! to: date / time ! report: date / time
10/11/93 / 20:00 ! 5/01/94 / 20:00 ! 5/26/94 / 20:30

hate crime? NO ! fingerprints? NO !

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
DETECTIVE ! YES ! NO ! NO ! NO ! YES

-----METHOD OF OPERATION-----

residential---type: 113 target: 169 security:
APT/CONDO TARGET-OTHER

non-residtl---type: target: security:

entry---location: method:
exit---location: method:

suspect actions:

A. 901 KNEW VICTIMS NAME B. 902 MOLESTED VICTIM C. 904 MASTURBATED
D. 911 RAPED E. 912 OTHER SEX ACTS F.
G. H. I.

-----DISPOSITIONS-----

[J-UNFOUNDED/NO CRIME--0 [X]-SUBMITTED D.A.-----5 [J-RECLASSIFY-----10
[X]-JUVENILE-----1 [J-ADMIN. CLEARED-----6 [J-VIC REFUSED PROS.--11
[J-NON DETECTIVE CLR---2 [J-EXCEPTIONALLY CLR---7 [X]-AFFIDAVIT-----12
[J-DETECTIVE ARREST---3 [J-SCREEN CLEARED-----8 [J-CA/DA DENIAL-----13
[J-SUBMITTED CITY ATTY-4 [J-NO CHGS FILED(NCF)--9 [J-OTHER-----14

-----RECORDS-----

class code---ucr	sid number	date	ser no	date	ser no
		enter		cleared	
		scope		scope	

records bureau processed ser no ! detective bureau processed ser no
BRACKROG/CHERYL M 0767 !

supervisor approving ser no ! officer reporting ser no
SCOTT/ANTHONY 0656 ! ORTIZ/EDUARDO DORADO JR 0682

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: ORIGINAL
 DATE: 12/08/94 -----POLICE REPORT----- PAGE: 2
 TIME: 7:18 -----PERSONS PORTION----- OF: 4

 name of person (001): | type: U | occupation: | susp id?
 TURNER/ROSHANOA MONIQUE | VICTIM | STUDENT | YES

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 F | BLACK | 81 | 13 | | | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: mf no:

addr: NLU NU 89030 | 399-1241
 business: CANNON JHS |

descriptors: 7TH GRADER
 descriptors: ARRIVES HOME AFTER 1600 HOURS

 name of person (002): | type: U | occupation: | susp id?
 SANDERS/ARLETHA LASHON | VICTIM | STUDENT | YES

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 F | BLACK | 79 | 15 | | | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: mf no:

addr: NLU NU 89030 | 399-3501
 business: CANNON JHS |

descriptors: 8TH GRADER
 descriptors: ARRIVES HOME AFTER 1600 HOURS

 name of person (003): | type: P | occupation: | susp id?
 SANDERS/LOUISE | PERSON RPTG | RETIRED | YES

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 F | BLACK | 31 | 63 | | | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: mf no:

addr: NLU NU 89030 | 399-3501
 business: |

descriptors: VICTIM #2'S GRANDMOTHER AND LEGAL GUARDIAN
 descriptors:

records bureau processed ser no | detective bureau processed ser no
 BRACKROG/CHERYL M 0767 |

supervisor approving ser no | officer reporting ser no
 SCOTT/ANTHONY 0656 | ORTIZ/EDUARDO DORADO JR 0602

.....
CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: ORIGINAL
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 3
TIME: 7:18 -----PERSONS PORTION----- OF: 4
.....

name of person (004): ! type: S ! occupation: ! susp id?
THOMAS/LARRY JAMES ! SUSPECT ! STEWARD ! YES

sex ! race: B hisp: N ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
M ! BLACK ! /66 ! 27 ! ! ! ! ! !

alias-aka: ! birthplace:
alias-aka: ! ssn: 5241 mf no:

addr: 1729 W HELEN AVE NLV NV 89030 !
business: BALLY'S HOTEL !

descriptors: DIRECTOR OF "QUEENETTES" DRILL TEAM
descriptors:

records bureau processed ser no ! detective bureau processed ser no
BRACKROG/CHERYL M 0767 !

supervisor approving ser no ! officer reporting ser no
SCOTT/ANTHONY 0656 ! ORTIZ/EDUARDO DORADO JR 0682

AA2443

.....
CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: ORIGINAL
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 4
TIME: 7:18 -----NARRATIVE PORTION----- OF: 4
.....

ON 052694 AT 2030 HOURS, I WAS DISPATCHED TO 517 W. MILLER AVE. TO INVESTIGATE A SEXUAL ASSAULT. UPON ARRIVAL, I INTERVIEWED BOTH VICTIMS AND VICTIM #2'S GRANDMOTHER AND LEGAL GUARDIAN.

THE INVESTIGATION REVEALED THAT THE SUSPECT IS THE CURRENT DIRECTOR OF A DRILL TEAM CALLED THE "QUEENETTES" AND HE HAS COMMITTED STATUTORY SEXUAL SEDUCTION, SEXUAL ASSAULT, AND SEXUAL ASSAULT WITH VICTIMS UNDER 14 YEARS OF AGE. ACCORDING TO THE VICTIMS, THE SUSPECT HAS VICTIMIZED 9 OTHERS FROM THE DRILL TEAM, WITH AGES RANGING FROM 13 TO 15. SOME OF THE INCIDENTS OCCURRED IN METRO'S JURISDICTION AS WELL AS WITHIN THE CITY OF NORTH LAS VEGAS. VICTIM #2'S GRANDMOTHER IS ATTEMPTING TO COMPILE A LIST OF OTHER VICTIMS AT THIS TIME.

VICTIM #1 RELATED THAT SHE HAS HAD SEX WITH THE SUSPECT A TOTAL OF FIFTEEN (15) TIMES WITH THE FIRST OCCURING ON 10-11-93 IN THE SUSPECT'S WIFE'S CAR IN THE PARKING LOT BEHIND 1000 E. CAREY AVENUE AND THE LAST TIME ON 05-01-94. THE SUSPECT HAD SEXUAL INTERCOURSE, AS WELL AS ORALLY COPULATING VICTIM #1 BETWEEN THE DATES LISTED. THE SUSPECT HAS HAD SEX WITH VICTIM #2 A TOTAL OF TWO (2) TIMES AND HAD SEXUAL INTERCOURSE AND ORALLY COPULATED VICTIM #2. BOTH VICTIMS RELATED THAT THE SUSPECT USED PROPHYLACTICS WHEN HE HAD SEX WITH THEM. SOME OF THE INCIDENTS OCCURRED AT THE SUSPECT'S HOUSE, IN WINSLOW PARK, AND OTHER UNKNOWN LOCATIONS.

THE SUSPECT USED HIS NEWER MODEL RED, CHEVY TRUCK AS WELL AS HIS WIFE'S GREY CADILLAC DURING THE VARIOUS INCIDENTS. A POSSIBLE WITNESS IS ONE OF THE DRUMMERS IN THE DRILL TEAM NAMED HARRY WEBB. WEBB LIVES SOMEWHERE IN THE WINSLOW PARK AREA. NO FURTHER DETAILS WERE PROVIDED AT THIS TIME ABOUT WEBB.

VICTIM #2 ADMITTED TO THE SEXUAL INCIDENTS TO HER AUNT, AND GRANDMOTHER. AFTER FURTHER QUESTIONING, WITNESS LOUISE SANDERS BEGAN TO DISCOVER FURTHER DETAILS ABOUT THE SUSPECT'S ACTIVITIES WITH THE DRILL TEAM MEMBERS. UPON MY ARRIVAL, BOTH VICTIMS HAD ALREADY WRITTEN STATEMENTS ABOUT THE INCIDENTS.

ATTACHED ARE TWO SIGNED VICTIM STATEMENTS ON NLUPD VICTIM STATEMENT FORMS. A FOLLOW UP INTERVIEW IS REQUESTED FOR FORMAL STATEMENTS.

records bureau processed ser no 1 detective bureau processed ser no
BRACKROG/CHERYL M 0767 !

supervisor approving ser no 1 officer reporting ser no
SCOTT/ANTHONY 0656 1 ORTIZ/EDUARDO DORADO JR 0682

AA2444

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 23961
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 1
TIME: 7:18 -----INVESTIGATIVE PORTION----- OF: 3

INCIDENT FOLLOWUP-----

classification/additional information: ! gang related?
INFORMATION/INTERFERRING WITH WITNESSES ! NO

invest bureaus/units notified:

location of occurrence: ! rpt. dist: A3 neighborhood: ULU
517 MILLER ! ADAM 3 VALLEY VIEW

from: date / time ! to: date / time ! report: date / time
5/27/94 / 18:50 ! / ! 5/27/94 / 19:30

hate crime? NO ! fingerprints? NO !

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
DETECTIVE ! NO ! NO ! NO ! NO ! YES

METHOD OF OPERATION-----

residential---type: target: security:

non-residtl---type: target: security:

entry---location: method:
exit---location: method:

suspect actions:

A. B. C.
D. E. F.
G. H. I.

DISPOSITIONS-----

[1-UNFOUNDED/NO CRIME--0 [1-SUBMITTED D.A.-----5 [1-RECLASSIFY-----10
[1-JUVENILE-----1 [1-ADMIN. CLEARED-----6 [1-VIC REFUSED PROS.---11
[1-NON DETECTIVE CLR---2 [1-EXCEPTIONALLY CLR---7 [1-AFFIDAVIT-----12
[1-DETECTIVE ARREST---3 [1-SCREEN CLEARED-----8 [1-CA/DA DENIAL-----13
[1-SUBMITTED CITY ATTY-4 [1-NO CHGS FILED(NCF)--9 [1-OTHER-----14

RECORDS-----

class code---ucr ! sid number ! date ser no ! date ser no
! ! enter ! cleared
! ! scope ! scope
! !

records bureau processed ser no ! detective bureau processed ser no

supervisor approving ser no ! officer reporting ser no
REDCAY/ARTHUR 0634 ! NEAL/JAMES 0846

AA2445

.....
CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 23961
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 2
TIME: 7:18 -----PERSONS PORTION----- OF: 3
.....

name of person (001): | type: W | occupation: | susp id?
SANDERS/LOUISE | WITNESS | | YES

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
F | BLACK | | 31 | 63 | | | | | |

alias-aka: | birthplace:
alias-aka: | ssn: | mf no:

addr: NLU NU 89030 | 399-3301
business: |

descriptors: WRITTEN STATEMENT COMPLETED
descriptors:

name of person (002): | type: W | occupation: | susp id?
SANDERS/BARBARA | WITNESS | | YES

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
F | BLACK | | | | | | | | |

alias-aka: | birthplace:
alias-aka: | ssn: | mf no:

addr: LV NU 89122 | 898-8396
business: |

descriptors: WRITTEN STATEMENT COMPLETED
descriptors:

records bureau processed ser no | detective bureau processed ser no
|
supervisor approving ser no | officer reporting ser no
REDCAY/ARTHUR 0634 | NEAL/JAMES 0646

AA2446

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 23961
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 3
TIME: 7:18 -----NARRATIVE PORTION----- OF: 3

ON 052794 AT ABOUT 1900 HRS, OFFICER B TANNER AND I WERE DISPATCHED TO 517 MILLER IN REFERENCE TO A DISTURBANCE INVOLVING VICTIMS OF A SEXUAL ASSAULT AND THE RELATIVES OF THE SUSPECT, WHO WAS LISTED AS LARRY THOMAS. (FOR FURTHER SEE ORIGINAL REPORT UNDER CASE #94-7547.) UPON ARRIVAL WE CONTACTED THE RESIDENT AND GUARDIAN/GRANDMOTHER OF ONE OF THE VICTIM'S, LOUISE SANDERS.

LOUISE SAID THAT AT ABOUT 1850 HRS, THOMAS'S WIFE AND MOTHER CAME TO HER HOUSE. SHE SAID THAT THE MOTHER WAS ANGRY AND STARTED TO "JUMP" ON HER GRANDDAUGHTER, MEANING THAT SHE YELLED AT HER. THREE OF THE VICTIMS WERE AT THE HOUSE AND THOMAS'S MOTHER ASKED THEM WHAT HAD HAPPENED BETWEEN THEM AND HER SON. THEY TOLD HER ABOUT THE INCIDENTS, INCLUDING THAT THEY HAD SEX WITH HIM. THOMAS'S MOTHER TOLD THE GIRLS THAT THEY WERE LIARS AND ALLEGEDLY TRIED TO HIT ONE OF THEM. THE GIRL'S AUNT, BARBARA SANDERS WITNESSED THIS. LOUISE TOLD THOMAS'S MOTHER TO GET OUT AND THE MOTHER THREATENED TO "WHIP ROSHA'S ASS", ROSHA BEING ONE OF THE VICTIMS. THOMAS'S MOTHER THEN LEFT.

LOUISE AND BARBARA COMPLETED WRITTEN STATEMENTS.

NO FURTHER ACTION TAKEN. ATTACHMENTS: WRITTEN STATEMENTS BY LOUISE SANDERS AND BARBARA SANDERS (1 PG EACH).

records bureau processed	ser no 1	detective bureau processed	ser no
		1	
supervisor approving	ser no 1	officer reporting	ser no
REDCAY/ARTHUR	0634	NEAL/JAMES	0846

AA2447

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 24233
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 1
TIME: 7:18 -----INVESTIGATIVE PORTION----- OF: 5

-----INCIDENT FOLLOWUP-----

classification/additional information: ! gang related?
SEXUAL ASSAULT/STATUTORY SEXUAL SEDUCTION/VICTIM UNDER 14 ! NO

invest bureaus/units notified:

location of occurrence: ! rpt. dist: C2 neighborhood: JBG
1000 E CAREY AVE ! CHARLIE 2 JIM BRIDGER

from: date / time ! to: date / time ! report: date / time
10/11/93 / 20:00 ! 5/01/94 / 20 00 ! 6/07/94 / 11:53

hate crime? NO ! fingerprints? NO !

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
OTHER ! YES ! YES ! NO ! NO ! YES

-----METHOD OF OPERATION-----

residential---type: target: security:

non-residtl---type: target: security:

entry---location: method:
exit---location: method:

suspect actions:

A. B. C.
D. E. F.
G. H. I.

-----DISPOSITIONS-----

[1-UNFOUNDED/NO CRIME--0 [1-SUBMITTED D.A.-----5 [1-RECLASSIFY-----10
[1-JUVENILE-----1 [1-ADMIN. CLEARED-----6 [1-VIC REFUSED PROS.--11
[1-NON DETECTIVE CLR--2 [1-EXCEPTIONALLY CLR--7 [1-AFFIDAVIT-----12
[1-DETECTIVE ARREST---3 [1-SCREEN CLEARED-----8 [1-CA/DA DENIAL-----13
[1-SUBMITTED CITY ATTY-4 [1-NO CHGS FILED(NCF)--9 [1-OTHER-----14

-----RECORDS-----

class code---ucr ! sid number ! date ser no ! date ser no
! ! enter ! cleared
! ! scope ! scope
! !

records bureau processed ser no ! detective bureau processed ser no
BARKLEY/DIANE 0376 !

supervisor approving ser no ! officer reporting ser no
KING/R L 0321 ! RISENHOOVER/NORVAL 0389

.....
CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 24233
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 2
TIME: 7:18 -----PERSONS PORTION----- OF: 5
.....

name of person (001): | type: U | occupation: | susp id?
JACKSON/CHANELL | VICTIM | | YES

sex | race: B | hisp: N | | dob | age | hgt | wgt | hair | eyes | bid | cmp
F | BLACK | | 79 | 14 | | | | | |

alias-aka: | birthplace:
alias-aka: | ssn: | mf no:

addr: | LU | NU | 399-5029
business: |

descriptors:
descriptors:

name of person (002): | type: W | occupation: | susp id?
BROWN/CORY | WITNESS | DOCTOR | NO

sex | race: W | hisp: N | | dob | age | hgt | wgt | hair | eyes | bid | cmp
M | WHITE | | | | | | | | |

alias-aka: | birthplace:
alias-aka: | ssn: | mf no:

addr: |
business: FREMONT MEDICAL-EASTP.O. BOX 1737 LU NU 89125-1737 | 382-5200

descriptors:
descriptors:

records bureau processed ser no | detective bureau processed ser no
BARKLEY/DIANE 0376 |

supervisor approving ser no | officer reporting ser no
KING/R L 0321 | RISENHOOVER/NORVAL 0389

AA2449

CASE: 94007547 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: 24233
 DATE: 12/08/94 -----POLICE REPORT----- PAGE: 3
 TIME: 7:18 -----PROPERTY PORTION----- OF: 5

 no. arteds type--descriptive information on property----- stolen recover
 additional descriptive information----- value value

001 MISC E brd: mod:
 size: ser:
 cal: coll: col2: own#:
 PERSONAL DIARY OF VICTIM ROSHANDA TURNER

 ++++++ totals----->

 type: E-evidence; F-found; I-impounded; L-lost;
 O-other; R-recovered; S-stolen; X-safekeeping

records bureau processed ser no ! detective bureau processed ser no
 BARKLEY/DIANE 0376 !
 supervisor approving ser no ! officer reporting ser no
 KING/R L 0321 ! RISENHOOVER/NORVAL 0389

CASE: 94007547
DATE: 12/08/94
TIME: 7:18

-----NORTH LAS VEGAS POLICE DEPARTMENT-----
-----POLICE REPORT-----
-----NARRATIVE PORTION-----

REF: 24233
PAGE: 4
OF: 5

DURING FOLLOWUP INVESTIGATION, THE TWO LISTED VICTIMS, WHO WERE MEMBERS OF THE QUEENETTES DRILL TEAM, RESPONDED TO THE NLUPD AND GAVE FORMAL STATEMENTS IN WHICH THEY TOLD OF INCIDENTS INVOLVING SEXUAL CONTACT WITH THE DIRECTOR OF THE GROUP, MR LARRY THOMAS. I LATER LEARNED OF A THIRD VICTIM AND FORMER MEMBER OF THE TEAM, MS CHANELL JACKSON, WHO ALSO RESPONDED TO THE NLUPD AND GAVE A STATEMENT. EACH TOLD OF NUMEROUS INCIDENTS IN WHICH MR THOMAS FONDLED THEM OR HAD SEXUAL INTERCOURSE WITH THEM.

DURING ARLETHA SANDERS'S STATEMENT, SHE RELATED ON 11/20/93, MR THOMAS HAD FONDLED HER AND INSERTED HIS FINGER INTO HER VAGINA. THIS INCIDENT OCCURRED IN HIS VEHICLE WHILE THEY WERE PARKED IN THE DRIVEWAY OF MR HARRY WEBB'S RESIDENCE. MR WEBB IS ONE OF THE DRUMMERS FOR THE GROUP AND LIVES IN THE WINDSOR PARK AREA NEAR CUT GILBERT SCHOOL. ARLETHA TOLD OF AN INCIDENT WHICH OCCURRED ON 02/12/94 IN WHICH SHE AND MR THOMAS HAD SEXUAL INTERCOURSE. DURING THAT INCIDENT, HE ALSO PERFORMED ORAL COPULATION ON HER. THEY WERE AGAIN IN HIS VEHICLE PARKED IN THE DRIVEWAY OF HIS RESIDENCE, 1929 HELEN, NLV.

DURING CHANELL JACKSON'S STATEMENT SHE TOLD OF INCIDENTS INVOLVING MR THOMAS THAT STARTED 10/31/93 IN WHICH HE WOULD SHOWER HER WITH COMPLIMENTS. AS TIME WENT ON, THIS PROGRESSED TO FONDLING HER VAGINA AND FINALLY TO SEXUAL INTERCOURSE. THE INCIDENTS OF FONDLING AND INTERCOURSE OCCURRED IN HIS VEHICLE WHEN THEY WERE PARKED AT MR HARRY WEBB'S RESIDENCE OR THE APARTMENT COMPLEX AT 1000 E CAREY.

WHEN CHANELL'S MOTHER LEARNED THAT HER DAUGHTER AND MR THOMAS WERE HAVING SEXUAL INTERCOURSE, SHE TOOK CHANELL TO FREMONT MEDICAL-EAST TO BE EXAMINED (05/27/94). AS A RESULT OF THE EXAMINATION BY DOCTOR BROWN, CHANELL TESTED POSITIVE FOR CHLAMYDIA ANTIGEN, A SEXUALLY TRANSMITTED DISEASE. ON 06/07/94, I CONTACTED DR R JORDAN OF THE CCME OFFICE TO OBTAIN A CLARIFICATION OF THE DISEASE. HE ADVISED THAT CHLAMYDIA IS SEXUALLY TRANSMITTED, IT'S RARE AND SOMETIMES WILL SHOW NO SYMTOMS. AN INDIVIDUAL COULD HAVE THE DISEASE FOR A TIME AND NOT BE AWARE OF IT.

DURING THE INTERVIEW WITH ROSHANDA TURNER, SHE TOO TOLD OF NUMEROUS INCIDENTS IN WHICH MR THOMAS HAD FONDLED HER BREASTS AND VAGINA AND HAD INTERCOURSE WITH HER. USUALLY THESE INCIDENTS OCCURRED IN HIS VEHICLE AT THE APARTMENT COMPLEX ON E CAREY OR AT MR HARRY WEBB'S RESIDENCE. THE INCIDENTS OF FONDLING BEGAN AUGUST OR SEPTEMBER OF 1993. BETWEEN 10/11/93 TO 05/01/94 ROSHANDA HAD SEXUAL INTERCOURSE WITH MR THOMAS A TOTAL OF FIFTEEN (15) TIMES.

AFTER THE EIGHTH TIME THE TWO HAD SEXUAL INTERCOURSE, ROSHANDA BEGAN MAKING NOTATIONS IN HER PERSONAL DIARY REGARDING HER SEXUAL RELATIONSHIP WITH MR THOMAS. SHE TURNED THE DIARY OVER TO MY CUSTODY WHICH I LATER PLACED INTO EVIDENCE AT THE NLUPD. REFER TO COPIES OF INSERTS FOR FURTHER REGARDING NOTATIONS MADE BY ROSHANDA.

records bureau processed
BARKLEY/DIANE

ser no ! detective bureau processed
0376 1

ser no

supervisor approving
KING/R L

ser no ! officer reporting
0321 ! RISENHOOVER/NORVAL

ser no
0389

AA2451

.....
 CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 24233
 DATE: 12/08/94 -----POLICE REPORT----- PAGE: 5
 TIME: 7:18 -----NARRATIVE PORTION----- OF: 5

EACH VICTIM I INTERVIEWED RELATED THAT MR THOMAS WOULD THREATEN THEM OR THEIR FAMILY IF THEY TOLD WHAT WAS OCCURRING. EVEN THOUGH NONE OF THE THREE HAD ANY TYPE OF SEXUAL CONTACT WITH MR HARRY WEBB, EACH VICTIM INDICATED THAT THEY BELIEVED HE WAS FULLY AWARE OF SOME OF THE SEXUAL CONTACTS THAT EACH HAD WITH MR THOMAS.

APPOINTMENTS HAVE BEEN MADE WITH S.A.I.N.T. FOR EACH VICTIM TO BE EXAMINED FOR SEXUAL ABUSE. EACH VICTIM INDICATED THE POSSIBILITY OF ADDITIONAL VICTIMS WHO ARE CURRENT OR PAST MEMBERS OF THE DRILL TEAM. AT THIS TIME, I AM ATTEMPTING TO OBTAIN A COMPLETE LIST OF NAMES OF OTHER MEMBERS SO THAT I MAY CONTACT EACH TO ASCERTAIN IF ANY ARE, IN FACT, VICTIMS OF SEXUAL ABUSE. INVESTIGATION IS CONTINUING.

records bureau processed	ser no ! detective bureau processed	ser no
BARKLEY/DIANE	0376 !	
supervisor approving	ser no ! officer reporting	ser no
KING/R L	0321 ! RISENHOOVER/NORVAL	0389

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 24006
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 1
TIME: 7:18 -----INVESTIGATIVE PORTION----- OF: 2

-----INCIDENT FOLLOWUP-----

classification/additional information: | gang related?
SEXUAL ASSAULT/STATUTORY SEXUAL SEDUCTION/VICTIM UNDER 14 | NO

invest bureaus/units notified:

location of occurrence: | rpt. dist: C2 neighborhood: JBG
1000 E CAREY AVE | CHARLIE 2 JIM BRIDGER

from: date / time | to: date / time | report: date / time
10/11/93 / 20:00 | 5/01/94 / 20 00 | 8/25/94 / 8:03

hate crime? NO | fingerprints? NO |

routing? | prosecute? | prop report? | vehl report? | arrest rpt? | attach?
OTHER | YES | NO | NO | NO |

-----METHOD OF OPERATION-----

residential---type: target: security:

non-residtl---type: target: security:

entry---location: method:
exit---location: method:

suspect actions:

A. B. C.
D. E. F.
G. H. I.

-----DISPOSITIONS-----

[1-UNFOUNDED/NO CRIME--0 [1-SUBMITTED D.A.-----5 [1-RECLASSIFY-----10
[1-JUVENILE-----1 [1-ADMIN. CLEARED-----6 [1-VIC REFUSED PROS.--11
[1-NON DETECTIVE CLR--2 [1-EXCEPTIONALLY CLR--7 [1-AFFIDAVIT-----12
[1-DETECTIVE ARREST--3 [1-SCREEN CLEARED-----8 [1-CA/DA DENIAL-----13
[1-SUBMITTED CITY ATTY-4 [1-NO CHGS FILED(NCF)--9 [1-OTHER-----14

-----RECORDS-----

class code---ucr | sid number | date ser no | date ser no
| | enter | cleared
| | scope | scope
| |

records bureau processed ser no | detective bureau processed ser no
BARKLEY/DIANE 0376 |

supervisor approving ser no | officer reporting ser no
FORTI/JOSEPH 0564 | RISENHOOVER/NORVAL 0389

AA2453

.....
CASE: 94007547 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: 26006
DATE: 12/08/94 ---POLICE REPORT--- PAGE: 2
TIME: 7:18 ---NARRATIVE PORTION--- OF: 2
.....

AT THIS POINT IN THE INVESTIGATION, ATTEMPTS ARE BEING MADE TO CONTACT
OTHER POSSIBLE VICTIMS. INVESTIGATION IS CONTINUING.

records bureau processed ser no ! detective bureau processed ser no
BARKLEY/DIANE 0376 !

supervisor approving ser no ! officer reporting ser no
FORTI/JOSEPH 0564 ! RISENHOOVER/NORVAL 0389

AA2454

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 27213
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 1
TIME: 7:18 -----INVESTIGATIVE PORTION----- OF: 3

-----INCIDENT FOLLOWUP-----

classification/additional information: ! gang related?
SEXUAL ASSAULT/STATUTORY SEXUAL SEDUCTION/VICTIM UNDER 14 ! NO

invest bureaus/units notified:

location of occurrence: ! rpt. dist: C2 neighborhood: JBG
1000 E CAREY AVE ! CHARLIE 2 JIM BRIDGER

from: date / time ! to: date / time ! report: date / time
10/11/93 / 20:00 ! 5/01/94 / 20 00 ! 10/11/94 / 14:42

hate crime? NO ! fingerprints? NO !

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
OTHER ! YES ! NO ! NO ! NO ! YES

-----METHOD OF OPERATION-----

residential---type: target: security:

non-residtl---type: target: security:

entry---location: method:
exit---location: method:

suspect actions:

A. B. C.
D. E. F.
G. H. I.

-----DISPOSITIONS-----

[J-UNFOUNDED/NO CRIME--0 [J-SUBMITTED D.A.-----5 [J-RECLASSIFY-----10
[J-JUVENILE-----1 [J-ADMIN. CLEARED-----6 [J-VIC REFUSED PROS.---11
[J-NON DETECTIVE CLR---2 [J-EXCEPTIONALLY CLR---7 [J-AFFIDAVIT-----12
[J-DETECTIVE ARREST---3 [J-SCREEN CLEARED-----8 [J-CA/DA DENIAL-----13
[J-SUBMITTED CITY ATTY-4 [J-NO CHGS FILED(NCF)---9 [J-OTHER-----14

-----RECORDS-----

class code---ucr ! sid number ! date ser no ! date ser no
! ! enter ! cleared
! ! scope ! scope
! !

records bureau processed ser no ! detective bureau processed ser no
!

supervisor approving ser no ! officer reporting ser no
FORTI/JOSEPH 0564 ! RISENHOOVER/NORVAL 0389

AA2455

.....
CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 27213
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 2
TIME: 7:18 -----PERSONS PORTION----- OF: 3
.....

name of person (001): ! type: W ! occupation: ! susp id?
OLSON/KEVIN ! WITNESS ! DOCTOR ! NO

sex | race: W hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
M | WHITE | | | | | | | |

alias-aka: ! birthplace:
alias-aka: ! ssn: mf no:

addr: |
business: S.A.I.N.T. 3444 E BONANZA LV NU 89101 | 455-5371

descriptors:
descriptors:

name of person (002): ! type: W ! occupation: ! susp id?
KNIGHT/BETH ! WITNESS ! NURSE PRACTITIONER ! NO

sex | race: W hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
F | WHITE | | | | | | | |

alias-aka: ! birthplace:
alias-aka: ! ssn: mf no:

addr: |
business: S.A.I.N.T. 3444 E BONANZA LV NU 89101 | 455-5371

descriptors:
descriptors:

records bureau processed ser no | detective bureau processed ser no
|
supervisor approving ser no | officer reporting ser no
FORTI/JOSEPH 0564 | RISENHOOVER/NORVAL 0389

AA2456

MR THOMAS WAS CONTACTED AND RESPONDED TO THE NLUPD ON 10/11/94 REGARDING THE ALLEGATION. DURING HIS FORMAL STATEMENT, HE DENIED EVER HAVING HAD ANY TYPE OF SEXUAL CONTACT WITH THE VICTIMS OR ANY MEMBER, CURRENT OR PAST, OF THE DRILL TEAM. INVESTIGATION IS CONTINUING.

records bureau processed	ser no	1	detective bureau processed	ser no
supervisor approving	ser no	1	officer reporting	ser no
FORTI/JOSEPH	0564	1	RISENHOOVER/NORVAL	0389

AA2457

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 27821
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 1
TIME: 7:18 -----INVESTIGATIVE PORTION----- OF: 1

-----INCIDENT FOLLOWUP-----

classification/additional information: ! gang related?
SEXUAL ASSAULT/STATUTORY SEXUAL SEDUCTION/VICTIM UNDER 14 ! NO

invest bureaus/units notified:

location of occurrence: ! rpt. dist: C2 neighborhood: JBG
1000 E CAREY AVE ! CHARLIE 2 JIM BRIDGER

from: date / time ! to: date / time ! report: date / time
10/11/93 / 20:00 ! 5/01/94 / 20 00 ! 11/04/94 / 15:41

hate crime? NO ! fingerprints? NO !

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
OTHER ! YES ! NO ! NO ! NO ! YES

-----METHOD OF OPERATION-----

residential---type: target: security:

non-residtl---type: target: security:

entry---location: method:
exit---location: method:

suspect actions:

A. B. C.
D. E. F.
G. H. I.

-----DISPOSITIONS-----

[]-UNFOUNDED/NO CRIME--0 [X]-SUBMITTED D.A.-----5 []-RECLASSIFY-----10
[X]-JUVENILE-----1 []-ADMIN. CLEARED-----6 []-VIC REFUSED PROS.--11
[]-NON DETECTIVE CLR---2 []-EXCEPTIONALLY CLR---7 [X]-AFFIDAVIT-----12
[]-DETECTIVE ARREST---3 []-SCREEN CLEARED-----8 []-CA/DA DENIAL-----13
[]-SUBMITTED CITY ATTY-4 []-NO CHGS FILED(NCF)--9 []-OTHER-----14

-----RECORDS-----

class code---ucr { sid number { date ser no { date ser no
! ! enter ! cleared
! ! scope ! scope
! !

records bureau processed ser no ! detective bureau processed ser no

supervisor approving ser no ! officer reporting ser no
! RISENHOOVER/NORVAL 0389

AA2458

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 28209
DATE: 12/02/94 -----POLICE REPORT----- PAGE: 1
TIME: 7:10 -----INVESTIGATIVE PORTION----- OF: 2

-----INCIDENT FOLLOWUP-----

classification/additional information: ! gang related?
SEXUAL ASSAULT/STATUTORY SEXUAL SEDUCTION/VICTIM UNDER 14 ! NO

invest bureaus/units notified:

location of occurrence: ! rpt. dist: C2 neighborhood: JBG
1000 E CAREY AVE ! CHARLIE 2 JIM BRIDGER

from: date / time ! to: date / time ! report: date / time
10/11/93 / 20:00 ! 5/01/94 / 20 00 ! 11/22/94 / 14:01

hate crime? NO ! fingerprints? NO !

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
OTHER ! YES ! NO ! NO ! NO ! YES

-----METHOD OF OPERATION-----

residential---type: target: security:

non-residtl---type: target: security:

entry---location: method:
exit---location: method:

suspect actions:

A. B. C.
D. E. F.
G. H. I.

-----DISPOSITIONS-----

[]-UNFOUNDED/NO CRIME--0 []-SUBMITTED D.A.-----5 []-RECLASSIFY-----10
[]-JUVENILE-----1 []-ADMIN. CLEARED-----6 []-VIC REFUSED PROS.--11
[]-NON DETECTIVE CLR--2 []-EXCEPTIONALLY CLR--7 []-AFFIDAVIT-----12
[]-DETECTIVE ARREST--3 []-SCREEN CLEARED-----8 []-CA/DA DENIAL-----13
[]-SUBMITTED CITY ATTY-4 []-NO CHGS FILED(NCF)--9 []-OTHER-----14

-----RECORDS-----

class code---ucr ! sid number ! date ser no ! date ser no
! ! enter ! cleared
! ! scope ! scope
! !

records bureau processed ser no ! detective bureau processed ser no

supervisor approving ser no ! officer reporting ser no
FORTI/JOSEPH 0544 ! RISENHOOVER/NORVAL 0389

AA2459

.....
CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 28209
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 2
TIME: 7:18 -----NARRATIVE PORTION----- OF: 2
.....

AT THE TIME OF THE REPORTED SEXUAL CONTACTS WITH MR THOMAS, BOTH
ARLETHA SANDERS (08/06/79) AND CHANNELL JACKSON (12/15/79) WERE 14 YRS OLD.
ROSHANDA TURNER (04/20/81) WAS 12 YRS OLD DURING NUMEROUS INCIDENTS OF
FONDLING WHICH WAS BETWEEN 09/93 TO 10/93. SHE WAS ALSO 12 YRS OLD DURING
THE FIRST 11 TIMES SHE HAD SEXUAL INTERCOURSE WITH HIM BETWEEN 10/11/93 TO
02/25/94. SHE WAS 13 YRS OLD WHEN SHE HAD INTERCOURSE WITH HIM FOR THE 15TH
TIME ON 05/01/94.

records bureau processed ser no 1 detective bureau processed ser no
|

supervisor approving ser no 1 officer reporting ser no
FORTI/JOSEPH 0564 RISENHOOVER/NORVAL 0389

AA2460

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 28610
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 1
TIME: 7:18 -----INVESTIGATIVE PORTION----- OF: 4

-----INCIDENT FOLLOWUP-----

classification/additional information: ! gang related?
SEXUAL ASSAULT/STATUTORY SEXUAL SEDUCTION/LEWDNESS W/ MINOR ! NO

invest bureaus/units notified:

location of occurrence: ! rpt. dist: A2 neighborhood: CAA
1729 HELEN ! ADAM 2 COMSTOCK ACRES

from: date / time ! to: date / time ! report: date / time
12/07/94 / 17:30 ! / ! 12/07/94 / 22:30

hate crime? NO ! fingerprints? NO !

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
DETECTIVE ! YES ! YES ! NO ! ADULT ONLY ! YES

-----METHOD OF OPERATION-----

residential---type: 211 target: security:
OPEN AREA

non-residtl---type: target: security:

entry---location: method:
exit---location: method:

suspect actions:

A. 689 OTHER B. C.
D. E. F.
G. H. I.

-----DISPOSITIONS-----

[]-UNFOUNDED/NO CRIME--0 []-SUBMITTED D.A.-----5 []-RECLASSIFY-----10
[]-JUVENILE-----1 []-ADMIN. CLEARED-----6 []-VIC REFUSED PROS.--11
[]-NON DETECTIVE CLR---2 []-EXCEPTIONALLY CLR---7 []-AFFIDAVIT-----12
[]-DETECTIVE ARREST---3 []-SCREEN CLEARED-----8 []-CA/DA DENIAL-----13
[]-SUBMITTED CITY ATTY-4 []-NO CHGS FILED(NCF)--9 []-OTHER-----14

-----RECORDS-----

class code---ucr | sid number | date ser no | date ser no
| | enter | cleared
| | scope | scope
| | |

records bureau processed ser no | detective bureau processed ser no

supervisor approving ser no | officer reporting ser no
| ARMSTRONG/JOHN 0786

AA2461

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 28610
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 2
TIME: 7:10 -----PERSONS PORTION----- OF: 4

name of person (001): ! type: S ! occupation: ! susp id?
THOMAS/LARRY JAMES ! SUSPECT ! ! YES

sex ! race: B hisp: N ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
M ! BLACK ! ! 1/66 ! 27 ! 507 ! 197 ! BLK ! BRO ! !

alias-aka: ! birthplace:
alias-aka: ! ssn: 3241 mf no:

addr: 1729 HELEN NLU NV 89030 ! 6479580
business: !

descriptors:
descriptors:

name of person (002): ! type: W ! occupation: ! susp id?
GLAZIER T. P#701 ! WITNESS ! POLICE OFFICER ! YES

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
! ! ! ! ! ! ! ! ! !

alias-aka: ! birthplace:
alias-aka: ! ssn: mf no:

addr: !
business: NLU POLICE DEPT 1301 E LNBE ! 6499111

descriptors:
descriptors:

records bureau processed ser no ! detective bureau processed ser no

supervisor approving ser no ! officer reporting ser no
! ARMSTRONG/JOHN 0786

AA2462

.....
CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 28610
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 3
TIME: 7:18 -----PROPERTY PORTION----- OF: 4
.....

no. artcds type--descriptive information on property----- stolen recover
additional descriptive information----- value value

001 MISC E brd: mod:
----- size: ser: -----
cal: col1: col2: own#:
SEROLOGY KIT BELONGING TO THOMAS

+++++++ totals----->

type: E-evidence; F-found; I-impounded; L-lost;
O-other; R-recovered; S-stolen; X-safekesping

records bureau processed ser no ! detective bureau processed ser no
!

supervisor approving ser no ! officer reporting ser no
! ARMSTRONG/JOHN 0786

AA2463

CASE: 94007547 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 28610
DATE: 12/08/94 -----POLICE REPORT----- PAGE: 4
TIME: 7:18 -----NARRATIVE PORTION----- OF: 4

ON 120794 APPROX. 1730 HOURS OFFICER GLAZIER AND I WENT TO 1729 HELEN IN REFERENCE TO A SUBJECT WHO HAD HAD A FELONY WARRANT FOR SEXUAL ASSAULT CHARGES. THE SUBJECT IN QUESTION WAS ID'ED AS LARRY JAMES THOMAS.

ON ARRIVAL TO THE HOUSE I WAS ABLE TO CONTACT THOMAS. I ADVISED HIM HE WAS UNDER ARREST FOR SEXUAL ASSAULT, STATUTORY SEXUAL SEDUCTION, LEWDNESS WITH MINOR, SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE. THUS HE WAS TRANSPORTED TO THE NLU JAIL WHERE HE WAS BOOKED ON THE ABOVE LISTED CHARGE. WHILE AT THE JAIL I WITNESSED THE NURSE JEANNE SCHNORF TAKE A SEROLOGY STANDARDS KIT. I KEPT THIS PROPERTY IN MY POSSESSION UNTILL IT WAS BOOKED INTO THE NLU POLICE DEPT. ATTACH: BOOKING SHEET, DECLARATION FOR WITHDRAWAL OF WHOLE BLOOD SAMPLE. ALSO IT SHOULD BE NOTED THAT THE WARRANT OF ARREST WAS RETURNED TO THE NLU POLICE DEPT. WITH OTHER PAPER WORK.

records bureau processed	ser no	1	detective bureau processed	ser no
supervisor approving	ser no	1	officer reporting	ser no
			ARMSTRONG/JOHN	0786

AA2464

Clark County Justice Court

NORTH LAS VEGAS TOWNSHIP

JUDGMENT (Felony / Misdemeanor)

THE STATE OF NEVADA,

Plaintiff,

—vs—

LARRY JAMES THOMAS

Defendant.

TRANSFERRED FROM L.V. JUSTICE COURT #:

FELONY CASE #: 1181-94FN

CHARGE: Sex. Ass. (4 cts) Stat. sex. Seduction (3 cts)
Lewness with a minor (2 cts)
X Sex Ass. with minor under 14 yrs of age (8 cts)

COMPLAINT FILED: 11-30-94 DR #: 94-7547 NLV

I.D. #: 846620

ARREST DATE:

Amended Criminal Complaint filed 12-1-94

FELONY DISMISSED BY MOTION OF:

(Date): 1-5-95

DISTRICT ATTORNEY

1,8,9,11 only

X DEFENDANT

COURT

COMPLAINT INTERLINEATED:

MISDEMEANOR CASE #: (See Information Below)

CHARGE:

COMPLAINT FILED: DR #:

NHP CITATION: METRO CITATION:

I.D. #: ARREST DATE:

DOB: SSN:

MISDEMEANOR CASE INFORMATION

On _____, Defendant entered plea of _____

On _____, the Court gave the following ORDER:

- _____ Bail Forfeited.
- _____ Case Dismissed by the Court.
- _____ Case Dismissed by Motion of District Attorney.
- _____ Case Dismissed by Motion of Defendant.
- _____ Defendant Found Not Guilty.
- _____ Defendant Found Guilty.
- _____ Fined In the Sum of \$ _____ + _____ Administrative Assessment Fee + _____ Analysis Fee.
- _____ Sentenced To Serve _____
- _____ Defendant Given Credit For Time Served. _____ Days.
- _____ DUI School.
- _____ Community Service: _____ Hours.
- _____ Petit Larceny School.
- _____ Revocation Of Driver's License.
- _____ Victim Impact Panel. _____ Counseling.
- _____ OTHER: _____

Dated: 1-6-95

VW

Clerk:

STEPHEN J. DAHL, JUSTICE OF THE PEACE
NORTH LAS VEGAS TOWNSHIP

CORRECTION



CORRECTION

Clark County Justice Court

NORTH LAS VEGAS TOWNSHIP

JUDGMENT

(Felony / Misdemeanor)

THE STATE OF NEVADA,

Plaintiff,

—VS—

LARRY JAMES THOMAS

Defendant.

TRANSFERRED FROM L.V. JUSTICE COURT #:

FELONY CASE #: 1181-94FN

CHARGE: Sex. Ass. (4 cts) Stat. sex. Seduction (3 cts)
Lewdness with a minor (2 cts)
X Sex Ass. with minor under 14 yrs of age (8 cts)

COMPLAINT FILED: 11-30-94 DR #: 94-7547 NLV

I.D. #: 846620

Amended Criminal Complaint filed 12-1-94

FELONY DISMISSED BY MOTION OF:

(Date): 1-5-95

1,8,9,11 only

DISTRICT ATTORNEY

X DEFENDANT

COURT

COMPLAINT INTERLINEATED:

MISDEMEANOR CASE #: (See Information Below)

CHARGE:

COMPLAINT FILED: DR #:

NHP CITATION: METRO CITATION:

I.D. #: ARREST DATE:

DOB: SSN:

MISDEMEANOR CASE INFORMATION

On _____, Defendant entered plea of _____

On _____, the Court gave the following ORDER:

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- _____ Case Dismissed by the Court.
- _____ Case Dismissed by Motion of District Attorney.
- _____ Case Dismissed by Motion of Defendant.
- _____ Defendant Found Not Guilty.
- _____ Defendant Found Guilty.
- _____ Fined In the Sum of \$ _____ + _____ Administrative Assessment Fee + _____ Analysis Fee.
- _____ Sentenced To Serve _____
- _____ Defendant Given Credit For Time Served. _____ Days.
- _____ DUI School.
- _____ Community Service: _____ Hours.
- _____ Petit Larceny School.
- _____ Revocation Of Driver's License.
- _____ Victim Impact Panel. _____ Counseling.
- _____ OTHER: _____

Dated: 1-6-95

VW

Clerk: _____

STEPHEN J. DAHL, JUSTICE OF THE PEACE
NORTH LAS VEGAS TOWNSHIP

Clark County Justice Court

NORTH LAS VEGAS TOWNSHIP

THE STATE OF NEVADA,

Plaintiff,

—vs—

LARRY JAMES THOMAS,

Defendant.

District Court Case No. _____

Justice Court Case No. 1181-94FN

COMMITMENT AND ORDER TO APPEAR

An Order having been made this day by me that the above named defendant be held to answer upon the charge(s) of _____

Sexual Assault (3 cts) STATUTORY SEXUAL SEDUCTION (3 cts)

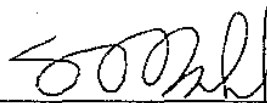
SEXUAL ASSAULT WITH A MINOR UNDER 14 YEARS OF AGE (7 cts)

_____ committed in Clark County, Nevada, on or about _____

IT IS FURTHER ORDERED that unless the Defendant has been previously released on bail or by order of the Court, the Sheriff of Clark County receive the above named Defendant into custody and detain such Defendant until such Defendant be legally discharged and that such Defendant be admitted to bail in the sum of \$55,000 cash or bail bond or \$ 110,000 property bond. (Property bond must be approved in advance by the Court)

IT IS FURTHER ORDERED that said Defendant appear in the Eighth Judicial District Court, Clark County Courthouse, 200 South Third Street, Las Vegas, Nevada on 1-26-95, at 9:00 A.M., Department # 13, for arraignment and further proceedings.

DATED January 6, 1995



STEPHEN J. DAHL, Justice of the Peace
North Las Vegas Township

DISTRICT COURT
CLARK COUNTY, NEVADA

FILED

JAN 17 8 56 AM '95

State of Nevada
Plaintiff,
vs.

Larry J. Thomas
Defendant.

Loretta L. L...
CLERK

Case No. C125353
Dept. No. 13
Docket No.

MEDIA REQUEST

Erik Pappa, of KLAS-TV8

hereby requests permission to broadcast, record, photograph or
televise proceedings in the above-entitled case in the courtroom
of Department 13, Judge Chavez, commencing
on the 26th day of January, 1995.

I certify that I am familiar with the contents of
Nevada Standards of Conduct and Technology ADKT 26.

I also understand that this form must be submitted
to the Court at least seventy-two (72) hours before the proceeding
commences unless good cause can be shown.

DATED this 10th day of January, 1995.

Erik Pappa

Erik Pappa
MEDIA REPRESENTATIVE

792-1488

MEDIA PHONE NUMBER

3228 Channel 8 Dr., LV, NV 89109

MEDIA ADDRESS

1531

P.04

FAX NO. 7027922977

KLAS-TV 8

JAN-10-95 TUE 13:53

AA2469

DISTRICT COURT
CLARK COUNTY, NEVADA

FILED

JAN 17 8 56 AM '95

Loretta L. L...

CLERK

State of Nevada

Plaintiff,

vs.

Larry J. Thomas

Defendant.

Case No. C125353
Dept. No. 13
Docket No.

ORDER GRANTING PERMISSION OF MEDIA ENTRY

Upon written request of Erik Pappa, of
KLAS-TV8 for written permission to broadcast,

record, photograph, or televise proceedings in the above-entitled
case, in the courtroom of Department 13, and being satisfied that
approval of this request would not distract participants, impair
the dignity of the proceedings or otherwise materially interfere
with the achievement of a fair trial or hearing herein.

IT IS HEREBY ORDERED that permission is granted as requested
for each and every hearing on the above-entitled case unless
otherwise notified. The Media Request is in accordance with
Nevada Standards of Conduct and Technology ADKT 26.

IT IS FURTHER ORDERED that this entry shall be made a
part of the record of the proceedings in this case.

DATED this 13th day of January, 1995.

Carl Chang
DISTRICT JUDGE

PS

6521

1 STEWART L. BELL
2 DISTRICT ATTORNEY
3 Nevada Bar #000477
4 200 S. Third Street
5 Las Vegas, Nevada 89155
6 (702) 455-4711
7 Attorney for Plaintiff
8 THE STATE OF NEVADA

FILED

JAN 17 8 16 PM '95

Forster
CLERK

6 I.A. 1/26/95
7 DEPT. XIII
8 9:00 A.M.
9 R. Archie

DISTRICT COURT

CLARK COUNTY, NEVADA

11	THE STATE OF NEVADA,)	CASE NO.	C125353
12)	DEPT. NO.	XIII
13	Plaintiff,)	DOCKET NO.	G
14	-vs-)		
15	LARRY JAMES THOMAS,)		
16	#0846620,)		
17)		
18	Defendant.)		

I N F O R M A T I O N

18 STATE OF NEVADA)
19) ss:
20 COUNTY OF CLARK)

21 STEWART L. BELL, District Attorney within and for the County
22 of Clark, State of Nevada, in the name and by the authority of the
23 State of Nevada, informs the Court:

24 That LARRY JAMES THOMAS, the Defendant, having committed the
25 crimes of STATUTORY SEXUAL SEDUCTION (Felony - NRS 200.364,
26 200.368); SEXUAL ASSAULT (Felony - NRS 200.364, 200.366) and SEXUAL
27 ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Felony - NRS
28 200.364, 200.366), on or between October 1993, and May 1, 1994,
within the County of Clark, State of Nevada, contrary to the form,

CNC

CE11

R

AA2471

1 force and effect of statutes in such cases made and provided, and
2 against the peace and dignity of the State of Nevada,

3 COUNT I - STATUTORY SEXUAL SEDUCTION

4 did, on or between February 1994, and March 1994, then and
5 there wilfully, unlawfully, and feloniously subject CHANELL
6 JACKSON, a female person under the age of 16 years, to sexual
7 penetration, to-wit: sexual intercourse, by inserting his penis in
8 the vagina of the said CHANELL JACKSON, the Defendant being 21
9 years of age, or older, with the intent of arousing, appealing to,
10 or gratifying the lust, passions, or sexual desires of said
11 defendant, or said child.

12 COUNT II - SEXUAL ASSAULT

13 did, on or about November 20, 1993, then and there wilfully,
14 unlawfully, and feloniously sexually assault and subject ARLETHA
15 SANDERS, a female person, to sexual penetration, to-wit: by
16 inserting his finger in the vagina of the said ARLETHA SANDERS,
17 against her will.

18 COUNT III - SEXUAL ASSAULT

19 did, on or about February 21, 1994, then and there wilfully,
20 unlawfully, and feloniously sexually assault and subject ARLETHA
21 SANDERS, a female person, to sexual penetration, to-wit: sexual
22 intercourse, by inserting his penis in the vagina of the said
23 ARLETHA SANDERS, against her will.

24 COUNT IV - STATUTORY SEXUAL SEDUCTION

25 did, on or about February 21, 1994, then and there wilfully,
26 unlawfully, and feloniously subject ARLETHA SANDERS, a female
27 person under the age of 16 years, to sexual penetration, to-wit:
28 sexual intercourse, by inserting his penis in the vagina of the

1 said ARLETHA SANDERS, the defendant being 21 years of age, or
2 older, with the intent of arousing, appealing to, or gratifying the
3 lust, passions, or sexual desires of said defendant, or said child.

4 COUNT V - SEXUAL ASSAULT

5 did, on or about February 21, 1994, then and there wilfully,
6 unlawfully, and feloniously sexually assault and subject ARLETHA
7 SANDERS, a female person, to sexual penetration, to-wit:
8 cunnilingus, by inserting and/or licking the vagina of the said
9 ARLETHA SANDERS with his tongue, against her will.

10 COUNT VI - STATUTORY SEXUAL SEDUCTION

11 did, on or about February 21, 1994, on or about February 21,
12 1994, then and there wilfully, unlawfully, and feloniously sexually
13 assault and subject ARLETHA SANDERS, a female person, to sexual
14 penetration, to-wit: cunnilingus, by inserting and/or licking the
15 vagina of the said ARLETHA SANDERS with his tongue, against her
16 will.

17 COUNT VII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

18 did, on or about October 11, 1993, then and there wilfully,
19 unlawfully, and feloniously sexually assault and subject ROSHANDA
20 TURNER, a female child under fourteen years of age, to sexual
21 penetration, to-wit: sexual intercourse, by inserting his penis
22 in the vagina of the said ROSHANDA TURNER, against her will, or
23 under conditions in which Defendant knew, or should have known,
24 that the said ROSHANDA TURNER was mentally or physically incapable
25 of resisting or understanding the nature of Defendant's conduct.

26 COUNT VIII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
27 AGE

28 did, during December 1993, then and there wilfully,

1 unlawfully, and feloniously sexually assault and subject ROSHANDA
2 TURNER, a female child under fourteen years of age, to sexual
3 penetration, to-wit: sexual intercourse, by inserting his penis in
4 the vagina of the said ROSHANDA TURNER, against her will, or under
5 conditions in which Defendant knew, or should have known, that the
6 said ROSHANDA TURNER was mentally or physically incapable of
7 resisting or understanding the nature of Defendant's conduct.

8 COUNT IX - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

9 did, on or about January 26, 1994, then and there wilfully,
10 unlawfully, and feloniously sexually assault and subject ROSHANDA
11 TURNER, a female child under fourteen years of age, to sexual
12 penetration, to-wit: sexual intercourse, by inserting his penis in
13 the vagina of the said ROSHANDA TURNER, against her will, or under
14 conditions in which Defendant knew, or should have known, that the
15 said ROSHANDA TURNER was mentally or physically incapable of
16 resisting or understanding the nature of Defendant's conduct.

17 COUNT X - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

18 did, on or about February 5, 1994, then and there wilfully,
19 unlawfully, and feloniously sexually assault and subject ROSHANDA
20 TURNER, a female child under fourteen years of age, to sexual
21 penetration, to-wit: sexual intercourse, by inserting his penis
22 in the vagina of the said ROSHANDA TURNER, against her will, or
23 under conditions in which Defendant knew, or should have known,
24 that the said ROSHANDA TURNER was mentally or physically incapable
25 of resisting or understanding the nature of Defendant's conduct.

26 COUNT XI - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

27 did, on or about February 25, 1994, then and there wilfully,
28 unlawfully, and feloniously sexually assault and subject ROSHANDA

1 TURNER, a female child under fourteen years of age, to sexual
2 penetration, to-wit: sexual intercourse, by inserting his penis
3 in the vagina of the said ROSHANDA TURNER, against her will, or
4 under conditions in which Defendant knew, or should have known,
5 that the said ROSHANDA TURNER was mentally or physically incapable
6 of resisting or understanding the nature of Defendant's conduct.

7 COUNT XII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE


8 did, on or about May 1, 1994, then and there wilfully,
9 unlawfully, and feloniously sexually assault and subject ROSHANDA
10 TURNER, a female child under fourteen years of age, to sexual
11 penetration, to-wit: sexual intercourse, by inserting his penis
12 in the vagina of the said ROSHANDA TURNER, against her will, or
13 under conditions in which Defendant knew, or should have known,
14 that the said ROSHANDA TURNER was mentally or physically incapable
15 of resisting or understanding the nature of Defendant's conduct.

16 COUNT XIII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
17 AGE

18 did, on or between October 11, 1993, and May 1, 1994, then and
19 there wilfully, unlawfully, and feloniously sexually assault and
20 subject ROSHANDA TURNER, a female child under fourteen years of
21 age, to sexual penetration, to-wit: cunnilingus, by inserting
22 and/or licking the vagina of the said ROSHANDA TURNER with his
23 tongue, against her will, or under conditions in which Defendant
24 knew, or should have known, that the said ROSHANDA TURNER was

1 mentally or physically incapable of resisting or understanding the
2 nature of Defendant's conduct.

5 STEWART L. BELL
6 DISTRICT ATTORNEY
7 Nevada Bar #000477
8 Nevada Bar #005107

9 BY 
10 LUIS ROJAS
11 Deputy District Attorney

12 The names of the witnesses known to the District Attorney's
13 Office at the time of filing this information are as follows:

14	NAME	ADDRESS
15	Brown, Cory	P.O. Box 1737, LV, NV 89125
16	Jackson, Channel	LV, NV 89101
17	Knight, Beth	3444 E Bonanza, LV, NV 89101
18	Olson, Kevin	3444 E Bonanza, Lv, NV 89101
19	Ortiz, Eduardo Jr	NLVPD P#682
20	Parent-Guardian of C. Jackson	LV, NV
21	Parent-Guardian of R. Turner	NLV, NV 89030
22	Risenhoover, Norval	NLVPD P#389
23	Sanders, Arletha	NLV, NV 89030
24	Sanders, Louise	NLV, NV 89030
25	Turner, Roshanda	NLV, NV 89030

26 DA#94FN1181X/msr
27 NLVPD DR#94-7547
28 SEX ASS; STAT SEX SED; SEX ASS W/MIN-F
(TK7)

—FILED IN OPEN COURT—

FEB 9 1995 19

LORETTA BOWMAN, CLERK

Charles Bell Deputy

1 STEWART L. BELL
2 DISTRICT ATTORNEY
3 Nevada Bar #000477
4 200 S. Third Street
5 Las Vegas, Nevada 89155
6 (702) 455-4711
7 Attorney for Plaintiff
8 THE STATE OF NEVADA
9

DISTRICT COURT

CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,

12 Plaintiff,

13 -vs-

14 LARRY JAMES THOMAS,
15 #0846620,

16 Defendant.
17

CASE NO. C125353

DEPT. NO. XIII

DOCKET NO. G

AMENDED
INFORMATION

18 STATE OF NEVADA)
19) ss:
20 COUNTY OF CLARK)

21 STEWART L. BELL, District Attorney within and for the County
22 of Clark, State of Nevada, in the name and by the authority of the
23 State of Nevada, informs the Court:

24 That LARRY JAMES THOMAS, the Defendant, having committed the
25 crimes of STATUTORY SEXUAL SEDUCTION (Felony - NRS 200.364,
26 200.368); SEXUAL ASSAULT (Felony - NRS 200.364, 200.366) and SEXUAL
27 ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Felony - NRS
28 200.364, 200.366), on or between October 1993, and May 1, 1994,
within the County of Clark, State of Nevada, contrary to the form,

AMENDED BY ORDER OF THE COURT
LORETTA BOWMAN, CLERK
BY *Charles Bell* Deputy
APR 20 1995



1 force and effect of statutes in such cases made and provided, and
2 against the peace and dignity of the State of Nevada,

3 COUNT I - STATUTORY SEXUAL SEDUCTION

4 did, on or between February 1994, and March 1994, then and
5 there wilfully, unlawfully, and feloniously subject CHANELL
6 JACKSON, a female person under the age of 16 years, to sexual
7 penetration, to-wit: sexual intercourse, by inserting his penis in
8 the vagina of the said CHANELL JACKSON, the Defendant being 21
9 years of age, or older, with the intent of arousing, appealing to,
10 or gratifying the lust, passions, or sexual desires of said
11 defendant, or said child.

12 COUNT II - SEXUAL ASSAULT

13 did, on or about November 20, 1993, then and there wilfully,
14 unlawfully, and feloniously sexually assault and subject ARLETHA
15 SANDERS, a female person, to sexual penetration, to-wit: by
16 inserting his finger in the vagina of the said ARLETHA SANDERS,
17 against her will.

18 COUNT III - SEXUAL ASSAULT

19 did, on or about February 21, 1994, then and there wilfully,
20 unlawfully, and feloniously sexually assault and subject ARLETHA
21 SANDERS, a female person, to sexual penetration, to-wit: sexual
22 intercourse, by inserting his penis in the vagina of the said
23 ARLETHA SANDERS, against her will.

24 COUNT IV - STATUTORY SEXUAL SEDUCTION

25 did, on or about February 21, 1994, then and there wilfully,
26 unlawfully, and feloniously subject ARLETHA SANDERS, a female
27 person under the age of 16 years, to sexual penetration, to-wit:
28 sexual intercourse, by inserting his penis in the vagina of the

1 said ARLETHA SANDERS, the defendant being 21 years of age, or
2 older, with the intent of arousing, appealing to, or gratifying the
3 lust, passions, or sexual desires of said defendant, or said child.

4 COUNT V - SEXUAL ASSAULT

5 did, on or about February 21, 1994, then and there wilfully,
6 unlawfully, and feloniously sexually assault and subject ARLETHA
7 SANDERS, a female person, to sexual penetration, to-wit:
8 cunnilingus, by inserting and/or licking the vagina of the said
9 ARLETHA SANDERS with his tongue, against her will.

10 COUNT VI - STATUTORY SEXUAL SEDUCTION

11 did, on or about February 21, 1994, then and there wilfully,
12 unlawfully, and feloniously subject ARLETHA SANDERS, a female
13 person under the age of 16 years, to sexual penetration, to-wit:
14 cunnilingus, by inserting and/or licking the vagina of the said
15 ARLETHA SANDERS with his tongue, the defendant being 21 years of
16 age, or older, with the intent of arousing, appealing to, or
17 gratifying the lust, passions, or sexual desires of said defendant,
18 or said child.

19 COUNT VII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

20 did, on or about October 11, 1993, then and there wilfully,
21 unlawfully, and feloniously sexually assault and subject ROSHANDA
22 TURNER, a female child under fourteen years of age, to sexual
23 penetration, to-wit: sexual intercourse, by inserting his penis
24 in the vagina of the said ROSHANDA TURNER, against her will, or
25 under conditions in which Defendant knew, or should have known,
26 that the said ROSHANDA TURNER was mentally or physically incapable
27 of resisting or understanding the nature of Defendant's conduct.

28 ///

1 COUNT VIII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
2 AGE

3 did, during December 1993, then and there wilfully,
4 unlawfully, and feloniously sexually assault and subject ROSHANDA
5 TURNER, a female child under fourteen years of age, to sexual
6 penetration, to-wit: sexual intercourse, by inserting his penis in
7 the vagina of the said ROSHANDA TURNER, against her will, or under
8 conditions in which Defendant knew, or should have known, that the
9 said ROSHANDA TURNER was mentally or physically incapable of
10 resisting or understanding the nature of Defendant's conduct.

11 COUNT IX - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

12 did, on or about January 26, 1994, then and there wilfully,
13 unlawfully, and feloniously sexually assault and subject ROSHANDA
14 TURNER, a female child under fourteen years of age, to sexual
15 penetration, to-wit: sexual intercourse, by inserting his penis in
16 the vagina of the said ROSHANDA TURNER, against her will, or under
17 conditions in which Defendant knew, or should have known, that the
18 said ROSHANDA TURNER was mentally or physically incapable of
19 resisting or understanding the nature of Defendant's conduct.

20 COUNT X - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

21 did, on or about February 5, 1994, then and there wilfully,
22 unlawfully, and feloniously sexually assault and subject ROSHANDA
23 TURNER, a female child under fourteen years of age, to sexual
24 penetration, to-wit: sexual intercourse, by inserting his penis
25 in the vagina of the said ROSHANDA TURNER, against her will, or
26 under conditions in which Defendant knew, or should have known,
27 that the said ROSHANDA TURNER was mentally or physically incapable
28 of resisting or understanding the nature of Defendant's conduct.

1 COUNT XI - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE
2 did, on or about February 25, 1994, then and there wilfully,
3 unlawfully, and feloniously sexually assault and subject ROSHANDA
4 TURNER, a female child under fourteen years of age, to sexual
5 penetration, to-wit: sexual intercourse, by inserting his penis
6 in the vagina of the said ROSHANDA TURNER, against her will, or
7 under conditions in which Defendant knew, or should have known,
8 that the said ROSHANDA TURNER was mentally or physically incapable
9 of resisting or understanding the nature of Defendant's conduct.

10 COUNT XII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE
11 did, on or about May 1, 1994, then and there wilfully,
12 unlawfully, and feloniously sexually assault and subject ROSHANDA
13 TURNER, a female child under fourteen years of age, to sexual
14 penetration, to-wit: sexual intercourse, by inserting his penis
15 in the vagina of the said ROSHANDA TURNER, against her will, or
16 under conditions in which Defendant knew, or should have known,
17 that the said ROSHANDA TURNER was mentally or physically incapable
18 of resisting or understanding the nature of Defendant's conduct.

19 COUNT XIII - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
20 AGE

21 did, on or between October 11, 1993, and May 1, 1994, then and
22 there wilfully, unlawfully, and feloniously sexually assault and
23 subject ROSHANDA TURNER, a female child under fourteen years of
24 age, to sexual penetration, to-wit: cunnilingus, by inserting
25 and/or licking the vagina of the said ROSHANDA TURNER with his
26 tongue, against her will, or under conditions in which Defendant
27 knew, or should have known, that the said ROSHANDA TURNER was

28 ///

1 mentally or physically incapable of resisting or understanding the
2 nature of Defendant's conduct.

3
4
5 STEWART L. BELL
6 DISTRICT ATTORNEY
7 Nevada Bar #000477
8 Nevada Bar #005107

9 BY 

10 LUIS ROJAS

11 Deputy District Attorney
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1 The names of the witnesses known to the District Attorney's
2 Office at the time of filing this information are as follows:

3	<u>NAME</u>	<u>ADDRESS</u>
4	Brown, Cory	P.O. Box 1737, LV, Nv 89125
5	Hiramfiggures, Tony	Unknown
6	Jackson, Channel	LV, Nv 89101
7	Knight, Beth	3444 E Bonanza, LV, Nv 89101
8	Nikia "Pickle"	Unknown
9	Olson, Kevin	3444 E Bonanza, LV, Nv 89101
10	Ortiz, Eduardo Jr.	NLVPD P#682
11	Parent-Guardian of C. Jackson	LV, Nv
12	Parent-Guardian of R. Turner	NLV, Nv 89030
13	Risenhoover, Norval	NLVPD P#389
14	Sanders, Arletha	NLV, Nv 89030
15	Sanders, Louise	NLV, Nv 89030
16	Turner, Roshanda	NLV, NV 89030
17	Watts, Matilda	Unknown
18	Webb, Harry Jr.	Unknown
19	Williams, Doris	Unknown
20	Wright, Shanisha	Unknown
21	CLAY, MICHELLE	C/O DETECTIVE N. RISENHOOVER
22	CRINER, DEANNA	C/O DETECTIVE N. RISENHOOVER
23	FITZGERALD, SYLVANNA	C/O DETECTIVE N. RISENHOOVER
24	HARRIS, SHJUANA	C/O DETECTIVE N. RISENHOOVER
25	HOWARD, SHARONDA	C/O DETECTIVE N. RISENHOOVER
26	JOHNSON, AALIYAH	C/O DETECTIVE N. RISENHOOVER
27	DA#94FN1181X/msr	Continued...
28	NLVPD DR#94-7547	
	SEX ASS; STAT SEX SED; SEX ASS W/MIN-F	
	(TK7)	

AMENDED BY ORDER OF THE COURT

LORETTA BOWMAN, CLERK

BY S. J. Destan, Deputy

August 30, 1976

AMENDED BY ORDER OF THE COURT

LORETTA BOWMAN, CLERK

BY Dorothy Kelly, Deputy

August 01, 1975

AMENDED BY ORDER OF THE COURT

LORETTA BOWMAN, CLERK

BY Dorothy Kelly, Deputy

January 20, 1977

LONG, NATASHA

PHILLIPS, SHAWN

SANDERS, BARBARA

WATTS, JOANNA

BANKS, LINDA

CLARK, KATHY

DESIREE, AKA "RAY RAY"

FITZGERALD, LEE

LONG, JOYCE

WATTS, GWENN

Chemist

Custodian of Records

Meers, Margaret, R.N.

Wachtel, Dr.

Walker, Dr.

Ravenholt, Dr. or Designee

Lees, Graham, Physician's Assistant

C/O DETECTIVE N. RISENHOOVER

C/O DETECTIVE N. RISENHOOVER

C/O DETECTIVE N. RISENHOOVER

C/O DETECTIVE N. RISENHOOVER

C/O NORVEL RISENHOOVER, NLVPD

C/O NORVEL RISENHOOVER, NLVPD

C/O NORVEL RISENHOOVER, NLVPD

C/O NORVEL RISENHOOVER, NLVPD

C/O NORVEL RISENHOOVER, NLVPD

C/O NORVEL RISENHOOVER, NLVPD

Associated Pathologists
Laboratories, LV, NV

Fremont Medical Center, 520
Fremont, LV, NV

Clark County Health District
625 Shadow Ln, LV, NV

Associated Pathologists
Laboratories, LV, NV

Associated Pathologists
Laboratories, LV, NV

Clark County Health District
625 Shadow Ln, LV, NV

Fremont Medical Center, 520
Fremont, LV, NV

DA#94FN1181X/msr

NLVPD DR#94-7547

SEX ASS; STAT SEX SED; SEX ASS W/MIN-F
(TK7)

1 ROBERT ARCHIE, ESQ.
2 Nevada State Bar #: 002574
3 550 E. Charleston, Ste., #E
4 Las Vegas, Nevada 89104
5 702/383-8112
6 Attorney for Defendant
7 LARRY JAMES THOMAS

25.
FILED

FEB 15 9 33 AM '95

Letta Thomas
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,)

9 Plaintiff,)

10 vs.)

11 LARRY JAMES THOMAS,)

12 Defendant.)

Case No. C125353

Dept. No. XIII

Docket No.

Date of Hearing: 2-16-95

Time of Hearing: 9AM

13 MOTION FOR BAIL REDUCTION, OWN RECOGNIZANCE RELEASE
14 AND/OR IN THE ALTERNATIVE; HOUSE ARREST

15 COMES NOW, the Defendant LARRY JAMES THOMAS, by and through his
16 attorney ROBERT ARCHIE, ESQ., and files this Motion for Bail
17 Reduction, Own Recognizance Release, and/or in the alternative,
18 House Arrest.

19 This Motion is made and based upon the papers and pleadings on
20 file herein, the attached Points and Authorities in support hereof,
21 and the oral argument of Counsel at the time of the hearing.

22 DATED this 13th day of February, 1995.

Robert Archie

23 ROBERT ARCHIE, ESQ.
24 Nevada State Bar #: 002574
25 550 E. Charleston, Ste., #E
26 Las Vegas, Nevada 89104
27 702/383-8112
28 Attorney for Defendant
LARRY JAMES THOMAS

CMC
CE11

AA2485

1 NOTICE OF MOTION

2
3 TO: THE STATE OF NEVADA, PLAINTIFF

4 TO: STEWART BELL, DISTRICT ATTORNEY

5 YOU WILL PLEASE TAKE NOTICE that the undersigned will bring
6 the foregoing MOTION FOR BAIL REDUCTION, OWN RECOGNIZANCE RELEASE,
7 AND/OR IN THE ALTERNATIVE; HOUSE ARREST, is hereby acknowledged
8 this
9 day of 1995.

10 DATED this 3rd day of February 1995.

11
12
13
14 

15 ROBERT ARCHIE, ESQ.
16 Nevada State Bar #: 002574
17 550 E. Charleston, Ste., #E
18 Las Vegas, Nevada 89104
19 702/383-8112
20 Attorney for Defendant
21 LARRY JAMES THOMAS
22
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28

1 STATE OF NEVADA)
2) ss: AFFIDAVIT OF COUNSEL IN SUPPORT OF
3 COUNTY OF CLARK) MOTION FOR BAIL REDUCTION, OWN
4 RECOGNIZANCE RELEASE, AND/OR IN THE
5 ALTERNATIVE; HOUSE ARREST

6 ROBERT ARCHIE, ESQ., being first duly sworn, upon oath, hereby
7 deposes and says:

8 1. That he is an attorney duly licensed to practice in the
9 highest court in the State of Nevada, and currently maintains a law
10 office located at 550 East Charleston, Boulevard, Suite, #E, Las
11 Vegas, Nevada, 89104.

12 2. That your Affiant is the Counsel of Record for the above-
13 named Defendant.

14 3. That the Defendant is a life-long resident of the City of
15 Las Vegas, and has extensive family ties here in the City.

16 4. That the Defendant has never been in trouble with the law
17 before, and has no criminal record.

18 5. That the Defendant was employed at Bally's Hotel & Casino
19 here in Las Vegas as a Porter until his arrest.

20 6. That the defendant is not a flight risk due to his
21 extensive family ties here in Las Vegas.

22 . . .
23 . . .
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25 . . .
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27 . . .
28 . . .

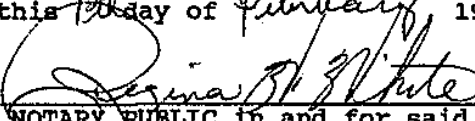
1 7. That this is the Defendant's initial request for a bail
2 reduction or Own Recognizance Release at the District Court level.

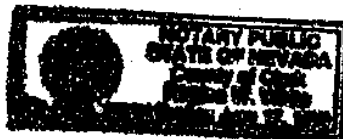
3
4 FURTHER, your Affiant sayeth naught.

5 DATED this 13th day of February, 1995.
6
7
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9

10 
11 ROBERT ARCHIE, ESQ.
12
13
14
15
16
17

18 SUBSCRIBED AND SWORN to before me
19 this 13th day of February, 1995.

20 
21 NOTARY PUBLIC in and for said
22 County and State
23
24
25
26
27
28



1 ROBERT ARCHIE, ESQ.
2 Nevada State Bar #: 002574
3 550 E. Charleston, Ste., #E
4 Las Vegas, Nevada 89104
5 702/383-8112
6 Attorney for Defendant
7 LARRY JAMES THOMAS

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,)

11 Plaintiff,)

12 vs.)

13 LARRY JAMES THOMAS,)

14 Defendant.)

Case No. C125353
Dept. No. XIII
Docket No.

Date of Hearing:
Time of Hearing:

15 MEMORANDUM OF POINTS AND AUTHORITIES

16 I

17 STATEMENT OF FACTS

18 This office represents the Defendant in case #C125353. and has
19 been apprised of the charges against the Defendant, as well as the
20 Defendant's bail status. In the case before the Court, the
21 Defendant has a current bail setting of \$55,000.00.

22 II

23 ARGUMENT

24 The Defendant's current bail is set at \$55,000.00, which was
25 based on \$5,000.00 per count in the eleven (11) count criminal
26 information and O/R's on two additional charges.

27 The United States Supreme Court has held in Stack v. Boyle.

1 342 U.S. 1 (1952), that the Eighth Amendment to the United States
2 Constitution provides that "excessive bail shall not be required",
3 shall be interpreted to mean that the bail set at a figure higher
4 than an amount reasonably calculated to provide assurance that the
5 accused will be present at trial was excessive under the Eighth
6 Amendment. In the case at bar, the Court is faced with a Defendant
7 whose financial resources are close to being classified as
8 indigent, thus any setting of bail must be closely scrutinized to
9 ensure that the bail as set, does not amount to being excessive
10 under the Eighth Amendment.

11
12 Moreover, the Constitution of the State of Nevada, Article I,
13 Section 6, states that excessive bail shall not be required. The
14 Supreme Court of the State of Nevada has stated that bail is
15 excessive within the prohibition of Article 1, Section 6, if the
16 amount is more than the accused can reasonably expect to give under
17 the circumstances. The Court stated that the factors that should
18 be considered are:

- 19 1. The financial ability of the prisoner;
20 2. The atrocity of the offense or the surpitude of the crime;
21 3. The punishment of the crime involved in the charge.

22
23 Ex Parte, Malley at 50 Nev. 248, 256 P.2d 512 (1927), and Ex
24 Parte, Toczylowski, at 69 Nev. 194, 245 P.2d 1004 (19552).

25 Furthermore, the court stated in the case of In Re: Jaggels
26 44, Nev. 370, 195 P.2d 808 (1921), that a recent conclusion as to
27
28

1 what is reasonable bail "should consider that the object of the
2 bail is simply to assure that the person accused is at trial".
3

4 The facts to be considered by the Court in setting bail is set
5 forth in N.R.S. 178.498, as follows:

- 6 1. The nature and circumstances of the offense charged;
- 7 2. The financial ability of the Defendant to give bail;
- 8 3. The character of the Defendant;
- 9 4. The factors listed in N.R.S. 178.4853."

10 Considerations for release without bail are contained in
11 N.R.S. 178.4853, as follows:

- 13 "1. The length of his residence in the community;
- 14 2. The status and history of his employment;
- 15 3. His relationships with his spouse and children,
16 parents or other members of his family, and with his close friends;
- 17 4. His reputation, character and mental condition;
- 18 5. His prior criminal record, including any record of
19 his appearing or failing to appear after release on bail or without
20 bail;
- 21 6. The identify of responsible members of the community
22 who would vouch for the Defendant's reliability;
- 23 7. The nature of the offense with which he is charged,
24 the apparent probability of conviction and the likely sentence,
25 insofar as these factors relate to the risk of his not appearing;
- 26

1 8. The nature and seriousness of the danger to any
2 person or the community that would be posed by the person's
3 release;

4 9. The likelihood of more criminal activity by the
5 person after he is released; and

6 10. Any other factors concerning his ties to the
7 community or bearing on the risk that he may willfully fail to
8 appear".

9 In addressing the factors, the Court should consider in
10 setting bail as set forth in N.R.S. 178.498, the nature and
11 circumstances of the offense charged, the Defendant is charged with
12 three (3) counts of Statutory Sexual Seduction, which involved two
13 (2) different victims, and three (3) counts of Sexual Assault,
14 involving the same victim, and seven (7) counts of Sexual Assault
15 with a minor under fourteen (14) years of age, which involved one
16 (1) victim, all alleged victims testified at the preliminary
17 hearing that no threats, force or other coercion was used by the
18 Defendant in order to perpetrate the crimes. This Court should
19 also note that a Defendant is presumed innocent until proven
20 guilty, which appears to be reversed, based on the present bail
21 situation;

22 The second factor for consideration would be the financial
23 ability of the Defendant to make bail. The Defendant has the
24 support of his family in assisting him in posting a reasonable bail
25 to procure his release from custody pending trial. However, at the
26 current amount, the intended collateral, which is the Defendant's
27

1 Brothers home in North Las Vegas, Nevada, would not be sufficient
2 based on the present bail amount.

3
4 Lastly, the Court should look to the character of the
5 Defendant, and in doing so, the Court will discover that the
6 Defendant had no prior felony convictions.

7 It is anticipated that the State will argue that the Defendant
8 has ties to the local Las Vegas Community, however, that a bail
9 reduction is not appropriate due to the nature of the charges. The
10 Defendant contends that this assertion is in direct contrast to the
11 ruling handed down by the 9th Circuit Court in the case of U.S. v.
12 Townsend, 897, F.2d 989, 995 (9th Cir. 1990), where it was stated
13 that "if the Defendant is a United States resident, the community
14 to be considered must be at least as broad as in the United States.
15 Accordingly, we hold that 'community' ... embraces both the
16 community in which the charges are brought, and also a community in
17 the United States to which the Defendant has ties. The Court
18 further stated that doubts regarding the propriety of release are
19 to be resolved in favor of Defendants." I.D., at 994.

20
21 The Defendant is not charged with any crimes of a violent
22 nature, nor does he have a prior record, so any claims of a threat
23 or danger to the community must be shown by more than mere
24 allegations. The alleged victims in the instant case never gave
25 any testimony relating to the Defendant brewing a threat or danger
26 to their safety or well being during the course of the prior
27 preliminary hearing.


1 In the event the State is concerned about the likelihood of
2 the Defendant being engaged in more criminal activity in the event
3 he is released on bail, it is important to note that the Defendant
4 lives in the North Las Vegas area, and will make all Court
5 appearances and attend trial. The Defendant is also further aware
6 of the consequences he would face if he does not adhere to the
7 mandates of the Court.

8
9 Therefore, the Defendant requests that this Honorable Court
10 allow the Defendant a reasonable bail in connection with the matter
11 currently brought before the Court.

12 CONCLUSION

13 The Court should reduce the Defendant's total bail to
14 \$22,000.00 in order to avoid prejudice to the Defendant's
15 procedural Due Process Rights.

16 DATED this 17th day of February, 1995.

17
18
19
20
21 
22 ROBERT ARCHIE, ESQ.
23 Nevada State Bar #: 002574
24 550 E. Charleston, Ste., #E
25 Las Vegas, Nevada 89104
26 702/383-8112
27 Attorney for Defendant
28 LARRY JAMES THOMAS

38

1 ROBERT ARCHIE, ESQ.
2 Nevada State Bar #: 002574
3 550 E. Charleston, Ste., #E
4 Las Vegas, Nevada 89104
5 702/383-8112
6 Attorney for Defendant
7 LARRY JAMES THOMAS

FILED

FEB 15 9 38 AM '95

DISTRICT COURT
CLARK COUNTY, NEVADA

Loretta L. Simon
CLERK

8 THE STATE OF NEVADA,)
9 Plaintiff,)
10 vs.)
11 LARRY JAMES THOMAS,)
12 Defendant.)

Case No. C125353
Dept. No. XIII
Docket No.
Date of Hearing:
Time of Hearing:

14 RECEIPT OF COPY

15 RECEIPT OF COPY of the foregoing MOTION FOR BAIL REDUCTION,
16 OWN RECOGNIZANCE RELEASE, AND/OR IN THE ALTERNATIVE, HOUSE ARREST,
17 is hereby acknowledged this 15th day of February, 1995.

19 STEWART BELL, DISTRICT ATTORNEY

22 By: *Stewart Bell*

CE14

R1

38
1 ROBERT ARCHIE, ESQ.
Nevada State Bar #: 002574
2 550 E. Charleston, Ste., #E
Las Vegas, Nevada 89104
3 702/383-8112
Attorney for Defendant
4 LARRY JAMES THOMAS

FILED

MAR 10 10 24 AM '95

DISTRICT COURT
CLARK COUNTY, NEVADA

Luetta L. Summers
CLERK

8 THE STATE OF NEVADA,)

9 Plaintiff,)

10 vs.)

Case No. C 125353

Dept. No. XIII

11 LARRY JAMES THOMAS,)
#0846620,)

Docket No. "G"

12 Defendant.)
13)

Date of Hearing:

Time of Hearing:

14 EX PARTE ORDER TO EXTEND TIME TO FILE
15 A WRIT OF HABEAS CORPUS

16 Pursuant to the Affidavit of Counsel, and good cause shown,

17 IT IS HEREBY ORDERED that Counsel for Defendant, STANLEY A.

18 WALTON, ESQ., be given until 3/29/95 to file a Writ of

19 Habeas Corpus and other appropriate Motions regarding the above-
20 referenced matter.

21 DATED this 9th day of MARCH

, 1995.

David P. Chair
DISTRICT COURT JUDGE

23
24 *Stanley A. Walton*
ROBERT ARCHIE, ESQ.
25 Nevada State Bar #: 002574
550 E. Charleston, Ste., #E
26 Las Vegas, Nevada 89104
702/383-8112
27 Attorney for Defendant
LARRY JAMES THOMAS
28

CE19

AA2496

1 STATE OF NEVADA)
2) ss: AFFIDAVIT OF COUNSEL IN SUPPORT OF
3 COUNTY OF CLARK) EX PARTE MOTION TO EXTEND TIME TO FILE
4 A WRIT OF HABEAS CORPUS

5 STANLEY A. WALTON, ESQ., having been first duly sworn, hereby
6 deposes and says:

7 1. That he is an attorney duly licensed to practice law in
8 the State of Nevada, maintaining offices at 550 East Charleston
9 Blvd., Ste., #E, Las Vegas, Nevada, 89104, and that he is the
10 Attorney of Record for Defendant, LARRY JAMES THOMAS.

11 2. That the Trial is currently set for April 24, 1995.

12 3. That your Affiant has taken on a heavy case load due to
13 the fact that the attorney of record is ill, and his cases have
14 been given to your Affiant to handle.

15 4. That your Affiant is requesting until 3/29/95 to file
16 the Writ of Habeas Corpus in this matter.

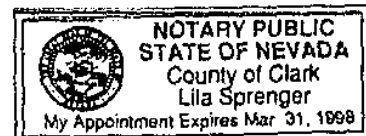
17 FURTHER, YOUR AFFIANT SAYETH NAUGHT.

18 DATED this 7th day of March , 1995.

19 
20 STANLEY A. WALTON, ESQ.

21
22
23
24 SUBSCRIBED AND SWORN to before me
25 this 7th day of March , 1995.

26 
27 NOTARY PUBLIC in and for said
28 county and State



FILED

APR 11 9 22 AM '95

Patricia L. ...

CLERK

1 STEWART L. BELL
DISTRICT ATTORNEY
2 Nevada Bar #000477
200 S. Third Street
3 Las Vegas, Nevada 89155
(702) 455-4711
4 Attorney for Plaintiff
THE STATE OF NEVADA

DISTRICT COURT

CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,

11 Plaintiff,

12 -vs-

13 LARRY JAMES THOMAS,
14 #0846620,

15 Defendant.
16

CASE NO. C125353

DEPT. NO. XIII

DOCKET NO. G

MOTION AND NOTICE OF MOTION TO ENDORSE NAMES ON INFORMATION

DATE OF HEARING: 4/18/95

TIME OF HEARING: 9:00 A.M.

TO: Defendant above named, and

TO: Your Counsel of Record: ROBERT ARCHIE, ESQ.

YOU, AND EACH OF YOU WILL PLEASE TAKE NOTICE that, on Tuesday,
the 18th day of April, 1995, at the hour of 9:00 o'clock, a.m., or
as soon thereafter as Counsel can be heard, in the Courthouse, Las
Vegas, Clark County, Nevada, the STATE OF NEVADA will move the
Court for leave to endorse upon Information heretofore filed herein
the names of the following witnesses:

\\

CE11

AA2498

1 supports, is necessary and material to the prosecution of the
2 within criminal action; that such facts were unknown to Affiant at
3 the time of filing Information herein.

4 WHEREFORE, Affiant prays that the Court enter an Order for
5 endorsement of names on Information, in accordance with NRS
6 173.045.

7 "I declare under penalty of perjury that the foregoing is true
8 and correct."

9 Executed this 10th day of April, 1995.

10
11 
12 for BILL A. BERRETT
13 Chief Deputy District Attorney
14

15 POINTS AND AUTHORITIES IN SUPPORT OF MOTION

16 TO ENDORSE NAMES ON INFORMATION

17 1. After filing the Information the District Attorney shall
18 endorse thereon the names of such other witnesses which shall
19 become known to him before the trial as the Court prescribes. Such
20 amendment may be made at any time after Defendant pleads when it
21 can be done without prejudice to the substantial rights of the
22 Defendant. NRS 173.045.

23 2. The granting on the morning of trial of a motion to add
24 names of witnesses to a first degree murder Information was not
25 error where the Defendant's attorney learned the names of such
26 witnesses three (3) days before trial, this being a reasonable time
27 to prepare for the defense. State v. Teeter, 65 Nev. 584, 612
28 (1948); Dalby v. State, 81 Nev. 517. 1965).

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * * *

MARLO THOMAS,

Appellant,

v.

WILLIAM GITTERE, et al.,

Respondents.

Electronically Filed
Jun 14 2019 02:53 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

No. 77345

District Court Case No.
96C136862-1

(Death Penalty Case)

APPELLANT'S APPENDIX

Volume 10 of 35

Appeal from Order Dismissing Petition for Writ of Habeas
Corpus (Post-Conviction)
Eighth Judicial District Court, Clark County
The Honorable Stefany Miley, District Judge

RENE L. VALLADARES
Federal Public Defender

JOANNE L. DIAMOND
Assistant Federal Public Defender
Nevada Bar No. 14139C
Joanne_Diamond@fd.org

411 E. Bonneville, Suite 250
Las Vegas, Nevada 89101
(702) 388-6577

Attorneys for Appellant

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on June 14, 2019. Electronic Service of the foregoing APPELLANT'S APPENDIX shall be made in accordance with the Master Service List as follows:

Steven S. Owens
Chief Deputy District Attorney

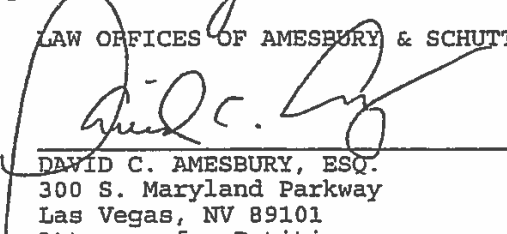
/s/ Jeremy Kip

An Employee of the
Federal Public Defender,
District of Nevada

1 WHEREFORE, Petitioner prays that this Honorable Court make an
2 Order directing the County Clerk to issue a Writ of Prohibition or
3 in the Alternative Mandamus directed to the said Sheriff of Clark
4 County, commanding him to bring the above-mentioned client of
5 Petitioner before Your Honor, and return the cause of his
6 imprisonment.

7 DATED this 26th day of January, 1998.

8 LAW OFFICES OF AMESBURY & SCHUTT

9
10 
11 DAVID C. AMESBURY, ESQ.
12 300 S. Maryland Parkway
13 Las Vegas, NV 89101
14 Attorney for Petitioner,
15 DARRELL BERNARD THOMAS

14 STATE OF NEVADA)
15) ss:
16 COUNTY OF CLARK)

17 DAVID C. AMESBURY, being first duly sworn, according to law,
18 upon oath, deposes and says:

19 That he is the attorney for DARRELL BERNARD THOMAS in the
20 above-entitled matter; that he has read the foregoing Petition,
21 knows the contents thereof, and that the same is true of his own
22 knowledge, except as to those matter therein stated on information
23 and belief, and as to those matters he believes them to be true.

24 That the client of Affiant, DARRELL BERNARD THOMAS, is now in
25 custody and that your Affiant represents that his Client will be
26 present at the time of the hearing, should that be necessary, in
27 the above-entitled matter.

28 That the instant Petition is verified by DAVID C. AMESBURY,

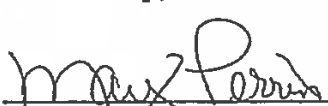
1 counsel for DARRELL BERNARD THOMAS and that DAVID C. AMESBURY,
2 verifies that said Defendant/Petitioner, personally authorized
3 DAVID C. AMESBURY to commence this action.

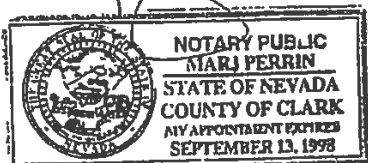
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DAVID C. AMESBURY

7 SUBSCRIBED and SWORN to
8 before me this 26th day
9 of January, 1998

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NOTARY PUBLIC



1 DAVID C. AMESBURY
2 NEVADA BAR NO. 003889
3 AMESBURY & SCHUTT
4 300 So. Maryland Parkway
5 Las Vegas, Nevada 89101
6 (702) 385-5570

7 Attorney for Petitioner
8 Darrell Bernard Thomas

FILED

JAN 26 1 34 PM '98

Letitia L...
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

9
10 DARRELL BERNARD THOMAS,
11 #0785645,

12 Petitioner.

13 THE STATE OF NEVADA,

14 Respondent.

)
) Case No. C147517
) Dept. No. V
) Docket H

) INFORMATION
) 2/10/98
) 9:00
)

PRETRIAL PETITION FOR WRIT OF
HABEAS CORPUS

18 Darrell Bernard Thomas, Petitioner, by and through his
19 attorney, David Amesbury, files this Pretrial Petition for Writ of
20 Habeas Corpus and requests that the Court dismiss the Information
21 on the following grounds: (1) Counts II through V are barred by
22 the statute of limitations; (2) the charges are not supported by
23 probable cause; (3) Counts IV and V are constitutionally deficient
24 for being too indefinite; and (4) preindictment delay.

INTRODUCTION

26 Defendant has been charged with five counts of lewdness with
27 a child under the age of 14 years, in violation of NRS 201.230
28 (1997). The charges allege that there were three different

1 victims. Counts I, II, and V allege that the defendant committed
2 the offense charged "by touching and/or fondling the buttocks of"
3 the victim. Count IV alleges that the defendant committed the
4 offense charged "by kissing the said Erika Goodall on the mouth
5 and/or by touching and/or fondling the buttocks of the said Erika
6 Goodall. . . ." Count II alleges that the defendant touched and/or
7 fondled the breasts of the victim.

8
9 **ARGUMENT**

9 **I. COUNTS II THROUGH V ARE BARRED BY THE STATUTE**
10 **OF LIMITATIONS.**

10 The limitations period applicable to violations of NRS 201.230
11 (1997) is three years. *Hubbard v. State*, 110 Nev. 671, 877 P.2d
12 519 (1994), *pet. for reh'g denied*, 112 Nev. Adv. 122, 920 P.2d 991
13 (1996); *Walstrom v. State*, 104 Nev. 51, 752 P.2d 225 (1988); see
14 NRS 171.085(2) (1997). It is well established that the State must
15 prove that an offense was committed within the statutorily
16 permitted period for prosecution. *Walstrom v. State*.

17 The initial complaint against the defendant was filed on May
18 23, 1997. Thus any violation of NRS 201.230 that was committed
19 three or more years prior to the filing of the complaint is barred
20 by the three-year limitation period. Counts II and III of the
21 Information allege that the offense occurred between July 1993 and
22 May 1994. Counts IV and V allege that the offense occurred between
23 December 1993 and May 1994. Thus, it appears that Counts II
24 through V are barred by the applicable three-year limitation
25 period.

26 It is recognized, however, that NRS 171.095(1) provides that
27

1 if a felony is committed in a secret manner, an information or
2 complaint must be filed within the period of limitation prescribed
3 in NRS 171.085, in this case, three years after the discovery of
4 the offense. See *Hubbard v. State*; *Walstrom v. State*. Exceptions
5 to criminal statutes of limitations are narrowly construed and read
6 in a light most favorable to the accused. *Walstrom v. State*.
7 Under NRS 171.095, the burden is on the State to prove by a
8 preponderance of the evidence that the crime was committed in a
9 secret manner in order to toll the statute of limitations for
10 criminal actions. *Id.*

11 In this case, the State has failed to carry its burden. The
12 evidence shows that the alleged acts were generally committed while
13 other people were at the defendant's house. Thus, the alleged acts
14 could easily have been discovered and the victims could easily have
15 immediately told others about the alleged acts. Moreover, the
16 evidence indicates that the victims told others about the alleged
17 acts very shortly after they were committed. (See T at 14, 18, 20,
18 51-52.) Thus, even if the alleged acts were committed in a "secret
19 manner," they were discovered three years or more before the filing
20 of the complaint. Therefore, even assuming NRS 171.095(1) applies,
21 Counts II through V are still barred by the applicable three-year
22 limitation period. Accordingly, Counts II through V must be
23 dismissed.

24 II. THE CHARGES ARE NOT SUPPORTED BY PROBABLE
25 CAUSE.

26 At the preliminary hearing held on December 16, 1997, the
27 State presented the testimony of each of the three alleged victims.

28

1 With regard to Count I, Lakeisha Culverson testified that in 1995,
2 while she was at the defendant's house, the defendant "touched" or
3 "caressed" her "behind" with his hand. (T at 31.) There were
4 other people at the house at the time but Lakeisha was alone in the
5 room with the defendant when the touching occurred. (T at 37-38.)

6 With respect to Count III, Ebony Bell testified that sometime
7 around July 4, 1993, while she was at defendant's house, he
8 "touched" her "butt" with his hand on top of her clothes. (T at
9 47.) This occurred at a slumber party with other girls present at
10 the house. (T at 49-50.)

11 Bell also testified that on another occasion around the same
12 time, the defendant touched her breasts with his hand on the top
13 of her clothes as she was "passing through" his house. (T at 45-
14 46.) This touching is charged in Count II of the Information.

15 With respect to Count II, Ebony Bell testified that as she was
16 "passing through" the defendant's house on July 4, 1993, the
17 defendant touched her breasts with his hand on top of her clothing.
18 (T at 45-46.)

19 With respect to Counts IV and V, Erika Goodall testified on
20 direct examination that the defendant "touched me on my butt and
21 kissed me." (T at 8.) According to Goodall, the defendant kissed
22 her on her lips and touched and rubbed her butt with his hand on
23 top of her clothes. (T at 8-9.) She testified that this was the
24 first time that anything had happened with the defendant and that
25 the defendant did not do "anything else on any other times that
26 made [her] feel uncomfortable." (T at 11.) On cross-examination,
27 Goodall testified that this incident occurred "around
28

1 Christmastime" of 1993, in defendant's house while other people
2 were in the kitchen. (T at 8, 17-18.)

3 On redirect examination, the prosecutor showed Goodall a prior
4 statement she had made, and asked her if anything happened in 1994.
5 (T at 21-22.) Goodall answered "No." (T at 22.) The prosecutor
6 then asked if she recalled telling the police that a second
7 incident occurred in May of 1994 and Goodall answered "Yes." (T
8 at 22.) Goodall testified that in May of 1994, the defendant
9 "touched my butt" while she was at his house. (T at 22.)

10 On recross-examination, Goodall was asked: "The first
11 incident was the incident at the church; is that my understanding
12 of your testimony." (T at 23.) Goodall answered "Yes." (T at
13 23.)

14 Particularly, with regard to Counts I, III, IV, and V and even
15 as to Count II, the evidence presented at the preliminary hearing
16 was insufficient to establish probable cause for the charges
17 against the defendant.

18 NRS 201.230 provides in pertinent part as follows:

19 1. A person who willfully and lewdly commits any
20 lewd or lascivious act, other than acts constituting the
21 crime of sexual assault, upon or with the body, or any
22 part or member thereof, of a child under the age of 14
23 years, with the intent of arousing, appealing to, or
24 gratifying the lust or passions or sexual desires of
25 that person or of that child, is guilty of a category B
26 felony[.]

27 The statute does not define "lewdly," "lewd," or "lascivious." See
28 *Summers v. Sheriff, Clark County*, 90 Nev. 180, 521 P.2d 1228
(1974); *Ranson v. State*, 99 Nev. 766, 670 P.2d 574 (1983). A lewd
and lascivious act has been defined, however, as an act which tends

1 to excite lust and to deprave the morals with respect to sexual
2 relations and which is obscene, indecent and related to sexual
3 impurity or incontinence carried on in a wanton manner. *State v.*
4 *Ragas*, 607 So. 2d 967, 972 n.2 (La. Ct. App. 1992); see *Young v.*
5 *State*, 109 Nev. 205, 849 P.2d 336, 341 (1993) (at common law, open
6 lewdness was defined as an "unlawful indulgence of lust involving
7 gross indecency with respect to sexual conduct "committed in a
8 public place and observed by persons lawfully present").

9 The acts with which the defendant is charged do not fall
10 within the definition of lewd or lascivious. Merely kissing a
11 person under 14 years old as alleged in Count IV cannot be defined
12 as a lewd and lascivious act. See *State v. Ragas* (hugging and
13 kissing the minor victim did not constitute an attempt to commit
14 a lewd and lascivious act); *State v. Louviere*, 602 So. 2d 1042 (La.
15 Ct. App. 1992) (kissing the minor victim and attempting to "french
16 kiss" her, did not constitute an attempt to commit a lewd and
17 lascivious act; evidence did not prove intent to arouse or gratify
18 either the defendant's or the victim's sexual desire).

19 Similarly, merely touching the "butts" of the victims over
20 their clothes cannot be considered a lewd and lascivious act. Such
21 conduct is common and cannot be construed as lewd and lascivious.
22 Moreover, under NRS 201.230, intent is an element of the crime.
23 *Findley v. State*, 94 Nev. 212, 577 P.2d 867 (1978). The statute
24 requires that the defendant act with the "intent of arousing,
25 appealing to, or gratifying the lust or passions or sexual desires"
26 of the defendant or the child. NRS 201.230(1). There was no
27 evidence presented in this case to show such intent. The alleged
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1 acts generally took place while numerous other people were in the
2 house and in one case (Count II alleging the touching of the
3 victim's breasts) as the victim was "passing through" the
4 defendant's house. (T at 45-46.) The circumstances under which
5 the alleged "touchings" occurred belie any showing that the
6 defendant acted with the requisite sexual intent. This is the case
7 even as to Count II, alleging the touching of the victim's breasts,
8 which could have been accidental. Accordingly, the evidence fails
9 to establish probable cause for the charges.

10 Furthermore, particularly with respect to Counts IV and V,
11 even if the conduct alleged could be considered lewd, the evidence
12 is inconsistent and contradictory and fails to establish probable
13 cause. The victim, Erika Goodall, initially testified that only
14 one incident occurred and this was at the defendant's house. (T
15 at 8, 11, 17-18.) She again later denied that there was a second
16 incident. (T at 22.) However, upon prodding by the prosecutor on
17 redirect, she testified that the defendant, on a second occasion
18 at his house that occurred in May 1994, "touched [her] butt." (T
19 at 22.) Goodall did not testify as to any of the circumstances of
20 this "touching." On recross, Goodall indicated, contrary to her
21 prior testimony, that the first incident occurred at the church and
22 not at the defendant's house. (T at 23.) Given the
23 inconsistencies and contradictions in Goodall's testimony, the
24 evidence fails to establish probable cause as to Counts IV and V.

25 III. COUNTS IV AND V ARE CONSTITUTIONALLY DEFICIENT
26 FOR BEING TOO INDEFINITE AND THEREFORE MUST BE
DISMISSED.

27 NRS 173.075(1) requires that the indictment shall contain a
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1 definite written statement of the essential facts constituting the
2 offense charged. *Wright v. State*, 101 Nev. 269, 701 P.2d 743
3 (1985). An indefinite indictment deprives a defendant of notice
4 of the particular act alleged to have been committed by the accused
5 and deprives the defendant of his ability to defend properly
6 against the accusation. *Id.* Therefore, an indefinite indictment
7 denies a defendant his fundamental rights. *Id.*

8 It is recognized that time is not an essential element of an
9 offense under NRS 201.230. *Cunningham v. State*, 100 Nev. 396, 683
10 P.2d 500 (1984), cert. denied, 469 U.S. 935 (1985). As such, the
11 State is not absolutely required to allege the exact date of the
12 commission of an offense under NRS 201.230. *Id.* This does not
13 mean, however, that the State may fail to allege any date
14 whatsoever, since such a failure would clearly deprive the
15 defendant of adequate notice of the charge against him. *Id.*
16 Moreover, the State should, whenever possible, allege the exact
17 date on which the crime was committed, or as closely thereto as
18 possible. *Id.*

19 In this case, the State's evidence at the preliminary hearing
20 indicated that the criminal act alleged in Count IV occurred
21 "around Christmastime" of 1993 (T at 17-18) while the criminal act
22 alleged in Count V occurred in May of 1994. (T at 22.)
23 Nevertheless, both Counts IV and V allege that the criminal act
24 occurred "between December, 1993 and May, 1994." Under these
25 circumstances, Counts IV and V are constitutionally deficient in
26 that it cannot be determined from the Information what specific act
27 is being charged in each count. Either of the alleged touchings

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1 of the victim could be the basis of each count under the time frame
2 alleged in Counts IV and V. Accordingly, Counts IV and V must be
3 dismissed as constitutionally deficient for being too indefinite.

4 IV. THE INFORMATION MUST BE DISMISSED DUE TO
5 UNCONSTITUTIONAL PREINDICTMENT DELAY.

6 It is well settled that unjustified and prejudicial
7 preindictment delay may constitute a due process violation which
8 requires dismissal. See *United States v. Marion*, 404 U.S. 307
9 (1971); *State v. Gattuso*, 108 Nev. 49, 825 P.2d 569 (1992).
10 Although there is scant authority in Nevada concerning
11 preindictment delay, there is an abundance of authority from other
12 jurisdictions.

13 The seminal United States Supreme Court decision on the issue
14 of preindictment delay is *United States v. Marion*. The Court in
15 *Marion* noted that although the primary guarantees against excessive
16 preindictment delay are the statutes of limitations for criminal
17 offenses, the statutes of limitations do not fully define a
18 defendant's rights with respect to the events occurring prior to
19 indictment. The Due Process Clause also plays a role in protecting
20 against prosecutorial delay. *Id.* Thus, even if the applicable
21 statute of limitations has not expired, due process requires
22 dismissal of indictments when the delay in bringing formal charges
23 is unjustified by the legitimate needs of the prosecution and
24 causes the defendant to suffer actual prejudice. *United States v.*
25 *Richburg*, 478 F. Supp. 535 (M.D. Tenn. 1979); see *United States v.*
26 *Marion*; *United States v. Lovasco*, 431 U.S. 783 (1977).

27 In determining whether dismissal is required due to
28

1 preindictment delay, the courts generally follow a balancing
2 approach. See *United States v. Alderman*, 423 F. Supp. 847 (D. Md.
3 1976). As *United States v. Marion* observed, to "accommodate the
4 sound administration of justice to the rights of the defendant to
5 a fair trial will necessarily involve a delicate judgment based on
6 the circumstances of each case." 404 U.S. at 325. The courts
7 generally agree that the defendant bears the initial burden of
8 showing that the delay has actually prejudiced his defense. See
9 *Howell v. Barker*, 684 F. Supp. 132 (E.D.N.C. 1988), *aff'd*, 904 F.2d
10 889 (4th Cir.), *cert. denied*, 498 U.S. 1016 (1990); *United States*
11 *v. Sample*, 565 F. Supp. 1166 (E.D. Va. 1983); *People v. Lawson*, 67
12 Ill. 2d 449, 367 N.E.2d 1244 (1977). If the defendant meets this
13 burden, then the burden shifts to the prosecution to show the
14 necessity for, or the reasonableness of, the delay. See *People v.*
15 *Lawson*; *Howell v. Barker*. The court then must balance the
16 prejudice to the defendant against the reasons advanced by the
17 prosecution for its delay in prosecuting. See *People v. Lawson*;
18 *Howell v. Barker*; *Pharm v. Hatcher*, 984 F.2d 783 (7th Cir.), *cert.*
19 *denied*, 114 S. Ct. 125 (1993).

20 Prejudice to a defendant caused by preindictment delay may be
21 established in a variety of ways. For example, loss of records,
22 loss of personal recollection, and loss of witnesses or witnesses'
23 memories all relate to the ability of an accused to defend himself
24 against the charges. *United States v. Richburg*. If proven, they
25 affect the fairness and reliability of the trial process itself
26 and, thus, fall within the core of the due process protection. *Id.*
27 In *Richburg*, the court noted that when making claims of
28

1 prejudice caused by loss of evidence, defendants often encounter
2 difficulty in substantiating such claims, and courts experience
3 difficulty in evaluating them because of the very real danger that
4 what has been forgotten or lost can rarely be shown. 478 F. Supp.
5 at 540. Accordingly, the adoption of a rigid approach in assessing
6 prejudice is not appropriate, as it predetermines an outcome
7 adverse to defendants in all but very rare instances. *Id.*

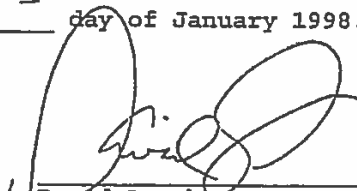
8 Generally, to establish prejudice from loss of witnesses due
9 to preindictment delay, defendant must demonstrate the general
10 content of lost evidence and show that it had material connection
11 with his defense to the crimes charged. *United States v. Richburg;*
12 *United States v. Sample.* The mere possibility that memories may
13 dim is not in itself sufficient to demonstrate prejudice justifying
14 dismissal of the indictment. *United States v. Sample.* It is
15 possible, however, for a defendant's ability to defend himself to
16 be prejudiced by a genuine lack of memory about the crucial events.
17 *Id.*; *United States v. Richburg.* Thus, if defendant is able to show
18 who would be his witnesses, that these witnesses' memories have
19 been impaired, what the general content of their testimony would
20 have been had they not lost their memories, that the testimony
21 would have been material to defendant's defense, and that the loss
22 of witnesses' memories resulted from the government's preindictment
23 delay, then actual prejudice will have been established. *United*
24 *States v. Sample.* The same analysis applies to lost or unavailable
25 witnesses. *See id.*; *United States v. Richburg.*

26 Application of the foregoing principles requires that the
27 indictment be dismissed in this case. Most of the offenses charged
28

1 happened as many as almost four years ago. There is no reason why
2 these charges could not have been brought sooner. Moreover, the
3 delay in bringing the charges clearly has prejudiced the defendant.
4 The alleged offenses generally occurred while other people were
5 present, but the exact dates have not been provided. Accordingly,
6 it is difficult if not impossible for defendant to determine who
7 was present and thus to gather exculpatory evidence. Moreover,
8 given the nature of the acts alleged and the indefinite time frame
9 alleged during which the acts occurred, the defendant is further
10 prejudiced in gathering exculpatory evidence. Therefore, the
11 unjustified and prejudicial delay in bringing these charges
12 constitutes a due process violation and requires dismissal of the
13 charges.

14 WHEREFORE, Petitioner prays that the court dismiss the
15 Information.

16 EXECUTED on the 26th day of January 1998.

17
18
19
20 
21 David Amesbury
22 Law Offices of Amesbury & Schutt
23 300 South Maryland Parkway
24 Las Vegas, NV 89101

25 Attorney for Petitioner
26
27
28

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Exhibit 2

AA2265

1 DAVID C. AMESBURY
2 NEVADA BAR NUMBER 3889
3 LAW OFFICES OF DAVID C. AMESBURY
4 300 SOUTH MARYLAND PARKWAY
5 LAS VEGAS, NEVADA 89101
6 (702) 385-5570
7 Attorney for Petitioner
8 Darrell Bernard Thomas

FILED

JAN 28 3 01 PM '98

Forster
CLERK

6 DISTRICT COURT
7 CLARK COUNTY, NEVADA
8

9 DARRELL BERNARD THOMAS,)
10)
11 Petitioner,) CASE NO. C147517
12)
13 v.) DEPT. NO. V
14)
15 THE STATE OF NEVADA,) DOCKET NO. H
16)
17 Respondent,)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

15 RECEIPT OF COPY

16 RECEIPT OF COPY of the foregoing Petition for Writ of Habeas
17 Corpus is hereby acknowledged this 28 day of January, 1998.
18

19 RECEIVED BY
20 DISTRICT ATTORNEY'S OFFICE

21 By: *TS*
22 STEWART BELL
23 DISTRICT ATTORNEY
24 200 South Third St.
25 Las Vegas, NV 89155
26
27
28

ORIGINAL

FILED

MAR 5 3 05 PM '98

For the District Attorney
CLERK

1 DAVID C. AMESBURY
2 NEVADA BAR NO. 003889
3 AMESBURY & SCHUTT
4 300 So. Maryland Parkway
5 Las Vegas, Nevada 89101
6 (702) 385-5570

7 Attorney for Petitioner
8 Darrell Bernard Thomas

9 DISTRICT COURT
10 CLARK COUNTY, NEVADA

11 DARRELL BERNARD THOMAS,
12 #0785645,

13 Petitioner.

14 THE STATE OF NEVADA,

15 Respondent.

)
) Case No. C147517
) Dept. No. V
) Docket H
)
)
)
)
)
)

16 Date of hearing: 3/26/98
17 Time of Hearing: 9 AM

18 RECEIPT OF COPY of the foregoing PETITIONERS' OPPOSITION TO
19 STATE'S MOTION TO DISMISS DEFENDANT'S/PETITIONER'S PRETRIAL
20 PETITION FOR WRIT OF HABEAS CORPUS is hereby acknowledged this
21 5 day of March, 1998.

22 Received by
23 DISTRICT ATTORNEY'S OFFICE

24 By: *Stewart Bell*

25 STEWART BELL
26 DISTRICT ATTORNEY
27 200 So. Third Street
28 Las Vegas, NV 89155

6884

AA2267

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MAR 24 4 22 PM '98

Teresa Lowry
CLERK

RWHC
STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477
200 S. Third Street
Las Vegas, Nevada 89155
(702) 455-4711
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Application
of

DARRELL BERNARD THOMAS,
#0785645

Case No. C147517
Dept. No. V
Docket H

for a Writ of Habeas Corpus.

RETURN TO WRIT OF HABEAS CORPUS

DATE OF HEARING: 3/26/98
TIME OF HEARING: 9:00 A.M.

COMES NOW, JERRY KELLER, Sheriff of Clark County, Nevada, Respondent, through his counsel, STEWART L. BELL, District Attorney, through TERESA LOWRY, Deputy District Attorney, in obedience to a writ of habeas corpus issued out of and under the seal of the above-entitled Court on the 26th day of January, 1998, and made returnable on the 26th day of March, 1998, at the hour of 9:00 o'clock A.M., before the above-entitled Court, and states as follows:

1. Respondent admits the allegations of Paragraphs 4 and 5 of the Petitioner's Petition for Writ of Habeas Corpus.
2. Respondent denies the allegations of Paragraph 3 of the Petitioner's Petition for Writ of Habeas Corpus.
3. Paragraph 1, 6 and 7 do not require admission or denial.
4. The Petitioner is in the constructive custody of JERRY KELLER, Clark County

12511

1 Sheriff, Respondent herein, pursuant to a Criminal Information, a copy of which is attached
2 hereto as Exhibit 1 and incorporated by reference herein.

3 Wherefore, Respondent prays that the Writ of Habeas Corpus be discharged and the
4 Petition be dismissed.

5 DATED this ____ day of March, 1998.

6 Respectfully submitted,

7 STEWART L. BELL
8 DISTRICT ATTORNEY
9 Nevada Bar #000477

10 BY Jicki D. Lowry
11 TERESA LOWRY
12 Deputy District Attorney
13 Nevada Bar #03901

14 STATEMENT OF FACTS

15 Erika Goodall 13 years of age met Darrell Thomas (hereinafter referred to as Defendant)
16 at the Philadelphia Church of God in Christ. The Defendant was the Pastor of that Church.
17 Erika went to the Defendant's house on two separate occasions to help his wife Cynthia Thomas
18 with things around the house. (Preliminary hearing transcript referred to as PHT) (PHT. pp. 6-
19 7). In May of 1994, Erika was at the Defendant's house helping his wife, when the Defendant
20 approached her while she was in the laundry room and no one else was around and kissed her
21 on the lips and rubbed her butt with his hand. (PHT.p.8). The Defendant told Erika, " this has
22 to stay between you and me". (PHT. P. 14).

23 In December of 1993, Erika was at the Philadelphia Church in the Defendant's office
24 after a service. (PHT.p. 11). When no one else was around the Defendant asked her if she was
25 developing in certain areas and if she had pubic hair. (PHT. p. 12). The Defendant also rubbed
26 her butt with his hand and told her that this was to stay between them and not to tell anyone.
27 (PHT.p. 13). On March 5, 1997, Erika was contacted by police in reference to the Defendant.

28 Lakeisha Culverson 14 years of age went to the Philadelphia church. In June of 1996,
the Defendant was babysitting Lakeisha and her sisters at his house. Lakeisha's sisters were

1 outside playing and Lakeisha was in the den of the house, when the Defendant started asking her
2 if she had any pubic hair and if she had started her menstrual cycle. The Defendant then asked
3 her to stand up and unbutton her pants, then the Defendant rubbed her butt with his hand.
4 (PHT.pp.30-31). The Defendant told Lakeisha not to tell her mom and that if she told anyone
5 that something bad would happen. (PHT.p.33). Lakeisha told her mother several weeks later
6 and they contacted the police. (PHT.p.35).

7 Ebony Bell attended the Philadelphia Church of God in Christ between the ages of 13-14.
8 Ebony was at the Defendant's house on July 4, 1993, when no one was around the Defendant
9 touched her breasts with his hands. (PHT.p. 46).

10 In May of 1994, Ebony was at a slumber party the Defendant had at his house. When no
11 one was around the Defendant rubbed her butt with his hand and tried to touch her vaginal area.
12 (PHT.pp.47-48). Ebony did not tell anyone right away because she was afraid of the Defendant
13 and he had told her that if she told anyone they would not believe her. (PHT.p.48). The police
14 contacted Ebony at her school on March 5, 1997.

15 On February 26, 1997, Stephanie Culverson contacted Las Vegas Metropolitan Police
16 Detective Nick Lucas and shortly thereafter an investigation ensued. On May 27, 1997, a
17 criminal complaint was filed charging the Defendant with five counts of Lewdness With a Child
18 Under the Age of Fourteen.

19
20 I.

21 COUNTS II THROUGH V ARE NOT BARRED BY THE STATUTE OF LIMITATIONS.

22 The Defendant makes several allegations in his petition for writ of habeas corpus. The
23 first allegation the Defendant makes is that counts II - V are barred by the statute of limitations.
24 The limitation period the Defendant states is applicable to violations of NRS 201.230 is three
25 years Hubbard v. State, 112 Nev. 946, 920 P.2d 991 (1996). In Hubbard, the petitioner's appeal
26 was denied. They ruled the limitation period was tolled under NRS 171.095, because appellant
27 had committed the crimes in secret. Id.
28

1 The applicable statute for a violation of NRS 201.230 Lewdness With a Child Under the
2 Age of Fourteen is NRS 171.095 Secret Manner and Offenses Constituting Sexual Abuse of A
3 Child. NRS 171.095 states in pertinent part:

4 1. Except as otherwise provided in subsection 2 and NRS.
5 171.083:

6 (b) An indictment must be found or an information or complaint
7 filed, for any offense constituting sexual abuse of a child, as
8 defined in NRS 432B.100, before the victim of the sexual abuse
9 is:

10 (1) Twenty-one years old or if he discovers or reasonably should
11 have discovered that he was a victim of the sexual abuse by the
12 date or which he reaches that age; or

13 (2) Twenty-eight years old if he does not discover or reasonably
14 should not have discovered that he was a victim or the sexual
15 abuse by the date on which he reaches 21 years of age.

16 The offense of lewdness with a child was committed in a secret manner, where
17 intimidation was used to prevent the victim from reporting incidents. On appeal of judgement
18 of conviction for one count of lewdness with a child under the age of fourteen, the Supreme
19 Court concluded that, because the Defendant used intimidation to prevent the victim who was
20 a juvenile at the time of the molestation from reporting the incidents, the defendant committed
21 the crime in a secret manner. Pursuant to NRS 171.095. Houtz v. State, 111 Nev. 457, 893 P.2d
22 355 (1995).

23 Clearly the crimes listed in the information were committed in a secret manner. All of
24 the acts were committed with no one around other than the Defendant and the victim. The
25 record also reflects that the Defendant told the girls not to tell anyone and threatened the girls
26 by telling them something bad would happen if they told anyone. (PHT.p.33). The Defendant
27 argues that the crimes were not committed in a secret manner because there were other people
28 in the house at the time the crimes were committed therefore someone could have easily
discovered the acts. The Defendant's argument is frivolous and without merit. It goes without
saying that most crimes committed against children are often done in their own homes or in the
homes of people they trust. Therefore the crimes the Defendant is charged with fall under NRS
171.095 and Defendant's motion should be denied.

1
2 II.

3 SUFFICIENT EVIDENCE WAS PRESENTED AT
4 THE PRELIMINARY HEARING

5 The Defendant's next allegation is that there was insufficient evidence to establish
6 probable cause that the Defendant has committed the crimes being charged.

7 In a preliminary hearing or in proceedings before the grand jury, there must be evidence
8 adduced which establishes probable cause to believe that an offense has been committed and that
9 the Defendant committed it. Robertson v. Sheriff, 85 Nev. 681, 683, 462 P.2d 528 (1969). The
10 finding of probable cause may be based upon slight, even "marginal" evidence because it does
11 not involve a determination of the guilt or innocence of an accused. Hodes v. Sheriff, 96 Nev.
12 184, 186, 606 P.2d 178 (1980).

13 The Defendant states that NRS 201.230, does not define "lewd" or "lascivious". The
14 Defendant cites to Summers v. Sheriff, 90 Nev. 180, 521 P.2d 1228 (1974). In Summers, the
15 word "lewd" had sufficient certainty of the definition to give a person of ordinary intelligence
16 fair notice of the nature of the proscribed conduct. The word "lewd" as used in NRS 201.230,
17 prohibiting lewd or lascivious acts upon a child under age fourteen, had sufficient certainty of
18 definition to give a person of ordinary intelligence fair notice of the nature of the proscribed
19 conduct when measured by common understanding and practices. (Cited) Williams v. State, 110
20 Nev. 1182 at 1188, 888 P.2d 536 (1994).

21 In Federal District Court in, Schwartzmiller v. Gardner, 567 F. Supp 1371 (1983), at p.
22 1374, the Court ruled in reference to this latter statutory language that:

23 "[there is] no legal authority nor... [credible argument] that people of ordinary intelligence
24 do not know what body parts are or what lust, passions and sexual desires refer to. The court
25 thus rules without hesitation that these phrases are sufficiently definite, when used in
26 combination, to pass constitutional muster". If such language can stand on its own, we fail to
27 see how the addition of two adjectives such as "lewd" and "lascivious" describing the proscribed
28 acts could render the entire statute unconstitutionally vague. (Cited as) Harmon v. State, 107
Idaho 73, 685 P.2d 814 (1984).

1 The Defendant states that there was no evidence presented that the Defendant acted with
2 the intent of arousing, appealing to our gratifying the lust or passions or sexual desires of the
3 Defendant or the girls. The Defendant has been charged with five counts of lewdness with a
4 child under the age of fourteen. The record reflects the specific acts the Defendant committed
5 upon the girls. The Defendant repeatedly fondled the girl's buttocks, breasts and kissed them
6 on the mouth as well as made statements to them about their physical development. The
7 Defendant committed these acts upon three different girls at different time periods. Reviewing
8 all of the surrounding circumstances clearly there has been sufficient evidence that these acts
9 were committed with the intent of arousing and or appealing to the lust, passions... of the
10 Defendant.

11 III.

12 COUNTS IV AND V ARE NOT CONSTITUTIONALLY
13 DEFICIENT AND INDEFINITE

14 The Defendant's next allegation is that counts IV and V are constitutionally deficient and
15 the State has failed to allege the exact date. In Cunningham v. State, 100 Nev. 396, 683 P.2d
16 500 (1984), the court addressed the issue of time frames in child sexual abuse cases and stated,
17 unless time is an essential element of the offense charged, there is no absolute requirement that
18 the state allege the exact date in an information; the state may instead give an approximate date
19 on which it believes the crime occurred.

20 Counts IV and V are plead by way of information did, during or between December 1993
21 and May 1994. Erika Goodall testified that in May of 1994 the Defendant kissed her on the lips
22 and rubbed her butt. (PHT.p. 8). Erika Goodall also testified that in December of 1993 the
23 Defendant rubbed and fondled her butt. (PHT.p. 13).

24 Clearly the dates the State has alleged the crimes to have been committed are supported
25 by the testimony of Erika Goodall and are sufficient to support probable cause to hold the
26 Defendant to answer to the charges in District Court.

27 ///

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4 IV.

5 THE INFORMATION SHOULD NOT BE DISMISSED
6
7 DUE TO PRE-INDICTMENT DELAY

8 The Defendant's claim of "Pre-Indictment Delay" is entirely meritless and should be
9 summarily dismissed. Claims of Sixth Amendment Pre-Indictment or Pre-Arrestment Delay
10 may only be invoked in reference to delays which occur after a defendant has become an
11 "accused" in a criminal prosecution. United States v. Marion, 404 U.S. 307, 313, 92 S.Ct. 455,
12 459 (1971). In the instant case, Stephanie Culverson the mother of Lakeisha contacted Detective
13 Nicholas Lucas of the Las Vegas Metropolitan Police Department on February 26, 1997. A
14 complaint was filed and an arrest warrant was issued on May 27, 1997 - 90 days after the
15 discovery of the crime. The Defendant is attempting to argue that this Court should consider the
16 time prior to the State's commencement of the investigation as time in which the prosecution
17 "delayed" the bringing of formal charges. Clearly this is absurd, since the secret nature of the
18 offense made it impossible for the State to have taken any action in bringing forth charges in this
19 case. In Marion, *supra*., Defendant tried to claim a Sixth Amendment speedy trial violation for
20 the three years that had passed since the end of their criminal scheme charged and before the
21 return of the indictment. The United States Supreme Court held the following:

22 The Sixth Amendment provides that '[i]n all
23 criminal prosecutions, the accused shall enjoy the
24 right to a speedy and public trial . . . ' On its face,
25 the protection of the Amendment is activated only
26 when a criminal prosecution has begun and extends
27 only to those persons who have been 'accused' in
28 the course of that prosecution.

Id. U.S. at 313, S.Ct. at 459. The Court continued:

23 The framers could hardly have selected less
24 appropriate language if they had intended the
25 speedy trial provision to protect against pre-
26 accusation delay. No opinions of this Court
27 intimate support for appellees' thesis, and the
28 courts of appeals that have considered the question
in constitutional terms have never reversed a
conviction or dismissed an indictment solely on the
basis of the Sixth Amendment's speedy trial
provision where only pre-indictment delay was
involved.

1 Id. U.S. at 314, 315, S.Ct. at 460.

2 The Marion Court, supra., did acknowledge that if the defendant could establish 1)
3 Substantial prejudice to appellees' rights to a fair trial, and 2) the delay was an intentional device
4 to gain tactical advantage over the accused, that Fifth Amendment Due Process could require
5 dismissal of the case. See also, Jones v. State, 96 Nev. 240, 242, 607 P.2d 116, 117 (1980),
6 citing, United States v. Lovasco, 431 U.S. 783, 97 S. Ct. 2044 (1977). In the instant case, the
7 defendant has completely failed to establish that the delay was "an intentional device to gain
8 tactical advantage over the accused." The delay between discovery of the crime and the filing
9 of charges was only three months. This was a necessary and reasonable time for the
10 investigation of multiple, serious and on going sexual offenses. In State v. Autry, 103 Nev. 552,
11 746 P.2d 637 (1987), the Nevada Supreme Court quoted Lovasco, supra.:

12 Investigative delay is fundamentally unlike delay
13 undertaken by the Government solely 'to gain
14 tactical advantage over the accused' precisely
15 because investigative delay is not so one-sided.
16 Rather than deviating from elementary standards of
17 'fair play and decency,' a prosecutor abides by
18 them if he refuses to seek indictments until he is
19 completely satisfied that he should prosecute and
20 will be able promptly to establish guilt beyond a
21 reasonable doubt.

17 Id. at 557, P.2d at 641. [Citations omitted]. The Nevada Supreme Court further held,

18 ... [W]e note, for the future guidance of the trial
19 court, that the cases in this area strongly suggest
20 that some showing must be made that the delay
21 entailed intentional or reckless disregard by the
22 state of appreciable risks of impairment to an
23 accused's defense.

22 Id. at 558, P.2d at 641. The defendant has made absolutely no showing of intentional or reckless
23 disregard by the State.

24 Furthermore, the Defendant has failed to show any actual prejudice amounting to a denial
25 of due process. The defendant's sole claim to prejudice is to cite "examples" of what constitutes
26 prejudice and then to claim that Defendant cannot "gather exculpatory evidence." This is
27 clearly insufficient. In Sheriff v. Berman, 99 Nev. 102, 659 P.2d 298 (1983), the Nevada
28 Supreme Court stated:

1 Bare allegations of impairment of memory, witness
2 unavailability, or anxiety, unsupported by affidavits
3 or other offers of proof, do not demonstrate a
4 reasonable possibility that the defense will be
impaired at trial or that defendants have suffered
other significant prejudice.

5 At 107, P.2d at 301. In the instant case, the defendant has done nothing more than make bare
6 allegations of prejudice. For the above stated reasons, Defendant's fourth issue should be
7 dismissed in its entirety.

8 CONCLUSION

9 The State respectfully requests the Defendant's Petition for Writ of Habeas Corpus be
10 denied.

11 DATED this _____ day of March, 1998.

12 Respectfully submitted,

13 STEWART L. BELL
14 DISTRICT ATTORNEY
Nevada Bar #000477

15 BY Vicki J. Monahan for
16 TERESA LOWRY
17 Deputy District Attorney
18 Nevada Bar #03901

19 RECEIPT OF COPY

20
21 RECEIPT OF COPY of the above and foregoing Return of Writ of Habeas Corpus is
22 hereby acknowledged this 24th day of March, 1998.

23 David C. Amesbury, ESQ
24 ATTORNEY FOR DEFENDANT

25 BY DC Amesbury for
26 300 S. Maryland Parkway
27 Las Vegas, Nevada 89101

28 st

ORIGINAL

1 REPLY
2 DAVID C. AMESBURY, ESQ.
3 Bar No. 003889
4 AMESBURY & SCHUTT
5 300 So. Maryland Parkway
6 Las Vegas, Nevada 89101
7 (702) 385-5570
8 Attorney for Defendant
9 Darrell Bernard Thomas

APR 10 12 01 PM '93

CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

10 In the Matter of the Application)
11 of)
12)
13 DARRELL BERNARD THOMAS,)
14 #0785645)
15)
16 for a Writ of Habeas Corpus.)
17)
18)

C147517

CASE NO. C14757-
DEPT. NO. V
DOCKET H

PETITIONER'S REPLY TO RETURN TO WRIT
OF HABEAS CORPUS

INTRODUCTION

20 The alleged facts and circumstances giving rise to the charges
21 against Petitioner (hereinafter referred to as "Defendant") have
22 been set forth in the Pretrial Petition for Writ of Habeas Corpus
23 and in Respondent's Return to the Writ of Habeas Corpus. As
24 ordered by the court, Petitioner files this reply to Respondent's
25 Return.
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ARGUMENT

I. COUNTS II THROUGH V ARE BARRED BY THE STATUTE OF LIMITATIONS.

The Respondent admits that the three-year limitations period is applicable to these charges. See NRS 171.085(2) (1977). The Respondent contends, however, that the alleged crimes were committed in a "secret manner" and that, pursuant to NRS 171.095, the charges are not barred by the statute of limitations. The Respondent, however, has failed to meet its burden of proving by a preponderance of the evidence that the alleged crimes were committed in a secret manner. See *Walstrom v. State*, 104 Nev. 51, 752 P.2d 225 (1988).

Moreover, the Respondent has failed to address the fact that evidence indicates that the victims told others about the alleged offenses very shortly after they were committed. (See T. at 14, 18, 20, 51-52.) NRS 171.095(1)(a) provides that if such an offense is committed in a secret manner, a complaint must be filed within three years after the discovery of the offense. In this case, the complaint was filed more than three years after discovery of the alleged offenses. Thereafter, Counts II through V are barred by the statute of limitations even if the offenses were committed in a secret manner. Accordingly, these counts must be dismissed.

II. THE CHARGES ARE NOT SUPPORTED BY PROBABLE CAUSE.

The Defendant reasserts his argument made in his Petition. Three points should be particularly noted, however. With respect to the act of kissing the victim as alleged in the information,

1 such act cannot be defined as a lewd and lascivious act. See *State*
2 *v. Ragas*, 607 So. 2d 967 (La. Ct. App. 1992); *State v. Louviere*,
3 602 So. 2d 1042 (La. Ct. App. 1992). With respect to Counts IV
4 and V, the evidence presented was inconsistent and contradictory.
5 Finally, the evidence did not establish the requisite intent.
6 Accordingly, the charges are not supported by probable cause.

7
8 III. COUNTS IV AND V ARE CONSTITUTIONALLY DEFICIENT
9 FOR BEING TOO INDEFINITE AND THEREFORE MUST BE
DISMISSED.

10 As noted in his Petition, Defendant recognizes that the State
11 is not absolutely required to allege the exact date of the
12 commission of an offense under NRS 201.230. *Cunningham v. State*,
13 100 Nev. 396, 683 P.2d 500 (1984), cert. denied, 469 U.S. 935
14 (1985). Nevertheless, the State should, whenever possible, allege
15 the exact date on which the crime was committed, or as closely
16 thereto as possible. *Id.*

17 In this case, Erika Goodall, the victim of the acts alleged
18 in Counts IV and V, initially testified that Defendant touched her
19 butt and kissed her at his house around "Christmastime" 1993. (T.
20 at 8, 14, 17-18.) She later testified, however, that there were
21 two separate incidents. (T. at 21-23.) The first incident
22 occurred in December 1993, apparently at the church, and this only
23 involved the Defendant kissing the victim. (T. at 22-23.) The
24 second incident, which involved only the touching of her butt,
25 occurred in May 1994 at the Defendant's house. (T. at 22-23.)
26 Nevertheless, both Counts IV and V allege that the criminal acts
27 occurred between December 1993 and May 1994. Under these
28

1 circumstances, Counts IV and V are constitutionally deficient in
2 that it cannot be determined from the information what, specific act
3 is being charged in each count. Moreover, the allegations are not
4 consistent with the evidence presented at the Preliminary Hearing.
5 Accordingly, Counts IV and V must be dismissed as constitutionally
6 deficient for being too indefinite.

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1 IV. THE INFORMATION MUST BE DISMISSED DUE TO
2 UNCONSTITUTIONAL PREINDICTMENT DELAY.

3 The Respondent contends that the Defendant has made only bare
4 allegations of prejudice and that this is insufficient to show a
5 denial of due process. As discussed in *United States v. Richburg*,
6 478 F. Supp. 535, 540 (M.D. Tenn. 1979), however, when making
7 claims of prejudice by loss of evidence, defendants often encounter
8 difficulty in substantiating such claims, and courts experience
9 difficulty in evaluating them because of the very real danger that
10 what has been forgotten or lost can rarely be shown. Accordingly,
11 the adoption of a rigid approach in assessing prejudice is not
12 appropriate, as it predetermines an outcome adverse to defendants
13 in all but very rare instances. *Id.* at 540.

14 In this case, the testimony of Erika Goodall at the
15 Preliminary Hearing demonstrates the difficulty the Defendant faces
16 due to the delay in bringing these charges. Goodall's testimony
17 was inconsistent and contradictory. She at first testified that
18 both alleged incidents occurred at the same time and in the same
19 place. She later testified that there were two separate incidents,
20 each of which occurred at a different time and at a different
21 location. Goodall also testified that other people were present
22 in the Defendant's kitchen when one of the alleged incidents
23 occurred, but she could not remember everyone who was there. (T.
24 at 17.)

25 As can be seen, Defendant is faced with vague descriptions of
26 the accusations against him. Although other people may have been
27 present when the alleged incidents occurred, they have, as a rule,
28

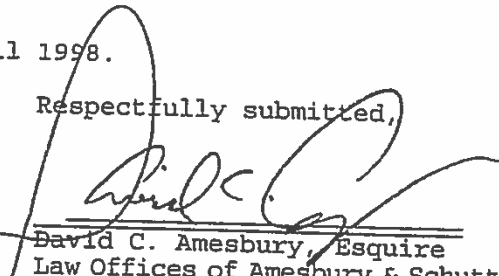
1 not been identified. It will thus be virtually impossible for the
2 Defendant to gather exculpatory evidence due to the length of the
3 delay in bringing these charges. Given the nature of the
4 allegations, the Defendant cannot be expected to be more specific
5 in showing prejudice. Accordingly, the unjustified and prejudicial
6 delay in bringing these charges constitutes a violation of due
7 process and requires dismissal of the charges.

8
9 CONCLUSION

10 The Defendant respectfully requests that his Petition for Writ
11 of Habeas Corpus be granted.

12 Dated this 10th day of April 1998.

13 Respectfully submitted,
14

15 
16 David C. Amesbury, Esquire
17 Law Offices of Amesbury & Schutt
18 300 South Maryland Parkway
19 Las Vegas, NV 89101
20 (702) 385-5570

21 Attorney for Defendant-Petitioner
22
23
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ORIGINAL

FILED

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Laetta L. Lamm
CLERK

1 ORDR
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DARRELL BERNARD THOMAS,
12 #0785645

13 Defendant.
14

Case No. C147517
Dept No. V
Docket H

15 ORDER DENYING DEFENDANT'S PRETRIAL PETITION
16 FOR WRIT OF HABEAS CORPUS

17 DATE OF HEARING: 04/23/98
18 TIME OF HEARING: 9:00 A.M.

19 THIS MATTER having come on for hearing before the above entitled Court on the 23rd
20 day of April, 1998, the Defendant not being present, represented by DAVID C. AMESBURY,
21 ESQ., the Plaintiff being represented by STEWART L. BELL, District Attorney, through PAM
22 WECKERLY, Deputy District Attorney, and the Court having heard the arguments of counsel
23 and good cause appearing therefor,

24 //

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1 IT IS HEREBY ORDERED that the Defendant's Pretrial Petition for Writ of Habeas
2 Corpus, shall be, and it is denied.

3 DATED this 24 day of April, 1998.

4
5
6 
DISTRICT JUDGE

7
8 STEWART L. BELL
9 DISTRICT ATTORNEY
Nevada Bar #000477

10
11 BY 
12 PAM WECKERLY
13 Deputy District Attorney
14 Nevada Bar #006163
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ORIGINAL

FILED IN OPEN COURT

JUN 6 1993

19

LORETTA BOWMAN, CLERK

BY *Sharon Coffman* Deputy

1 AINF
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,
9
10 Plaintiff,

-vs-

11 DARRELL BERNARD THOMAS,
12 #0785645
13
14 Defendant.

Case No. C147517
Dept. No. V
Docket H

AMENDED
INFORMATION

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

17 STEWART L. BELL, District Attorney within and for the County of Clark, State of
18 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That DARRELL BERNARD THOMAS, the Defendant(s) above named, having
20 committed the crime of OPEN OR GROSS LEWDNESS (Gross Misdemeanor - NRS
21 201.210), during or between July, 1993 and June, 1996, within the County of Clark, State of
22 Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and
23 ///
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6531

1 against the peace and dignity of the State of Nevada, did then and there wilfully, unlawfully, and
2 knowingly commit an act of open or gross lewdness by fondling and/or rubbing the buttocks of
3 LAKEISHA CULVERSON and/or EBONY BELL and/or ERIKA GOODALL.

4 STEWART L. BELL
5 DISTRICT ATTORNEY
6 Nevada Bar #000477

7 BY *Teresa M. Lowry*
8 TERESA M. LOWRY
9 Deputy District Attorney
10 Nevada Bar #003901
11
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26 DA#97F07543X/jmj
27 LVMPD EV#970226-0834
28 OGL - GM
(TK4)

ORIGINAL

FILED IN OPEN COURT

19
LORETTA BOWMAN, CLERK

BY *Sharon Coffman*
Deputy

1 GEM
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DARRELL BERNARD THOMAS,
12 #0785645

13 Defendant.
14

Case No. C147517
Dept. No. V
Docket H

15 GUILTY PLEA AGREEMENT PURSUANT TO ALFORD DECISION

16 I hereby agree to plead guilty, pursuant to North Carolina v. Alford, 400 U.S. 25 (1970),
17 to: OPEN OR GROSS LEWDNESS (Gross Misdemeanor - NRS 201.210), as more fully
18 alleged in the charging document attached hereto as Exhibit "1".

19 My decision to plead guilty by way of the Alford decision is based upon the plea
20 agreement in this case which is as follows:

21 The State retains the right to argue at the time of sentencing.

22 CONSEQUENCES OF THE PLEA

23 By pleading guilty pursuant to the Alford decision, it is my desire to avoid the possibility
24 of being convicted of more offenses or of a greater offense if I were to proceed to trial on the
25 original charge(s) and of also receiving a greater penalty. I understand that my decision to plead
26 guilty by way of the Alford decision does not require me to admit guilt, but is based upon my
27 belief that the State would present sufficient evidence at trial that a jury would return a verdict
28 of guilty of a greater offense or of more offenses than that to which I am pleading guilty to.

1 I understand that as a consequence of my plea of guilty I may be sentenced to jail for a
2 period of not more than one (1) year and/or I may be fined up to \$2,000.00. I understand that
3 the law requires me to pay an Administrative Assessment Fee.

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

8 I understand that I am not eligible for probation unless a psychologist licensed to practice
9 in Nevada or a psychiatrist licensed to practice medicine in Nevada certifies that I am not a
10 menace to the health, safety or morals of others.

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

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

16 I have not been promised or guaranteed any particular sentence by anyone. I know that
17 my sentence is to be determined by the Court within the limits prescribed by statute. I
18 understand that if my attorney or the State or both recommend any specific punishment to the
19 Court, the Court is not obligated to accept the recommendation.

20 I also understand that the Division of Parole and Probation will prepare a report for the
21 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
22 sentencing, including my criminal history. This report may contain hearsay information
23 regarding my background and criminal history. My attorney and I will each have the opportunity
24 to comment on the information contained in the report at the time of sentencing. Unless the
25 District Attorney has specifically agreed otherwise, then the District Attorney may also comment
26 on this report.

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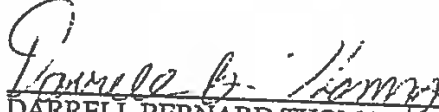
1 I believe that pleading guilty by way of the Alford decision and accepting this plea
2 bargain is in my best interest, and that a trial would be contrary to my best interest.

3 I am signing this agreement voluntarily, after consultation with my attorney, and I am not
4 acting under duress, coercion, or by virtue of any promises of leniency, except for those set forth
5 in this agreement.

6 I am not now under the influence of any intoxicating liquor, a controlled substance or
7 other drug which would in any manner impair my ability to comprehend or understand this
8 agreement or the proceedings surrounding my entry of this plea.

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

11 DATED this 4 day of ^{June} May, 1998.

12
13 
14 DARRELL BERNARD THOMAS
15 Defendant

16 AGREED TO BY:

17
18 
19 Deputy District Attorney
20
21
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1 CERTIFICATE OF COUNSEL:

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

4 1. I have fully explained to the Defendant the allegations contained in the charge(s) to
5 which guilty plea(s) are being entered and the entry of a guilty plea pursuant to the Alford
6 decision.

7 2. I have advised the Defendant of the penalties for each charge and the restitution that
8 the Defendant will be ordered to pay.

9 3. All pleas of guilty offered by the Defendant pursuant to this agreement and the Alford
10 decision are consistent with the facts known to me and are made with my advice to the
11 Defendant.

12 4. To the best of my knowledge and belief, the Defendant:

13 a. Is competent and understands the charges and the consequences of pleading
14 guilty as provided in this agreement.

15 b. Executed this agreement and will enter all guilty pleas pursuant hereto
16 voluntarily.

17 c. Was no under the influence of intoxicating liquor, a controlled substance or
18 other drug at the time I consulted with the defendant as certified in paragraphs 1
19 and 2.

20 Dated: This 4th day of June, 1998.

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23
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27
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ATTORNEY FOR DEFENDANT

jmj

1 AINF
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DARRELL BERNARD THOMAS,
12 #0785645

13 Defendant.
14

Case No. C147517
Dept. No. V
Docket H

AMENDED
INFORMATION

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

17 STEWART L. BELL, District Attorney within and for the County of Clark, State of
18 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That DARRELL BERNARD THOMAS, the Defendant(s) above named, having
20 committed the crime of OPEN OR GROSS LEWDNESS (Gross Misdemeanor - NRS
21 201.210), during or between July, 1993 and June, 1996, within the County of Clark, State of
22 Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

EXHIBIT "1"

1 against the peace and dignity of the State of Nevada, did then and there wilfully, unlawfully, and
2 knowingly commit an act of open or gross lewdness by fondling and/or rubbing the buttocks of
3 LAKEISHA CULVERSON and/or EBONY BELL and/or ERIKA GOODALL.

4 STEWART L. BELL
5 DISTRICT ATTORNEY
6 Nevada Bar #000477

7 BY *Teresa M. Lowry*
8 TERESA M. LOWRY
9 Deputy District Attorney
10 Nevada Bar #003901
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26 DA#97F07543X/jmj
27 LVMPD EV#970226-0834
28 OGL - GM
(TK4)

ORIGINAL

FILED

JUL 31 3 18 PM '98

CLERK

1 ROC
2 DAVID C. AMESBURY
3 NEVADA BAR NO. 003889
4 AMESBURY & SCHUTT
5 300 So. Maryland Parkway
Las Vegas, Nevada 89101
(702) 385-5570
Attorney for Petitioner
Darrell Bernard Thomas

DISTRICT COURT
CLARK COUNTY, NEVADA

9 DARRELL BERNARD THOMAS,
10 #0785645,
11
12 Petitioner.
13
14 THE STATE OF NEVADA,
15
16 Respondent.

Case No. C147517
Dept. No. V

RECEIPT OF ORIGINAL

Receipt of original of the attached REPORT is hereby
acknowledged this 31 day of July, 1998.

District Attorney's Office
200 South Third St., 7th Floor
Las Vegas, Nevada 89155

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ORIGINAL

FILED

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[Handwritten signature]

8

1 ROC
2 DAVID C. AMESBURY
3 NEVADA BAR NO. 003889
4 AMESBURY & SCHUTT
5 300 So. Maryland Parkway
6 Las Vegas, Nevada 89101
7 (702) 385-5570
8 Attorney for Petitioner
9 Darrell Bernard Thomas

DISTRICT COURT
CLARK COUNTY, NEVADA

9 DARRELL BERNARD THOMAS,
10 #0785645,

Petitioner.

) Case No. C147517
) Dept No. V

12 THE STATE OF NEVADA,

Respondent.

RECEIPT OF ORIGINAL

16 Receipt of original of the attached REPORT is hereby
17 acknowledged this 11 day of September, 1998.

Taner Schneid
District Attorney's Office
200 South Third St., 7th Floor
Las Vegas, Nevada 89155

SEP 11 1998

NEVADA INVESTIGATIVE SERVICES
CASE

DARRELL BERNARD THOMAS
"Character History"

September 10th, 1998

REPORT OF INVESTIGATION

BY
JOSEPH E. BISHOP, Investigator
for James T. Born, Private Investigator, #457
NEVADA INVESTIGATIVE SERVICES

NEVADA INVESTIGATIVE SERVICES

P.O. BOX 91434
Henderson, Nevada 89009-1434
(702) 566-8008 Office and FAX
EXPERIENCE SINCE 1968

JAMES T. BORN
Private Investigator

AUTHORITY NRS CHAPTER 648

State of Nevada
License No. 457

THOMAS, DARRELL
NIS Case #98082001-01

September 10th, 1998

Mr. David C. Amesbury, ESQ.
Attorney at Law
300 S. Maryland Parkway
Las Vegas, NV 89101
702/385-5570

REPORT OF INVESTIGATION

DISCLAIMER

THIS INVESTIGATOR RESERVES THE RIGHT TO AMEND THIS REPORT UPON FURTHER DISCOVERY. THE STATEMENTS EXPRESSED OR IMPLIED HEREIN ARE OF THE INDIVIDUAL OPINION OF THE INVESTIGATOR WHOSE NAME APPEARS FOLLOWING THIS REPORT. BECAUSE THIS INVESTIGATOR IS NOT AN ATTORNEY, ANY REFERENCES TO LAWS, LEGAL PROCEDURES, MATTERS OR SUGGESTIONS ARE OF THE INVESTIGATOR'S PERSONAL OPINION, BASED UPON HIS/HER TRAINING AND EXPERIENCE. WE CONSIDER THIS REPORT AND ALL SUPPORTIVE EVIDENCE GATHERED BY THIS AGENCY, RELATIVE TO THIS CASE, AS PROTECTED AND IDENTIFIED LEGALLY AS YOUR "WORK PRODUCT".

NATURE OF INVESTIGATION

The purpose of this investigation is to attempt to determine the character of the defendant Darrell Thomas, for pre-sentencing penalty determination.

INVESTIGATION

This Investigator interviewed the defendant Darrell Thomas at his residence located at 3975 Gulliver in Las Vegas, NV 89115. Mr. Thomas related several possible character references, most of which had previously submitted their letter of reference to Mr. Thomas's attorney. This investigator will interview the few remaining.

This Investigator attempted to contact Thomas's wife Cynthia Thomas, however, the telephone number provided by Thomas was no longer in service.

FORM A03

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AA2297

This Investigator proceeded to interview the defendant's neighbors who lived in the immediate proximity of the defendant's residence. This Investigator attempted to contact the occupants of 3970 Gulliver, and this Investigator received no response. This Investigator then proceeded to 3964 Gulliver and spoke to the resident Mr. John Burke, who claimed that he did not really know Mr. Thomas.

This Investigator then spoke to Ms Debra Ennis at 3958 Gulliver, who stated that she knew Mr. Thomas since 1990 when they worked together. Ms. Ennis stated that she was familiar with the allegations against Mr. Thomas and in her personal opinion Mr. Thomas would not do such a thing. Ms. Ennis further stated that she had never, and would never feel uncomfortable with Mr. Thomas being around her 16-year-old daughter, Danisha McIntyre. Ms. Ennis stated that Mr. Thomas was a good man and an excellent preacher. Ms. Ennis stated that she had a lot of confidence in Mr. Thomas. Ms. Ennis declined providing this Investigator with a written statement.

This Investigator then proceeded to 3963 Gulliver and spoke to Ms. Shana Kozusko, who stated that she was not familiar with Mr. Thomas, that she had only seen him around his residence.

This Investigator then went to 3969 Gulliver where this Investigator attempted to contact the occupants of that residence, however, there was no response.

This Investigator then went to 3981 Gulliver where this Investigator spoke to Juliet Gutierrez. Ms. Gutierrez stated that she had lived next door to Mr. Thomas for approximately two years and knew of him but didn't really know him personally. Ms. Gutierrez stated that she did believe Mr. Thomas to be a "nice man".

This Investigator spoke to the resident of 3987, Virginia Chavez. Ms. Chavez stated that she did not know Mr. Thomas at all.

This Investigator then proceeded to 4136 Tokien and spoke to Ms. Charlene Hall. Ms. Hall stated to this Investigator that she had known Mr. Thomas for approximately 3 to 4 years. Ms. Hall referred to Mr. Thomas as a good man and an excellent preacher. Ms. Hall stated that she only knew Mr. Thomas from church and socially, however she believed him to be a man of God and a good person.

This Investigator interviewed Ms. Sheri Hill, Mr. Thomas's Councilor, who told this Investigator that Mr. Thomas had been in 3 group sessions and 2 individual sessions. Ms. Hill stated that Mr. Thomas was always punctual for his appointments and seemed open and co-operative. That Mr. Thomas was consistent in his attendance and openly participated. Ms. Hill stated to this Investigator that Mr. Thomas shared openly and demonstrated empathy towards others. Mr. Hill

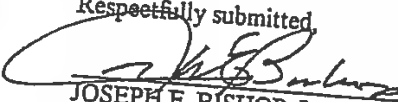
stated that an overall opinion would be that Mr. Thomas might have supervision merely to protect himself from further allegations.

OPINION

In this Investigator's personal opinion, based on interviews with those persons familiar with Mr. Thomas, reviewing letters provided by persons attesting to Mr. Thomas's character and this Investigator's personal observations of Mr. Thomas, Mr. Thomas appears to be a caring man and devoted to his Christian beliefs. Mr. Thomas projects a Christian image and has a very charismatic personality. Mr. Thomas appears to be very well liked by those who know him. In this Investigator's personal opinion, and concurring with Mr. Thomas's councilor's opinion, consideration might be given to having Mr. Thomas's contact with young adults and children supervised to protect him from further allegations.

END OF REPORT

Respectfully submitted,


JOSEPH E. BISHOP, Investigator
for James T. Born, Private Investigator, #457

Original (White)—County Clerk
Pink—District Office
Blue—Central Office
Yellow—Probationer
Green—Probationer

STATE OF NEVADA
DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY
DIVISION OF PAROLE AND PROBATION
CARSON CITY, NEVADA 89710

24

PROBATION AGREEMENT AND RULES

FILED 98/99-0694

Criminal Case No. C147517

THE STATE OF NEVADA,

Plaintiff,

vs.

THOMAS, Darrell Bernard

Defendant

Required to pay \$25 Administrative Assessment fee
to the County Clerk's Office, Las Vegas, Nevada,
89155.

ORDER ADMITTING DEFENDANT TO PROBATION
AND FIXING THE TERMS THEREOF

DEFENDANT is guilty of the Crime of OPEN OR GROSS LEWDNESS

DEFENDANT is sentenced to a term of imprisonment in the Clark County Detention Center, a Felony or Gross Misdemeanor, for 1 years. Execution of that sentence is suspended and the DEFENDANT is hereby admitted to probation for 3 years fixed years under the following conditions:

1. REPORTING/RELEASE: Upon release by the Court you are to report directly and in person to the Division of Parole and Probation. You are required to submit a true and correct written monthly report to your supervising probation officer each month on forms supplied by the Probation Division. In addition, you shall report as directed by your probation officer.
2. RESIDENCE: You shall not change your place of residence, employment, nor leave the community without first obtaining permission from your probation officer in each instance.
3. INTOXICANTS: You shall not drink or partake of any alcoholic beverages whatsoever ~~XXXXXX~~ without first obtaining permission from your probation officer in each instance.
4. CONTROLLED SUBSTANCES: You shall not use, purchase, possess, give, sell or administer any controlled substance, nor any dangerous drugs, unless first prescribed by a licensed physician. You shall submit to drug testing as required by your probation officer.
5. WEAPONS: You shall not possess or have under your control any type of weapon.
6. ASSOCIATES: You will not associate with people who have criminal records.
7. COOPERATION: You shall at all times cooperate with your probation officer and your behavior and attitude shall justify the opportunity granted to you by this probation.
8. LAWS AND CONDUCT: You shall comply with all municipal, county, state and federal laws, ordinances and orders and conduct yourself as a good citizen. You shall comply with convicted person registration requirements where applicable.
9. OUT-OF-STATE TRAVEL: You shall not leave the state without first obtaining written permission, in each instance, from your probation officer.
10. EMPLOYMENT/PROGRAM: You shall seek and maintain employment, or maintain a program as approved by the Probation Division.
11. SPECIAL CONDITIONS OF PROBATION:

OVER

The Court reserves the right to modify these terms of Probation at any time and as permitted by law. DATED this 8 day of October, 1998, in the EIGHTH Judicial District Court of the State of Nevada, in and for the County of CLARK.

District Judge

JEFFREY D. SOBEL

AGREEMENT BY PROBATIONER

I do hereby waive extradition to the State of Nevada from any State in the Union and I also agree that I will not contest any effort to return me to the State of Nevada. I have read, or have had read to me, the foregoing conditions of my probation, and fully understand them and I agree to abide by and strictly follow them and I fully understand the penalties involved should I in any manner violate the foregoing conditions. I have received a copy of this document and NRS 176.225.

APPROVED

SLIP 306 (Rev. 10-94)

9/17/98/jdo

Probation Officer

Kristy Henderson/762

Probationer

Darrell Bernard Thomas

(U)-2745

AA2300

ORIGINAL

16

1 JOCP
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

OCT 21 11 54 AM '98

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,
11 -vs-
12 DARRELL BERNARD THOMAS,
13 #0785645
14 Defendant.
15

Case No. C147517
Dept. No. V
Docket H

JUDGMENT OF CONVICTION (PLEA)

17 WHEREAS, on the 4th day of June, 1998, the Defendant DARRELL BERNARD
18 THOMAS, appeared before the Court herein with his counsel and entered a plea of guilty ,
19 pursuant to North Carolina v. Alford, 400 U.S. 25 (1970), to the crime(s) of OPEN OR GROSS
20 LEWDNESS (Gross Misdemeanor), committed during or between July, 1993 and June, 1996,
21 in violation of NRS 201.210 and

22 WHEREAS, thereafter on the 17th day of September, 1998, the Defendant being present
23 in court with his counsel DAVID AMESBURY, ESQ., and LAURA REHFELDT, Deputy
24 District Attorney, also being present; the above entitled Court did adjudge the Defendant guilty
25 thereof by reason of his Alford, plea of guilty and, in addition to the \$25.00 Administrative
26 Assessment Fee, sentenced Defendant to ONE (1) YEAR in the Clark County Detention Center;
27 sentence SUSPENDED and the Defendant is placed on PROBATION for a FIXED THREE (3)
28 YEARS with the following CONDITIONS:

CE-05

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- 1 1. Defendant submit to a search of person, residence, vehicle or any property under the
2 defendant's control, at any time deemed necessary by any probation officer for pornography
3 and/or child pornography.
- 4 2. Pay \$90.00 in restitution during the first 60 days of probation.
- 5 3. Not accept a paid and/or volunteer position as an Ordained Minister and/or Pastor with
6 any Church and/or Religious organization unless it has been approved by the parole and
7 probation officer assigned to the Defendant, as well as, the Church Board of Directors.
- 8 4. Participate in and complete programs of professional counseling, as deemed necessary.
- 9 5. Submit to periodic tests to determine whether the Defendant is using a controlled
10 substance and submit to periodic polygraphic examinations, as requested by the parole and
11 probation officer assigned to the Defendant.
- 12 6. Abstain from consuming alcohol.
- 13 7. Not to have contact with or communicate with any of the victims of the instant offense
14 or witnesses who testified against the Defendant or solicit another person to engage in such
15 contact or communication on behalf of the Defendant.
- 16 8. Not use aliases or fictitious names.
- 17 9. Not obtain a post office box unless the Defendant receives permission from the parole
18 and probation officer assigned to the Defendant.
- 19 10. Not have contact with a person less than 18 years of age in any environment unless
20 another adult who has never been convicted of a sexual offense is present.
- 21 11. Register as a sex offender in accordance with NRS 179D.460 within 48 hours after
22 sentencing.
- 23 12. Submit to blood testing to determine genetic markers or secretor status within 30 days
24 of his probation grant.
- 25 13. Complete 16 hours of community service work each month of the term of probation
26 not to exceed the provisions of NRS 176.087.
- 27 14. Pursuant to NRS 176.185, Defendant to be supervised in P&P's Intensive
28 Supervision Program to include Electronic Monitoring for a period deemed appropriate.

1 Credit for time served of 1 day.

2 THEREFORE, the Clerk of the above entitled Court is hereby directed to enter this
3 Judgment of Conviction as part of the record in the above entitled matter.

4 DATED this 10 day of October, 1998, in the City of Las Vegas, County of Clark,
5 State of Nevada.

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DISTRICT JUDGE

DA#97147517X/gmr
LVMPD EV#9702260834
OGL - GM
(TK4)

ORIGINAL

FILED

Nov 19 4 11 PM '98

Jonathan B. Brown

CLERK

MDT

REC

DAVID C. AMESBURY
NEVADA BAR NO. 003889
AMESBURY & SCHUTT
300 So. Maryland Parkway
Las Vegas, Nevada 89101
(702) 385-5570
Attorney for Petitioner
Darrell Bernard Thomas

DISTRICT COURT
CLARK COUNTY, NEVADA

DARRELL BERNARD THOMAS,
#0785645,

Petitioner.

vs.

THE STATE OF NEVADA,

Respondent.

Case No. C147517
Dept No. V

11-30-98
9AM

MOTION TO PLACE ON CALENDAR

COMES NOW, Defendant Darrell Bernard Thomas, by and through his attorney of record, David C. Amesbury, Esq., and does hereby request to place on calendar for purpose of hearing Request for Modification in the terms of Probation in the above-entitled matter.

Such motion is made upon the affidavit of Defendant herein, attached hereto.

Wherefore, the Defendant prays this Honorable Court set the hearing.

DATED this 19th day of November, 1998.

DAVID C. AMESBURY, ESQ.
Nevada Bar No. 3889
300 South Maryland Parkway
Las Vegas, Nevada 89101

CMC

CE11

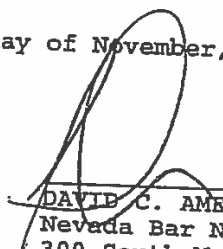
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NOTICE OF MOTION

PLEASE TAKE NOTICE that the undersigned will bring the foregoing Motion to set on calendar for hearing before the District Court Judge, Department V, on the 30 day of November, 1998, at the hour of 9A m. or as soon thereafter as counsel may be heard.

DATED this 19th day of November, 1998.



DAVID C. AMESBURY, ESQ.
Nevada Bar No. 3889
300 South Maryland Parkway
Las Vegas, Nevada 89101
Attorney for Defendant

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AFFIDAVIT OF DAVID C. AMESBURY

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

DAVID C. AMESBURY, being first duly sworn, deposes and
says:

1. That I am an attorney licensed to practice law in
the state of Nevada.

2. That I represent the Defendant in the above entitled
action.

FURTHER AFFIANT SAYETH NAUGHT.

DATED this 19th day of November, 1998.



DAVID C. AMESBURY, ESQ.

SUBSCRIBED and SWORN to before me
this ____ day of November, 1998.

NOTARY PUBLIC in and for said
County and State

Greater Philadelphia Church

To: Dept. Of Parole & Probation
From: Brother Tony J. Thomas., Church Chairman
Date: November 7, 1998
Re: Re-Instatement of Darrell B. Thomas as Pastor

The Greater Philadelphia Church Trustee Board has unanimously decided that Darrell B. Thomas will be reinstated as the Pastor of Greater Philadelphia church immediately.

Based on our investigation, past and present, under no coercion or influence of either Darrell B. Thomas or any person or entity outside of the Greater Philadelphia Trustee Board, the above mentioned decision was made. Our re-instatement of Darrell B. Thomas as Pastor will be with stipulation.

The conditions under which we re-instate Darrell B. Thomas are the following.

1. Will not counsel any persons under the age of eighteen unless in the presence of a Trustee member.
2. The by-laws set down by the Greater Philadelphia Trustee Board shall be followed.
3. That he lead a moral and clean and god-fearing life.
4. Continue counseling set and deemed by the Parole & Probation department be strictly adhered to.
5. All rules and regulations set forth by the Parole & Probation department be strictly adhered to.
6. Must meet with the Board Of Trustee every three months for evaluation or at any time that the Board deem necessary.
7. The rules and regulations of the Greater Philadelphia Church be followed.
8. That he not attempt to influence or coerce any Board member in any decisions.

The Greater Philadelphia Church Trustee Board has bpresented these conditions to Pastor Darrell B. Thomas and fully explained. All parties have agreed that once any rule or condition has been broken, the following steps will be taken immediately.

1. All incidents will be reported immediately to the Board Of Trustees.
2. Within 24 hours, all incidents will be reported to the Department of Parole & Probation.
3. His re-instatement will be revoked.
4. An Interim-Pastor will immediately be placed in position.

Pastor Darrell B. Thomas has proven himself to be worthy of our trust and support now as we have supported him in the past. But we as the Board of Greater Philadelphia Church, we have a moral responsibility to our church family as well as to all those concerned, that is why we must take these steps in our quest for a complete healing of this situation.

Approved:

Trustee Chairman	<u>Tony J. Thomas</u>	Tony J. Thomas
Trustee	<u>Jerry Nash</u>	Jerry Nash
Trustee	<u>Jeannette Felix</u>	Jeannette Felix
Trustee	<u>Ethel Jones</u>	Ethel Jones
Trustee	<u>Shirley Marks</u>	Shirley Marks

ORIGINAL

10

1 JOCP
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

Dec 24 8 12 AM '98

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DARRELL BERNHARD THOMAS,
12 #0785645

13 Defendant.

Case No. C147517
Dept. No. V
Docket H

14
15 AMENDED
16 JUDGMENT OF CONVICTION (PLEA)

17 WHEREAS, on the 4th day of June, 1998, the Defendant DARRELL BERNHARD
18 THOMAS, appeared before the Court herein with his counsel and entered a plea of guilty,
19 pursuant to North Carolina v. Alford, 400 U.S. 25 (1970), to the crime(s) of OPEN OR GROSS
20 LEWDNESS (Gross Misdemeanor), committed during or between July, 1993 and June, 1996,
21 in violation of NRS 201.210 and

22 WHEREAS, thereafter on the 17th day of September, 1998, the Defendant being present in court
23 with his counsel DAVID AMESBURY, ESQ., and LAURA REHFELDT, Deputy District
24 Attorney, also being present; the above entitled Court did adjudge the Defendant guilty thereof
25 by reason of his Alford, plea of guilty and, in addition to the \$25.00 Administrative Assessment
26 Fee, sentenced Defendant to ONE (1) YEAR in the Clark County Detention Center; sentence
27 SUSPENDED and the Defendant is placed on PROBATION for a FIXED THREE (3) YEARS
28 with the following CONDITIONS:

CE-05

DEC 28 1998

DEC 10 1998

DEC 28 1998



- 1 1. Defendant submit to a search of person, residence, vehicle or any property under the
2 defendant's control, at any time deemed necessary by any probation officer for pornography
3 and/or child pornography.
- 4 2. Pay \$90.00 in restitution during the first 60 days of probation.
- 5 3. Not accept a paid and/or volunteer position as an Ordained Minister and/or Pastor with
6 any Church and/or Religious organization unless it has been approved by the parole and
7 probation officer assigned to the Defendant, as well as, the Church Board of Directors.
- 8 4. Participate in and complete programs of professional counseling, as deemed necessary.
- 9 5. Submit to periodic tests to determine whether the Defendant is using a controlled
10 substance and submit to periodic polygraphic examinations, as requested by the parole and
11 probation officer assigned to the Defendant.
- 12 6. Abstain from consuming alcohol.
- 13 7. Not to have contact with or communicate with any of the victims of the instant offense
14 or witnesses who testified against the Defendant or solicit another person to engage in such
15 contact or communication on behalf of the Defendant.
- 16 8. Not use aliases or fictitious names.
- 17 9. Not obtain a post office box unless the Defendant receives permission from the parole
18 and probation officer assigned to the Defendant.
- 19 10. Not have contact with a person less than 18 years of age in any environment unless
20 another adult who has never been convicted of a sexual offense is present.
- 21 11. Register as a sex offender in accordance with NRS 179D.460 within 48 hours after
22 sentencing.
- 23 12. Submit to blood testing to determine genetic markers or secretor status within 30 days
24 of his probation grant.
- 25 13. Complete 16 hours of community service work each month of the term of probation
26 not to exceed the provisions of NRS 176.087.
- 27 14. Pursuant to NRS 176.185, Defendant to be supervised in P&P's Intensive
28 Supervision Program to include Electronic Monitoring for a period deemed appropriate.

1 Credit for time served of 1 day.

2 THEREAFTER, on the 30th day of November, 1998, the Defendant appeared in court
3 with his counsel , DAVID C. AMESBURY, ESQ., and TERESA M. LOWRY, Deputy District
4 Attorney, also being present; and pursuant to Defendant's Request for Modification in the Terms
5 of Probation, the Court orders the following: Condition 3 rescinded subject to re-instatement by
6 Parole and Probation if appropriate. Condition 10 modified to allow Defendant contact with his
7 own children.

8 THEREFORE, the Clerk of the above entitled Court is hereby directed to enter this
9 Amended Judgment of Conviction as part of the record in the above entitled matter.

10 DATED this 22 day of December, 1998, in the City of Las Vegas, County of Clark,
11 State of Nevada.

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14 DISTRICT JUDGE

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26 DA#97147517X/sms
27 LVMPD EV#9702260834
28 OGL - GM
(TK4)

Original (White)—County Clerk
Pink—District Office
Blue—Central Office
Yellow—Probationer
Green—Probationer

MODIFIED

STATE OF NEVADA
DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY
DIVISION OF PAROLE AND PROBATION
CARSON CITY, NEVADA 89711

V98/99-0694

PROBATION AGREEMENT AND RULES

FILED
MAR 24 4 51 PM '99

Criminal Case No. C147517

THE STATE OF NEVADA,

Plaintiff,

vs.
THOMAS, Darrell Bernard

Defendant

Required to pay \$25 Administrative Assessment fee to the County Clerk's Office, Las Vegas, Nevada, 89155.

ORDER ADMITTING DEFENDANT TO PROBATION
AND FIXING THE TERMS THEREOF

DEFENDANT is guilty of the Crime of OPEN OR GROSS LEWDNESS

or Gross Misdemeanor.

DEFENDANT is sentenced to a term of imprisonment in the Clark County Detention Center for 1 years. Execution of that sentence is suspended and the DEFENDANT is hereby admitted to probation for * years under the following conditions: *Fixed 3 years

1. REPORTING/RELEASE: Upon release by the Court you are to report directly and in person to the Division of Parole and Probation. You are required to submit a true and correct written monthly report to your supervising probation officer each month on forms supplied by the Probation Division. In addition, you shall report as directed by your probation officer.

2. RESIDENCE: You shall not change your place of residence, employment, nor leave the community without first obtaining permission from your probation officer in each instance.

3. INTOXICANTS: You shall not drink or partake of any alcoholic beverages whatsoever.

4. CONTROLLED SUBSTANCES: You shall not use, purchase, possess, give, sell or administer any controlled substance, nor any dangerous drugs, unless first prescribed by a licensed physician. You shall submit to drug testing as required by your probation officer.

5. WEAPONS: You shall not possess or have under your control any type of weapon.

6. ASSOCIATES: You will not associate with people who have criminal records.

7. COOPERATION: You shall at all times cooperate with your probation officer and your behavior and attitude shall justify the opportunity granted to you by this probation.

8. LAWS AND CONDUCT: You shall comply with all municipal, county, state and federal laws, ordinances and orders and conduct yourself as a good citizen. You shall comply with convicted person registration requirements where applicable.

9. OUT-OF-STATE TRAVEL: You shall not leave the state without first obtaining written permission, in each instance, from your probation officer.

10. EMPLOYMENT/PROGRAM: You shall seek and maintain employment, or maintain a program as approved by the Probation Division.

11. SPECIAL CONDITIONS OF PROBATION: OVER

The Court reserves the right to modify these terms of Probation at any time and as permitted by law. DATED this 22 day of March, 1999, in the EIGHTH Judicial District Court of the State of Nevada, CLARK in and for the County of

District Judge JEFFREY F. SOBEL

AGREEMENT BY PROBATIONER

I do hereby waive extradition to the State of Nevada from any State in the Union and I also agree that I will not contest any effort to return me to the State of Nevada. I have read, or have had read to me, the foregoing conditions of my probation, and fully understand them and I agree to abide by and strictly follow them and I fully understand the penalties involved should I in any manner violate the foregoing conditions. I have received a copy of this document and NRS 176.225.

APPROVED
Probation Officer

Dean M. Prater 3/10/99 Date

5/9/99/jdo

Probationer Darrell Bernard Thomas

(1) 2745

AA2313

C147517

V98/99-0694

Petition and Order for Honorable Discharge from Probation:

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

FILED

AUG 20 8 08 PM '01

Shirley A. ...
CLERK

THE STATE OF NEVADA,

Plaintiff

vs. THOMAS, Darrell Bernard

Defendant

PETITION

To the Honorable Judge JEFFREY D. SOBEL, of the EIGHTH
Judicial District Court of the State of Nevada, in and for the County of CLARK,
the Undersigned Chief Probation Officer for the State of Nevada now reports as follows concerning the above Defendant: Said
Defendant was placed on probation by order of this Court for a term of not to exceed 3 years, said Order being
dated the 17th day of September, 1998. Said Probationer has satisfactorily completed all of
the conditions of probation, while under supervision in the State of Nevada

THEREFORE, the undersigned recommends that said Probationer be discharged from further supervision.

Dated this 15th day of August, 2001

Michael Compton
Chief Parole and Probation Officer

Michael Compton, Operations Supervisor
District IV, Las Vegas, NV.

* * * * *

ORDER HONORABLY DISCHARGING PROBATIONER

In this cause it appearing that the above-named Defendant was heretofore placed on probation in charge of the Chief Parole and
Probation Officer of the State of Nevada, and it further appearing from the petition of said Probation Officer that the period of such
probation expired on upon Judge's signature, 1998. It is hereby ordered that the above-named defendant be
honorably discharged from said probation.

Jeffrey D. Sobel
District Judge

JEFFREY D. SOBEL

Dated this 16th day of Aug, 2001

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1 CASE NO. C147517

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IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP

4

COUNTY OF CLARK, STATE OF NEVADA

For the Town
CLERK

5

-ooo-

6

7

THE STATE OF NEVADA,

)

8

Plaintiff,

)

9

vs.

)

CASE NO. 97F07543X

10

DARRELL BERNARD THOMAS,

)

11

Defendant.

)

12

13

14

REPORTER'S TRANSCRIPT
OF

15

PRELIMINARY HEARING

16

BEFORE THE HONORABLE JAMES M. BIXLER,
JUSTICE OF THE PEACE

17

TUESDAY, DECEMBER 16, 1997
9:00 A.M.

18

19

APPEARANCES:

20

For the State:

TERESA M. LOWRY, ESQ.,
DEPUTY DISTRICT ATTORNEY

21

22

For the Defendant:

DAVID C. AMESBURY, ESQ.

23

24

25

Reported by: DIANA M. GREEN, C.C.R. No. 264

CE42

I N D E X

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3	WITNESSES FOR THE STATE	PAGE
4	ERICKA GOODALL	
5	Direct Examination by Ms. Lowry	5
	Cross-Examination by Mr. Amesbury	15
6	Redirect Examination by Ms. Lowry	21
	Recross-Examination by Mr. Amesbury	23
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8	LAKEISHA CULVERSON	
9	Direct Examination by Ms. Lowry	26
	Cross-Examination by Mr. Amesbury	33
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12	EBONY BELL	
13	Direct Examination by Ms. Lowry	42
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1 LAS VEGAS, CLARK COUNTY, NEVADA, DECEMBER 16, 1997
2 9:00 A.M.

3 P R O C E E D I N G S
4

5 THE COURT: Ready for Mr. Thomas? For
6 the record, this is the State of Nevada versus
7 Darrell Bernard Thomas. Is there an offer made to
8 put on the record?

9 MS. LOWRY: There was an offer made,
10 one count of lewdness with a minor naming all three
11 victims with the right to argue.

12 THE COURT: The State's withdrawn that
13 offer?

14 MS. LOWRY: That's correct.

15 THE COURT: Do you understand that,
16 Mr. Thomas, there won't be any other offers to
17 negotiate this case?

18 MR. AMESBURY: We discussed that, Your
19 Honor.

20 THE COURT: All right. First witness
21 for the State is?

22 MS. LOWRY: Ericka. Judge, I have
23 three witnesses. They are each teenage girls and
24 each will be accompanied by their parents.

25 THE COURT: Okay. Very good. Who all

1 is -- Goodall you said is first?

2 MS. LOWRY: Yes.

3 THE COURT: Ericka, you need to step
4 right around here, please. This is the witness
5 chair. Step around beside it, remain standing and
6 raise your right hand and the clerk beside me will
7 swear you in.

8
9 THE CLERK: Do you swear to tell the
10 truth, the whole truth and nothing but the truth so
11 help you God?

12 THE WITNESS: I do.

13

14 ERICKA GOODALL,
15 A minor child called as a witness for the State,
16 having been first duly sworn, testified as follows:

17

18 THE CLERK: Please be seated. State
19 your full name and spell your last name for the
20 record.

21 THE WITNESS: My last name? My name
22 is Ericka Goodall, G-O-O-D-A-L-L.

23 / / /

24 / / /

25 / / /

DIRECT EXAMINATION

1

2

3 BY MS. LOWRY:

4

5 Q. Ericka, I know that you have a very
6 soft voice. Okay. One of the things I will need
7 you to do is speak up so that everybody hears you.
8 That way I don't have to ask you to repeat yourself,
9 okay?

10

11 A. Okay.

12

13 Q. Ericka, how old are you?

14

15 A. Thirteen.

16

17 Q. When is your birthday?

18

19 A. May 31st.

20

21 Q. What year?

22

23 A. 1982.

24

25 Q. Do you go to school?

26

27 A. Yes.

28

29 Q. What grade are you in?

30

31 A. Tenth.

32

33 Q. What's your mother's name?

34

35 A. Monice Hughes.

36

37 Q. Do you know the defendant, Darrell

38 Thomas?

39

40 A. Yes.

41

42 Q. How is it that you know him?

1 A. He was my pastor at the church.
2 Q. And what was the name of that church?
3 A. Philadelphia.
4 Q. Philadelphia?
5 A. Yes.
6 Q. And do you belong to that church now?
7 A. No.
8 Q. When did you belong to that church?
9 A. Oh, about two years ago.
10 Q. How long did you belong to that
11 church?
12 A. I can't remember.
13 Q. Would it have been days or weeks or
14 months or years?
15 A. Probably years.
16 Q. So you belonged to that church for at
17 least a couple years?
18 A. Yes.
19 Q. Okay. Did anybody else in your family
20 go to that church?
21 A. No. My mother.
22 Q. You and your mom?
23 A. Yes.
24 Q. During the time that you went to that
25 church, how often would you see or spend time with

1 the pastor, the defendant?

2 A. Every once in awhile.

3 Q. Did you ever go to his house?

4 A. Yes.

5 Q. And was his house here in Las Vegas,
6 in Clark County?

7 A. Yes.

8 Q. And what would be the reasons that you
9 would go to his house?

10 A. To help his wife.

11 Q. And what's his wife's name?

12 A. Cynthia Thomas.

13 Q. And, Ericka, do you see Darrell Thomas
14 in court today?

15 A. Yes.

16 Q. Can you point to him and tell the
17 judge what he's wearing, the color of his clothes?

18 A. Like a goldish color.

19 MS. LOWRY: Let the record reflect the
20 identification of the defendant.

21 THE COURT: Yes, the record will so
22 show.

23 BY MS. LOWRY:

24 Q. About how many times do you think you
25 went to the defendant's house?

1 A. Twice.

2 Q. And each of those times, was that to
3 help his wife?

4 A. Yes.

5 Q. Now, when you went to his house, did
6 the defendant ever do anything that made you feel
7 uncomfortable?

8 A. Yes.

9 Q. What did he do?

10 A. He touched me on my butt and kissed
11 me.

12 Q. Now, this happened at his house?

13 A. Yes.

14 Q. Where in his house did it happen?

15 A. Downstairs by the laundry room.

16 Q. The house is two-story?

17 A. Yes.

18 Q. And was there anyone else around when
19 this happened?

20 A. No.

21 Q. When he kissed you, where did he kiss
22 you?

23 A. On my lips.

24 Q. And you said that he touched your
25 butt?

1 A. Yes.

2 Q. What did he touch your butt with?

3 A. His hand.

4 Q. What did he do with his hand when he
5 did that?

6 A. Just rubbed it.

7 Q. Now, did he touch you on top of your
8 clothes or under your clothes?

9 A. On top.

10 Q. Did he say anything to you when he did
11 this?

12 A. He said, "You like me, don't you?"

13 Q. He said what?

14 A. "You like me, don't you?"

15 Q. He said to you, "You like me, don't
16 you?"

17 A. Yes.

18 Q. What did you say?

19 A. I said no.

20 Q. How did that make you feel when he did
21 that?

22 A. Scared.

23 Q. Now, were there any other times that
24 he did something that made you feel uncomfortable?

25 MR. AMESBURY: I don't know if we

1 established the times. I know she's gone to this
2 church for a number of years. Are we talking about
3 a time period?

4 THE COURT: I think we need to get to
5 a --

6 MS. LOWRY: I admit my train of
7 thought bops around, but I will cover it.

8 MR. AMESBURY: Your Honor, also I
9 would make a motion to exclude. Is there someone
10 other than her mom present in the courtroom here
11 today?

12 THE COURT: I don't know. If there
13 are any other witnesses or potential witnesses in
14 the courtroom in this case, the State of Nevada
15 versus Darrell Thomas, they can't be in here during
16 the course of this preliminary hearing. You have to
17 wait outside.

18 I believe that all the other
19 people back here are actually with you; is that
20 right?

21 MR. AMESBURY: That's right.

22 THE COURT: I don't see anybody else
23 that came in with the witness other than her
24 parents.

25 MS. LOWRY: I told the Court I'm

1 calling the three girls.

2 THE COURT: That's fine.

3 MS. LOWRY: Okay.

4 Q. Okay. Ericka, was this the first time
5 that anything happened with him?

6 A. Yes.

7 Q. Okay. And about how old were you at
8 the time?

9 A. About 12.

10 Q. Do you remember when this happened?

11 A. No.

12 Q. But you remember that you were 12 and
13 it was during the time that you went to his church?

14 A. Yes.

15 Q. Did he do anything else on any other
16 times that made you feel uncomfortable?

17 A. No.

18 Q. Now, did he ever talk to you about
19 personal things?

20 A. Yes.

21 Q. What did he say?

22 A. He asked me about, that he knows I was
23 interested in boys, and then he switched the subject
24 and asked me personal questions.

25 Q. Tell me what those personal questions

1 were.

2 A. He asked me was I developing, did I
3 have hair in certain spots and everything.

4 Q. Did he say which certain spots he was
5 talking about?

6 A. No, he just said down there.

7 Q. Down there, are we talking about your
8 vaginal area?

9 A. Yes.

10 Q. Where were you when he had this
11 conversation with you?

12 A. At church.

13 Q. And how old were you when this
14 conversation took place?

15 A. I don't know.

16 Q. Was it during the time that you went
17 to his church?

18 A. Yes.

19 Q. How old were you when you stopped
20 going to his church?

21 A. About 14.

22 Q. Was it -- did this happen before you
23 turned 14, the conversation?

24 A. Yes.

25 Q. Then when he asked you about those

1 personal things, what did you say?

2 A. I lied. I said yes.

3 Q. What did you say yes to?

4 A. When he asked me the personal
5 questions.

6 Q. Help us out here. Tell us what
7 question he asked and then what you said.

8 A. He said do I have hair, and I said
9 yes.

10 Q. And how did you know what hair he was
11 talking about?

12 A. He wouldn't be talking about nothing
13 else, if he said down there.

14 Q. Because he said down there. How did
15 that conversation make you feel?

16 A. Awkward.

17 Q. Was there anyone else around?

18 A. No.

19 Q. Did he ever talk to you about your
20 discussing these things with anybody else?

21 A. Yes.

22 Q. What did he say?

23 A. He said, "You don't have to tell
24 nobody. This is between me and you."

25 Q. Did he say anything like that the time

1 that he kissed you and rubbed your butt?

2 A. Yes.

3 Q. What did he say?

4 A. He said, "This has to stay between me
5 and you."

6 Q. And did you tell anybody right away
7 about these things?

8 A. Yes.

9 Q. Who did you tell?

10 A. I told Monica and Sister Thomas.

11 Q. Is Monica a kid or grownup?

12 A. She was a teenager at the time.

13 Q. And you said that you told Sister
14 Thomas?

15 A. Yes.

16 Q. Who is that?

17 A. His wife.

18 Q. And did you tell your mom?

19 A. Yes.

20 Q. Did you ever spend any time at the
21 defendant's house around Christmastime?

22 A. Yes.

23 Q. Is that the time that we're talking
24 about this happened?

25 A. Yes.

1 MS. LOWRY: Pass the witness.

2 THE COURT: Cross.

3

4

CROSS-EXAMINATION

5

6 BY MR. AMESBURY:

7 Q. Ericka, you mentioned that Darrell
8 made a comment about hair. That was at church?

9 A. Yes.

10 Q. Were there any other people around?

11 A. No.

12 Q. Do you remember the specific day or
13 what date that was?

14 A. No.

15 Q. Was that -- and Miss Lowry asked
16 you -- was that around Christmas?

17 A. It was before.

18 Q. Before Christmas of 1993, do you know?

19 A. No.

20 Q. Was it in the summer or the winter?

21 A. I don't remember.

22 Q. Were you there with any friends?

23 A. My mom was there. She wasn't in the
24 room.

25 Q. This was a room in the church?

1 A. His office.
2 Q. His office?
3 A. Yes.
4 Q. Was it before the sermon or after the
5 sermon?
6 A. After.
7 Q. After the sermon?
8 A. Yes.
9 Q. It was just the two of you?
10 A. Yes.
11 Q. And this was on a Sunday?
12 A. Either a Sunday or during the week.
13 Q. You don't remember which Sunday?
14 A. No.
15 Q. You say it might have been during the
16 week?
17 A. Yes.
18 Q. I mean, do you normally have sermons
19 on Sunday or --
20 A. Yes.
21 Q. You have them during the week or
22 Sunday?
23 A. Both.
24 Q. After this happened, did you tell your
25 mom?

1 A. Yes.

2 Q. This was -- did you tell anyone else?

3 A. No.

4 Q. Did you tell Darrell's wife?

5 A. No, I didn't tell her about that.

6 Q. Going back to this other incident at
7 the house, you told Darrell's wife; isn't that
8 correct?

9 A. Yes.

10 Q. Do you remember when that was?

11 A. Around Christmastime.

12 Q. Was that before or after the event at
13 the church?

14 A. Before.

15 Q. It was before. Do you remember how
16 much before?

17 A. No.

18 Q. You don't remember?

19 A. No.

20 Q. Was there anyone else in the house
21 other than Darrell and yourself?

22 A. Everyone was in the kitchen.

23 Q. That everyone includes who?

24 A. I can't remember who was all there,
25 but Sister Thomas had sent me upstairs to get

1 something for her. When I came downstairs, he met
2 me down there and pulled me around by the washroom.

3 Q. Okay. Where were the rest of the
4 people?

5 A. In the kitchen.

6 Q. How far away was the kitchen?

7 A. I can't remember.

8 Q. Did you -- after that, did you talk to
9 anybody? Did you tell anybody what happened?

10 A. Yes.

11 Q. Who did you tell?

12 A. Monica, Sister Thomas.

13 Q. Did you tell your mom?

14 A. Yes.

15 Q. Did you and your mom spend a lot of
16 time with Darrell socially? Did you go to his house
17 a lot?

18 A. Not very often.

19 Q. Are you friends with any of his kids
20 or anything?

21 A. We used to be. My mother used to keep
22 his little girl every once in awhile.

23 Q. Keep his little girl?

24 A. Yes.

25 Q. Did he or his wife ever baby-sit you?

1 A. No.

2 Q. You have brothers and sisters; is that
3 correct?

4 A. Yes.

5 Q. Were they over at the house at the
6 same time?

7 A. No.

8 Q. Now I understand that you are not a
9 member of his church anymore?

10 A. No.

11 Q. And where do you go to church now?

12 MS. LOWRY: Objection; relevance.

13 THE WITNESS: Zion.

14 THE COURT: Sustained.

15 MS. LOWRY: You don't have to answer
16 that, Ericka.

17 BY MR. AMESBURY:

18 Q. Do you know why you left the church?

19 A. Because I didn't want to be involved
20 in any more mess.

21 Q. You don't?

22 A. Yes.

23 Q. Or your mom?

24 A. Both.

25 Q. Did you actually -- I don't know this,

1 but did your mom go to the police?

2 A. No.

3 Q. Did you make a report?

4 A. No.

5 Q. Did the police contact you?

6 A. They came to my school.

7 Q. And when did they come to your school?

8 A. Last year.

9 Q. Do you know if it was in February

10 or --

11 A. It was during track season, so more
12 than likely the end of the year.

13 Q. Did you ever talk to any of the -- I
14 guess, you know, Lakeisha; is that correct?

15 A. Yes.

16 Q. Did you ever talk to her about this?

17 A. Yes.

18 Q. How about Ebony?

19 A. I know her, but I haven't talked to
20 her about it.

21 Q. And Lakeisha is a friend of yours?

22 A. Yes.

23 MR. AMESBURY: Pass the witness.

24 MS. LOWRY: Just a couple questions.

25 THE COURT: Let try to keep this on a

1 short cast because we will have a room full of
2 people.

3
4 REDIRECT EXAMINATION

5
6 BY MS. LOWRY:

7 Q. You said, Ericka, that you didn't
8 remember exactly when this happened, which December
9 it was, but you said you gave a statement to the
10 police?

11 A. Yes.

12 Q. Okay. If I show you that statement,
13 would that maybe help you remember the dates, the
14 times this happened?

15 A. Probably so.

16 MS. LOWRY: Counsel, showing you her
17 voluntary statement, page 3 and 4.

18 Q. I want you to take a look at this,
19 read it to yourself and see if that helps you.
20 Page 3 and 4, if that helps you remember when these
21 things happened.

22 A. (Witness complied).

23 Q. Do you remember what December it was
24 this happened?

25 A. Of '93.

1 Q. And the church that you belonged to,
2 the church is located in Las Vegas, Clark County,
3 too?

4 A. Yes.

5 Q. And so December of '93 something
6 happened. Did anything happen in '94?

7 A. No.

8 Q. Ericka, do you recall telling the
9 police that there was a second incident in May of
10 '94?

11 A. Yes.

12 Q. Did something happen in May of '94?

13 A. That was when he touched my butt.

14 Q. Okay. And that was where?

15 A. At his house.

16 Q. So he touched your butt in May of '94
17 at his house?

18 A. Yes.

19 Q. And then what did he do in December of
20 '93?

21 A. That's when he kissed me on my lips
22 when we was downstairs by the laundry room.

23 Q. When he kissed you on your lips, you
24 said he touched you at that time?

25 A. Yes.

1 MS. LOWRY: Nothing further.

2 MR. AMESBURY: Let me clarify.

3

4 RECROSS-EXAMINATION

5

6 BY MR. AMESBURY:

7 Q. Maybe I'm a little confused. Did you
8 see Darrell at the house prior? Didn't you just
9 testify that happened prior to?

10 A. I don't understand the question.

11 Q. When he -- when you saw him at the
12 house, do you remember was that before, before the
13 time in church?

14 THE COURT: Counsel, the State seems
15 to be using a reference of the first incident and
16 the second incident, if you refer to it like that.

17 MR. AMESBURY: Okay.

18 Q. The first incident was the incident at
19 the church; is that my understanding of your
20 testimony?

21 A. Yes.

22 Q. The second one you are testifying
23 happened in May of 1994?

24 A. Yes.

25 Q. Why did you wait so long before you

1 contacted the police?

2 A. I didn't contact the police. I don't
3 know who did.

4 Q. Was it your mom? Your father?

5 A. No.

6 Q. And then the police, to my
7 understanding, they came and interviewed you?

8 A. Yes.

9 MR. AMESBURY: Court's indulgence a
10 second.

11 Q. You stated that you have talked to
12 Lakeisha; is that correct?

13 A. Yes.

14 Q. Do you remember the last time you
15 talked to Lakeisha?

16 A. Like two weeks ago.

17 Q. Prior to today's hearing?

18 A. Excuse me?

19 Q. About two weeks before today's
20 hearing?

21 A. No, about today's hearing.

22 Q. Have you spoken recently to Stephanie?

23 A. No.

24 MR. AMESBURY: Pass it.

25 MS. LOWRY: Nothing further.

1 THE COURT: Is that it?

2 Thank you very much for your
3 testimony. I appreciate it. Go ahead and step
4 outside. Make sure you don't discuss any testimony
5 while waiting outside.

6 THE WITNESS: Okay.

7 THE COURT: Next.

8 MS. LOWRY: Lakeisha Culverson.

9

10 (The witness exited the courtroom.)

11

12 MS. LOWRY: Any objection to excusing
13 that witness?

14 THE COURT: Do you have any problem?

15 MR. AMESBURY: I don't have any
16 problem.

17 THE COURT: Ericka is excused.

18 Lakeisha; is that right?

19 Lakeisha, step around here, please. This is the
20 witness chair. Stand right beside it, raise your
21 right hand and the lady right here, the clerk, will
22 swear you in.

23 THE CLERK: Do you swear to tell the
24 truth, the whole truth and nothing but the truth so
25 help you God?

1 THE WITNESS: Yes.

2

3

 LAKEISHA CULVERSON,

4 A witness for the State, having been first duly
5 sworn, testified as follows:

6

7

 THE CLERK: Please be seated. State
8 your full name and spell your last name for the
9 record.

10

 THE WITNESS: Lakeisha Yolanda
11 Culverson, C-U-L-V-E-R-S-O-N.

12

13

 DIRECT EXAMINATION

14

15 BY MS. LOWRY:

16

 Q. Lakeisha, I will ask you to speak up,
17 okay, so we can hear you so I don't have to ask you
18 to repeat yourself. All right?

19

 How old are you?

20

 A. Fourteen.

21

 Q. When is your birthday?

22

 A. March 18, 1993.

23

 Q. Thank you.

24

 What grade are you in at
25 school?

1 A. Ninth.

2 Q. What is your mother's name?

3 A. Stephanie Culverson.

4 Q. Okay. Lakeisha, do you know the
5 defendant, Darrell Thomas?

6 A. Yes.

7 Q. How do you know him?

8 A. He used to be the pastor of my church.

9 Q. What was the name of that church?

10 A. Philadelphia.

11 Q. Was that church located in Las Vegas,
12 Clark County?

13 A. Yes.

14 Q. Do you see him in court today?

15 A. Yes.

16 Q. Point to him and tell the judge what
17 color clothes he has on.

18 A. Tan suit.

19 MS. LOWRY: May the record reflect
20 identification of the defendant?

21 THE COURT: Yes, the record will so
22 show.

23 BY MS. LOWRY:

24 Q. Lakeisha, how old were you when you
25 were a member of your church?

1 A. I don't remember.

2 Q. About how long did you go to his
3 church?

4 A. Five years.

5 Q. Did there come a point you stopped
6 going to his church?

7 A. Uh-hum.

8 Q. Is that yes?

9 A. Yes.

10 Q. About when was that?

11 A. About a year-and-a-half ago.

12 Q. Why did you stop going to his church?

13 A. Because of the situation that
14 happened.

15 Q. Okay. And what was the situation that
16 happened?

17 A. The fondling of women.

18 Q. Where did this take place?

19 A. In his home.

20 Q. Did it happen more than one time?

21 A. No.

22 Q. About when was this? When did this
23 take place?

24 A. Around school time.

25 Q. Okay. How old were you?

1 A. Twelve.

2 Q. So it was during the school year when
3 you were 12?

4 A. Yes.

5 Q. Do you know what year it was?

6 A. 1995.

7 MS. LOWRY: Court's indulgence.

8 Q. How was it that you were at the
9 defendant's house?

10 A. My mom, she needed a baby-sitter
11 because she was working and called him and asked him
12 if he would baby-sit. He said yes. He came to get
13 us and we went to his house.

14 Q. When you say "we," who are you talking
15 about?

16 A. Me and my sisters and my cousins.

17 Q. How many kids were there that went to
18 his house to be babysat?

19 A. Five.

20 Q. So you, your sisters and your cousins?

21 A. Uh-hum.

22 Q. That's a yes?

23 A. Yes.

24 Q. Was it daytime or nighttime?

25 A. Day.

1 Q. When you got to his house, were there
2 other people at his house?

3 A. No.

4 Q. And what was the first thing that he
5 did that made you feel uncomfortable?

6 A. He asked me questions about my
7 personal life.

8 Q. When you say your personal life, what
9 are you talking about specifically? What questions
10 did he ask you?

11 A. Like did I have pubic hairs and have I
12 started my menstrual.

13 Q. Where were you when he was asking
14 these questions?

15 A. We were in the den area.

16 Q. Where were the other kids?

17 A. Outside.

18 Q. And how did those questions make you
19 feel?

20 A. Uncomfortable.

21 Q. Did you answer him?

22 A. Some questions I did.

23 Q. Did he ask you to do anything?

24 A. He ask me to stand up and unbutton my
25 pants. After that he didn't ask me anything else,

1 didn't go further than that.

2 Q. Did you do what he asked? Did you
3 unbutton your pants?

4 A. Yes.

5 Q. And did you take your pants off?

6 A. No.

7 Q. Or pull them down?

8 A. I just unbuttoned them and opened the
9 pants from the zipper. That's as far as I went.

10 Q. What was the purpose of him having you
11 unbutton your pants?

12 A. He said that he wanted to see
13 something.

14 Q. Did he touch you at that point?

15 A. Yes.

16 Q. Where did he touch you?

17 A. At my behind.

18 Q. What did he touch you with on your
19 behind?

20 A. His hand.

21 Q. What did he do with his hands when he
22 did that?

23 A. He just caressed my butt.

24 Q. Was he saying anything to you while he
25 did that?

1 A. No.

2 Q. Did he ever do anything with his
3 clothes?

4 A. No.

5 Q. Did he ever touch any other part of
6 your body besides your butt?

7 A. No.

8 Q. Now, did he say anything to you about
9 whether or not this was something that you could
10 discuss with people?

11 A. He just said I shouldn't tell my mom
12 because it's none of her business. And he said that
13 there's some things I don't have to tell her because
14 some things is just my business, and I don't have to
15 tell her everything that goes in my life. If I tell
16 her that, something bad could happen.

17 Q. Did he tell you what it was that would
18 be bad, what happened if you told?

19 A. No.

20 Q. Did that worry you or upset you?

21 A. Yes.

22 Q. Did you tell your mom right away?

23 A. No.

24 Q. How come you didn't tell her right
25 away?

1 A. I was scared.

2 Q. Who were you scared of?

3 A. Him.

4 Q. Who was the first person that you told
5 about this?

6 A. My mom.

7 Q. About when was that?

8 A. It was a few weeks after the incident
9 happened.

10 Q. And do you know the address of his
11 house?

12 A. No.

13 Q. But it's in Las Vegas, in Clark
14 County?

15 A. Yes.

16 MS. LOWRY: Court's indulgence.

17 Pass the witness.

18 THE COURT: Cross?

19 MR. AMESBURY: Yes.

20

21 CROSS-EXAMINATION

22

23 BY MR. AMESBURY:

24 Q. How long have you been going to that
25 church, do you remember?

1 A. About five years.

2 Q. And would you consider your parent,
3 mom or dad active in the church?

4 A. I don't understand you.

5 Q. Do they participate, were they
6 involved in the church?

7 A. Yes.

8 Q. Are there a lot of church activities?

9 A. It was.

10 Q. Were your parents close with the
11 Thomases?

12 A. They were good friends.

13 Q. Did they hold a position in the
14 church, your mom hold a position in the church?

15 A. Yes.

16 Q. What was that?

17 A. I can't remember what it was.

18 Q. But there came a time that you left
19 the church, right and went to another church?

20 A. Yes.

21 Q. And do you know why that was?

22 A. Yes.

23 Q. Why?

24 A. Because of the incident that happened.

25 Q. When you told your mom about this, did

1 she go to the police immediately?

2 A. Yes.

3 Q. She did?

4 A. Yes.

5 Q. Okay. And do you remember
6 approximately when she went to the police?

7 A. No.

8 Q. Did you contact any of the other -- do
9 you know Ebony?

10 A. Yes.

11 Q. Do you consider her a friend?

12 A. Yes.

13 Q. How about Ericka?

14 A. Yes.

15 Q. She is also your friend?

16 A. Yes.

17 Q. Did you talk to them about this case?

18 A. A while back.

19 Q. Do you remember when?

20 A. No.

21 Q. Did you talk to them prior to telling
22 your mom about this?

23 A. I don't understand.

24 Q. Did you talk to them before you told
25 your mom about this?

1 A. No.

2 Q. Did you talk to them after?

3 A. Uh-hum, yes.

4 Q. Are you all members of the same church
5 now or --

6 A. Am I?

7 Q. With Ebony and Ericka?

8 A. No.

9 Q. Now, this happened, it is my
10 understanding, around Spring of 1996. Is that my
11 understanding?

12 MS. LOWRY: Well, it's pled June of
13 '96.

14 BY MR. AMESBURY:

15 Q. June of 1996?

16 A. Yes.

17 Q. Did you -- you say that you talked to
18 Ericka and you talked to Ebony. Do you remember
19 when you talked to them?

20 A. No.

21 Q. Was it after you left the church?

22 A. Yes.

23 Q. But prior to contacting the police?

24 A. I don't understand.

25 MS. LOWRY: Can I have the Court's

1 indulgence a moment?

2

3

(Mr. Amesbury conferred with
4 Ms. Lowry.)

5

6 BY MR. AMESBURY:

7 Q. Before you talked to the police, did
8 you talk about this to Ericka?

9 A. No.

10 Q. How about Ebony?

11 A. No.

12 Q. So it is my understanding your
13 testimony is this happened around June of 1996 and
14 this is the only thing that happened, you didn't
15 have any more contact with Mr. Thomas after that?

16 A. No.

17 Q. Then you were never alone with him
18 privately before that?

19 A. No.

20 Q. And the other, there were other kids
21 over with you at the house?

22 A. Yes.

23 Q. Were any of them in the room?

24 A. No.

25 Q. Were they outside?

1 A. Some were. There was one outside.
2 And before this happened, the little one went
3 outside that was in the house.

4 Q. You say they was in the house. Where
5 were they in the house?

6 A. Huh?

7 Q. Where were they in the house?

8 A. They were there with me. There was
9 one with me, but when the incident started to happen
10 and he told the little one to go outside, then it
11 was just me and him in the den area.

12 Q. Was his wife in the house at the time?

13 A. No.

14 Q. Just you two in the house?

15 A. Yes.

16 Q. This was in the den area?

17 A. Yes.

18 MR. AMESBURY: Court's indulgence.

19 Pass the witness.

20 THE COURT: Is that it?

21 MS. LOWRY: Just one.

22

23 REDIRECT EXAMINATION

24 BY MS. LOWRY:

25 Q. Lakeisha, when you talked to the

1 police about what happened the first time, did you
2 tell them absolutely everything that happened?

3 A. No.

4 Q. Were there other things that happened
5 that you didn't talk about?

6 A. Yes.

7 Q. What were the other things?

8 A. Just the incident when he had laid me
9 on the couch the first time then we started talking
10 again, then he laid me on the other side of the
11 couch and I was on my back this time and showing me,
12 doing the same thing he did the first time.

13 Q. So was that at his house?

14 A. Yes.

15 Q. Was that a different time than the
16 time you went over there to be babysat?

17 A. No, the same day.

18 Q. Same time, but he did it more than
19 once on that day?

20 A. Yes.

21 Q. You said he laid you on the couch?

22 A. Yes.

23 Q. Tell us how he did that. Did he say
24 it or did he do something?

25 A. He said, "Come over here and sit on

1 this side of the couch." I went. He said, "Lay
2 back." I got on the couch. He got on me. He got
3 one arm on the couch and one arm on the side of me.

4 Q. Did he tell you why he was doing that?

5 A. No.

6 Q. When he laid on you, did his body
7 touch your body?

8 A. No.

9 Q. Did he do any touching at all at that
10 point on the couch?

11 A. No.

12 MS. LOWRY: Nothing further.

13 THE COURT: Is that it?

14 MR. AMESBURY: To clarify.

15

16 REXCROSS-EXAMINATION

17

18 BY MR. AMESBURY:

19 Q. You said there was a second time.

20 This happened after?

21 A. After the first time he laid me on the
22 couch.

23 THE COURT: She just described the
24 first time but nothing happened. The second
25 incident is what she described earlier was the basis

1 for the charge. That was the actual --

2 MR. AMESBURY: It was the same day.

3 THE COURT: The same day a little
4 while later.

5 MR. AMESBURY: It was a little
6 while --

7 THE WITNESS: Excuse me?

8 BY MR. AMESBURY:

9 Q. There was a period of time between the
10 two incidents?

11 A. Yes. After I sat up the first time we
12 had been laying on the couch, after I sat up the
13 first time, we started talking again then he laid me
14 on the other side of the couch.

15 MR. AMESBURY: I will pass.

16 MS. LOWRY: Nothing further.

17 THE COURT: Thank you very much for
18 your testimony. I want you to step in the hallway.
19 Don't discuss any testimony while outside.

20 Any reason to make her stick
21 around?

22 MR. AMESBURY: No, I don't think so.

23 THE COURT: Ebony Bell is the last
24 one.

25 (The witness exited the courtroom.)

1 THE COURT: Ebony, if you will step
2 around right here, the other side of the witness
3 chair, I need to have you remain standing, raise
4 your right hand and the clerk beside me will swear
5 you in.

6 THE CLERK: Do you swear to tell the
7 truth, the whole truth and nothing but the truth so
8 help you God?

9 THE WITNESS: I do.

10

11 EBONY BELL,
12 A witness for the State, having been first duly
13 sworn, testified as follows:

14

15 THE CLERK: Please be seated. State
16 your full name and spell your last name for the
17 record.

18 THE WITNESS: My name is Ebony Bell.
19 My last name spelled B-E-L-L.

20

21 DIRECT EXAMINATION

22

23 BY MS. LOWRY:

24 Q. Ebony --

25 THE COURT: Speak right towards the

1 microphone.

2 BY MS. LOWRY:

3 Q. Ebony, how old are you?

4 A. I'm 17.

5 Q. When is your birthday?

6 A. December 2, 1980.

7 Q. Do you know the defendant, Darrell
8 Thomas?

9 A. Yes, I do.

10 Q. How do you know him?

11 A. I used to attend his church.

12 Q. What is the name of that church?

13 A. Philadelphia Church of God in Christ.

14 Q. Do you see him in court today?

15 A. Yes, I do.

16 Q. Point to him and describe what he is
17 wearing today.

18 A. Wearing a brownish suit with a
19 pinstriped white shirt.

20 MS. LOWRY: Let the record reflect the
21 identification of the defendant.

22 THE COURT: The record will so show.

23 BY MS. LOWRY:

24 Q. Ebony, about how old were you when you
25 attended his church?

1 A. Thirteen, fourteen.

2 Q. Thirteen, fourteen?

3 A. Uh-hum.

4 Q. Do you attend his church now?

5 A. No, I don't.

6 Q. Why is that?

7 A. I left because I felt that he sexually
8 harassed me.

9 Q. When you say sexually harassed, tell
10 me what he did do?

11 A. Touch me in -- talked to me in certain
12 ways and touched me in search ways.

13 Q. What kind of things did he say?

14 A. He said things like, asked me did I
15 like him. Asked me if I was to have sex, how would
16 I have it, and told me if he wasn't older that he
17 would try to talk to me, try to get with me.

18 Q. Try to what?

19 A. Try to be with me.

20 Q. When you say be with you, you mean
21 sexually?

22 A. Yes.

23 Q. Where did these conversations take
24 place?

25 A. In the church.

1 Q. Were there other people around when he
2 said these things?

3 A. No, it was in his office.

4 Q. And is his church located in Clark
5 County, Las Vegas?

6 A. Yes, it is.

7 Q. Now, how old were you when he had
8 these conversations with you?

9 A. Fourteen.

10 Q. You said that in talking to you he
11 also did some other things?

12 A. Yes.

13 Q. What were the other things that he
14 did?

15 A. He touched me, touched my breasts,
16 touched my behind. He tried, attempted to touch me,
17 touch my vagina.

18 Q. Okay. Was this all at the same time
19 or were these each different occasions?

20 A. Just different times.

21 Q. Okay. Let's talk about when he
22 touched your breasts. Where did this happen?

23 A. At his house.

24 Q. How was it that you were at his house?

25 A. I was over there for the Fourth of

1 July.

2 Q. And that would have been Fourth of
3 July, 1993?

4 A. Yes.

5 Q. And where at his house did this
6 happen?

7 A. Just passing through. Just when no
8 one was around.

9 Q. When he touched your breasts, what did
10 he touch your breasts with?

11 A. With his hand.

12 Q. Did he do it on top of your clothes or
13 under your clothes?

14 A. On top of my clothes.

15 Q. That Fourth of July time, did he touch
16 any other part of your body?

17 A. No.

18 Q. Now, you said that there was a time he
19 touched your butt?

20 A. Yeah.

21 Q. About when was that?

22 A. I'm not sure.

23 Q. Same time period, close to when?

24 A. Yes.

25 Q. The Fourth of July?

1 A. Uh-hum.

2 Q. Was the Fourth of July the first
3 incident of him touching you?

4 A. Yes.

5 Q. And where were you when he touched
6 your butt?

7 A. At his house.

8 Q. Was there anyone else around?

9 A. No.

10 Q. What room of the house were you in?

11 A. In the den.

12 Q. And tell us exactly what he did. What
13 did he touch your butt with?

14 A. He touched my butt with his hand.

15 Q. Did he say anything to you while he
16 was doing this?

17 A. No. He just laughed and played it
18 off.

19 Q. Did he touch you on top of your
20 clothes or under your clothes?

21 A. On top.

22 Q. You said something about he tried to
23 touch your vagina?

24 A. Yes.

25 Q. Where did that happen?

1 A. At his house.

2 Q. What room of the house were you in at
3 that time?

4 A. The same place.

5 Q. The same place being the den?

6 A. Yeah.

7 Q. Was there anybody else around?

8 A. No.

9 Q. And by try, what did he do that makes
10 you believe he was trying to do that?

11 A. Like he reached his hand going there,
12 but I just walked away.

13 Q. Did you tell anybody right away about
14 these things that he was doing?

15 A. No.

16 Q. How come?

17 A. Because I was scared.

18 Q. Had he said anything to you about
19 telling?

20 A. Yes.

21 Q. What did he say to you?

22 A. He told me if I told anyone that they
23 wouldn't believe me.

24 MS. LOWRY: Thanks, Ebony.

25 Mr. Amesbury will ask you some questions now, okay?

CROSS-EXAMINATION

1
2
3 BY MR. AMESBURY:

4 Q. It is my understanding that you
5 testified this happened at the house when you were
6 passing through?

7 A. Yes.

8 Q. That was July 4th of 1993?

9 A. Yes.

10 Q. Now, the second incident, when did
11 that happen?

12 A. At his house at a slumber party.

13 Q. At a slumber party?

14 A. Yes.

15 Q. Were there other girls present?

16 A. Yes.

17 Q. Was Lakeisha there?

18 A. No.

19 Q. How about Ericka?

20 A. Yes.

21 Q. Ericka was there as well. Were there
22 any other girls there?

23 A. Yes.

24 Q. Do you remember their names?

25 A. Antoinette and Monica. I don't know

1 their last names.

2 Q. Was this -- you say this was a slumber
3 party he was having at his house?

4 A. Yeah.

5 Q. Was his wife there at the time as
6 well?

7 A. Yes.

8 Q. Were there only two times that you
9 were over at the house? Have you been over to the
10 house before?

11 A. Yes, I've been over there more than
12 twice.

13 Q. Did you ever baby-sit his kids or
14 anything?

15 A. No.

16 Q. The other times that you were over at
17 the house, was he there as well?

18 A. Yes.

19 Q. Did anything happen in those times?

20 A. No.

21 Q. Now, you're no longer a member of this
22 church; is that correct?

23 A. Correct.

24 Q. You and your parents just joined
25 another church?

1 A. Yes, I did.

2 Q. You did personally. Are your parents
3 a member of the church?

4 A. My parents were never a member.

5 Q. So you've gone to a different church?

6 A. Yes.

7 Q. How many years have you been going to
8 church? How many years had you been going to
9 church?

10 A. For a year.

11 Q. About a year?

12 A. Yeah.

13 Q. You consider yourself a friend of
14 Lakeisha as well as Ericka?

15 A. Yes.

16 Q. You see them on a regular basis?

17 A. No.

18 Q. You guys go to school together?

19 A. No.

20 Q. Did you talk to them about this case?

21 A. When?

22 Q. When it happened?

23 A. No.

24 Q. But you did talk to your mom I
25 understand; is that correct?

1 A. I talked to my grandmother.

2 Q. You talked to your grandmother?

3 A. Yeah.

4 Q. Is your grandmother a member of the
5 church?

6 A. No.

7 Q. Did the police contact you or did you
8 contact the police?

9 A. They contacted me.

10 Q. They came to your school?

11 A. Yes.

12 Q. Do you remember when they came to your
13 school?

14 A. No.

15 Q. Do you know if they contacted any
16 other girls or girlfriends?

17 A. No.

18 Q. Other than these two times, did
19 Mr. Thomas --

20

21 (Brief proceedings held in
22 unrelated matters.)

23

24 THE COURT: Sorry.

25 /////

1 BY MR. AMESBURY:

2 Q. Do you remember why the police
3 contacted you?

4 A. Yes.

5 Q. What did they tell you?

6 A. They told me that --

7 MS. LOWRY: I will object. It's
8 hearsay.

9 MR. AMESBURY: Probable cause.

10 THE COURT: I don't think so.

11 MR. AMESBURY: They use it the other
12 way all the time.

13 THE COURT: Sustained.

14 MR. AMESBURY: I don't have any
15 further questions.

16 MS. LOWRY: Just a couple.

17

18 REDIRECT EXAMINATION

19

20 BY MS. LOWRY:

21 Q. Ebony, the house where these things
22 happened, the defendant's house is in Las Vegas?

23 A. Yes, it is.

24 Q. You said that you didn't remember the
25 exact time frame of the second incident. Do you

1 remember you gave a statement to the police?

2 A. Yes.

3 MS. LOWRY: Counsel, voluntary
4 statement, page 3.

5 Q. I will ask you to take a look at your
6 statement to see if that will help you remember
7 about when the second incident occurred.

8 A. (Witness complied). Around May of
9 '94.

10 Q. Is that what you told us in your
11 statement?

12 A. Yes.

13 MS. LOWRY: Nothing further.

14 MR. AMESBURY: No further questions.

15 THE COURT: Thank you for your time.

16 I appreciate it. You can wait in the hallway if you
17 want to. You are free to leave, also. If you wait
18 outside, don't discuss any testimony.

19 THE WITNESS: Okay.

20

21 (The witness exited the courtroom.)

22

23 THE COURT: Can we excuse her?

24 MS. LOWRY: Yes.

25 THE COURT: All right.

1 MS. LOWRY: Judge, that concludes my
2 witnesses. I would just move to conform to the
3 testimony to make two amendments. On Count IV, I
4 would add *and/or rubbing the buttocks of* because I
5 believe that is what Ericka said that he kissed her
6 and he rubbed her buttocks at the time he kissed
7 her, as well as the other incident.

8 And then on Lakeisha, Count I,
9 Lakeisha was not specifically clear as to whether it
10 was June '95 or June of '96. She actually testified
11 to both. And under the Cunningham case, the supreme
12 court --

13 THE COURT: Which count?

14 MS. LOWRY: Now, talking about Count
15 I. June of '96. She actually testified she thought
16 it happened June of '96, and also testified she
17 thought it could have been June of '95. I would ask
18 to open that time frame to make it June '95 to June
19 of '96 to conform with her testimony.

20 With that, I rest.

21 THE COURT: Any objections to those
22 two amendments?

23 MR. AMESBURY: No, Your Honor.

24 THE COURT: They appear consistent
25 with the testimony. Count IV will be amended to so

1 reflect at the end of line 7 it says the victim
2 Ericka, and insert and/or rub buttocks of Ericka
3 Goodall.

4 MS. LOWRY: Do that actually in place
5 of placing his tongue. There is no testimony about
6 that.

7 MR. AMESBURY: I don't think there's
8 been testimony today on that.

9 THE COURT: We will delete that part
10 on line 7 and/or rubbing the buttocks of Ericka
11 Goodall. And Count I, we'll add, line 14, June '95
12 to June '96.

13 MS. LOWRY: Okay.

14 THE COURT: All right. With that, the
15 State rests; is that correct?

16 MS. LOWRY: Yes.

17 THE COURT: The defense calling any
18 witnesses?

19 MR. AMESBURY: We are not, Your Honor.
20 I have discussed this with Mr. Thomas, and at this
21 point, he's not electing to testify.

22 THE COURT: Any arguments?

23 MS. LOWRY: Waive any opening, Your
24 Honor.

25 THE COURT: Counsel?

1 MR. AMESBURY: Your Honor, basically,
2 as to Count No. IV, I think it's been established
3 today that was around Christmas of 1993. Count V
4 was around May of '94. Given the nature of these
5 offenses and the fact that at least in the incidents
6 of 1993 we're looking at four years, I think the
7 statute would apply as to Count IV, as well as
8 Count V.

9 Additionally --

10 THE COURT: Counsel, what is the
11 statute of limitations?

12 MR. AMESBURY: Three or four years.

13 MS. LOWRY: Well, it's four years, but
14 these charges were -- the activated warrant was May
15 of '97, so --

16 THE COURT: That's when the case was
17 filed for the Complaint.

18 MS. LOWRY: There's special
19 provisions for -- sexual crimes fall under secret
20 offenses and the time it's told until the kids tell.

21 MR. AMESBURY: I don't think that it
22 would be a secret offense.

23 THE COURT: Doesn't make any
24 difference. The time of the told as the filing of
25 the Complaint to begin with, and all looks like

1 within four years.

2 MR. AMESBURY: I beg to differ. I
3 think the statute is very specific from the act and
4 whether there's a claim of secret offense.

5 All the girls testified, or at
6 least Lakeisha or Ericka at the time testified she
7 told her mom on or around, if I'm not mistaken here,
8 about the same time as the incident.

9 MS. LOWRY: I think what the Court is
10 saying, we don't even have to go there if we're
11 within the regular statute of limitations to begin
12 with, which we are.

13 MR. AMESBURY: I mean, the statute, if
14 the State's position is the statute runs when they
15 file the Complaint, not from the incident, I think
16 that's contrary to the law.

17 THE COURT: No. Well, how else? What
18 other yardstick would you use if you don't use the
19 Complaint as the yardstick? The back end of the
20 yardstick to comply with the statute, the telling?
21 Otherwise, it's the arraignment date, preliminary
22 hearing date, trial date. I think it's the filing
23 of the Complaint.

24 MR. AMESBURY: Well, I mean, you know,
25 here's a guy that's been -- we're talking about

1 four-plus years. This goes on forever.

2 THE COURT: I understand that. I
3 understand your argument. But then you have a
4 different kind of argument. You have, first of
5 all --

6 MR. AMESBURY: Prearrest delay.

7 THE COURT: -- pretrial delay, a
8 different kind of rights that are involved. The
9 statute of limitations itself as an argument is
10 complied with when the State files the Complaint
11 within the time period set by the statute of
12 limitations, which appears here, that it is within a
13 time period of the statute of limitations, assuming
14 it's a four-year statute of limitations.

15 Other than that, you may have
16 some other arguments in regards to the
17 prearrest or pretrial delay. But I don't think
18 the statute of limitations is your argument just
19 because we are just now getting to a preliminary
20 hearing.

21 MR. AMESBURY: Well, with that, I will
22 go ahead and submit it, Your Honor.

23 THE COURT: All right. Submit it?

24 MS. LOWRY: Yes.

25 THE COURT: Appears to the Court from

1 the Complaint on file and the evidence adduced at
2 this preliminary hearing that crimes were committed,
3 they are all the same charges, Counts I, II, III, IV
4 and V, Lewdness With a Child Under the Age of 14,
5 and there appears to be sufficient cause to believe
6 the defendant named herein, Darrell Thomas,
7 committed the offenses, I hereby order this
8 defendant to be held to answer the charges in the
9 Eighth Judicial District Court of the State of
10 Nevada, in and for the County of Clark.

11 This is a Department V case.

12 THE CLERK: Next appearance date is
13 January 5th at 9:00 a.m. in Department V.

14 THE COURT: Mr. Thomas, the clerk here
15 will prepare a slip with the date and department
16 number on it. Make sure you stay in contact with
17 your attorney.

18

19


20 ATTEST: FULL, TRUE AND ACCURATE TRANSCRIPT
21 OF PROCEEDINGS.

22

23

24

25


DIANA M. GREEN, C.C.R. No. 264

FILED

ORIGINAL

OCT 5 2 39 PM '98

DISTRICT COURT
CLARK COUNTY, NEVADA

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1 LAS VEGAS, NEVADA, THURSDAY, SEPTEMBER 17, 1998, 9:00 A.M.

2 THE COURT: Dave, what do you have?

3 MR. AMESBURY: Page 25, Darrell Thomas, sentencing.

4 THE COURT: Does the Department have anything to add?

5 MR. SCOTT: No, Your Honor.

6 THE COURT: Do you have that file, Laura?

7 MS. REHFELDT: Darrell Thomas?

8 THE COURT: Yeah.

9 MS. REHFELDT: Yes, I do.

10 THE COURT: You have the right to argue. Do you wish to be heard?

11 MS. REHFELDT: I'd just like to note that P and P does recommend probation.

12 The defendant doesn't appear to have a record. And the psychologist also
13 recommends probation. I'd submit it.

14 THE COURT: Mr. Thomas, despite what is recommended, I have serious
15 questions about whether you should go to jail. What would you like to say?

16 THE DEFENDANT: I'm in counseling at the moment.

17 THE COURT: Why are you in counseling and then you deny you did anything
18 wrong?

19 THE DEFENDANT: Well, because that's my assurance in order for me to get
20 the recommendation through them for the signed report. After explaining to them the
21 situation--the whole thing--

22 THE COURT: Well, what I'm saying is what good is counseling going to do
23 when you say you didn't do anything?

24 THE DEFENDANT: That's what they recommended and--

25 THE COURT: Okay. So, I mean, to me it doesn't say anything--

26 THE DEFENDANT: --to back out--

27 THE COURT: --of benefit in terms of you being on the streets that you're
28

1 going to counseling when you indicate that you haven't done anything wrong that
2 deserves counseling. What I say is: do you want to tell me anything as to why I
3 shouldn't put you in jail?

4 THE DEFENDANT: (inaudible)

5 MR. AMESBURY: Well, you know, Your Honor, this--

6 THE COURT: Well, of course you're nervous. Why don't you take a minute
7 to compose your thoughts.

8 What would you like to say, Dave?

9 MR. AMESBURY: Okay, you know, Your Honor, you know, you've obviously
10 been--longer than I have. But, I mean, to go, basically five serious felony counts to
11 an Alford decision on a gross misdemeanor, I think says a lot about this case. I
12 mean, Mr. Thomas--all the allegations here were in a group setting. There was
13 unconsensual touching. Some of the allegations go back to four or five years. Had
14 this case gone to trial, we would have brought in evidence of some other motivation
15 mainly involving the parents and some friction with Mr. Thomas.

16 Considering the possibility of trial, we negotiated the case in good faith.
17 Mr. Thomas understands that some of the conduct may not necessarily be condoned
18 by society, but within the small setting within his community, it's somewhat
19 acceptable. I mean, if you're looking at kissing, you know, you're looking at a pat
20 on the butt--

21 THE COURT: Well, that's not what led to the criminal charges, the kissing.
22 It's the fondling.

23 MR. AMESBURY: Yeah, a little fondling, that's correct, Your Honor. He
24 understands that. We feel with a little counseling, I think--hope the Court would
25 consider the fact that he is a minister. He is with the church here. He's basically the
26 inspirational leader of these people. There are safeguards in this community and
27 within this church that something like this will never happen again. The conditions

28

1 themselves, I feel are rather strict: he can't attend a movie theater where minors may
2 be present. He can't conduct his livelihood. I feel these are--you know, we're
3 touching on some constitutional rights here.

4 THE COURT: We sure are. I'm not sure that condition 11 is even
5 constitutional.

6 MR. AMESBURY: I understand that, Your Honor. But, I was hoping you
7 would consider some of these conditions because, again, he is a minister, a man of
8 the cloth. I understand they're very serious allegations--

9 THE COURT: If he weren't, I don't think he would have had the position of
10 trust that would have led him to do what he's alleged to have done in these cases.

11 MR. AMESBURY: Well, you know, cases are filed for whatever reason all the
12 time. And, again, with the five serious felony counts, we go to an Alford plea to a
13 gross misdemeanor. I'm just asking for the Court's consideration in this case.

14 I believe that counseling, a fine is appropriate.

15 THE COURT: Well, the counseling, though, Mr. AMESBURY, is fine for people
16 who say, "Gee, I have a problem. I want to work on it." He's saying, "I didn't do
17 anything wrong. I didn't even fondle these kids. It's all just a vendetta against me."

18 I'm going to sentence you to one year in the Clark County Detention
19 Center. I'm going to suspend this, place you on a fixed period of probation, three
20 years in length.

21 The conditions of your probation will be those 13 that appear on pages
22 7 and 8 of the report as if I had set them forth fully here in court today. I'm going
23 to eliminate sub-section 1 as I think it's violative of your rights under the first
24 amendment. I can't see how you can be prohibited from going to church while
25 you're on probation.

26 There will be a fourteenth special condition. I don't see it in here. And
27 that condition will be that you'll do 100 hours of community service during the life
28

1 of your--excuse me--16 hours of community service during the life of your probation
2 per month until you run into the statutory maximum. And a fifteenth special
3 condition that you be on house arrest during the period of probation for an
4 indeterminate time to be determined by the Department.

5 You'll be credited with the one day you've already done.


6 I thought an awful lot about your case, Mr. Thomas, not because I think
7 putting you in jail for a year would protect the community, but that you, if you did
8 these things--and I guess I'm cynical enough to believe you probably did, despite the
9 Alford plea--I've certainly thought, just as a matter of punishment, of putting you in
10 jail for a year.

11 Very often if people violate their probation there's dishonorable
12 discharges and other things rather than doing the time. If you have any significant
13 infraction of your probation and I remember you--and I think I will--my inclination
14 would be not to do anything short of just giving you the year.

15 So, good luck under the conditions that are set, in completing your
16 probation successfully. Thank you.

17 * * * *

18 ATTEST: I do hereby certify that I have truly and correctly transcribed
the sound recording of the proceedings in the above case.

19
20 
SHIRLEE PRAWALSKY, COURT RECORDER

21
22
23
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27
28

OFFICE OF THE COUNTY CLERK
CLARK COUNTY DISTRICT COURT
CLARK COUNTY, NEVADA

Receipt#:00449595 11/03/98 At:02:55 PM

Reg. No:0227

RECEIVED FROM:
DARRELL B THOMAS

Case#: 97-C-147517-C Type: CRIMINAL
STATE OF NEVADA v Thomas, Darrell B

For: Qty: 1 ADMINISTRA \$25.00

TOTAL DUE:

MONEY ORD:	\$25.00
RCVBLE: ACCT:025847	\$25.00-
STAY DATE: / /	
SOC.SEC.#:	ACCT TYPE:FI
CUR BAL:	\$.00 FREQ:

TOTAL PAID:	\$25.00
TOTAL DEFERRED:	\$25.00-

CHANGE DUE:

THANK YOU !!!
LOREITA BOWMAN, CLERK

MANUAL RECEIPT# 00394132

MEMO

CASE NUMBER C147517

PLAINTIFF _____

DEFENDANT Thomas

STILL ACTIVE _____

SEALED FILE _____

SEALED PSI ✓

SEALED CHILD CUSTODY _____

Justice Court, Las Vegas Township

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

—VS—

DARRELL BERNARD THOMAS

Defendant(s).

DISTRICT COURT CASE NO. 147517

JUSTICE COURT CASE NO. 97F07543X

RECEIVED OF JUSTICE COURT THE FOLLOWING ITEMS:
JUSTICE COURT PROCEEDINGS AND DOCUMENTS.

DATED: 12-14-97

LORETTA BOWMAN, County Clerk

By: WALTER CLIFTON
Deputy

PAGE: 001

MINUTES DATE: 01/05/98

CRIMINAL COURT MINUTES

97-C-147517-C STATE OF NEVADA vs Thomas, Darrell B

01/05/98 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk
BILLIE JO CRAIG/BJC, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
005101 Rehfeldt, Laura C. Y
001 D1 Thomas, Darrell B Y
003889 Amesbury, David C. Y

DEFENDANT THOMAS ARRAIGNED, PLED NOT GUILTY AND WAIVED THE SIXTY DAY RULE. COURT ORDERED, matter set for trial. Upon Mr. Amesbury's request, COURT GRANTED 21 days from the filing of the transcript for a writ.

O.R.

5/12/98 9:00 A.M. CALENDAR CALL

5/18/98 10:00 A.M. JURY TRIAL

02/10/98 09:00 AM 00 DEFT'S PETITION FOR WRIT OF HABEAS
CORPUS

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk
JENNIFER LOTT/jl, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
005101 Rehfeldt, Laura C. Y
001 D1 Thomas, Darrell B N
003889 Amesbury, David C. Y

Mr. Amesbury spoke with the State, and they need more time to answer; they received the writ yesterday (2/9/98). COURT ORDERED, briefing schedule is as follows, State's answer 3/3/98...Defense response 3/17/98.

O.R.

3/26/98 9:00 AM DECISION

CONTINUED TO: 03/26/98 09:00 AM 01

PRINT DATE: 02/11/98

PAGE: 001

MINUTES DATE: 02/10/98

AA2383

CRIMINAL COURT MINUTES

97-C-147517-C STATE OF NEVADA vs Thomas, Darrell B

01/05/98 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk
BILLIE JO CRAIG/BJC, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA
005101 Rehfeldt, Laura C.

001 D1 Thomas, Darrell B
003889 Amesbury, David C.

Y
Y

Y
Y

DEFENDANT THOMAS ARRAIGNED, PLED NOT GUILTY AND WAIVED THE SIXTY DAY RULE.
COURT ORDERED, matter set for trial. Upon Mr. Amesbury's request, COURT
GRANTED 21 days from the filing of the transcript for a writ.

O.R.

5/12/98 9:00 A.M. CALENDAR CALL

5/18/98 10:00 A.M. JURY TRIAL

02/10/98 09:00 AM 00 DEFT'S PETITION FOR WRIT OF HABEAS
CORPUS

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk
JENNIFER LOTT/jl, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA
005101 Rehfeldt, Laura C.

001 D1 Thomas, Darrell B
003889 Amesbury, David C.

Y
Y

N
Y

Mr. Amesbury spoke with the State, and they need more time to answer; they
received the writ yesterday (2/9/98). COURT ORDERED, briefing schedule is
as follows, State's answer 3/3/98...Defense response 3/17/98.

O.R.

3/26/98 9:00 AM DECISION

CONTINUED TO: 03/26/98 09:00 AM 01

CRIMINAL COURT MINUTES

97-C-147517-C STATE OF NEVADA

vs Thomas, Darrell B

CONTINUED FROM PAGE: 001

03/26/98 09:00 AM 00 ALL PENDING MOTIONS 3/26/98

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO /AC, Court Clerk
JENNIFER LOTT, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA
005101 Rehfeldt, Laura C.
001 D1 Thomas, Darrell B
003889 Amesbury, David C.

Y
Y
N
Y

DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS . . . STATE'S MOTION TO
DISMISS DEFENDANT'S PRETRIAL PETITION FOR WRIT OF HABEAS CORPUS

COURT ORDERED, matter continued for the Court to review.

O.R.

CONTINUED TO: 4/2/98 9:00 AM

04/02/98 09:00 AM 00 ALL PENDING MOTIONS 4/2/98

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO/AC, Court Clerk
JENNIFER LOTT, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA
003901 Lowry, Teresa
001 D1 Thomas, Darrell B
003889 Amesbury, David C.

Y
Y
N
Y

DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS . . . STATE'S MOTION TO
DISMISS DEFENDANT'S PRETRIAL PETITION FOR WRIT OF HABEAS CORPUS

CONFERENCE AT BENCH. Court directed Mr. Amesbury to file a Reply by 4/13/98
and matter continued. Court stated there will be no oral argument.

O.R.

CONTINUED TO: 4/16/98 9:00 AM

CRIMINAL COURT MINUTES

97-C-147517-C STATE OF NEVADA

vs Thomas, Darrell B

CONTINUED FROM PAGE: 002

04/16/98 09:00 AM 00 ALL PENDING MOTIONS 4/16/98

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO/ac, Court Clerk
JENNIFER LOTT, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA
000981 Noxon, Arthur G.
005101 Rehfeldt, Laura C.

Y
Y
Y

DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS . . . STATE'S MOTION TO
DISMISS DEFENDANT'S PRETRIAL PETITION FOR WRIT OF HABEAS CORPUS

COURT ORDERED, MATTER CONTINUED for the Court's decision.

CLERK'S NOTE: Clerk telephoned Michelle at Mr. Amesbury's office and advised
continuance date. ac

04/23/98 09:00 AM 00 ALL PENDING MOTIONS 4/23/98

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO/AC, Court Clerk
JENNIFER LOTT, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA
004630 Hendricks, Craig L.

Y
Y

DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS . . . STATE'S MOTION TO
DISMISS DEFENDANT'S PRETRIAL PETITION FOR WRIT OF HABEAS CORPUS

COURT ORDERED, WRIT IS DENIED; FURTHER, THE STATE'S MOTION TO DISMISS IS
ALSO DENIED. FURTHER, TRIAL DATE STANDS.

O.R.

(CC 5/7/98)

CRIMINAL COURT MINUTES

97-C-147517-C STATE OF NEVADA

vs Thomas, Darrell B

CONTINUED FROM PAGE: 003

05/07/98 09:00 AM 00 CALENDAR CALL

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk
JENNIFER LOTT /jl, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
003901	Lowry, Teresa	Y
001 D1	Thomas, Darrell B	Y
003889	Amesbury, David C.	Y

Mr. Amesbury requested a continuance for negotiations. COURT ORDERED, TRIAL DATE is VACATED, and matter set for status check and to reset trial date.

O.R.

5/18/98 9:00 AM STATUS CHECK: NEGOTIATIONS / RESET TRIAL DATE

05/18/98 09:00 AM 00 STATUS CHECK: NEGOTIATIONS / RESET TRIAL DATE

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO/AC, Court Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004630	Hendricks, Craig L.	Y

COURT ORDERED, MATTER CONTINUED FOR DEFENDANT AND MR. AMESBURY TO BE PRESENT.

CLERK'S NOTE: Clerk telephoned Michelle at Mr. Amesbury's office and advised continuance date and requested defendant be notified to be present.

O.R.

CONTINUED TO: 06/04/98 09:00 AM 01

PAGE: 005

MINUTES DATE: 06/04/98

CRIMINAL COURT MINUTES

97-C-147517-C STATE OF NEVADA

vs Thomas, Darrell B

CONTINUED FROM PAGE: 004

06/04/98 09:00 AM 01 STATUS CHECK: NEGOTIATIONS/RESET TRIAL
DATE

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk
SHARON COFFMAN/SC, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA
000981 Noxon, Arthur G.
001 D1 Thomas, Darrell B
003889 Amesbury, David C.

Y
Y
Y
Y

AMENDED INFORMATION AND GUILTY PLEA AGREEMENT FILED IN OPEN COURT.
NEGOTIATIONS: Defendant will plead pursuant to Alford and the State retains
the right to argue. DEFENDANT THOMAS ARRAIGNED AND PLED GUILTY TO OPEN OR
GROSS LEWDNESS (GM). Court accepted plea, referred matter to P & P and
ORDERED set for sentencing.

O.R.

7/30/98 9:00 AM SENTENCING

07/30/98 09:00 AM 00 SENTENCING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: ALONA CANDITO, Court Clerk
JENNIFER LOTT/jl, Relief Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES: STATE OF NEVADA
000981 Noxon, Arthur G.
001 D1 Thomas, Darrell B
003889 Amesbury, David C.

Y
Y
Y
Y

Mr. Amesbury has not received report from Dr. Glovinsky yet and requested
three (3) week continuance. Court inquired why defendant did not see doctor
last Tuesday. Defendant indicated he was not evaluated sooner due to
insurance purposes. COURT ORDERED, matter continued.

O.R.

CONTINUED TO: 09/01/98 09:00 AM 01

PRINT DATE: 09/15/98

PAGE: 005

CONTINUED ON PAGE: 006
MINUTES DATE: 07/30/98

AA2388

CRIMINAL COURT MINUTES

97-C-147517-C STATE OF NEVADA vs Thomas, Darrell B
CONTINUED FROM PAGE: 005

09/14/98 09:00 AM 02 SENTENCING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: JANICE HAMPTON, Court Clerk
SHIRLEE PRAWALSKY, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006163 Weckerly, Pamela C.	Y
	001 D1 Thomas, Darrell B	Y
	003889 Amesbury, David C.	Y

Mr. Amesbury provided the Court with the Psychiatric Evaluation. COURT ORDERED, matter CONTINUED.

O.R.

CONTINUED TO: 09/17/98 09:00 AM 03

09/17/98 09:00 AM 03 SENTENCING

HEARD BY: Jeffrey Sobel, Judge; Dept. 5

OFFICERS: JANICE HAMPTON, Court Clerk
ARLENE BLAZI, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	005101 Rehfeldt, Laura C.	Y
	001 D1 Thomas, Darrell B	Y
	003889 Amesbury, David C.	Y

Representing P&P Larry Scott present. Pursuant to Deft's guilty plea COURT ADJUDGED DEFT. GUILTY OF OPEN OR GROSS LEWDNESS (GM). Statements in mitigations of sentence. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, DEFT. THOMAS SENTENCED to serve ONE (1) YEAR in the Clark County Detention Center, SUSPENDED; placed on a FIXED THREE (3) YEARS. CONDITIONS:

- 1) Search for the detection of pornography and/or child pornography.
- 2) Pay \$90.00 restitution during the first 60 days of probation.
- 3) Not accept a paid and/or volunteer position as an Ordained Minister and/or Pastor with any Church and/or Religious organization unless it has been approved by the parole and probation officer assigned to the Deft, as well as, the Church Board of Directors.
- 4) Participate in and complete programs of professional counseling, as deemed necessary.
- 5) Submit to periodic tests to determine whether the Deft. is using a controlled substance and submit to periodic polygraphic examinations, as