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SOUTHERN NEVADA ADULT	EMENTAL HEALTH SEE	PVICES (	DELIC AND ECOD ALL PROPERTY
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PATIENTS NAME:	ity if Light of	5)0(10 i. Mrs. Mrs.	CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING MEDICATIONS
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PATIENTS NAME: 24	about for	COVER OF CHART BEFORE ORDERING
™R NUMBER.:	THOMAS, ANGELA KA LOVE, ANGELA MR# 24 04 14	The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:
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PATIENT NAME AND NU R	DATE TIME OF ED	DERS
1	11/10/16	
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	11/2/140 7 200	and land con 100 ( a Valan, or eggs
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SOUTHERN NEVADA A	MENTAL HEALTH SE	PRICES DRUG AND FOOD ALLERGIES
PHYSICIA	N'S ORDE	CHECK PATIENT ALLERGY ON FRONT
PATIENTS NAME:	OMAS,ANGELA	COVER OF CHART BEFORE ORDERING MEDICATIONS
MR NUMBER.:	OMAS,ANGELA LOVE,ANGELA 1R# 24 04 14	The biological equivalent of drugs ordered may be dispensed
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PATIENT NAME AND NV R	DATE / TIME O RED	- RDERS
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THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	11/10/16	Dilank 200mg po que Sz djo
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4		Debutard 90 mcg Tipeffs IN4 960
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THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14		Start mode to day
		The shot 0:5ml Im x 1 work detrus
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1867		Tunnix 1.0ml IM, 1st does now =>
ľ		2nd dose in 7 day => 3nd due
1		in 21-30 days proper thep A+B
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ANGELA	noted   11/10/10	- Myzolkku acom
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STEIN		/ - /

SOUTHERN NEVADA ADULT MENTAL HEALTH SERVICES

### PHYSICIAN'S ORDERS

PATIENTS NAME:

MR NUMBER .:

THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14

#### DRUG AND FOOD ALLERGIES

# CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING MEDICATIONS

The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

#### **ADMIT TO INPATIENT**

VITAL SIGNS: Daily. If SBP/DBP is greater than 150/95 or Privileges after 24 hours per PN III/Charge Nurse A				<u></u>
LAB WORK:	DOSSMEIL LIFE	io DOff Uni		
Admit Panel blood work (upon unit transfer)	□TSH			□ CXR
☐ UA for Admit Panel (upon admission)		Quantiferon Gold	Protocol (circle select	
□ Other:	D EKG			.011/
OBSERVATION LEVEL:				
	□ 5 minute observation	on		
☐ 15 minute observation with unit restriction	□ 5 minute observation	on with special pre	caution	
☐ 1:1 observation	□ 30 minute observat	ion		
POSITIVE HCG AT TIME OF ADMISSION? (only app For positive HCG refer to physician for medicate	olies to females < 50) ions.	): Yes □	No 🗇	N/A
NUTRITION PRESCRIPTIONS:  D'HOUSE DIET: (2,100 to 2,400 Calorie Consistent <a href="mailto:300 mg">300 mg cholesterol, &lt;4,000 mg Sodium; &gt;25 gram."&gt;&gt;25 gram.</a>	Carbohydrate; <30% F s fiber, >80 grams pro	Fat, <10% Saturate tein)	ed Fat,	D
OR CIRCLE OTHER DIET ORDER:				
Consistent Carbohydrate per Diabetic Protocol Lactose Controlled	Gluten-Fr			
Renal	Mechanic Kosher	al Son		
VegetarianVegan	Clear Liqu	uid		
Full Liquid Please Specify:				
r lease opeony				
ALLERGIES: drug, food, or other			-	
PHYSICIAN'S MEDICATION ORDERS:	-			
E RUN PRESCRIPTION MONITORING REPORT				
Tylenol or equivalent 325mg po 2 tabs q 4 hrs PRN i	or pain or elevated ter	mp greater than 10	00.5	2.
☑ Maalox or equivalent 30cc po q 2 hrs PRN for indige	1-1	<u> </u>		
☑ Milk of Magnesia or equivalent 30cc po q hs PRN for	V	95		
☐ Imodium or equivalent 10cc po PRN diarrhea after e		<u>-</u>	`	
-B Motrin 600 mg po q 6 hrs PRN severe pain	2011 10000 01001	F	/A\ 3\*(7 )   百	[0
☐ Nicotine Patch 21 mg Transdermal q day PRN nicotin	oo eravinaa			
☐ Nicotine Patch 14 mg Transdermal q day PRN nicotin				<del>)</del>
	ne cravings			· · ·
☐ Hydroxyzine 25mg po q 6 hrs. PRN for anxiety ☐ Coumadin or Warfarin			<del></del>	
Vitamin K Restriction				
☐ Diabetic Protocol				
T/O Read back: Dr.:		Date:	Time:	
	7	D310.		<del></del>
MD Print & Sign: OLIVIA N. IW	AY MD A	Date: (I) 9	166 Time: <u>57</u>	m
RN Print & Sign: Hble Do	<u>`</u>	Date: _////c	16 Time: 10	, co ;
V: Coraniil por	F17(1)	11/10/16	1465	
Southern Nevada Adult Mental Health Services	NAME:	AKA	DMAS,ANGELA LOVE,ANGELA	
DIVOIDIANIS ARTISTICA CONTRA	1		IR# 24 04 14	
PHYSICIAN'S ADMITTING ORDERS	MRN:			
10.50 7 411 of A Pay 7/15	11/11/16	A-100		

Patient Report

Specimen ID: 019-133-1702-0 Control ID: 80053724282

Acct #: 27002320

Phone: (702) 486-6181

Rte: 00

THOMAS, ANGELA M.

Stein-G 1650 Community College Dr

Las Vegas NV 89146 <u> Դիլինքիվուսկիլինքիցիկունանին ին հինակիրդիկին իստնինիվ</u>

**Patient Details** DO Age(y/m/d): 042/11/11 Gender: F SSN:

Patient ID: 240414

**Specimen Details** 

Date collected: 01/19/2017 0730 Local

Date entered: 01/19/2017 Date reported: 01/19/2017 1306 ET **Physician Details** Ordering: C IROHA Referring:

NPI: 1619942554

General Comments & Additional Information Clinical Info: PLEASE CALL/FAX RESULTS TO

Clinical Info: P:(702)486-6181 F.(702)48

Clinical Info: 6-6060

Alternate Control Number: B0053724282

Total Volume: Not Provided

Alternate Patient ID: 240414

Fasting: Yes

Ordered Items

Phenytoin (Dilantin), Serum; STAT; Venipuncture

RESULT FLAG TESTS UNITS REFERENCE INTERVAL LAB 8.1 Phenytoin (Dilantin), Serum Low ug/mL 10.0 -01

UMCNV University Medical Center

Dir: Ronald Knoblock,

1800 W Charleston Blvd, Las Vegas, NV 89102-2329

For inquiries, the physician may contact Branch: 888-522-2677 Lab: 702-383-2561



Date Issued: 01/19/17 1307 ET

**DUPLICATE FINAL REPORT** 

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**Patient Report** 

Specimen ID: 017-944-4478-0 Control ID: 80053578223 Acct #: 27002320

Phone: (702) 486-6181

Rte: 00

THOMAS, ANGELA M.

Stein - G 1650 Community College Dr Las Vegas NV 89146

Patient Details DO 1974 Age(y/m/d): 042/11/09 Gender: F SSN: Patient ID: 240414

**Specimen Details** 

Date collected: 01/17/2017 0730 Local

Date entered: 01/18/2017 Date reported: 01/18/2017 1005 ET Physician Details Ordering: M NAZEMI

Referring: ID:

NPI: 1023389921

General Comments & Additional Information Alternate Control Number: B0053578223 Total Volume: Not Provided

Alternate Patient ID: 240414 Fasting: Yes

**Ordered Items** 

Phenytoin (Dilantin), Serum; Venipuncture

2000年	TESTS		RESULT	15.17	TLAG [	Glary II	UNITS (	REFER	ENC	3//]	NTE	RVAL	LAB
Phenytoin	(Dilantin),	Serum	6	. 8	Low <	:0.8	ug/mL Neonat Therap Detect Indicat	tal: peutic tion L	6.0 Lmi	0 - t =	· 14 : 0	.0	01

01 PDLCA LabCorp Phoenix

Dir: Brian Poirier, MD

5005 S 40th Street Ste 1200, Phoenix, AZ 85040-2969

For inquiries, the physician may contact Branch: 888-522-2677 Lab: 800-788-9743



LabCorp

**Patient Report** 

Specimen ID: 011-944-4551-0 Control ID: 80053297810 Acct #: 27002320

Phone: (702) 486-6181

Rte: 00

THOMAS, ANGELA

Stein - G

1650 Community College Dr

Las Vegas NV 89146

<u>՝ Կիլիլիվումիրընդնիցիկունուկնոնիննեննից իրբերիկ</u>

Patient Details
DOE 1974
Age(y/m/d): 042/11/03
Gender: F SSN:
Patient ID: 240414

**Specimen Details** 

Date collected: 01/11/2017 0440 Local

Date entered: 01/12/2017

Date reported: 01/13/2017 1706 ET

Physician Details Ordering: E NNADI

Referring: ID:

NPI: 1962472050

General Comments & Additional Information Clinical Info: MD ORDERED GC/CHLAMYDIA SR

Clinical Info: C:UR URINE Clinical Info: 008128 NSR

Alternate Control Number: B0053297810

Total Volume: Not Provided

Alternate Patient ID: 240414

Fasting: No

**Ordered Items** 

Chlamydia/GC Amplification, Request Problem

TESTS	RESULT	FLAG	UNITS REFERENCE INTERVAL	LAB
Chlamydia/GC Amplificat:		1		-
Chlamydia trachomatis,	/ /	/		
	/ Negative	/	Negative	01
Neisseria gonorrhoeae,	/			
	/ Negative/		Negative	01
	/			
Request Problem				01
No specimen receiv				
TEST: 00812	G Culture On	ly		

01 PDLCA LabCorp Phoenix

5005 S 40th Street Ste 1200, Phoenix, AZ 85040-2969

Dir; Brian Poirier, MD

For inquiries, the physician may contact Branch: 888-522-2677 Lab: 800-788-9743

Date Issued: 01/15/17 1911 ET

**FINAL REPORT** 

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### SOUTHERN NEVADA ADULT MENTAL HEALTH SERVICES

RAWSON NEAL STATE PSYCHIATRIC HOSPITAL 1650 Community College Drive, Las Vegas, NV 89146 Lab Director: Deborah Keil, Ph.D., MT(ASCP), DABT Tel: 702-486-0701 Fax: 702-486-7149 S/N C460826

Rel	eased	_				770 0114 (	2700020		
	Name:	Thomas, Angela		100			Gender: F	emale	
	Patient iD:	Fasting-Iron					Birthdate	1974	
	Sample ID:	240414					Oraw date / time:	12.19.2016 / 07:53	===
	Location:	Unit G				Doctor:	Sussman, D	12112121313133	
Assay		Result	Units		Flags		Range	Date Complete	
Fe-PI		54	ug/dL				50 - 170	12.19.2016	
				End of sa	mple reco	ord			10,01

(212016)

SCANNED

Date/Time\_

Initials

Printed on: 12.19,2016

10:42:07AM

**ARCHITECT** 

Page: 1 of 1

LabCorp

**Patient Report** 

Specimen ID: 349-944-6514-0 Control ID: B0052135046 Acct #: 27002320

Phone: (702) 486-6181

Rte: 00

THOMAS, ANGELA

Stein - G 1650 Community College Dr Las Vegas NV 89146

արդինի ավարդինի հարարական արդարանի անություն

Patient Details
DOB '1974
Age(y/m/d): 042/10/06
Gender: F SSN:
Patient ID: 240414

Specimen Details
Date collected: 12/14/2016 0725 Local
Date entered: 12/15/2016
Date reported: 12/15/2016 1006 ET

Refe

Ordering: E IROHA Referring: ID: NPI: 1619942554

**Physician Details** 

General Comments & Additional Information Alternate Control Number: B0052135046 Total Volume: Not Provided

Alternate Patient ID: 240414 Fasting: Yes

Ordered Items Phenytoin (Dilantin), Serum

TESTS
Phenytoin (Dilantin), Serum

RESULT FLAG UNITS REFERENCE INTERVAL LAB

4.0 Low ug/mL 10.0 - 20.0 01
Neonatal:
Therapeutic 6.0 - 14.0
Detection Limit = 0.8
Indicates None Detected

Dir: Brian Poirier, MD

01 PDLCA LabCorp Phoenix

5005 S 40th Street Ste 1200, Phoenix, AZ 85040-2969

For inquiries, the physician may contact Branch; 888-522-2677 Lab; 800-788-9743

SCANNED

12/2/2016

Date Issued: 12/18/16 1840 ET

**FINAL REPORT** 

Page 1 of 1

Patient Report

Specimen ID: 343-944-5030-0 Control ID: B0051866089

Acct #: 27002320

Phone: (702) 486-6181

Rte: 00

THOMAS, ANGELA

Stein - G 1650 Community College Dr Las Vegas NV 89146

Patient Details DO 1974 Age(y/m/d): 042/10/00 Gender: F SSN: Patient ID: 240414

**Specimen Details** 

Date collected: 12/08/2016 0659 Local

Date entered: 12/09/2016

Date reported: 12/09/2016 1006 ET

**Physician Details** 

Ordering: C IROHA Referring:

ID: NPI: 1619942554

General Comments & Additional Information Alternate Control Number: B0051866089

Total Volume: Not Provided

Alternate Patient ID: 240414 Fasting: Yes

Ordered Items

Phenytoin (Dilantin), Serum; Venipuncture TESTS

Phenytoin (Dilantin), Serum

RESULT FLAG 3.5 Low

UNITS REFERENCE INTERVAL

ug/mL 10.0 - 20.0Neonatal:

01 Therapeutic 6.0 - 14.0

Detection Limit = 0.8 <0.8 Indicates None Detected

PDLCA LabCorp Phoenix

5005 S 40th Street Ste 1200, Phoenix, AZ 85040-2969

For inquiries, the physician may contact Branch: 888-522-2677 Lab: 800-788-9743

Dir: Brian Poirier, MD

**Patient Report** 

Specimen ID: 316-944-3560-0 Control ID: B0050623985

Acct #: 27002320

Phone: (702) 486-6181

Rte: 00

THOMAS, ANGELA

Stein - G 1650 Community College Dr Las Vegas NV 89146

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**Patient Details** DOE 1974 Age(y/m/d): 042/09/03 Gender: F SSN: Patient ID: 240414

**Specimen Details** 

Date collected: 11/11/2016 0730 Local

Date entered: 11/12/2016 Date reported: 11/12/2016 0907 Local

**Physician Details** Ordering: C IROHA Referring:

ID:

NPI: 1619942554

General Comments & Additional Information Alternate Control Number: B0050623985

Total Volume: Not Provided

Alternate Patient ID: 240414 Fasting: Yes

**Ordered Items** 

Hemoglobin A1c; Venipuncture

TESTS	RESULT	FLAG UNITS	REFERENCE	INTERVAL	LAB
Hemoglobin Alc					
Hemoglobin Alc	5.8	High %	4.8	- 5.6	01
Please Note:					01
Pre-diabet	es: 5.7 - 6.4 ·				
Diahetes	>6.4				

Glycemic control for adults with diabetes: <7.0

PDLCA LabCorp Phoenix

Dir. Brian Poirier, MD

5005 S 40th Street Ste 1200, Phoenix, AZ 85040-2969

For inquiries, the physician may contact Branch: 888-522-2677 Lab: 800-788-9743

Date Issued 11/12/16 1021 ET

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**Patient Report** 

Specimen ID: 011-944-4551-0 Control ID: B0053297810 Acct #: 27002320

Phone: (702) 486-6181

Rtei 00

THOMAS, ANGELA

Stein - G

1650 Community College Dr

Las Vegas NV 89146

իրերիկյիլարհանկութեանությունինիկինիկի

Patient Details

DO 1974 Age(y/m/d): 042/11/03

Gender: F SSN: Patient ID: 240414 **Specimen Details** 

Date collected: 01/11/2017 0440 Local

Date entered: 01/12/2017

Date reported: 01/13/2017 1706 ET

**Physician Details** 

Ordering: E NNADI

Referring: ID:

NPI: 1962472050

General Comments & Additional Information Clinical Info: MD ORDERED GC/CHLAMYDIA SR

Clinical Info: C:UR URINE Clinical Info: 008128 NSR

Alternate Control Number: B0053297810 Total Volume: Not Provided Alternate Patient ID: 240414

Fasting: No

Ordered Items

Chlamydia/GC Amplification: Request Problem

gative	01
gative	01
	01
	gative

01 PDLCA LabCorp Phoenix

5005 S 40th Street Ste 1200, Phoenix, AZ 85040-2969

Dir: Brian Poirier, MD

For inquiries, the physician may contact Branch: 888-522-2677 Lab: 800-788-9743

Manufacturer:		Lot:		Expires:	
Initial	Print Name	77	Initial	Print Name	1
			113	It Nole D	مھر
7					

Southern Nevada Adult Mental Health Services	
Nursing Department 1 OR 2 STEP PPD SKIN TEST PATIENT/DOCUMENTATION	NAME:  THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14
Page 1 of 2 II-20 Client TB Testing 07/2016	MRN:
0,,20,0	

Please answ ollowing questions:	Administrat	ne Re	cord	7 1
1. Are you c rently sick with a moderate to severe illner	sco? (a a high favor	□ Yes	a No	Don't Know
vomiting, diarrhea)	ss: (c.g. mgn tever,	lu i es	LAINO	DOUTKNOW
Have you ever had an adverse reaction to a vaccine? (     anaphylactic allergic reaction)	(e.g. fainting, dizziness,	□ Yes	₽ Ño	□ Don't Know
Do you have any allergies to food, medications or late gentamicin, polymixin, yeast, neomycin, phenol, alun	ex? (e.g. eggs,	₽ Yes	□ No	□ Don't Know
Have you been diagnosed with an immunocompromis cancer, leukemia, lymphoma, HIV/AIDS, transplant,	ing disease? (e.g.	□ Yes	₽No	□ Don't Know
5. Is anyone in your household immunosuppressed?		□ Yes	O'No	□ Don't Know
6. Are you currently taking steroids? (e.g. prednisone, co	ortisone, etc.)	□ Yes-	□ No	□ Don't Know
7. Have you ever been diagnosed with any chronic medi	cal conditions, asthma	Yes	□ No	□ Don't Know
diabetes, seizure disorder, a brain disorder or Guillain	-Barre syndrome?			DOM CILLOW
8. Women only: Are you currently pregnant or trying to next 28 days?	get pregnant within the	□ Yes	1 No	□ Don't Know
9. I have already had my flu vaccine this year.		□ Yes	e No	□ Don't Know
Given by: When:				
FOR PROCESSIONAL USE ONEY			1 THIS BELL TOWN TO THE	
	lanufa Lot# Injec urer site	tion, Rot	の何かの2 しきょう201日	ministered VIS Web- (please Date IZ
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(Pneumovar2)				
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ONE ONE OF THE ASE				Silvery Control
**For Twinrix vaccine only (choose entition):				A PAPER HALL
✓ Accelerated Schedule 4 doses total: (Initial, 7 days, 21-30 days ☐ Standard Schedule 3 doses total: (0, 1, 6 months)	and 12 month booster)			
☐ Informed Consent: Yes, I have received, read and have	had explained to me the	informati	on conta	ined in the *Vaccina
Information Statement(s) (VIS) about the disease(s) and the	mad explained to the the	towned The		
questions which were answered to my satisfaction. I unders	vaccine(s) to be adminis	stered. I na	ive aiso .	nad a chance to ask
that the vaccine(s) indicated below be administered to me.	trang die benefitz and lizh	72 OT THE A	accme(s	) and request and consent
*Please refer to Pharmacy Quick Links on Computer Deskto	on for the latest VIS avai	lable		1 1
Patient ACCEPTANCE Signature SIGN HERE:	Amoun m	i n	n.	ate/Time: 11/11/20/6
Patient REFUSAL:		<u> </u>		ate/Time:
Staff Signature: Dulch Riv		1		ate/Time:
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		THOMAS,A	NGELA	70%
Southern and Northern Nevada Adult Mental Health		AKA LOVE,A	NGELA	
Services	Patient Name	MR# 24 0	4 14	
Vaccine Informed Consent and Administration Record		Gender:		
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DPBH MR 300 Rev. 1/2016				



## Nevada Immur tion Record Official Document

#### Registro de Inmunizacion

Documento Oficial

Name/Nombre	<b>ANGELA</b>	<b>THOMAS</b>
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Date of Birth/Fecha de Nacimiento:

974

Gender/Genero: F

Nevada WeblZ ID#: 1702055

Date of Next Vaccination/Fecha de Proxima Vacuna, 12/11/2016

Present this record at each medical visit, Presente este documento durante sus visitas medicas.

Immunization Provider:

SNAMHS COMMUNITY COLLEGE DR 1650 COMMUNITY COLLEGE DR LAS VEGAS, NV 89146

702-486-6301

Allergies/Precautions/Contraindications
Alergias/Precauciones/Contraindicaciones:

Vaccine Reactions / Reacciones contra	Vacunas:
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Comments	
Date	Note

	Vaccine/Vacuna	Date Given Dada en la Fecha MM/DD/YYYY	Age at Imm, Edad Cuando inm.	Doctor or Clinic Doctor o Clinica
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2	Influenza w/preserv.	12/03/2012	38Y 9M 25D	WG #03845
3	H1N1 Flu 09	11/19/2009	35Y 9M 11D	WHARTONALI

	valid Dose, NSIP minim: " 78.	Date Given	mined	invalid by provider
	Vaccine/Vacuna	Dada en la Fecha MM/DD/YYYY	uando Inm	Doctor or Clinica Doctor o Clinica
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3	Hep A-Hep B	12/11/2016	42Y 10M 3D	SNAMHS-CC
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THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14

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0 Very happy, no hurt













4 Hurts a little more

6 Hurts even more

8 Hurts a whole lot

10 Hurts as much as you can imagine

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4 Hurts a little more







8 Hurts a whole lot

10 Hurts as much as you can imagine

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10 Hurts as much as you can imagine

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4 Hurts a little more



6 Hurts even more .

FILE NO:



8 Hurts a whole lot



10 Hurts as much as you can Imagine

## LIST ALL PRNS GIVEN, MEDICATIONS REFUSED OR NOT GIVEN, FIRST DOSE OR CHANGE IN DOSE MEDICATIONS 1st Dose CHANGE IN DOSE MEDICATION TEACHING RATE PAIN 'MEDICATION EFFECTIVENESS DATE & FIRST DOSE REVIEW I ADMINISTERING NURSE **MEDICATION DOSE / ROUTE** REASON GIVEN / NOT GIVEN / REFUSED REASSESSMENT/ TIME RN SIGNATURE & TIME SIGNATURE WRIE Y. IL OF Importone way to 0 \*MEDICATION EFFECTIVENESS / SIDE EFFECTS REQUIRES DOCUMENTATION IN THE PROGRESS NOTE Southern Nevada Adult Mental Health Services NAME: **Nursing Department** THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14













O Very happy, no hurt

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0 Very happy, no hurt



2 Hurts just a little bit



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#### **PAIN INTENSITY SCALE**











0 Very happy, no hurt

2 Hurts just a little bit

4 Hurts a little more

6 Hurts even more

8 Hurts a whole lot

10 Hurts as much as you can imagine

## LIST ALL PRNS GIVEN, MEDICATIONS REFUSED OR NOT GIVEN, FIRST DOSE OR CHANGE IN DOSE MEDICATIONS

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#### **PAIN INTENSITY SCALE**

















4 Hurts a little more

6 Hurts even more

8 Hurts a whole lot

10 Hurts as much as you can imagine

#### LIST ALL PRNS GIVEN, MEDICATIONS REFUSED OR NOT GIVEN, FIRST DOSE OR CHANGE IN DOSE MEDICATIONS

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**Southern Nevada Adult Mental Health Services Nursing Department** MEDICATION ADMINISTRATION RECORD

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#### **PAIN INTENSITY SCALE**



0 Very happy, no hurt



2 Hurts just a little bit



6 Hurts even more



8 Hurts a whole lot



10 Hurts as much as you can imagine

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## IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \* \* \* \* \* \* \* \*

MARLO THOMAS,

No. 77345

Electronically Filed Jun 14 2019 03:17 p.m. Elizabeth A. Brown Clerk of Supreme Court

v.

District Court Case No. 96C136862-1

WILLIAM GITTERE, et al.,

Appellant,

(Death Penalty Case)

Respondents.

## APPELLANT'S APPENDIX

Volume 29 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

# EXHIBIT 221

# EXHIBIT 221

Home Address	School/ Address	Grade	Age
while attending			8-
Gerson Park Apartment Las Vegas, NV			Birth - 4
449 Kings Ave North Las Vegas, NV	Madison Elementary School 1030 J Street Las Vegas, NV	K	4 - 5
408 Duchess St N. LV NV 89030	Jo Mackey Elementary 2726 Englestad North Las Vegas	K	5 - 6
1205 Adams Ave	W.E. Ferron Elementary 4200 Mountain Vista, LV	1	6
Las Vegas, NV 89106	Oran K Gragson Elementary 555 North Honolulu, LV	1	6
	Crestwood Elementary 1300 Pauline Way, LV	1	7 - 8
2036 Hassell Ave LV 89106	Twin Lakes Elementary 3300 Riverside Dr, LV	1	8 - 9
	CH Decker Elementary 3850 Redwood, LV	2	9
1801 N J St. #G-2 Las Vegas, NV 89106	CH Decker Elementary 3850 Redwood, LV	3	9
833 Hassell Ave	Red Rock Elementary 408 Upland Blvd, LV	3	9
Las Vegas, NV 89106	Red Rock Elementary 408 Upland Blvd, LV	4	10
953 Hart Ave	Vail Pittman Elementary 6333 Fargo Ave, LV	4	10
Las Vegas, NV 89106	Helen M. Smith Elementary 7101 Pinedale Ave, LV	4	11
	Miley Achievement Center 6171 West Charleston Blvd Las Vegas, NV	5	11
	Miley Achievement Center 6171 West Charleston Blvd Las Vegas, NV	5	11-12
	Walter Bracken School 1200 N. 27th Street, LV	6	12
1917 Yale #A	William E. Orr School 1562 E. Katie Dr, LV	7	13
North LVS, NV 89030	Miley Achievement Center 6171 West Charleston Blvd Las Vegas, NV	6	13
	Garside Junior High School 300 S. Torrey Pines, LV	7	13-14
	Miley Achievement Center 6171 West Charleston Blvd Las Vegas, NV	8	14
	Garside Junior High School 300 S. Torrey Pines, LV	8	14
1505 Cartier #D North LV, NV 89030		8	14
2712 Spear St. Apt D North LV 89030	Miley Achievement Center 6171 West Charleston Blvd Las Vegas, NV	8	14

M Thomas\_Residential Chronology

Home Address while attending	School/ Address	Grade	Age
	Third Cottage Program/ Zenoff Hall Juvenile Court School 601 N. Pecos, Las Vegas	8	14-15
	NYTC at Elko 100 Youth Center Road Elko, NV		16
2712 Spear St. Apt D NLV 89030	Rancho High 1900 Searles, LV		16
	NYTC at Elko 100 Youth Center Road Elko, NV	10	16
	NYTC at Elko 100 Youth Center Road Elko, NV	11	16
	Chaparral High 3850 Annie Oakley Dr. LV	11	16
	Rancho High 1900 Searles, Las Vegas	11	16
2712 Spear St. Apt D North LV 89030	Jefferson Opportunity High 1941 Jefferson North Las Vegas 89030	11	16-17
	Zenoff Hall Juvenile Court School 601 N. Pecos Las Vegas, NV		17

# EXHIBIT 222

# EXHIBIT 222

# ORIGINAL

COUNT ON COUNT ON BOLGES

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> JUSTICE COURT, LAS VEGAS TOWNSHIP CLARK COUNTY, NEVADA

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THE STATE OF NEVADA,

Plaintiff.

\_,

KENYA KEITA HALL aka Kenya Love, #1225894

Defendant(s).

) Case No. 96F07190B Dept. No. 2

#### AGREEMENT TO TESTIFY

1T IS HEREBY AGREED by and between the State of Nevada, by the Clark County District Attorney and through the undersigned deputy, MELVYN T. HARMON, and KENYA KEITA HALL aka Kenya Love, by and through his undersigned defense attorney, JOHN STEFFEN, ESQ.

- 1. KENYA KEITA HALL aka Kenya Love will cooperate voluntarily with the Clark County District Attorney's Office and the Las Vegas Metropolitan Police Department in the investigation and prosecution of State of Nevada vs. Marlo Thomas and against any other individuals who may be charged with offenses occurring at the Lone Star Steakhouse on April 15, 1996 wherein Carl Dixon and Matthew Gianakis were murdered and Vincent Oddo was robbed.
- KENYA KEITA HALL aka Kenya Love will cooperate voluntarily by providing true
  information and by testifying fully and truthfully in all court proceedings in the above referenced case
  against the co-defendant Marlo Thomas and any other individuals involved.
- 3. The full terms of the plea agreement are set forth in the document styled Guilty Plea Memorandum, a copy of which is attached hereto and incorporated herein by reference. KENYA KEITA

HALL aka Kenya Love shall receive the benefits described in this agreement subject to his compliance with all of the terms and conditions contained in this document.

4. It is further understood that as a result of entering this agreement, KENYA KEITA HALL aka Kenya Love is waiving all appeal rights with respect to the entry of plea, speedy trial rights, and any other right to appeal any issue as a result of his prosecution in Case No. 96F07190B.

#### **OBLIGATION TO BE TRUTHFUL**

OVERRIDING ALL ELSE, it is understood that this agreement requires from KENYA KEITA HALL aka Kenya Love an obligation to do nothing other than to tell the truth. It is understood between all the parties to this agreement that KENYA KEITA HALL aka Kenya Love, at all times, shall tell the truth, both during the investigation and while testifying on the witness stand. KENYA KEITA HALL aka Kenya Love shall tell the truth, no matter who asks the questions, including but not limited to investigators, prosecutors, judges and defense attorneys.

It is further understood that this entire agreement shall become null and void and KENYA KEITA HALL aka Kenya Love shall lose the benefits of this agreement for any deviation from the truth, for failure to answer any question that is the subject matter of this investigation, for purposely withholding information regarding this investigation, for providing evasive answers to questions asked by law enforcement officers investigating this case, for providing false information at any time on any matter concerning this investigation. Further, KENYA KEITA HALL aka Kenya Love shall be subject to prosecution for perjury for any intentional false statement which occurs while he is on the witness stand.

The parties agree that the trial court shall determine if KENYA KEITA HALL aka Kenya Love complied with his obligation of truthfulness for purposes of this agreement.

#### **ADDITIONAL CONDITIONS**

- It is further agreed that if this agreement is declared null and void as a result of violation of the terms and conditions by KENYA KEITA HALL aka Kenya Love, the District Attorney is entitled to prosecute KENYA KEITA HALL aka Kenya Love on all charges contained in the criminal complaint filed in Case No. 96F07190B.
- It is agreed that no interviews or communication with KENYA KEITA HALL aka Kenya Love shall be conducted by the District Attorney or its agents unless defense counsel JOHN STEFFEN,

mvu\hall.agr\kjh

ESQ. has been notified and JOHN STEFFEN, ESQ. agrees to expressly waive his/her right to be present.

- 3. Any failure by the District Attorney's Office and its agents to comply with the above requirements shall render this Agreement null and void and may result in KENYA KEITA HALL aka Kenya Love taking any action which would otherwise be available to him, including but not limited to refusing to testify based on his Fifth Amendment right or seeking to withdraw from the plea agreement in Case No. 96F07190B.
- 4. All parties realize and understand their obligations and duties under this Agreement. Each party enters this Agreement with full knowledge of the meaning and effect of such Agreement.
- 5. KENYA KEITA HALL aka Kenya Love has discussed this matter fully with his attorney. The parties realize and understand that there are no terms to this Agreement other than what is contained herein and in the Guilty Plea Memorandum. KENYA KEITA HALL aka Kenya Love fully and voluntarily accepts all the terms and conditions of this agreement and understands the consequences of entering into this agreement.

RENYA KEITA HALL aka Kenya I

KENYA KEFFA HALL aka Kenya Lovi Defendani

JOHN STEFFEN, ESON Attorney for Defendant

MELVYNA. HARMON

-3-

Chief Deputy District Attorney

# EXHIBIT 223

# EXHIBIT 223



# **Archives**

# A Blighted Las Vegas Community is Transformed into a Model Neighborhood

#### Tuesday, August 27, 2002

It takes vision to bring about significant change in badly deteriorated neighborhoods - along with patience, perseverance, and the commitment of effective public/private partnerships. In one West Las Vegas neighborhood, an area that once was infamous for crime and a decaying public housing development, all of these elements have come together and the area is a new model for the City's low-income communities.

Known today as Whispering Timbers, the development is on the site of what once was a 200-unit public housing development, the former Herbert Gerson Park. The area - once associated with slums and blight as well as being a hub for crime - is now an attractive affordable housing development. The new Whispering Timbers and its 208 new affordable homes is the result of partnerships between HUD, the Community Development Programs Center (CDPCN), the Las Vegas Housing Authority, the City of Las Vegas, and the local faith-based community.

The transformation came about, in part, because the Las Vegas Housing Authority is complying with the Department's mandate to desegregate housing authority complexes and reduce the concentration of families living at or below the poverty level in low-income neighborhoods. At a recent ceremony, new Whispering Timbers home-owners were presented with the keys to their new homes. HUD's Nevada State Director, Kenneth LoBene, made a point to recognize CDPCN and its President, Frank Hawkins, giving him a special proclamation for outstanding leadership in expanding the supply of affordable housing in Las Vegas.

Throughout the nation, where local leaders have a vision of a better life for low-income families and communities - as well as committed public/private partnerships that share the vision - the transformation of this West Las Vegas neighborhood can be another inspiration.

Content Archived: September 09, 2009



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U.S. Department of Housing and Urban Development 451 7th Street S.W. Washington, DC 20410 Telephone: (202) 708-1112 TTY; (202) 708-1455

# EXHIBIT 224

# EXHIBIT 224

TO: Thomas Team

FROM: Cassondrus Ragsdale

DATE: July 2, 2017

RE: Social History Report and Narrative

#### I. BACKGROUND: MARLO'S FAMILY

### A. Maternal Family And Mother's Upbringing

### 1. Marlo's grandparents

Marlo's mother was Georgia Ann Thomas. She was born on May 15, 1950, in Tallulah, Louisiana and died at age sixty-five on December 22, 2015. Ex. 69 (Georgia Thomas Death Certificate). Her mother, Jessie Mae Brown, was born January 1, 1925, in Hollandale, Mississippi. Jessie Mae died at age forty-four in Tallulah, Louisiana. Georgia's father, TJ Thomas, was born August 4, 1925, in Sondheimer, Louisiana. He died at age sixty-five in Kansas City, Missouri. Little is known about Marlo's maternal grandmother, Jessie Mae's childhood, or his great maternal grandparents. Ex. 214 (Marlo Thomas Ancestry.com)

Georgia's father TJ was a twin to JT. Marlo's maternal great grandfather, John Thomas, married Rebecca Blue when she was age twelve. TJ was the third of six children born to the union of John and Rebecca. Rebecca's third child was from an extramarital relationship with Harrison Radell, a man she later married. Rebecca gave birth to eleven children: six by John Thomas and five by Harrison Radell. TJ's siblings, in order of their birth were Georgia Thomas, 1921; Jake Thomas, 1923; Willie Radell, 1924; JT (twin), 1925; JW Radell, 1926; James Radell, 1928; Gracie Thomas, 1928; Oscar Radell, 1931; Levi Thomas, 1926; and Gus Radell, 1938. There is no additional information available regarding Marlo's maternal grandfather's childhood. Ex. 214.

When Shirley Nash met with this investigator, she stated Marlo's maternal grandparents, TJ Thomas and Jessie Mae Brown, had thirteen children from their union:

Betty Lee Thomas 11/25/1941 - 06/01/1965Emma Thomas 04/17/1944 - 09/28/1999 Annie Thomas 03/20/1946 – Jonnie Thomas 05/27/1947 –

John Thomas 10/09/1948 - 11/16/2001 Georgia Thomas 05/15/1950 - 12/12/2015

 $\begin{array}{lll} \text{Rebecca Thomas} & 04/06/1952 - \\ \text{Shirley Thomas} & 12/25/1953 - \\ \text{Larry Thomas} & 05/03/1957 - \\ \text{Linda Thomas} & 01/07/1958 - \\ \text{TJ Thomas} & 08/01/1959 - \\ \end{array}$ 

Eliza Thomas 12/12/1960 - 07/30/2008

Michael Thomas 1961

Marlo's grandparents were born and raised in Louisiana communities. At some point TJ and Jessie Mae journeyed to Tallulah, Louisiana. Ex. 214. It is unknown if they traveled together or met after their arrivals in Tallulah. During the early 1900's, blacks were at a disadvantage. Discrimination ran rampant throughout the South alongside inequality. Segregation dictated the use of public bathrooms, water fountains, restaurants and school attendance, only to name a few. Tallulah was racially segregated with blacks and whites living in different sections of town. It yielded a high volume of cotton crops. TJ worked in the mill and cotton fields of Tallulah. His wife and some of the children also worked in the fields picking cotton. Ex. 58 at ¶¶3-6 (Declaration of Annie Outland).

### 2. Georgia Thomas - The Daughter

Georgia and her siblings were raised in a candle-lit, four room house, made of wood planks. There were two bedrooms, a living room, a kitchen, and an outhouse. TJ and his twin, JT, built homes on the property of Mr. Harris, who married Georgia's grandmother, Beatrice. The front house belonged to JT. The house behind JT's was Georgia's family house and a third house was off to the right of their house. Ex. 58 at  $\P 2$ .

Jessie Mae deserted her husband and children when she could take no more of TJ's violence towards her. Annie, age twelve, was the oldest sibling in the house at the time. Emma and Betty, the two oldest sisters, had moved to Las Vegas and set up house. Jonnie, John, Rebecca, Shirley, Larry, Linda, TJ and Georgia, around age eight, were left to be raised by Annie. Shortly after

Jessie Mae left the home, TJ, too, deserted the family and left for Las Vegas with his twin. TJ directed Annie to take care of her younger siblings. Annie dropped out of school to care for them. Sometimes the children saw their mother around town, but it would not be until two years later that she returned home. Jessie Mae had to be certain TJ was gone for good. Her young children survived because of Ms. Viola, a school teacher in the neighborhood. Annie Outland stated, "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." Ex. 58 at ¶¶4-5.

One day, after Jessie Mae's return home, a terrible vehicle accident occurred, involving her and three of the children: Jonnie, John and Georgia. Ex. 58 at ¶6. Georgia was badly injured and unable to walk for a long time. Ex. 103 (Interview of Rebecca Thomas 10.25.11). Betty and her husband returned to Tallulah to see about the family after the accident. TJ returned to get the children, but instead he got his girlfriend, Shirley Beatrice Kie, and took her back to Las Vegas. Later, he and Shirley Beatrice returned for the kids. When Betty and her husband left to return to Las Vegas, they took Annie, around age thirteen, with them. Annie never returned to Tallulah until the death of her mother and hasn't returned since. Annie removed herself from the family, got married, and raised her four children. Ex. 58 at ¶¶6-7. Shirley Beatrice and TJ got married when TJ was still married to Jessie Mae. Ex. 153 at ¶¶1-2. Shirley Beatrice was age seventeen and TJ was sixteen years older. Ex. 174 at ¶2 (Declaration of Cassondrus Ragsdale re Shirley Beatrice Thomas). Shirley Beatrice was about the same age as some of TJ's oldest children. He and Shirley Beatrice started a new family and had four children. Ex. 41 at ¶4 (Declaration of Linda McGilbra).

By this time Georgia was in the hands of her third caregiver, Shirley Beatrice. Georgia was around age eleven when she and her siblings were taken to Las Vegas. They lived with JT (twin) while TJ completed their housing arrangements. Ex. 44 at ¶¶1-2 (Declaration of Shirley Nash).

Georgia was a fighter and acted out in school. She was sent to the Catalina Girls Home, a reform school, for about six months. Ex. 44 at ¶5; Ex. 106 (Caliente Youth Center); Ex. 61 at CCSD0031 (Georgia Thomas school records). While Georgia was a funny person, frequently joking around, she had

a mean streak and would fight. She beat her stepmother, Shirley Beatrice, and was sent off to the girl's home. Ex. 58 at ¶8.

Because TJ was violent to his second wife as he had been to his first, around 1972, Shirley Beatrice packed her belongings and took her children to Kansas City, Missouri. But TJ later found her. Ex. 174 at ¶7. When TJ left for Kansas City to be with his second family, he cleaned the freezer and took all the meat. He gave his daughter Linda, age thirteen, five dollars and left for good. Shirley, Linda, Linda's two kids, Larry, TJ, and a niece—Joyce—were left to fend for themselves in a three bedroom house. Shirley worked to care for them. Ex. 41 at ¶5. By this time Georgia was already out of the house.



TJ Thomas, Marlo's maternal grandfather

#### B. Paternal Family And Father's Upbringing

#### 1. Marlo's Grandparents

Marlo's father, Bobby Lewis, was born on January 28, 1949, in Tallulah, Louisiana. He died at age sixty-two on January 15, 2012. Ex. 105 (Home Going Celebration for Bobby Lewis). Little is known about Marlo's paternal family members. His grandfather, Will Bouldin, was born in Arkansas and married Anna. To the union was born six children: Emma, Jack, Joe, Robert, and two unknown. After Anna's passing, Will met and married Pearlene Lewis from Mississippi. Will was much older when he started his second family. Pearlene kept her maiden name. They had four children and raised them in Tallulah, Louisiana: Willie Lewis, Rosa Lewis, Annie Lewis, and Bobby Lewis. The children from Will's first marriage were adults and remained in Mississippi. They visited their father and his new family, and stayed with them in a large five bedroom home. Ex. 209 at ¶7 (Declaration of Annie Stringer).

Bobby and his siblings attended segregated schools for blacks in Tallulah, and walked daily about ten miles each way to school. Bobby didn't read or write well. His highest level of education was the sixth grade. The Bouldin/Lewis family lived in West Tallulah, a black area called the Fairground, named so because it hosted the annual town fair. Some black families lived on the Southside of town, near the mill. All whites lived on the Northside of town in an area called the Lakes. Ex. 209 at ¶¶5-6.

### 2. Marlo's Father - Bobby Lewis

Bobby and his family rarely left the Fairground; they went to school, the store, the post office, and work. They grew up poor. Will Bouldin received a pension and Pearlene received a disability check for partial blindness. Food was purchased at the first of the month to last until the following month. The family often stumbled on hard times towards the end of the month because food was scarce. The family made ends meet as much as possible. Dresses for the girls were made from flour sack bags and shoes were purchased twice a year. Clothes were washed during the weekend and worn again the following week. Sometimes Will's older set of children brought clothes to Bobby and his siblings. Will grew a vegetable garden and raised pigs, chickens, and a cow. The kids worked the garden and cared for the livestock. Bobby and his brother

arose early each day to slop the pigs and chop wood. They also picked cotton in the fields by the fairground. Ex. 209 at ¶¶6-9.

In the summers Bobby's family traveled to Yazoo City, Mississippi, to visit Will's first set of children. During the trips, Marlo's grandfather introduced Bobby, age nine, to bear fighting. It was a big thing in Mississippi at the time. "It was a weekend outdoor event where spectators stood around a square wooden box and watched people wrestle bear cubs. People were on hand to pull the bear away if the fighter was injured. Bobby was stout and tough and never injured in a bear fight. He got tussled around but there were no scratches." Ex. 209 at ¶10. Annie remembered watching Bobby fight the bears as she cheered with the other spectators. Bobby engaged in bear fighting until he was about around age thirteen.

Bobby loved to fight. Growing up, he fought a lot at school and in the neighborhood. Bobby served about two years in prison for fighting in Tallulah. When Bobby was released, he moved to Las Vegas where Annie lived. Bobby also went to jail a few times in Las Vegas for fighting. Bobby met Georgia Thomas in Tallulah and may have moved to Las Vegas because she moved to the area. Bobby's primary address was Annie's home but he was in and out of the house with his girlfriends. Ex. 209 at ¶¶11-13.

## C. Marlo's Maternal Family Secret

There is a secret so deeply rooted within the Thomas family that even after more than fifty years of silence, for some, the wounds are raw. Nestled in the back of their minds was the secret some didn't talk about, some wouldn't talk about, and others only talked about amongst family: the Thomas women had been molested as young girls by their father.

Not only was Marlo's grandfather a womanizer, but he was a child molester and physical abuser. He molested his children and had babies by some of them. His first wife, Jessie Mae was the victim of domestic violence. When Marlo met with this investigator, he stated his grandmother was subjected to the hands of her husband's violent beatings and aggressive behavior within the home so much so she ran away several times.

When Jessie Mae ran from her abuser, she left her children unprotected and vulnerable. Today, there are daily reminders of what happened to the siblings, such as their offspring by their father and inappropriate sexual behaviors by the offspring themselves. Jessie Mae's children didn't know what their father did to them, both sexually and physically, was wrong because they knew no better and thought it was normal. There was no one to protect Jessie Mae or her children.

#### 1. Sexual Abuse – The Children

Out of TJ's nine daughters by Jessie Mae, eight were molested, five gave birth to TJ's children, one aborted a child, and one denied molestation. All of the Thomas sisters except for Jonnie admitted or shared their secret.

#### Betty Lee Diggs - deceased

"My sisters Linda, Betty, Emma, and Annie also had children by my father." Ex. 44 at ¶10.

#### Emma Thomas - deceased

"It is a well-known family secret that my maternal grandfather molested my mother and her sisters, including Georgia. The molestation affected my mom and every one of my aunties emotionally, physically, and mentally. As I got older, I began to see how my mom and her sisters didn't trust people and could be overprotective of their children. They never received any counseling, instead their attitude was to suck it up and keep moving. When my grandfather moved back to Las Vegas, my mom and aunts loved on him and acted like the abuse never happened." Ex. 38 at ¶10 (Declaration of David Hudson).

"My sisters Linda, Betty, Emma, and Annie also had children by my father." Ex. 44 at  $\P10$ 

#### Annie Outland

Annie recalled she didn't have a good relationship with her dad. "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." Ex. 58 at ¶4. When Jessie Mae left

the children at home with TJ, Annie was twelve and had already been sexually abused by him.

#### Georgia Thomas - deceased

After Marlo's grandfather TJ died, all the Thomas siblings became very close. When Georgia was ill about five years ago, her brother Tony Jr. visited her in the critical care facility. She asked Tony Jr. to promise he would look after her boys after she died. Georgia then confessed their dad had "messed with" her. Tony Jr. inquired what she meant by "messing," and Georgia replied her dad had slept with her, Linda, and Shirley. Georgia also thought TJ abused Eliza when she lived in Kansas City. Tony Jr. recalled that when he was a child, they received a call that Eliza was in the hospital because a man had raped her and she lost the baby. Tony Jr. and his brother, Larry, were angry and wanted to go to Kansas City, but their dad didn't allow them to go. Georgia told Tony Jr. that nobody messed with Eliza—it was their dad. Ex. 153 at ¶21.

Paul Hardwick, Sr., the father of Georgia's youngest son, Paul, Jr., stated there was molestation in Georgia's family. Georgia's father and his twin brother had a trademark of breaking in their daughters. The story told at family fish fries was that when Georgia was in high school, her sisters Jonnie and Rebecca walked Georgia through the desert where they held her down and allowed their father to rape her and she became pregnant with Larry. Ex. 42 at ¶12 (Declaration of Paul Hardwick, Sr.).

Johnny Hudson, Georgia's nephew, recalled hearing a brief history of the family incest from his aunts Georgia and Rebecca. Georgia stated her dad had sexually abused her and she was lucky she didn't get pregnant by him. Ex. 62 at ¶12 (Declaration of Johnny Hudson).

David Hudson, Georgia's nephew, also recalled the family secret that TJ molested Georgia and her sisters. The molestation affected all of the sisters emotionally, physically, and mentally. As David got older, he saw how his mother and her sisters didn't trust people. They never received counseling; instead, their attitude was to suck it up and keep moving. Ex. 38 at ¶10.

#### Rebecca Thomas

Rebecca was around age fourteen and in junior high school the first time her father molested her. Rebecca's sisters, Linda and Eliza, told her their father sexually abused them, too. Ex. 154 at ¶3.

#### **Shirley Thomas**

"There is a secret in my family; my father molested me and my sisters. Some of my sisters have confessed that it happened to them, others are in denial. I strongly believe my father slept with all his daughters. Two of my children were fathered by him. I got pregnant for the first time in the tenth grade." Ex. 44 at ¶10. Shirley knew nothing about men growing up and didn't know what her father did was wrong. When she got older and discovered it was wrong, she tried to protect her younger sister, Linda. Linda was thirteen when Shirley approached her about their father. Linda told her she was too late; it had already happened to her. Linda had a daughter by their father and she told her daughter that her father was her grandad. Ex. 44 at ¶12. Shirley remembered her father always took them away from the house to abuse them. It happened at the dump, in the car, and in the bushes. Shirley told her daughters never to go anywhere with their grandfather and to scream if he was near them. Her father's twin brother, JT, molested his daughters also. Ex. 44 at ¶13.

#### Linda Thomas

"My father sexually abused me and my sisters. I have a daughter, Shantel, by my father." Ex. 41 at ¶3. Linda wasn't sexually abused by TJ until he returned from Kansas City, Missouri, for a short period of time. She wished he had never returned because that's when he abused her. Ex. 41 at ¶4.

### Eliza Bosley - deceased

When Jonnie returned to Las Vegas to care for her younger siblings, she sent their baby sister Eliza to live with TJ in Kansas City. Shirley was so mad at Jonnie for sending Eliza to him that she went to live with Georgia. Sure enough, Eliza became pregnant with TJ's baby. Shirley and her sisters collected money for an abortion and their stepmom took Eliza to have it. Eliza returned to Las Vegas and never went back to Kansas City. Ex. 44 at ¶10.

Georgia told Tony Jr. she thought their father messed with Eliza when she was in Kansas City. Tony Jr. recalled they received a call that Eliza was in the hospital because she had been raped. Georgia told Tony Jr. nobody messed with Eliza; it was their dad. Ex. 153 at ¶21.

Shirley Beatrice suspected something was going on between TJ and Eliza, so she asked her. Eliza told her TJ was patting and feeling on her and had sex with her. Eliza became pregnant, but Shirley Beatrice wasn't sure if it was TJ's child. She took Eliza to get an abortion. Ex. 174 at ¶8.

By 1972, Shirley Beatrice didn't want TJ around her children. She noticed he favored some of the lighter skin girls and a couple of the boys over the darker skin children. He took the lighter skin children with him more than the darker ones. Shirley had a lighter skin daughter who she had become concerned about, so Shirley moved out the house with her children to Missouri. Ex. 174 at ¶7.



JT Thomas (twins) TJ Thomas

#### 2. Domestic Violence – The Spouses

TJ was a womanizer and an abuser. Jessie Mae feared him. He beat her often with anything he got his hands on and whenever he wanted to. One time while playing, Annie and her friends ran around the house, and when they made it back to the front, they found Annie's father beating her mother. Annie stood there and screamed; her friends ran away. It was difficult seeing her mother abused. Ex. 58 at ¶3.

TJ was an emotional, verbal, and physical abuser. He was very jealous and never wanted Shirley Beatrice to go anywhere with his daughters because he thought they were getting men for their stepmom. She could not go to the store without TJ accusing her of meeting a man there. After Shirley Beatrice moved to Missouri and TJ followed, he became more possessive and physically abusive. The older TJ became, the worse he got; he continued to argue and be jealous and abusive. Shirley concluded, "I made my bed and I lied in it." Ex. 174 at ¶¶5, 7, 9.

### 3. Physical Abuse – The Children

Shirley Beatrice did not see her husband, TJ, physically discipline his children in the home. She believed he took them out in the desert to discipline them. He always took them somewhere. Ex. 174 at ¶6. TJ abused Georgia and her siblings. He whipped them with belts and switches. His whippings were really "beat downs," designed to hurt and leave bruises. At the time, the whippings seemed normal because they knew no better. Ex. 154 at ¶3. Georgia once said her dad was just mean, mean, mean. He beat her and was also verbally abusive. Ex. 155 at ¶10.

#### The Thomas Sisters – (Betty not pictured, deceased)



Annie Linda Emma Eliza

## D. Additional Information About Marlo's Family

Betty, Emma, Annie, Shirley and Linda moved on in life with the daily reminder of their father's rape, that their children were conceived by their father's sex acts, some of whom carry the physical and intellectual deficits associated with incest. Rebecca wasn't impregnated by her father. Eliza aborted the child of her father. With Georgia, there looms a cloud of uncertainty surrounding her oldest son.

There was not only incest in the Thomas family, but other acts of sexual victimization were revealed as well. Georgia's brother John Thomas had sex with his first cousin when he lived in Louisiana. When the cousin came to visit in Las Vegas, John wanted her to stay with him and his wife, Everlyn. Jonnie, her sister-in-law, advised Everlyn not to allow the cousin to stay because of

their past involvement. When Everlyn approached John about it, he claimed it was "like kissing cousins." She learned about the sex four years into her and John's marriage. Ex. 199 at ¶¶14-15 (Declaration of Everlyn Brown).

Family members spoke about John Thomas, the oldest son of Shirley Thomas Nash, fathered by TJ. John was asked to babysit his neighbor's daughter, and while doing so, he molested her. The neighbor told Shirley charges would not be pressed if her son received counseling. Shirley did not seek help for John, and he was arrested and sent to a juvenile facility. Ex. 152 at ¶6 (Declaration of Julia Ann Williams); Ex. 63 at ¶13 (Declaration of Matthew Young). Another time Shirley beat John "from one end of the house to the other end" because she walked in on him "messing around" with his sister, Sabrina, who was also fathered by TJ. Ex. 62 at ¶16.

Johnny Hudson, the son of Emma Thomas and fathered by TJ, was molested as a child between the ages of five and seven. Ike, a man who fathered a child by his mother, molested Johnny. Johnny was molested in abandoned buildings and other places they stopped on the way to the home of Ike's mom. Ike tried to penetrate Johnny, but it was too painful so he made Johnny perform oral sex on him. Johnny was also abused in the bathroom of his home, by Ike. There was another cousin, Michael Thomas, who made Johnny perform oral sex. Michael was the son of TJ's twin, JT. Ex. 62 at ¶14.

Barbara, Johnny's oldest sister, and a product of incest (TJ), was molested by Ike and her stepfather, Robert Nash. Although Johnny and Barbara shared their secret with each other, details are not known about Barbara. She is deceased. Ex. 62 at ¶13. Johnny also heard Ike rape his mother, Emma, as he and his brother, David played outside her window. Johnny heard Emma tell Ike, "No, no, please stop." Ex. 62 at ¶15.

Johnny Hudson was not only a victim of sexual abuse, but also a sexual abuser. Due to his sexual abuse as a child, he acted out by sexually abusing young girls in the neighborhood. The girls were usually about seven years younger than Johnny. Ex. 63 at ¶19. Johnny molested his cousin, Erica Edwards, Eliza's daughter. Johnny had molested girls and boys in the family. Ex. 152 at ¶4.

When Marlo met with this investigator, he stated his cousin Victoria Hudson, daughter of Emma Thomas, was also the victim of sexual abuse by Georgia's brother, John. He propositioned her with money for sex. When Marlo was around age seven, Victoria tried to kiss him inappropriately. Georgia slapped Victoria after Marlo told her. It was Victoria who initiated Marlo's interest in girls.

Julia Williams recalled her son Mario went to a Fourth of July Thomasfamily cookout with his dad, Tony Thomas, Jr., Georgia's brother. Julia later collected Mario and noticed he had on a different set of clothing. Mario told his mom some of his male cousins wanted to see his private parts. Mario refused and ran away. As he ran, his cousins grabbed at him and at his clothes, pulling them off. Julia advised her husband to tell his family get help for the cousins. Ex. 152 at ¶5.

Barbara, who was molested as a child, later molested her brother Matthew. After Barbara took her brothers Ronnie and Matthew to church, she made them take naps. Her friends then came over and separated the brothers. Two or three of Barbara's friends performed oral sex on Matthew and made him perform oral sex on them. Matthew was also made to penetrate the girls. The abuse lasted from when Matthew was ten until he was around age thirteen. Matthew stated: "It was really tough for me for a while; it made me feel crazy." Ex. 63 at ¶14.

Matthew believed the sexual abuse he experienced as a child caused him to act out towards other kids. Around age thirteen, he rubbed against and made sexual advances to a young girl his age in the church van. At age twenty, Matthew had sexual relations with his fifteen-year-old neighbor, Janie; she became pregnant and gave birth to his son. Her mother made them marry and they had four children. During Matthew's marriage to Janie, he was employed by the Clark County School District as a custodian. There, at age twenty, he became friendly with a fourteen-year-old girl, who worked in a summer program in the custodian department. By age fifteen, the juvenile and Matthew were sexually involved. She became pregnant and news spread throughout the school system. Matthew was arrested and lost his job. He served two years and eight months for his charges. Matthew was divorced while in prison. After his release, he married that girl and they had a second child. In prison, Matthew received counseling. He strongly believes if he had received proper counseling after he was victimized, he wouldn't have victimized others. Ex. 63 at ¶¶15-18.

#### II. PARENTING

## A. Georgia Thomas – The Mother

#### 1. Marlo's Brothers Are Born

Georgia gave birth to four boys. Her first born was Larry Thomas. Nothing is known about the alleged father other than a name given, Larry Stewart, and that he was a resident of Las Vegas. Stewart was not involved in Larry's upbringing. Bobby Lewis was the father of Georgia's second and third children, Darrell and Marlo Thomas. Bobby was in and out of the home. Georgia's fourth child was Paul Hardwick, Jr. (PJ). He was fathered by Paul Hardwick, Sr., who remained in PJ's life for a brief time.

As a child, Georgia realized there was a difference in the way Shirley Beatrice treated her father's two sets of children. Shirley Beatrice favored her own children over Jessie Mae's children. Georgia brought the unfairness to her father's attention and threatened to leave the home. In response, TJ grabbed Georgia and told her he would help her leave. TJ packed two bags for Georgia, cursed her, and slapped her across the face, before taking her to the bus station for a Tallulah-bound bus. Georgia was pregnant with Larry at the time and went to stay with her mother. Ex. 153 at ¶19. She gave birth to Larry on December 29, 1966. Larry was reportedly full term and unhealthy at the time of his birth. He was hospitalized for three months with what was thought to be a blood disorder. Ex. 54 (Interview of Georgia Thomas 10.5.11).

Georgia became pregnant with Larry at age sixteen. By this time, her older sisters Betty, Emma, and Annie had already been victimized by their father. Georgia admitted her father sexually abused her too, suggesting the possibility that her first born also could have been TJ's.



Georgia's first born, Larry – Ex. 111



Georgia Thomas Ex. 116



TJ Thomas, father/grandfather Ex. 117

While in Tallulah and pregnant with Larry, Georgia met Bobby Lewis. Six months after giving birth to Larry, she became pregnant with her second child, Darrell. Georgia stayed in Louisiana over a year before she returned to Las Vegas with Larry and pregnant with Darrell. Bobby followed her back. Her second son was born February 7, 1968. Ex. 44 at ¶5.

It would be some four years later that Georgia gave birth to Marlo. Larry and Darrell were ages five and four, respectively. Eight years later, at age thirty, Georgia gave birth to PJ.

# 2. Marlo's Prenatal Development, Birth, and Early Childhood

When she was pregnant with Marlo, Georgia lived in an apartment in Gerson Park. It was a rough, gang infested neighborhood. Her sister Shirley lived with her and was also pregnant. On November 6, 1972, Georgia went to the Women's Hospital on Sahara Drive, but was told she wasn't in labor and sent back home. Shortly after Georgia returned home, she gave birth to her third son. Georgia was transported by ambulance to the hospital and she named him Marlo. According to Georgia, Marlo weighed seven pounds and three ounces. They were hospitalized for three days. Ex. 54.

Marlo received no pre-natal care. Ex. 53 (Interview of Georgia Thomas 1.11.10). Georgia recalled Marlo was a sickly child and suffered from something like the flu when he was a few weeks old. His symptoms were a nasty cough and mucus that lasted for a month. Doctors prescribed antibiotics.

Ex. 54. Later, as a young child, Marlo was sickly and suffered from colds and fevers, but was never taken for medical care. Ex. 44 at ¶8.

According to Georgia, during her pregnancy with Marlo, she drank alcohol every chance she got. She wasn't aware of the adverse effect alcohol could have on her child. Georgia drank almost every day as her way to escape the emotional pain of living with a man, Bobby Lewis, who abused her. Her drink of choice was Mad Dog 20/20, but she also drank vodka mixed with grapefruit juice. Ex. 54. Georgia was depressed during the pregnancy and drank because of the depression. She took medication for high blood pressure and also took Ritalin. Ex. 37 at ¶17.

Besides alcohol, Marlo may have been injured in-utero by other toxins. When Georgia was pregnant, she worked at Arrowhead Linen, an industrial laundry. She fed sheets into a machine that folded them. She hated the job because the chemicals to which she was exposed made her sick every day. She described the chemicals as foul smelling, causing her to suffer from nausea, headaches, and vomiting. Other employees were sick as well. Georgia worked up to the day she gave birth to Marlo. Other members of Georgia's family—Jonnie, Rebecca, Shirley—worked at Arrowhead Linen during this time and report suffering some of the same symptoms, which they related to the smell of chemicals there. After working just two weeks, Shirley quit her job at Arrowhead due to the chemicals making her ill. Ex. 54.

Based on preliminary research, one of the chemicals used at the industrial laundry may have been toluene, a neurological and CNS toxin. In the 1970's, toluene was used in laundry starch, spot cleaners, and was a component in the detergent.

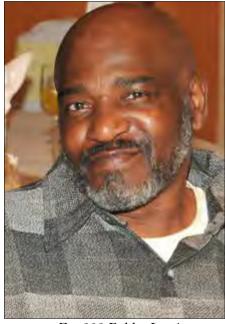
Toluene is a solvent and as it evaporates it becomes mixed with the air a person in the exposed area breathes. A person is exposed to toluene in the workplace by simply breathing. The solvent is absorbed directly into a person's blood from their lungs. Exposure to toluene may cause headaches, tiredness, confusion, weakness, memory loss, nausea, and can impair a person's ability to think clearly. It can lead to decreased mental ability.

Human fetuses and newborn babies may be more sensitive to toluene than adults, because their bodies cannot turn toluene into less harmful chemicals. Mothers who inhaled large amounts of toluene while pregnant as a result have given birth to children with birth defects, including retardation of mental abilities and growth. Most of the studies have focused on animals exposed to toluene, not humans. Unborn animals were harmed when high levels of toluene were breathed in by their mothers; the primary result was found in the behavior of the baby. It is suspected that ingestion of toluene by a pregnant woman can lead to neurological problem and retarded growth and development of the child.

Toluene crosses the placenta and is excreted in breast milk. It is included in "Reproductive and Developmental Toxicants", 1991 report published by the GAO that lists 30 chemicals of concern because of widely acknowledged reproductive and developmental consequences. United States General Accounting Officer, GAO/PEMD-92-3, Reproductive and Developmental Toxicants: Regulatory Actions Provide Uncertain Protection (October 1991).

Georgia reported suffering many of the same symptoms attributed to toxic exposure to toluene. Ex. 54.

#### B. Marlo's Parents -







Ex. 204 Georgia Thomas

Bobby was in and out of Georgia's life until Marlo reached age eleven and Bobby went to prison. Bobby's primary residence was his sister, Annie's home. He was in and out of her home staying with his girlfriends. Georgia and Bobby lived together for a time. Ex. 209 at ¶13. They had a good relationship for a while. Sometimes Bobby got mad and went to drink with his friends, but he always returned home. The last time Bobby left he didn't return home for a few weeks, and when he did, it was to gather his clothes and tell Georgia he wasn't coming back. Georgia depended on Bobby's income contributing to the household. She was overwhelmed and went into a shell after Bobby left. It tore her apart. Ex. 153 at ¶2.

### A. Georgia Thomas - The Person

#### 1. The Aggressor

When Georgia reached the point of anger, she became aggressive. There was no settling Georgia down once she got mad and her siblings knew not to mess with her. Ex. 63 at ¶11. When Marlo met with this investigator, he stated Georgia told him she was a fighter and she fought all of her sisters and friends. Georgia had physical fights with her dad, was always in trouble as a teenager, and skipped school. Georgia also ran away from home.

Georgia's aggressive behavior carried over to adulthood. She fought with Bobby and beat her children. One time Georgia gave her nephew twenty dollars for a show and tell project. After he purchased the item and brought it to class, the teacher thought he had stolen it and accused him because he was from a poor family. After Georgia found out, she walked the next day across the school field with her fists balled up. She confronted the teacher with her fists to the teacher's face, although she never hit her. The teacher apologized. When Georgia was mad, she always bit the inside of her jaw and raised her fist. It was time to leave her alone. Ex. 63 at ¶9.

Georgia was always aggressive with her nephew, Johnny Hudson. She threw knuckles at him and grabbed him by the neck. Ex. 63 at ¶7.

#### 2. The Drinker

Twice a year, the Thomas family had a fish fry. It was often at Jonnie and her husband Eddie's home. Once Jonnie, Eddie, and Georgia's brother

John returned from night fishing, the catch was cleaned and fried. Most of the family attended the event; children played and the adults cooked, played cards and dominos, and drank. Ex. 63 at ¶10.

A childhood friend of Larry's, Andrew Williams, reports, each time he saw Georgia at her home, she was drunk. Andrew stated she talked mean, cussed, and called him a "black bastard" and "no good." Ex. 34 at ¶7 (Declaration of Andrew Williams).

### 3. The Mother/ Single Parent

By age eight, Georgia's mother and father had abandoned her. She had been raised by her twelve-year-old sister, thrust into a parenting role she knew nothing about. Georgia was reunited with her mother and then abruptly taken away by her father and his new wife, Shirley Beatrice. Shirley Beatrice wasn't much older than Georgia's older sisters. Around age eleven, Georgia traveled over 1,300 miles to North Las Vegas. Georgia was with a new woman she didn't know other than she would be her stepmom. Georgia's life lacked stability. She was a victim of abandonment, harsh beatings, and sexual abuse.

Georgia's upbringing influenced her later experiences as a parent. She was hard on her children. She physically and verbally abused them. There was no structure, love, or compassion in Georgia's home. Georgia's oldest two sons told Everlyn they didn't want to live with Georgia and they hated their mother. Ex. 199 at ¶¶6, 9.

## B. Bobby Lewis – The Person

#### 1. The Absent Father

Bobby Lewis was in and out of Georgia's home. Ex. 62 at ¶5; Ex. 37 at ¶4. Bobby wasn't a father figure or a good man. People tried to avoid being around Bobby because he was mean. Ex. 38 at ¶8. Growing up, Bobby wasn't a father and didn't teach Darrell and Marlo anything. He was a fighter and a tough guy. Ex. 37 at ¶¶2-3.

### 2. The Player

When Marlo met with this investigator, he stated while Bobby provided no child support, Georgia still allowed him in the house when he was drunk. Bobby slept in the kids' room (Darrell and Marlo) and he always slept in the bed with Marlo. Bobby usually passed out and left the house before the boys awoke the following morning. Marlo remembered how cool of a dresser Bobby was when he wore his green polyester bell bottom pants, a flowery green shirt and low top ankle boots. Although Marlo had known Bobby all his life and he wasn't able to have a relationship with him, Marlo wanted that connection with his dad. Marlo had his first relationship with his father while both of them served time in the same state prison.

Bobby had a son, Africa Dashiki, with another woman called Clementine. Africa was born between Darrell and Marlo and is two years younger than Darrell. Around age twelve, Darrell met Africa. He lived with the Thomas family a few days per week. When Darrell was around seventeen, Africa lived with the family for several months. It is not known why Africa wasn't with his birth mother during that time. Africa stayed in trouble with the law and his last known whereabouts were in California. Ex. 37 at ¶6.

#### 3. The Violent Man

Bobby Lewis was a violent man; he was physically and sexually abusive. Police records reflect Bobby had numerous arrests for crimes including burglary, sexual assault/kidnap, grand larceny, DUI, and possession of a controlled substance. At age thirty-three, Bobby was charged with attempted murder, battery with deadly weapon, and use of deadly weapon. The following year, Bobby was arrested for discharging a firearm in edifice. A month following the firearm discharge arrest, Bobby was charged with crimes that ultimately sent him to prison for twenty-eight years: kidnap, burglary, possession of sawed-off shotgun, use of deadly weapon, and sexual assault. Ex. 57 (Bobby Lewis Police Records). It was during this long-term incarceration that Bobby and Marlo finally got to know each other. Both were incarcerated at the same prison. Ex. 62 at ¶9.

Bobby appeared to be nice, but Virgie Robinson, his former girlfriend, stated she later discovered he was "sick in the head." After living with Bobby for a month, he beat her. One night Bobby wanted to make love, but Virgie

wanted to sleep; as a result, Bobby beat and raped her. Ex. 46 at ¶¶2-3 (Declaration of Virgie Robinson).

Bobby liked to drink liquor, whiskey, and beer. When drunk, Bobby was abusive and wanted to fight. Virgie stated: "Bobby beat me with his fist upside my head, hit me in my face, and choked me. I have problems with my head and neck now. When Bobby gave me black eyes, I was ashamed to go outside, so I wore shades during those times." Ex. 46 at ¶¶4-5.

One time Bobby shot a man in the eye because Virgie was talking to him. Another time, Bobby fired into the home of a friend Virgie was visiting. Virgie also has a scar on her jaw from where Bobby cut her with a razor. Ex. 46 at ¶¶7-9. Bobby was sentenced to life in prison after jumping through the window of a house with a sawed-off shotgun, kidnaping Virgie and her sister at gunpoint, and later, taking Virgie to a vacant house where he raped and held her captive all night. Ex. 46 at ¶10.



Ex. 202 Bobby Lewis

#### 4. Domestic Violence

Growing up, Georgia suffered much physical abuse from her dad; as an

adult, the cycle continued, but by a man who had fathered two of her children. Bobby was illiterate and unable to express himself verbally and emotionally. Ex. 62 at ¶5. His sister, Annie Stringer, stated Bobby and Georgia argued a lot and there was much physical abuse in the relationship. Darrell told her there were fights between his parents. Ex. 199 at ¶13.

Although too young to know what happened, Marlo was in the mist of domestic violence beginning his first day home. The day newly born Marlo and his mother returned from the hospital, Bobby severely beat Georgia. Ex. 54.

One time Bobby hit her, and she hit him back. When he hit her again, Georgia got her skillet and used it to beat Bobby. Around age ten, Johnny Hudson walked into Georgia's house and she was beating Bobby with a metal broomstick. Later that day, Georgia had a black eye. Georgia yelled, screamed, and threw bottles, ashtrays, and perfume bottles at Bobby. They fought in front of the kids, Larry, Darrell, and Marlo. The boys saw and heard the abuse. Ex. 62 at ¶7. Darrell also saw Georgia hit Bobby in the head with skillets. Ex. 37 at ¶5.

Georgia told PJ she hated Bobby with a passion and couldn't stand him. He was abusive and beat her all the time. Bobby hit Georgia with anything. He choked her and beat her with his fist. Sometimes Georgia was beaten so badly, she couldn't go to work. Ex. 155 at ¶8. One night Georgia arrived home from work later than usual, and Bobby thought she was with another man. Georgia sarcastically said, "yeah, yeah, I'm going to tell you the truth since you keep saying it." Georgia remembered Bobby beating her that night and then finding herself waking in her bed, not knowing how she had gotten there.

When Georgia lived in Gerson Park with her first three sons, they were awakened to the sound of broken glass. Bobby knocked the glass out of every window in their apartment with a stick because Georgia didn't allow him to come in. Darrell was around age seven and Marlo was around three. Ex. 37 at ¶5.

One day David Hudson, Larry and Darrell were playing in the house and heard a commotion in the front area. When they arrived, they found Bobby bent over Georgia holding her down and hitting her. The small boys pulled Bobby off of Georgia and told him to stop beating her. David was in elementary school. Ex. 38 at ¶8.

One time Georgia tried to kill Bobby with a knife, but she was persuaded not to, by a police officer known as Smootie. Officers were called to the home a few times, but Bobby wasn't arrested. He always ran before officers arrived. Although Georgia often had black eyes and busted lips, she never received medical treatment. Ex. 54.

If Bobby had not been locked up when he was, Georgia would have probably killed him. Ex. 155 at ¶9. During their arguments, Georgia often told Bobby she hated him. Darrell and Marlo both look like Bobby, especially Marlo. Ex. 38 at ¶9.

## III. MARLO'S ABUSE: PHYSICAL, MENTAL, EMOTIONAL

## A. Marlo's Abuse By Mother

By all accounts Georgia did not properly nurture her children, especially Marlo. She resorted to excessive beatings with him. It was difficult for Georgia to feel a connection with Marlo. The way she treated Marlo mirrored her own abuse as a child. Georgia never told her sons, "I love you," but she showed love in her own way. Ex. 155 at ¶11. Georgia was a hard person who didn't sugar coat anything and always spoke her mind. She spoke before she thought and things always came out wrong. Ex. 42 at ¶6.

Marlo's parents demonstrated no signs of affection towards him. Georgia's sister-in-law, Everlyn Brown, believed Georgia disliked Bobby so much that she couldn't love Marlo and as a result took her anger out on him. Everlyn's son Jody told her Georgia whipped and hit Marlo. Ex. 199 at ¶5. Georgia reported that she neglected Marlo as a baby and even more after her youngest child, PJ, was born. Georgia admitted she really didn't love Marlo and told him so often. She also told Marlo she wished he had never been born. According to Georgia's own reporting, she hated Marlo because of the abuse she suffered at the hands of his father, Bobby. There were times Marlo was hurt and she refused to take him for treatment. Ex. 53.

Georgia beat Marlo "for any reason." She took the word of anyone who accused Marlo without asking him about it. Ex. 53. When Georgia whipped Marlo, it was usually because she was mad at his father about something. Sometimes, she whipped Darrell for the same reason. She beat Marlo with

brooms, belts, race tracks, switches, extension cords, and whatever she could get her hands on. There were bruises and marks on Marlo's body after his beatings. One time, when he was around seven or eight, Marlo's entire eye was bloody red and the white couldn't be seen. Ex. 62 at ¶4. Marlo never hit back; instead, he ran away but always came back. Marlo was beaten at least three times per week for something he did at school or because he didn't do what Georgia told him. The beatings made Marlo bitter and hard. Marlo said he hated his mother. Ex. 155 at ¶5.

The way Georgia treated Darrell and Marlo compared to Larry and PJ was like night and day. David saw some of his aunts whip their kids, but "the beatings Georgia inflicted on Marlo were not normal." Ex. 38 at ¶7. Georgia's beatings were excessive. Ex.155 at ¶6. PJ believed he wasn't beaten because he was the youngest and he wasn't Bobby Lewis's son. When Darrell left the home things got worse for Marlo. Ex. 155 at ¶7.

Tony Thomas, Jr. stated, "The way Georgia disciplined her boys is the same way our father disciplined us. Growing up, when my siblings and I did something wrong, our father took his hand and hit us. If he had a belt, he grabbed us by the hand or arm and whipped us from the waist down until he was tired. If Georgia had a belt, she really put it on her boys, just like our dad." Ex. 153 at ¶4.

## B. Marlo's Abuse By Father

The abandonment and abuse Marlo received from his mother was devastating, and the treatment he received from his father was just as bad. Marlo was hurt physically, mentally, and emotionally. Bobby Lewis steadfastly denied Marlo was his child. Marlo's skin was a lighter tone than Bobby, Georgia, or their son, Darrell. Bobby used it as an excuse not to take care of Marlo. Bobby said Marlo wasn't his child because Georgia was dating another man, Glen, who had a light complexion. Although Georgia got a DNA test that proved Marlo was Bobby's child, he continued to ignore Marlo and often commented in front of Marlo that he wasn't his father. As Marlo grew up, he asked Darrell about their father a few times and wanted to know what he was like. Ex. 37 at ¶¶3-4.

Bobby was always drunk and abusive. He took his problems out on Marlo. Bobby hit Marlo in the head with his hands, extension cords, and tree branches. One time, Marlo and Charles Nash, Jr. were in the house and Bobby told Charles, "Get the fuck out of my house." As Charles got up to run out, Bobby hit Marlo. Ex. 36 at ¶2 (Declaration of Charles Nash, Jr). Another time, when Marlo was about eight, Bobby picked him up and threw him into a wall. Marlo's imprint was left in the wall where the sheetrock busted. He got up really slowly. Bobby also knocked Marlo so hard with his fist that he sent him over Georgia's couch. Ex. 62 at ¶6.

Marlo had a black eye and bruises on his legs and arms. He had a big knot on his head once and said Bobby hit him. Ex. 36 at ¶3. Bobby hit him with a bat on his side and leg, and another time with a tire lug wrench in the back of his head. After the wrench incident, Marlo had difficulty breathing and called the police, but when they arrived, Georgia and Bobby said they didn't know what Marlo was talking about. The police left without doing anything. Ex. 36 at ¶4. Marlo said he was going to kill Bobby and he hated Bobby for what he did to him. Marlo hated going home and he tried to stay out of the house as much as possible. He sometimes ran away to his friends' homes. Ex. 36 at ¶5.

#### IV. HOME STABILITY & THE NEIGHBORHOOD

## 1. Making a Single Parent House a Home

Georgia was unsuccessful in her attempts to provide a home for her children, moving from place to place with her sons. Sometimes red eviction notices were posted to their door. Countless times, Georgia resorted to taking her family to live with her sisters and their families. She moved in and out of the homes of Shirley, Emma, Rebecca, and Jonnie. By the time Marlo reached middle school, he and his brothers had no less than ten residences identified through school records. Darrell stated it seemed like they were on the run, sneaking out of one apartment to move to the next one. Their furniture and personal belongings were thrown into the back of a truck and into cars to move. Ex. 37 at ¶16.

### 2. The Housekeeping

Georgia's employment rarely allowed her to be at home in the afternoon when the boys arrived from school and at night when it was bedtime. Georgia worked second shift. She was a hard worker but her house was messy. Ex. 152 at ¶8. "The home was always dirty. Roaches crawled on the wall, in the dirty dishes that were piled high, and across the floor. Clothes were thrown around the house and leftover food was on the floor." Ex. 153 at ¶3. Georgia depended on Darrell and Marlo to do the cooking and cleaning, while she allowed Larry to do what he wanted to do. Darrell and Marlo resented Larry for doing nothing. Ex. 38 at ¶6. Georgia worked a lot so family outings were limited. After Larry and Darrell left the house, Marlo helped babysit PJ. Ex. 155 at ¶2. Darrell grew up fast due to his responsibilities around the house. When Georgia worked, Darrell cooked, cleaned, and cared for Marlo and PJ. Ex. 37 at ¶13. When Marlo met with this investigator, he recalled, around age nine, he felt like a maid in the house.

#### 3. Safety and Survival in the Ghetto

The Herbert Gerson Park was a 200-unit public housing complex sitting on forty acres near Martin Luther King Boulevard and Lake Mead Boulevard in West Las Vegas. It was bordered by Highland Avenue, Coran Lane, and Cowterail Boulevard. The area was associated with slums and blight as well as a hub for crime. Today, Gerson Park is known as Whispering Timbers, an affordable housing development. Ex. 223

(https://archives.hud.gov/content/focus/2002-08-27.cfm).

Prior to the dismantling of Gerson Park in 1999, it was a rough place. During the time Marlo grew up, gang wars were rampant with constant shootings. Ex. 36 at ¶7. When Darrell and his brothers heard gunshots, they ducked down to the floor wherever they were. The sounds of gunfire rang through the house. It was their normal way of life. Ex. 37 at ¶21.

Georgia moved around a lot, trying to get away from gang-infested neighborhoods. When she moved somewhere decent, she couldn't afford the rent and returned to the Gerson Park area. Ex. 153 at ¶3.

Marlo and his cousins lived in different gang territories, which caused them to cross into different territories to visit family. When Marlo was around nine, he was chased by gang members when he crossed lines to visit family. Ex. 35 at ¶5 (Declaration of Antionette Nash). It was normal to hear shots ring out and have to go back in the house and wait awhile before coming out again. "You woke up, put on your clothes, and prayed to get where you were going." Ex. 45 at ¶7 (Declaration of Ty'yiyri Glover). The first time Darrell witnessed someone shot, he was around age twelve. Ex. 37 at ¶21. When Marlo met with this investigator, he stated the first time he saw someone shot was around age eleven.

Growing up, Andrew Williams lived on Bell Street near the Gerson Park housing projects. The neighborhood was poor and everyone did what they had to do to survive. If kids did not have what they needed, like food or new clothes, they stole it. "I'm not proud of that, but we didn't have a choice." Ex. 34 at ¶2. The metro police were scared to come into the neighborhood because it was extremely violent. From a young age, kids learned to defend themselves from the vicious area gangs. Ex. 34 at ¶9-10. Racism was rampant during Marlo's childhood years. People weren't able to escape racism even when they stayed where they were supposed to stay. White people drove through the neighborhood and yelled "monkey" and "nigger." Ex. 34 at ¶3.

In the early 1980's when Marlo was around age eight, Bobby Gronauer worked as a training officer for the Las Vegas Metropolitan Police Department: "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." Ex. 59 at ¶2. (Declaration of Bobby Gronauer).

When Gronauer patrolled Gerson Park, he saw that people who were economically challenged really need special attention, a different kind of leadership. Ex. 207 (https://lasvegassun.com/news/2003/jun/17/mayor-shakes-up-housing-board/). Around 1989, Gronauer implemented a pilot community policing program. Part of the outreach efforts included police officers who played football with gang members and local kids. Families felt safer coming outside. The program succeeded, but its success was short lived. Some officers didn't support Gronauer's program and believed he would get a cop killed in Gerson Park. Ex. 59 at ¶4.

As Marlo grew up, his life was full of experiences that brought grief and tragedy. When Marlo was around age eleven, the Candy Lady was killed. She lived in the end apartment near Marlo's apartment. She was a pretty lady who wore red lipstick and gave the kids in the neighborhood candy. Her boyfriend hog tied and killed her. Marlo and other friends stood at the crime scene and talked about what happened. The murder had a lasting effect on some of the kids. Ex. 40 at ¶3 (Declaration of Kareem Hunt).

Some of Marlo's friends died at young ages. His close friend Richie Rich was gunned down at a store. At age fifteen, Baby J was killed. As he left the house of another friend (Kareem Hunt) and walked down the street by the Cotton Club, the police shot him. All the deaths hurt and took a toll. Ex. 40 at ¶5.

When Marlo was fifteen, Nechelle Wilson, a good friend he was dating, was killed. Nechelle went to see another friend. He had a gun, put it to Nechelle's head, and pulled the trigger to scare her. There was a bullet in the gun and Nechelle was killed. Marlo was crushed when she died. It was the first time his cousin Ann had seen Marlo cry. After Nechelle's death, Marlo changed; he went to jail more and distanced himself from the family. Ex. 35 at ¶6.

Around age fifteen, Marlo's best friend died in front of him. They walked in the dark along Lake Mead, back when it was a two lane street and there were no streetlights other than lights from an apartment complex. Marlo's best friend was hit by a truck and dragged down the street until the truck stopped. Marlo watched as the trauma unfolded and held his friend in his arms while he died. Marlo said the skin on his friend's chest, back, and legs were gone. He saw his friend's heart beating because his skin and chest were ripped open. Ex. 62 at ¶10.

#### V. DEALING WITH POVERTY

Georgia wasn't good at managing her money. Ex. 37 at ¶¶14-15. Although Georgia received food stamps, towards the end of the month there was no food in the house. Ex. 63 at ¶4. Some days Georgia's boys didn't have school lunch money. Marlo and his brothers received hand-me-down clothing and participated in the Operation School Bell program that allowed disadvantaged children to receive donated, used clothes. Ex. 38 at ¶5. A school

counselor or teacher made recommendations for students to participate. Ex. 37 at ¶15; Ex. 50 (Operation School Bell Assistance League of Las Vegas.pdf). Often Marlo and his brothers returned home to find the utilities disconnected for lack of payment. Ex. 37 at ¶14. Georgia regularly appeared at the social services office where her sister-in-law, Julia, worked to ask her for money. Ex. 34 at ¶2.

Everybody struggled in the family. Georgia's siblings always stayed in proximity of each other, so they could help each other in need. When one family didn't have food, the other shared what they had. Ex. 38 at ¶2. Sometimes when there was not enough food in Georgia's house, Darrell walked to an aunt's house to get food to cook for him and his brothers. Ex. 37 at ¶15. Many times Marlo, his brothers, and cousins went to bed hungry because there was nothing to eat. Ex. 62 at ¶3. To have meat, David and his cousins went to the park and shot ducks. They made rock candy from Burrup syrup, and when new apartment complexes were built, they ate tar from the pavement and the roof. 38 at ¶3.

There were plenty of "poor man" meals created when there was barely any food in the house. Sometimes Marlo's family ate sugar bread, which was bread with mayonnaise sprinkled with sugar for energy. Ex. 62 at ¶3. They ate cheese sandwiches, syrup sandwiches, and cereal. When they ate cereal, they added water to the milk to make it go further. The bowl was passed from person to person. After the first person finished their bowl of cereal, the second person used the same bowl so as not to waste the left over milk, and so no one had to eat dry cereal that wasn't sugar coated. Ex. 63 at ¶4. They even ate mayonnaise sandwiches and ketchup sandwiches. Ex. 155 at ¶4. Marlo and his brothers ate dry corn flakes and sometimes corn flakes with water because there was no milk; other times they went to bed hungry. Ex. 38 at ¶5.

Andrew Williams and Georgia's oldest son, Larry, were good friends. Occasionally, Andrew saw Larry and Darrell at their Aunt Jonnie's house. Some days when asked, Larry and Darrell told their aunt they hadn't eaten all day. Under the impression Larry and his brothers did not have enough food to eat at home, Andrew took family-size packs of meat from his mother's freezer at least twice a month and gave it to Larry. Larry's cousin, Johnny Hudson, helped by giving them money from his illegal street activities. Ex. 34 at ¶5.

#### VI. RESENTMENT FROM THE CHILDREN

Darrell was direct with his opinion of Georgia and how she parented the boys. Georgia favored Larry, the oldest child over her other sons. The favoritism was shown in every aspect of their lives: Larry got new clothes and toys when the others did without; Larry wasn't held accountable for any wrongdoing, even if he was clearly responsible; and he wasn't made to do chores around the house. Ex. 37 at ¶7.

Darrell referred to his mother as lazy; she did not pay her bills and did not take care of family meals, grocery shopping, or the laundry. From Darrell's perspective, Georgia didn't ignore the children; she was just too lazy to take care of them. It felt like an "emotional abandonment." Georgia expected Darrell to practically raise Marlo and later PJ. She didn't help the children with their homework or make any effort to ensure they were in school. Ex. 37 at ¶12.

Georgia's sisters talked about how lazy Georgia was and sometimes fussed at her for not taking care of her children. Ex. 37 at ¶15.

For a significant time during Marlo's childhood, Georgia worked second shift and sometimes swing shift. It began when Marlo was in the first or second grade. Georgia wasn't home when her boys got home from school or when they went to bed. It became Darrell's responsibility to supervise Marlo and PJ; he was their primary caretaker because Georgia wasn't there for them. Darrell realized as a youngster, he and his brothers had to survive on their own. Ex. 37 at ¶13.

#### VII. ABOUT MARLO THOMAS

#### 1. The Infant, Toddler

Marlo Demetrius Thomas was born on November 6, 1972 around 3:00 p.m. in his mother's apartment located in the Herbert Gerson Apartment complex. Marlo weighed seven pounds and three ounces. He was hospitalized for three days after his transport to the hospital. He received no prenatal care and was a sickly child as an infant. He suffered from something like the flu when he was a few weeks old. Doctors prescribed antibiotics. Ex. 54.

Georgia drank alcohol throughout her pregnancy with Marlo. To escape the emotional pain of living with her abuser, Georgia drank almost every day, unaware that alcohol could have an adverse effect on her child. Ex. 54. Georgia left Bobby when she was in route to Las Vegas pregnant with Darrell, but he followed her there and the beatings continued. Georgia believed Marlo was injured while she was pregnant with him. Ex. 53.

Georgia recalled Marlo was slower than the other children in her family. He began walking between one and two years old and said simple words like mama or dada at age one. Georgia did not care about Marlo or what happened to him. Around age one Marlo's babysitter dropped him on his head, but Georgia didn't take him to the hospital. When he was around age two, Bobby Lewis and Marlo's uncle, Robert Nash, gave Marlo an unknown amount of vodka. As a result, Marlo slept an unusual amount of time. Although Georgia couldn't wake Marlo for two hours, she didn't take Marlo to the hospital. Ex. 53. Marlo was "slow, slow, slow." He was slow in talking, walking, and crawling. Marlo was delayed in his development and couldn't pick up learning things like most children. Ex. 44 at ¶9.

## 2. The Preschooler, Age 4-5

A list of addresses at which Marlo's family resided is found in his school records. The list depicts Marlo's disruptive moves in his schooling, especially as a child with learning deficiencies and behavioral concerns. When Marlo was in kindergarten through second grade (1978 - 1981), he changed school seven times. By fourth grade, he had attended eleven schools. The full impact of these moves may not ever be known, but it is clear his education was impacted. Ex. 49 (Marlo Thomas school records).

Home Address while attending	School/ Address	Grade	Age
Gerson Park Apartment Las Vegas, NV			Birth - 4
449 Kings Ave North Las Vegas, NV	Madison Elementary School 1030 J Street LV	K	4 - 5
408 Duchess St N. LV NV 89030	Jo Mackey Elementary 2726 Englestad North LV	K	5 - 6
1205 Adams Ave Las Vegas, NV 89106	W.E. Ferron Elementary 4200 Mountain Vista, LV	1	6
	Oran K Gragson Elementary 555 North Honolulu, LV	1	6
2036 Hassell Ave LV 89106	Crestwood Elementary 1300 Pauline Way, LV	1	7 - 8
	Twin Lakes Elementary 3300 Riverside Dr. LV	1	8 - 9
	CH Decker Elementary 3850 Redwood, LV	2	9
1801 N J St. #G-2 Las Vegas, NV 89106	CH Decker Elementary 3850 Redwood, LV	3	9
833 Hassell Ave Las Vegas, NV 89106	Red Rock Elementary 408 Upland Blvd, LV	3	9
	Red Rock Elementary 408 Upland Blvd, LV	4	10
953 Hart Ave Las Vegas, NV 89106	Vail Pittman Elementary 6333 Fargo Ave, LV	4	10
	Helen M. Smith Elementary 7101 Pinedale Ave, LV	4	11
1917 Yale #A North LVS, NV 89030	Miley Achievement Center 6171 W Charleston Blvd LV	5	11
	Miley Achievement Center 6171 W Charleston Blvd LV	5	11-12
	Walter Bracken School 1200 N. 27th Street, LV	6	12
	William E. Orr School 1562 E. Katie Dr. LV	7	13

Miley Achievement Center 6171 W Charleston Blvd LV	6	13
Garside Junior High School 300 S. Torrey Pines, LV	7	13-14
Miley Achievement Center 6171 W Charleston Blvd LV	8	14
Garside Junior High School 300 S. Torrey Pines, LV	8	14
	8	14
Miley Achievement Center 6171 W Charleston Blvd LV	8	14
Third Cottage Program Zenoff Hall Juvenile Court School 601 N. Pecos, LV	8	14-15
NYTC at Elko 100 Youth Center Rd Elko, NV		16
Rancho High 1900 Searles, LV		16
NYTC at Elko 100 Youth Center Rd Elko, NV	10	16
NYTC at Elko 100 Youth Center Rd Elko, NV	11	16
Chaparral High 3850 Annie Oakley Dr. LV	11	16
Rancho High 1900 Searles, Las Vegas	11	16
Jefferson Opportunity High 1941 Jefferson   North LV	11	16-17
Zenoff Hall Juvenile Court School 601 N. Pecos   LV		17
	Garside Junior High School 300 S. Torrey Pines, LV  Miley Achievement Center 6171 W Charleston Blvd LV  Garside Junior High School 300 S. Torrey Pines, LV  Miley Achievement Center 6171 W Charleston Blvd LV  Third Cottage Program Zenoff Hall Juvenile Court School 601 N. Pecos, LV  NYTC at Elko 100 Youth Center Rd Elko, NV  Rancho High 1900 Searles, LV  NYTC at Elko 100 Youth Center Rd Elko, NV  NYTC at Elko 100 Youth Center Rd Elko, NV  NYTC at Elko 100 Youth Center Rd Elko, NV  Chaparral High 3850 Annie Oakley Dr. LV  Rancho High 1900 Searles, Las Vegas  Jefferson Opportunity High 1941 Jefferson   North LV  Zenoff Hall Juvenile Court School	Garside Junior High School 300 S. Torrey Pines, LV  Miley Achievement Center 6171 W Charleston Blvd LV  Garside Junior High School 300 S. Torrey Pines, LV  8  Miley Achievement Center 6171 W Charleston Blvd LV  Rancho High 1900 Searles, LV  NYTC at Elko 100 Youth Center Rd Elko, NV  NYTC at Elko 100 Youth Center Rd Elko, NV  NYTC at Elko 100 Youth Center Rd Elko, NV  NYTC at Elko 100 Youth Center Rd Elko, NV  NYTC at Elko 100 Youth Center Rd 10 Elko, NV  NYTC at Elko 100 Youth Center Rd 11 Elko, NV  NYTC at Elko 100 Youth Center Rd 11 Elko, NV  Chaparral High 3850 Annie Oakley Dr. LV  Rancho High 1900 Searles, Las Vegas  Jefferson Opportunity High 1941 Jefferson   North LV  Zenoff Hall Juvenile Court School

Ex. 221 Marlo Thomas Residential Chronology

Marlo entered kindergarten at Madison Elementary School. He was enrolled for one month prior to transferring to Jo Mackey Elementary School. Marlo's transfer was based on his residential move. Georgia and her sons moved in with her sister Shirley and her family. Ex. 49; Ex. 44 at ¶8.

Marlo's physical abuse continued. During Marlo's preschool years, he was hit by a car and knocked down and not treated. Ex. 53. Georgia failed to seek medical attention when Marlo fell out of a moving car and hit his head, around age five. He sat too close to a door not properly closed. Ex. 54. When Marlo was around age seven, he was beaten by the neighborhood kids. One time he was kicked in the head. Ex. 53. When Marlo was around nine or ten, he fell outside and hit his head. Marlo had bruises and something wrapped around his head from the hospital. Ex. 37 at ¶11. Around age sixteen he was in a street fight and someone hit him in the head with a rock, leaving a big bruise. Marlo was in another fight and got his jaw broken. Ex. 37 at ¶11.

## 3. Childhood Years, Age 5-12



Ex. 113

Around age six, Marlo asked Georgia questions about why his dad didn't love him. Ex. 53. By this time Marlo had experienced the emotional abuse of his father's rejection, the verbal and emotional abuse of his mother and the physical abuse of both parents.

When Marlo entered first grade at W.E. Ferron Elementary School, his home address had changed again. Marlo was enrolled for four months before transferring to Oran K. Gragson Elementary School at age seven. These school years when Marlo was supposed to enter the second grade, he was kept back

to repeat the first grade at Crestwood Elementary School. Marlo's home address had changed once again. At age eight, Marlo transferred to Twin Lakes Elementary School and completed the first grade. He moved on to the second grade at C. H. Decker Elementary School. Ex. 49 at CCSD0020-29.

Based on the earlier statements of Antionette Nash and Darrell Thomas and available school records, Marlo had significant problems related to learning and classroom behavior. His problems date as far back as kindergarten. Making the issue even more complex is the fact Marlo changed schools often while in elementary grades. It is possible he slipped through the cracks simply because no official saw him for more than a few months before he transferred to another school. Ex. 221.

School records documented several years of turbulence for Marlo. While in the second grade, at age nine, Marlo was referred by the Clark County School District (CCSD) for a psychological evaluation due to academic failure and poor behavior. According to school psychologist Jerry Swan, Marlo had difficulty with language-related concepts, lacked phonetic analysis skills, and functioned in the "slow learner" range. Marlo was placed as a Learning Disabled student in the resource room at Decker Elementary. It was also noted Marlo's speech was difficult to understand. Ex. 49 at SPD02205-07.

By fourth grade, Marlo had attended two schools while in kindergarten, four schools while in first grade, one school while in second grade, two schools while in third grade, and four schools as a fourth grader. At age nine, Marlo returned to C. H. Decker in the sixth grade and transferred to Red Rock Elementary School. By age ten, Marlo was in the sixth grade at Vail Pittman Elementary School and repeated the sixth grade at Helen M. Smith Elementary School. He frequently moved around in schools during the sixth grade, but his residence remained unchanged. Marlo, age eleven, was tested to determine his current levels of functioning. Marlo was again referred to special services of the school district due to his severe acting-out behaviors. Marlo was classified as Educationally Handicapped. Ex. 49 at SPD02208-12.

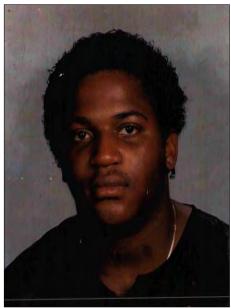
The Individualized Education Program committee met and recommended Marlo be placed in the Severely Emotionally Handicapped (SEH) program at Children's Behavioral Services (CBS). CBS ran a school known as Miley Achievement Center. Marlo was described at Miley as agitated and disruptive, verbally and physically. Specific concerns about Marlo's

behavior included attention seeking, disruptiveness, short attention span, fighting, disobedience, and easily angered. Ex. 48 at SPD04554-55.

Marlo was often picked up by police at Miley after assaulting students and/or staff. Marlo moved in and out of the program four times, during grades four through eight. At age eleven, Marlo was arrested for battery for striking his CBS teacher. The petition was disposed of with judicial reprimand. Approximately four months later Marlo was arrested for robbery, amended to battery, for hitting another student in the head. He received probation. Marlo, age eleven, was held back from sixth grade to repeat fifth grade at Miley. Less than thirty days after the placement, Marlo was arrested for another battery and received probation. Marlo walked in the classroom and hit a student in the back. The teacher told Marlo to stop and stand outside the classroom. Marlo became verbally abusive and kicked her in the leg. Ex. 48 at SPD04540.

Darrell spent significant time with Marlo, throughout his schooling, trying to help him understand math, reading, and how to write. Darrell spoke to several of Marlo's teachers over the years, sometimes pretending to be their mother or father during phone conversations. The teachers told Darrell that Marlo's problems were related to him "not paying attention" in class. Marlo could not follow simple instructions. At home Darrell only gave Marlo basic chores like sweeping the floor and emptying the trash. When Marlo was given a more complex task, he could not successfully complete it without someone standing there to watch and remind him what to do. Ex. 37 at ¶18.

## 4. Adolescence/ Teen Years, Age 12 - 18 Education



Ex. 112

When Marlo met with this investigator, he stated his dream, as a teenager, was to live to reach the age eighteen, then twenty-one, twenty-five, and so on. By the time Marlo reached adolescence, he had seen someone shot and killed. Marlo's neighborhood was rough and drug-infested. There was a high presence of street gang activity. People died daily and kids didn't play outside. Marlo had no one to protect him in the street and no one to protect him in the home. Marlo continued being beaten by Georgia and Darrell. His father had beaten and denied him and was locked away in prison. Marlo experienced going to bed hungry and waking up with nothing to eat. His single parent household was rough. When Marlo met with this investigator, he stated that by age twelve he did anything to get by and take care of himself. He sold drugs and brought the proceeds into the household. Georgia knew of it and allowed him to help her out.

Marlo seemed slower than the average child and had disabilities. He was the only one of the siblings who didn't finish high school. Ex. 155 at ¶3. Marlo half did most things from childhood up. He wore dirty socks day after day until they smelled as bad as he did. He kept dirty clothing mixed with clean clothes and did not match his clothes. His pants and shirts looked silly together. Marlo didn't like to bathe. He ran the water, but didn't get in the tub. Georgia forced him to shower. Darrell stood over Marlo while he got in the tub to make sure

he got wet. Darrell and others complained to Marlo that he "stank." Ex. 37 at ¶18. Charles Nash, Jr. asked, "Would you want to run water on your body with all those bruises and welts stinging? Ex. 36 at ¶3. Throughout this period Marlo was not only beaten by Georgia, but his brother Darrell had become a disciplinarian also. Marlo was a bed wetter, at least all the way up through sixth grade/age twelve. Ex. 37 at ¶19; Ex. 36 at ¶11.

In Middle School, Marlo fought a lot and got expelled. Teachers told Georgia that Marlo needed help. Georgia had felt that Marlo needed help since he was small, but she didn't care enough about him to actually get help. Georgia was clueless about caring for Marlo's mental and emotional problems. She was frustrated with her inability to change Marlo's behavior. Ex. 53. Georgia may have been in denial regarding the severity of her son's needs. When Marlo was at Miley, she requested he be placed in a less restrictive program and returned to regular school. Ex. 49 at SPD02234.

Marlo didn't attend school with the rest of the kids. He rode the short bus for challenged students and went to special classes. When Marlo was around twelve or thirteen, neighborhood friends laughed at him when he told them how he and his classmates went to the window when it rained and sang "rain, rain go away, come again another day." Ex. 45 at ¶4.

At the time Marlo was sent to Miley Achievement Center in 1984, it was located on the grounds of the state psychiatric hospital on West Charleston Boulevard. Miley educated children in grades first through twelve. Several grades were combined, because there were so few students in each. Fourth and fifth grades were in one classroom. Sixth through twelfth were taught in another room together. Mr. Roy Shupe, a lead teacher and former administrator at Miley described the school as a highly structured program. Children who lived on site, in-patients of the psychiatric hospital, were educated there also. Marlo and other students unable to succeed in regular classrooms or even resource rooms at regular schools were bussed to Miley from various schools. Ex. 196 at ¶¶1-3.

Shupe recalled Marlo suffered from learning disabilities and stated the problem may have been associated with poor cognitive function/memory. He also recalled Marlo had an impairment with regard to his judgement. Marlo could not control his anger and angered easily. He was often in trouble for acting out and was referred to juvenile court for assaulting teachers and

students at Miley. Juvenile records indicate Marlo was picked up by police eight times in a just a few months while at Miley. The policy at Miley was to treat every instance of assaultive behavior as a serious event. The police were always called, even if the "offense" was a child kicking a teacher. Juvenile court officials were of the opinion that minor infractions should have been handled at the facility, not referred to court. Ex. 196 at ¶¶4-5.

Some misbehavior at Miley was managed on-site, by placing the disruptive child in a "time-out room." Students were observed for up to hours at a time, until they were deemed fit to return to class. If a child's behavior was indicative of a mental disorder, the staff at Miley might refer the child's parent to a psychologist or psychiatrist. It then became the parent's responsibility to seek help for the child, whether it involved counseling or therapy. Ex. 196 at ¶¶6-7.

Marlo, around age twelve, entered Walter Bracken Elementary School in the sixth grade. According to juvenile petitions, Marlo struck another person in the leg and trespassed. The juvenile court plea hearing noted Marlo was staffed with the Oasis program through CBS. The juvenile court ordered a psychological evaluation of Marlo. The evaluation was performed by Eric S. Smith, Ph.D., a clinical psychologist. Ex. 48 at SPD04445-46.

Marlo was again sent to the Miley Achievement Center. His behavior continued to be disruptive and aggressive. At age twelve, Marlo was charged with disorderly conduct, battery (four counts total), and trespassing resulting from three separate incidents at Miley. The charges resulted in probation and/or were dismissed. When he was thirteen, he was arrested twice, both times for battery related to incidents at Miley. Unsurprisingly, Marlo was terminated from probation. Marlo was adjudicated delinquent and made a ward of the court. A juvenile probation officer noted in his report that Marlo "has a total lack of impulse control and an inability to control his temper . . . ." The recommendation was a structured setting where Marlo could receive counseling and group therapy. Marlo was sent to the Third Cottage Program, operated by the juvenile court. Ex. 48 at SPD04569-79.

After five weeks Marlo was kicked out of Third Cottage and transferred to Zenoff Hall, another juvenile detention facility on the campus. Marlo's infractions during his five weeks at Third Cottage included seven incidents of disruptive behavior at school and the assault of a student in the chow hall. A

staff member noted Marlo often agitated his peers by throwing them gang signs. Ex. 48 at SPD04605-17.

Each time Marlo had contact with juvenile authorities, Georgia was interviewed about his behavior at home. She consistently described her relationship with Marlo as a close one. She told of his unwillingness to follow her instructions, but never allowed court officials to hear the real struggles of mental, emotional, and physical abuse in Marlo's home life, a possible reason for his behavior. Ex. 48 at SPD04571-77.

Zenoff Hall was the last stop for juveniles in Clark County. A month after arriving at Zenoff Hall, with no improvement in his behavior, fourteen-year-old Marlo was sent to the NNYTC. He remained there seven months and attended ninth grade. Ex. 48 at SPD04591-93. NNYTC has been the subject of a Department of Justice investigation for mistreating the youth. Ex. 108 (Investigation of Nevada Youth Training Center).

Two months after Marlo's release from NNYTC at age fifteen, Marlo and five other youths were observed shoplifting at a mall by a female security guard. When the guard and others tried to apprehend the kids, they all took off running, except for Marlo. He stood and confronted the guard in the parking lot of the mall, cursed her, hit her in the face, and also punched a store manager, knocking out two teeth. Marlo got into the security vehicle and ran it into a curb and tree, then fled on foot, crossing the freeway. Marlo was not apprehended until two weeks later, when he returned to the mall. Marlo was charged with battery, grand larceny, grand larceny auto, and malicious mischief. Marlo was placed in juvenile detention, where he had significant problems, including fighting. Marlo was returned to NNYTC for seven more months. Ex. 48 at SPD 4660-65, 779-82.

Upon Marlo's release on parole, he returned to Las Vegas and continued in the eleventh grade at Chaparral High School. After two transfers, Marlo was sent to an alternative school. Marlo earned D's and F's in all his classes during the eleventh grade. Ex. 49 at CCSD0003-07.

At age seventeen, per a juvenile court petition, Marlo allegedly struck, pushed, and pulled the hair of two girls, one being his nine-year-old cousin. Ex. 48 at SPD04524. The following day, according to police records, Marlo and an older man went to a hotel room and offered to sell the occupant crack cocaine.

When the occupant refused, Marlo and the older man pushed their way in to the room. The victim was beaten by the older man and robbed of \$350.00. During the fight, Marlo was alleged to have run out of the room, obtained a "boulder," and thrown it at the victim. The victim suffered a broken wrist and had teeth knocked out. Marlo was arrested and certified as an adult for robbery and placed in adult jail (Clark County Detention Center - CCDC). He was released three weeks later on his own recognizance. Ex. 48 at SPD04677-81.

About six weeks later, Marlo was arrested for possession of a stolen vehicle. Marlo and the two other occupants fled on foot. Marlo was apprehended. The case was reduced to a misdemeanor and Marlo received credit for time served. Ex. 48 at SPD04686-88.

A month after his release for the stolen car, Marlo was arrested for robbery with use of a deadly weapon and obstruction of a police officer. According to court records, the victim was robbed by Marlo, along with his fourteen year old cousin, Sherman Nash, and an older male who got away. While a police officer interviewed the victim, Marlo walked past and was identified as one of the robbers and was arrested. During an interview at CCDC, Marlo stated the victim tried to buy narcotics from him and his cousin. He admitted taking the man's money. Marlo later pled guilty to attempted robbery; the other charge was dismissed. Certified as an adult, Marlo was sentenced to six years in state prison. This was just prior to his eighteenth birthday. Ex. 48 at SPD04697-4701.

#### VIII. AN OPPORTUNITY FOR MARLO

When Marlo was around age thirteen, he went to live with Tony Thomas, a younger brother of Georgia's, and his wife, Julia Williams. Julia kept her maiden name because she didn't want the association of the Thomas family. Marlo had acted out and was rebellious towards Georgia. TJ was called to Georgia's house to talk to him. TJ walked into a potential duel between Georgia and Marlo. They both had fists balled up and were yelling and screaming at each other. Georgia cried and said "take him;" she wanted Marlo out of her house. Marlo was taken home to live with TJ, Julia, their son Mario, and Julia's nephew, Antonio. Antonio had been sent to live in the home because he had gotten into trouble and needed a mentor. Ex. 152 at ¶1; Ex. 153 at ¶5.

Marlo arrived at the home in filthy clothes, smelling of urine and body odor. The first day, he mainly stayed to himself. As the family sat to eat dinner, Marlo sat away until he was told to join. Marlo thought he had to wait and get his food last. Once Marlo had eaten, he sat and stared at the remaining food until he was told it was alright to get more if he wanted it. Later that evening, Georgia called and asked Tony to keep Marlo and not return him home. At bedtime Tony talked to Marlo and told him Georgia asked them to keep him. Marlo cried and asked, "My momma don't want me?" Early the following morning around 2:30, as Tony arose for work he found Marlo tiptoeing to the refrigerator as if to take food. After Marlo apologized, he was assured there was plenty of food and if he was hungry during the night he should turn the light on and get what he wanted. Ex. 153 at ¶¶6-7.

When Marlo arrived to the home, his speech was slow, almost as if he stuttered. It was difficult for Marlo to put two words together. Tony learned that Marlo was scared to talk to his teachers because of his speech; he believed they made fun of him. Marlo's writing reflected something was delayed. The things he wrote did not go together as a sentence. Julia and Tony worked closely with Marlo when he didn't understand his school work. Julia's sister, Linda, a special education teacher also assisted. His speech improved in his new environment. Tony and Julia never became legal guardians to Marlo and could not change any parts of his IEP. Georgia wasn't very smart and understood little, but she was the only one who could authorize any changes in Marlo's IEP meetings. Ex. 153 at ¶¶11-13.

#### IX. THE OPPORTUNITY TAKEN AWAY

Marlo was in the home of Tony and Julia for almost two years. His schooling was not interrupted; he was bused to the same behavioral school. There was a significant change in Marlo's behavior. Marlo's positive transition allowed him to become a joy in the home. Ex. 152 at ¶9. Marlo was introduced to many new things. He vacationed with the family to Disney Land, Magic Mountain, Mount Charleston and other places. Ex. 153 at ¶10.

There were many differences between the homes of Georgia and Tony. Tony lived in a very nice neighborhood in North Las Vegas (2740 Salt Lake Street) and Georgia lived in the projects (Gerson Park area). Tony was a college graduate and Georgia didn't complete high school. In Tony and Julia's home

there were house rules and daily routines enforced in a positive, controlled environment. One of the biggest differences that had a positive effect on Marlo was a two parent home versus a single parent home. Marlo was shown love and much more attention. He was spoken to in an age-appropriate manner and no longer yelled at like a two year old by Georgia, Larry, and Darrell. Whereas Georgia whipped Marlo, he was spoken to in Tony and Julia's home. Marlo and Tony had many father/son moments. Tony and Marlo watched football games, and one time after a UCLA game, Marlo expressed he wanted to become an NFL running back once completing high school and attending UCLA. Marlo was a very good football player and had the potential to play pro ball. Ex. 153 at ¶14.

Marlo appeared to be on the right track. His behavior changed for the better but suddenly Georgia wanted him back. Ex. 152 at ¶9. Larry and Darrell noticed a big difference in Marlo; he was much more respectful and answered to his mother with "yes momma" and "yes ma'am." Once Georgia saw Marlo's good progress, she wanted her son back. Ex. 153 at ¶15. It was the end of Marlo's short-lived dream and his opportunity for success was ruined.

Although Tony thought Georgia was taking Marlo back too soon, he reluctantly returned Marlo. Tony asked Georgia to allow Marlo to return to his home long enough to get him through high school but Georgia said no because she needed somebody home with her. Marlo sobbed horribly when Georgia took him away. The first night back with Georgia, Marlo left the house several times and tried to return to Tony's home, but Georgia stopped him each time. Ex. 153 at ¶¶16-17.

### X. ADDITIONAL INFORMATION ABOUT MARLO'S SIBLINGS

## 1. Larry James Thomas



Ex. 111

Larry is the oldest sibling. Georgia never had Larry clean the house or care for the younger siblings. He was treated better than Darrell and Marlo. Larry sold drugs and was a gang member. Marlo looked up to him. Larry played track, basketball, and football. Ex. 37 at ¶20. Larry was somewhere around the tenth grade when he got in trouble and went to live with his mother's brother, John, and his wife Everlyn. One time Larry told his aunt Everlyn he hated his mother and didn't want to live with her. There was a lot of anger towards Georgia from Larry and his brother Darrell. Larry was verbally abused by Georgia. He later went to prison for sex crimes. Georgia didn't watch her children, and Everlyn always believed someone had molested Georgia's children. Ex. 199 at ¶¶6, 11, 16.

Just like some of Georgia's nieces and nephews, all of her boys could not escape the plague of deviant sex acts. Around age twenty-six, when Larry was married, he was charged with four counts of sexual assault, three counts of statutory sexual seduction, two counts of lewdness with a minor, and eight counts of sexual assault with a minor under fourteen years of age on or between August 1993 and May 1, 1994. Larry served in a custodial care position as director of a community drill team, "Queenettes." His victims were between the ages of twelve and fourteen and were members of his drill team.

Georgia and her daughter-in-law Delene, Larry's wife, went to the home where one of the victims lived and argued with the victim. She wanted to know what happened between the girls and her son. Once the victims told Georgia, she told them they were liars and tried to hit one of the girls.

Larry was found guilty on eleven counts and ordered to serve ten years on the first count and ten years on all other counts run concurrently. Larry is currently registered as a tier two Nevada sex offender and now serves as Pastor of Fountain of Praise Ministry, in Las Vegas. Ex. 60 (Larry Thomas Criminal File); Ex. 145 (Sex Offender Registry); Ex. 225 (Fountain of Praise Ministry Annual Report).

#### 2. Darrell Bernard Thomas, Sr.



\_\_ Ex. 109

Darrell with his mother, Georgia

Darrell is Georgia's second oldest child and the oldest son of Bobby Lewis. After Georgia and Bobby broke up, Darrell occasionally saw his father at the homes of his maternal aunts, Shirley and Emma. Ex. 37 at ¶4. Darrell ran track and played basketball. He and Larry smoked weed and drank Old English 800. Marlo used marijuana as a teen also and tried to sell it to Darrell's friends. Ex. 37 at ¶20. As a teenager, Darrell was in and out of trouble. He had

a few run-ins with school authorities and was suspended. Ex. 79 at CCSD0038 Darrell Thomas school records). Georgia wouldn't try to re-enroll Darrell, so he sometimes phoned the dean and pretended to be his mother or father to return to school. One time Darrell ran away from home because Georgia whipped him. The police found no bruises or welts, so they transported him to Child Haven where Georgia picked him up Ex. 37 at ¶¶8, 12. Everlyn Brown stated Georgia was hard on Larry and Darrell. Ex. 199 at ¶6.

One time Darrell was caught stealing and faced jail time. Everlyn went to court and spoke on his behalf. She expressed to the judge she thought Darrell had been abused at home. Darrell went to live with her and his uncle John for about three years. Ex. 199 at ¶7. Darrell graduated from high school and moved away from home. Darrell periodically went by his mother's house to check on Marlo and PJ. He never lived with his mother again, until she moved in with him in later years after her health had declined. Ex. 37 at ¶¶22-23.

Darrell was a minister by age eighteen. He married his first wife, Cynthia, and they secured their own place. Shortly into the marriage, Darrell became physically and verbally abusive. He choked, scratched, slapped, and restrained her; he threw objects and whipped her with belt buckles. Everlyn came to their home often and advised Darrell not to hit Cynthia. Darrell was also controlling. When he was at home, he determined who Cynthia talked to and how long she talked. Ex. 199 at ¶12; Ex. 226 at ¶¶3-5 (Declaration of Cynthia Thomas).

Darrell stated that Georgia frequently beat him, and he was treated badly growing up. Darrell and Georgia had a horrible relationship. Cynthia saw them scream and yell at each other all the time. Georgia often said, "I can't stand Darren." (The family called Darrell, Darren.) Cynthia heard that Georgia's sisters Jonnie and Shirley were more like moms to Darrell than Georgia was. Jonnie talked about how bad Georgia treated Darrell. Ex. 226 at ¶¶5-7.

Georgia knew that Darrell was abusing Cynthia, and she told her to give Darrell a break because he used to see Bobby beat her. Cynthia stated she left the marriage many times and returned, but there was something about the last hit that allowed her to leave for good. Shortly after giving birth to their fourth child, Darrell arrived home and kicked two church members out of the house who came to see the baby. Once they left, Darrell grabbed Cynthia and

she ran to the bathroom. He followed her and slapped her in the face; she fell backwards and slid down the bathroom wall. Ex. 226 at ¶¶5, 11.

Darrell was a womanizer and cheated during the ten year marriage. Once he divorced Cynthia, he married Adrian, his current wife. Darrell has since apologized for the way he treated Cynthia. Ex. 226 at ¶14.

Darrell attended Pastor Alan Kincad's church. When Marlo met with this investigator, he stated Bobby Lewis lived two doors down from Georgia, and Pastor Kincad lived in the middle between them.

Pastor Kincad was familiar with the family and mentored Darrell. Darrell became a minister and continues to pastor. He serves as Bishop of The Greater Philadelphia Church of God in Christ in North Las Vegas. Ex. 199 at ¶13; Ex. 119 (The Greater Philadelphia Church of God in Christ Annual Report).

Around age twenty-nine, Darrell was charged with five counts of lewdness with a child under the age of fourteen during or between July 1993 and June 1996. There were three victims. Darrell entered an Alford plea to a lesser charge of open or gross lewdness. He was sentenced to one year in the Clark County Detention Center with time suspended, and placed on a three year probation. He was ordered to perform sixteen hours of community service per month during the life of his probation. Ex. 56 (Darrell Thomas Criminal File). Darrell was married to Cynthia during this time and she was pregnant. One of the victims told Cynthia what happened with the girls. After Cynthia asked Darrell about the allegations, he beat her, grabbed her by the shirt, and held her against the sink. Afterwards, Cynthia talked to the mother of the girls because she didn't want to get in trouble for knowing about it and not doing anything. Ex.226 at ¶10.

### 3. Paul Hardwick Jr, "PJ"



Ex. 156

PJ is the youngest of the four sons. He was born May 21, 1980. PJ has fond memories of Marlo picking him up from school on his bike and riding him home on the handlebars. Marlo was his protector. Ex. 155 at ¶2.

Little is known about PJ other than he escaped most of the physical abuse in the family because he was the baby. PJ watched what happened and learned not to do anything to set his mother off. PJ got a pass because he was the youngest and he wasn't Bobby Lewis's son. Georgia hated Bobby and because of her feelings, she took it out on Darrell and Marlo. Ex. 155 at ¶7.

When PJ was born, Georgia became very attached to him and his father. Georgia further pushed Marlo and the others away. PJ got whatever he wanted, but when Marlo asked for something, Georgia told him to leave her alone. Ex. 199 at ¶5.

PJ's father, Paul Hardwick, Sr., wanted to be in his son's life, but Georgia made it difficult. When Paul moved on from his relationship with Georgia and wanted to see his son, she often said Paul had to have sex with her to see him. Eventually Paul, Sr. became tired of Georgia's manipulation and told her if she wanted to play mom and dad, it was fine because he was done. Paul stepped out of PJ's life when he was around age four. Ex. 42 at ¶¶9-10.

### XI. IN SUMMARY

Marlo was born with the odds stacked against him. Marlo was unloved but when he met this investigator he stated Georgia gave "tough love." Georgia was an unaffectionate person. Marlo was in the care of a woman not loved as a child. It is much easier to give love when you have received love. Georgia was passed from one caregiver to another as a child. She was beaten and molested by her father. The beatings didn't stop there. Georgia met Bobby Lewis and he continued to beat her. When Georgia had children, she beat them too. If Georgia's father had a belt, he grabbed his children by the hand or arm and whipped until he was tired. When Georgia had a belt, she really put it on the boys, just like her father. Ex. 153 at ¶4.

When Georgia was a teenager, she recognized her set of siblings (Jessie Mae's children) were treated differently than her father's second set of siblings by Shirley Beatrice. She told her father about the unfair treatment. It would be later that Georgia passed on that same unfair treatment she received as a child amongst her very own children.

Marlo experienced beatings, poverty, neglect, lack of affection, and a fatherless home. Georgia was absent mostly due to her employment schedule and her lack of love for Marlo. Family members knew Marlo was mistreated and how he felt. Marlo was an unhappy and angry child. Ex. 199 at ¶4. Marlo said his mom didn't love him and treated him different from his brothers. Georgia only cared about Larry and PJ. Ex. 35 at ¶2. Marlo talked about how he did not receive the attention he should have received from Georgia. Marlo acted out because he felt Georgia treated his older brothers better than she treated him. He wanted attention and tried to get it. Georgia treated her nephew more like a son than she did Marlo. Ex. 63 at ¶8.

Food was not the only thing Marlo hungered for; he was hungry for attention, affection, a loving mother, a good father in his life, and direction in his life. When Marlo's Aunt Julia purchased a pair of shoes for him he thanked her and cried like a baby. Ex. 153 at ¶8. Marlo changed for the better while he lived with Tony and Julia.

When Marlo met with this investigator, he stated one of his fondest memories growing up, around age five, was his Aunt Shirley teaching him to tie his shoes. Georgia complained to Shirley he didn't know how to tie his shoes. Shirley stopped what she was doing and immediately taught him.

Marlo had no control over his environment. He grew up in a druginfested environment. There were gangs throughout the Westside. It was dangerous for Marlo to visit family because he had to cross into different territories. Ex. 36 at ¶7.

Marlo used drugs around age twelve. He drank alcohol and smoked weed and "sherm sticks," a cigar dipped in embalming fluid. Ex. 36 at ¶8; Ex. 35 at ¶4. When Marlo met with this investigator, he stated he sold drugs to take care of himself and to help Georgia.

When Marlo had an opportunity to positively advance in life, Georgia selfishly snatched that opportunity away. Tony believed a positive father figure would have made a difference in Marlo's life. He tried to be that father figure for Marlo until Georgia wanted him back with her. Ex. 153 at ¶17. Marlo had made positive behavioral changes.

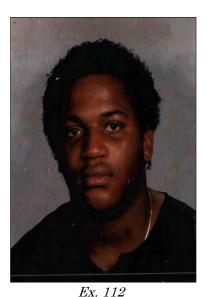
Marlo told this investigator that his first relationship with his dad began when they met in the visiting room of prison. They were both incarcerated. They spent a lot of time together and Bobby acknowledged to Marlo that he was his son. Bobby's sister, Annie Stringer, stated Bobby called her from prison and said Marlo was locked up with him. Bobby was keeping him straight and showing him the ins and outs of prison. Ex. 209 at ¶16.

Marlo saw Bobby every day in prison and they spent time together. Ex. 62 at ¶9. What if Bobby had been in Marlo's life as a good father and shown him the ins and outs of life, would Marlo be where he is today?

## Bobby Lewis and his sons







02 Ex. 118

J. Bennett once said, "Home is a shelter from the storms – all sorts of storms." Marlo went through so many storms during his childhood. The storm of physical, emotional, and verbal abuse, rejection, resentment, misunderstanding, fear, and poverty. When we think of a storm, we imagine coming out of it and rough times ceasing. With Marlo, he never came out, and his storm never came to an end. There was no refuge for Marlo. There was never a place to call home.

# EXHIBIT 225

## EXHIBIT 225



FOUNTAIN OF PRAISE MINISTRY G

This information is current as of July 16, 2017.

Entity Name: FOUNTAIN OF PRAISE MINISTRY

Filing Status: Active Date Filed: 07/24/2012 Type: Domestic Non-Profit Corporation File Number: E0389782012-8

Registered Agent: Larry J. Thomas, Sr.

North Las Vegas, NV

Principals

Larry 1 Thomas, Sr.

North Las Vegas, NV

Order Business Services For Fountain Of Praise Ministry

**Previous Entity** Search Entities Next Entity

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# EXHIBIT 226

## EXHIBIT 226

#### **Declaration of Cynthia Thomas**

- I, Cynthia Thomas, hereby declare as follows:
- I am forty-five years old. I currently reside in Clark County, Nevada. I am the ex-sister-in-law of Marlo Thomas.
- I met the Thomas family after meeting Darrell Thomas. We dated when I was seventeen years old and married when I was eighteen years old. There is a four year age difference between us.
- 3. Darrell was a minister when we married. Shortly after the wedding, Darrell became physically and verbally abusive. Darrell was controlling. When he was home I was not able to answer the phone. He determined who I talked to and how long I talked on the phone. I wasn't permitted to interact with my family members unless Darrell liked them.
- 4. Darrell choked, scratched, slapped, and restrained me; he threw objects at me and whipped me with belt buckles. Darrell always went for my neck to restrain me and press me against the floor. One time he scratched my neck so bad that I was unable to attend a major church function. My neck was swollen and cosmetics weren't able to conceal the scratches.
- 5. Darrell told me his mother, Georgia, beat him a lot and he was treated badly growing up. Darrell treated me like Georgia had treated him. Georgia knew that Darrell abused me. She told me to give Darrell a break because he used to see his daddy, Bobby Lewis, beat her. Everlyn Brown, Darrell's aunt, used to come over and talk to him about how he treated me. She told him he was wrong for hitting me.

- 6. Darrell and Georgia had a horrible relationship. They did not get along well. I saw them scream and yell at each other all the time. Georgia often told me, "I can't stand Darren." The family called Darrell, Darren.
- 7. Darrell did not talk to me much about his childhood. I often listened when he talked about it to other people. I heard that Georgia's sisters, Jonnie Thomas and Shirley Nash, were more like moms to Darrell than Georgia was. I heard Jonnie talk about how bad Georgia treated Darrell.
- I didn't know Marlo well because he was in and out of detention and jail. When
   Marlo was out he stayed away from home a lot.
- 9. I heard family members talk about the family molestation by TJ, but I don't recall who was molested. I remember TJ's twin brother, JT, molested his children also. JT died about two years after Darrell and I were married.
- I was married to Darrell during the time he was arrested for sexual assault.

  One of the victims told me what happened with the three girls and Darrell. I asked Darrell about the allegations and he hit me. He grabbed me by my shirt and held me against the sink. I was pregnant at the time. Afterwards, I talked to the mother of the girls because I didn't want to get in any trouble for knowing about it but not doing anything.
- I left my marriage many times and went back. There was something about the last hit that made me leave for good. It was shortly after I had our fourth child. When I was pregnant, Darrell made an announcement to his church congregation that no one was to come over and visit me and the baby. After I

gave birth, two church members came over to visit while Darrell wasn't home. When Darrell arrived, he kicked them out of our home. Once they left, Darrell tried to grab me and I ran to the bathroom. He followed me and he slapped me in the face. I slid down the bathroom wall.

- 12. Someone called the police and when they arrived they spoke to us and our son,
  Darrell Jr., who we call DJ. DJ and I told them what happened but they didn't
  arrest Darrell because I did not want him to go to jail. I agreed I would leave
  the home, so the children and I were escorted away. I never returned.
- 14. Darrell and I were married in 1989, for ten years. We separated for four years before he divorced me. Darrell was a womanizer and cheated on me during the marriage. He has since apologized for the way he treated me.
- 15. Cassie Ragsdale is the first person from Marlo's defense team to ever contact me. 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 August 1, 2017.

Cynthia Thomas

### EXHIBIT 227

### EXHIBIT 227

#### Declaration of Denise Hall

- I, Denise Hall, hereby declare as follows:
- 1. I am sixty-two years old. I currently reside in Clark County, Nevada. Angela Love and Kenya Hall are my children.
- 2. I did not know Marlo well, but he was always very respectful to me. I consider Marlo and his brothers to be part of my family. Kenya and Marlo's brother, Larry, are close friends. Kenya is a single father with two daughters and two

3. sons. somitted apt.
frequently visited all.
4. In the mid-1960s and late 1970s, I lived off of Carey, close to Gerson Park.

- 4. In the mid-1960s and late 1970s, I lived off of Carey, close to Gerson Park.

  There were lots of shootings during that time. Carey was in the middle of two gang wars: Gerson Park and Buena Vista apartments. Both were low income housing. One side was Crip territory and the other side was Blood territory.
- 5. My aunt, Dora Mae, knew Marlo's mother, Georgia, very well. They lived around the corner from each other at one time. Dora Mae died a few weeks ago.
- 6. Angela met Marlo while she was living with Dora Mae. I didn't know they got married until after the fact. Angela and Marlo were both head strong and bumped heads a lot in the short time they were together. Angela always needed to be with someone and it seemed Marlo was the same. They found common ground with their disabilities and put up with one another for the sake of being together rather than alone. I heard that Marlo used drugs but never saw him use. Angela used marijuana, cocaine, and a hallucinogenic drug.
- 7. When Angela was growing up, I wasn't in the home as much as I should have been. I was a single parent and worked a lot. I believe this affected Angela and caused her to act out. I didn't have patience with my older children. I was much stricter with them than my younger ones. Angela is my oldest child, followed by Darralyn, Kenya, and IKeenya. Angela was born in 1974 in Fallon, Nevada.

- 8. Angela's stepfather was a marine stationed in Hawthorne. In 1977 we moved to Wilmington, Delaware. There, Angela was in juvenile detention several times for theft, fighting, running away. The crowd she hung around had a big influence on her. When after two years my husband and I separated, I moved my family back to Nevada to care for my elderly grandparents.
- 9. Angela is diagnosed as borderline schizophrenic and suffers from ADHD and depression. She was first diagnosed around age ten, and by the age of twelve was hospitalized in a mental health facility. Angela was in the facility for approximately six months and was medicated. She was hospitalized in Delaware and Las Vegas, as both a juvenile and an adult. Angela is unable to maintain employment due to her disabilities. She started receiving disability services in 2006.
- Angela is currently incarcerated at the Florence McClure prison for charges stemming from May 2016. Drugs were found in her vehicle but the charges were dropped. She was sentenced instead for theft charges related to a credit card ring. She went up for parole on Tuesday, August 15, 2017. If she isn't granted parole, she will be released in August 2018.
- 11. Dora Mae and Angela told me that Marlo and his brothers had a rough time growing up. There was no structure in the home and if Marlo was gone for a couple of days, Georgia didn't worry about it. Georgia drank a lot. She didn't support her sons in anything they were involved in. She was a parent who didn't want to be bothered. During a court hearing, one of Marlo's brothers told me how rough it was for them growing up. Marlo was a victim of his environment. PJ, on the other hand, did well for himself. He married my first cousin, Ebony, who goes by Nikki.
- 12. I was with Angela, Kenya, and Marlo the night before the offenses at the Lone Star Steakhouse. They were at my house in Hawthorne, Nevada. Things seemed to be going well between Marlo and Angela at that time. Marlo said he

wanted to return to Las Vegas to get his old job back because he was unable to find work in Hawthorne.

I was not contacted by Marlo's attorneys for his original trial in 1997, or his resentencing in 2005. Although I was upset with Marlo for pulling Kenya into things, I always wished the best for him. If I had been asked to testify either time, 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 August 28, 2017.

Denise Hall

### EXHIBIT 228

### EXHIBIT 228

#### Declaration of Jordan Savage

- I, Jordan Savage, hereby declare as follows:
- 1. I am an attorney licensed to practice in Nevada since 1994.
- On July 3, 1995, I began working at the newly created Las Vegas office of the
   State Public Defender. I worked at the office until November 1996.
- 3. I have reviewed a September 23, 1996, letter I wrote to Marlo Thomas informing him that I was working on his case along with Peter LaPorta. I do not have any independent memory of the Thomas case other than it was a double homicide at a steakhouse.
- 4. Mr. Thomas was being represented by the Las Vegas office of the State Public Defender during a very tumultuous time, which is best understood in the context of its history.
- Nevada statutes provide that counties whose population is 100,000 or more are responsible for creating a public defender's office. In practice, this applies only to Washoe and Clark Counties. All other counties fall under the State Public Defender. In Nevada, the counties—especially Clark—have much greater financial resources than the State. The Chief State Public Defender at the time, J.J. Jackson, saw an opportunity to expand into Clark County by establishing a satellite office in Las Vegas to handle conflict murder cases from the county public defender's office. The Las Vegas office of the State Public Defender was established on July 1, 1995.

- 6. The office opened with four attorneys: Mike Roth, who was Chief Deputy State Public Defender and head of the office; Peter LaPorta; Nancy Lemcke; and me. Eventually, Richard Palma joined as a fifth lawyer. We had one investigator, Jerry Duke, who was a former police officer. Within a year, Jerry Duke was replaced by Jerry Dyer, a former FBI Agent. Rebecca Clements and Orlando Jefferson were our legal secretaries.
- 7. While Pete and Mike were experienced, Nancy and I were brand new lawyers. Nancy had tried one case in private practice; I had never tried a case before. In order to get experience, Nancy and I took over felony track cases from the Clark County Public Defender's Office, which was located in the same building as our office. We received no formal training from Mike and Pete. We often sought out mentors in the county public defender's office.
- 8. In the sixteen months I was with the office, I never tried a capital case.

  Nancy was assigned to capital cases as second chair. I handled seven trials during my tenure, including two non-capital murders. I tried one of the murder cases completely by myself, with no second chair. Although the outcome in that case was good for the client, it was far from best practices to permit a relatively new lawyer to handle a murder case by himself.
- 9. In August 1996, Steve McGuire replaced J.J. Jackson as Chief Public Defender. I went to work one morning after this change and was called into a meeting with Steve. Steve informed me and the other employees assembled that Pete had been fired. He talked about Pete's bad work and laziness.

Twenty-four hours later, Steve called us into a second meeting in which he apologized for firing Pete and talked about what a good lawyer he was. As I recall, Pete was not just rehired, he was promoted.

- 10. A lot of back-door politics were assumed to be involved in Steve's sudden change of heart. Most people with knowledge of the situation assumed that Pete used his political connections to get rehired so quickly.
- 11. The reasons Steve gave for firing Pete were all valid. Pete had a good sense of humor with juries but that was his only redeeming quality as a lawyer. He wasn't passionate about defense work. It was a nightmare to put someone like that on death penalty cases.
- 12. Pete had quite a reputation in the office and in Nevada generally. He was a character. We had a notice displayed in the office listing Pete's top ten excuses for being late to work or court. They were comical. Pete once said he was going to be late because, "I'm at a funeral and the body hasn't arrived yet."
- 13. It was rumored that Pete had some sort of substance abuse or gambling problem. Pete sometimes borrowed money from me or others. These were substantial amounts, several hundred dollars. Pete always paid the money back a few days later.
- 14. By the time I left in early November 1996, the office was a mess. It was hard for the office to recruit death qualified lawyers because contract work for the

county was much more lucrative. There was speculation that the office would close down so, when I was offered a job in private practice, I took it.

- 15. Eventually, the decision was made to make the office a county office instead of a state office so the pay scale would be the same and hopefully attract better qualified attorneys. This is when the Clark County Special Public Defender's Office was created. If I had known that the office would be taken over by the county, I would have stayed.
- 16. I was not contacted by Mr. Thomas's state post-conviction attorney, Brett Whipple. If Mr. Whipple had asked me, I would have provided him with the information contained in this declaration and testified to such at an evidentiary hearing.

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 August <u>23</u>, 2017.

Jordan Savage

### EXHIBIT 229

### EXHIBIT 229

#### **Declaration of Shirley Beatrice Thomas**

I, Shirley Beatrice Thomas, hereby declare as follows:

- 1. I am Swenty-five Eyears old. I currently reside in Jackson County,
  Missouri. I am the stepmother of Georgia Thomas, Marlo Thomas's mother.
- I met Georgia's father, TJ Thomas, in Tallulah, Louisiana. I married him when
   I was seventeen years old. There is a sixteen year age difference between us.
- 3. We moved to Las Vegas shortly after we married. TJ's children initially remained in Tallulah, but we later went back and got them. His younger children lived with us and the older ones moved into their own housing.
- 4. TJ was an emotional, verbal, and physical abuser. He was very jealous of me. TJ never wanted me to go anywhere with his daughters because he thought they were getting men for me. I couldn't go to the store without TJ accusing me of meeting a man there.
- I never saw TJ physically discipline his children. I believe he may have taken them out into the desert to discipline them. He was always taking them somewhere. I was suspicious about TJ's relationships with his daughters. The older girls acted possessive of their dad and were too close to him. I was concerned that there might be something sexual between TJ and his children but they never said anything to me about it. Some of TJ's older grandchildren were deformed and this also made me think something like that might be happening.

- 6. TJ favored some of the lighter complexion girls and a couple of the boys over the darker complexion children. He took the lighter ones with him more. My younger daughter had a lighter complexion so I was concerned about her. I didn't want my kids around TJ so around 1972, I packed up and moved to Kansas City where I had a sister. I was running away from TJ but he later came and found me. He became possessive and physically abusive again.
- 7. TJ's daughter, Eliza, was sent to live with us in Kansas City. I had a feeling something was going on so I asked Eliza if anything was happening between her and TJ. Eliza told me TJ was patting her and feeling her and had sex with her. Eliza became pregnant but I don't know if it was TJ's child. I took Eliza to get an abortion.
- 8. Things with TJ got worse as he got older. We always argued and he was still jealous and abusive. I made my bed and I lied in it. When TJ died, he was living with me. I had his body shipped back to Las Vegas to be near his twin brother.
- 9. Cassie Ragsdale is the first person from Marlo's defense team to ever contact me. 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 Jackson County, Missouri, on August 2, 2017.

Shirley Thomas
Shirley Beatrice Thomas

### EXHIBIT 230

## EXHIBIT 230

· ( )
17.

# VENDOR CLAIM VOUCHER WITH CLARK COUNTY, NEVADA

		0
Date	6/6/05	- 4

		Vendor No.	409	
Pay to	Daniel J. Albregts, Esq.	Fund	101	
Address	601 S. Tenth Street, Suite 202	Dept./Div.	2313	
	Las Vegas, Nevada 89101	Project No.		
	Court Appointed Attorney	Department	District Court	Dept. XV
Line No.	ITEMS	Expense Class	Amount	Vendor Invoice No.
1	Marlo Thomas	7212		C136862
2	Case No. C136862			
3	Total Fee for Services		4,887.50	
4	(Interim Billing 8/26/04-05/31/05)			
5		VPR#		
6	200.010(0)		9 2005	
7		0121	ODJB	
8	(0-counsel - Duid Strick			
9				
10				
		TOTAL	\$ 4,887.50 V	Jun Ca

claim is now due, owing and unpaid. This certificate need not be signed if a proper invoice is attached.

CLAIMANT

I certify that the foregoing claim is correct and just; that the articles specified have been received by the proper officials of the County, or the services stated have been performed; that they were necessary for and have been or will be applied to county purposes, and that to the best of my knowledge and belief the prices charged are reasonable and just.

By

CHECK NO.

BY

CHECK NO.

RECEIVED

JUN 0.7.2005

District Court Administration

### (SEE INSTRUCTIONS ON REVERSE SIDE) COURT APPOINTED ATTORNEY — VOUCHER

State of Nevada -vs-Marlo Thomas (MUST SHOW PRESENT. AS WELL AS ALL PREVIOUS CASE NUMBERS, ATTORNEYS & FEES ALLOWED) CASE NO. **ATTORNEY FEE ALLOWED** 2. Justice Court **District Court** C136862 Daniel J. Albregts Supreme Court 3. Reason Public Defender disqualified as set forth in record of case: Most Serious Criminal Charge on Information or Indictment N.R.S. 200/010 Murder Attorney's Time & Expenses (ATTORNEY MUST ATTACH ITEMIZED TIME SHEET) 2.80 5. A. Court Time Hours @ \$400 Per Hour ...... \$ 350,00 6. B. Out of Court Time 36.30 V Hours @ \$100 Per Hour .... 7. C. Expenses (MUST Be Itemized)......\$ TOTAL FEES & EXPENSES REQUESTED .......\$4,887.50 \*\*INTERIM BILL\*\* 8. On ☐ Concluded in Justice Court Case was: ☐ Substitution of Attorney (Date) ☐ Stopped Because of Mistrial Concluded in District Court ☐ Heard on Appeal in Supreme Court ☐ Post-Conviction Relief ☐ Appeal Post-Conviction Relief STATEMENT MADE UNDER OATH 9. I hereby represent to this Court, under the pains and penalty of perjury, that all foregoing information is true and correct to the best of my knowledge and belief. I further represent that I have not received, nor do I expect to receive, any compensation or reimbursement from any source, other than those disclosed below, for the defense of this indigent. FEES RECEIVED FROM: Clark County -0--0-State of Nevada -0-Other Approved by Court in which representation 10. Attorney was rendered Date: (Justice of the Peace) Chief Judge or Senior District Court Judge (When Applicable) (Rev. 10/04)

12.

### INSTRUCTIONS FOR COMPLETING COURT APPOINTED ATTORNEY — VOUCHER

This form was designed to conform with NRS 7.115 through 7.165, and both the form and these instructions were approved by the District Court Judges in their meeting held on Tuesday, July 10, 1979.

- 1. Enter here the name of the Defendant,
- 2. Enter here ALL case numbers assigned to this case from Justice Court through the present hearing, the name(s) of any previous attorney(s) and the amount of any fees previously allowed.
- 3. Enter here the reason set forth IN THE RECORD of the case why the Public Defender was disqualified requiring the Court Appointment of an attorney.
- 4. Enter here the NRS citation and name of the most serious criminal charge on the information or indictment and check maximum penalty.
- Enter here, from your attached time sheet, total number of hours ACTUALLY SPENT in court during which this case was BEFORE
  THE COURT.
- 6. Enter here, from your attached time sheet, the total number of hours spent outside of court on this case. (Travel time is NOT allowed, Mileage allowed ONLY outside the Las Vegas Valley).
- 7. Enter here, and attach a proper itemization, those expenses for which you are entitled reimbursement. (If the court authorized the use of investigative services or polygraph services, attach a copy of the Court Order and the bill you received from the appointed investigators. Investigators or polygraph services must submit bill through appointed attorney.)
- 8. Insert the date and check the appropriate box showing the current status of this case. The Statute provides that a claim for fees can only be filed at the conclusion of representation. The final claim MUST be filed within sixty (60) days after representation is completed.
- Complete the certification by inserting the amount of any previously allowed claim or showing source of other compensation received.
- 10. Sign and date.
- 11. Attach to County standard Claim Voucher along with attorney's time sheet, expense itemization and any applicable Court Order(s). (NOTE: Only ORIGINAL claim vouchers and comptroller forms will be accepted. Any xerox copies will be returned to the attorney. These forms can be picked up from the Justice Court Clerk or District Court Administrator).
- 12. Present completed claim to Judge presiding over case for his/her signature; then, if representation is completed in Justice Court, forward to Clerk of Justice Court. If District Court or Supreme Court case, forward to District Court Administrator.
- 13. If the total fee you request, together with the fees allowed previous attorneys, exceeds the amount allowable under Statute, then consult Statute and file Notice of Hearing on a Petition to Allow Excess Fees.
- 14. If Trial Court, after Hearing, allows excess fees, then Chief Judge must sign. Claim should then be delivered to Court Administrator.
- 15. No interim billing will be allowed with the exception of capital murder cases.
- Bill the Henderson and North Las Vegas Justices Courts directly for representation on cases in those jurisdictions including cases bound over to District Court.

	TETOETY COUNTY
	DAC DANIEL LAIRDECTE POO
	DANIEL J. ALBREGTS, ESQ. Nevada Bar No. 004435 DANIEL J. ALBREGTS, LTD. 1015 Ut 2? A 10147  501 S. Tenth Street, Suite 202
	Las Vegas, Nevada 89101
	10 76 PF 117
	CLERK CLERK
	"
8	CLARK COUNTY, NEVADA
9	Case 140. C130862
10	Plaintiff, ) Dept No. XV
11	vs.
12	MARLO THOMAS,
13	Defendant.
14	OPDED APPOINTENANCE CO CONTINUES
15	ORDER APPOINTING CO-COUNSEL NUNC PRO TUNC
16	THIS MATTER having come on before the Court on June 30, 2004, and the Court being
17	fully advised in the premises, it is hereby
18	ORDERED, ADJUDGED AND DECREED that DANIEL J. ALBREGTS, ESQ. shall be
19	appointed as co-counsel to represent defendant MARLO THOMAS through the conclusion of the
20	litigation of THOMAS' criminal charges.
21	DATED this 27 day of May, 2005.
22	
23	SALLY LOEHRER DISTRICT COURT JUDGE
24	Submitted by:
25	ANELY. ALBREGTS, LTD.
26	Victor
27	Daniel J. Albregts, Esq. 601 S. Tenth Street, Suite 202
28	601 S. Tenth Street, Suite 202 Las Vegas, Nevada 89101 Attorney for Defendant  VPR#503039
	10/23/372/2
	, , , , , , , , , , , , , , , , , , , ,

ORDR Daniel J. Albregts, Esq. Nevada Bar No. 004435 601 South Tenth Street, Suite 202 Las Vegas, Nevada 89101 (702) 474-4004 FILED JUN 3 11 29 NH '05 Counsel for Defendant MARLO THOMAS 5 6 DISTRICT COURT 7 **CLARK COUNTY, NEVADA** THE STATE OF NEVADA 8 Case No.: C136862 9 Plaintiff, Dept No.: XV 10 vs. MARLO THOMAS, 11 12 Defendant. 13 14 **EX-PARTE ORDER** 15 16 17 18 19 20 21 22 23 24 25 26 27 28

HAVING REVIEWED the Ex Parte Application For Payment of Fees In Excess of the Amount Authorized by N.R.S. 7.125 and 7.145, and good cause appearing:

IT IS ORDERED that the Ex Parte Application For Payment of Fees in Excess of the Amount Authorized by N.R.S. 7.125 and 7.145 and Request For Interim Payments is hereby granted.

IT IS FURTHER ORDERED that Interim Payments shall be made to Daniel J. Albregts during the time that the present litigation is pending.

IT IS FURTHER ORDERED that an interim payment for attorneys fees of four thousand eight hundred eighty-seven dollars and fifty cents (\$4,887.50) is appropriate and shall be made to Daniel J. Albregts.

DATED this \_\_anl\_ day of June, 2005.

SALLY LOEHRER

SALLY LOEHRER District Court Judge

Submitted By,

1

Paniel J. Albregts, Esq. Nevada Bar Number 004435 601 South Tenth Street, Suite 202

Las Vegas, NV 89101 (702) 474-4004

Counsel for Defendant MARLO THOMAS

28

# Daniel J. Albregts, Ltd. Attorneys At Law 601 South Tenth Street, Suite 202 Las Vegas, NV 89101

Invoice submitted to:

Eighth Judicial District Court Attn: Court Administration 200 South Third Street Las Vegas NV 89155

June 01, 2005

In Reference To:

State of Nevada vs. Marlo Thomas

Case No. C136862

Invoice # 1523

1,723

**Professional Services** 

			_	Hrs/Rate	Amount
	In Court				
1/3/2005	Attend Court - Trial setting and hearing on various issues.			1.00 125.00/hr	125.00
1/12/2005	Attend Court - Trial setting.			1.00 125.00/hr	125.00
5/4/2005	Attend Court - Status Check on trial.			0.80 125.00/hr	100.00
	SUBTOTAL:	[	_	2.80	350.00]
	Out of Court			¥1	
8/26/2004	Telephone conversation with Special Public Defender's Office regarding further discovery.			0.20 125.00/hr	25.00
				2	

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Eighth Judici	al District Court		Page 2
		Hrs/Rate	Amount
11/10/200	4 Begin file review for trial preparation.	2.00 125.00/hr	250.00
11/15/200	4 Continued review of file, including transcripts, discovery, pleadings, correspondence, etc.	2.00 125.00/hr	250.00
11/17/2004	4 Continue review of discovery and case file. Telephone conversation with Scheick regarding case and meeting.	2.40 125.00/hr	300.00
11/18/2004	Begin review of defendant's prison records (approximately 300 pages).	2.00 125.00/hr	250.00
11/19/2004	Begin formulation of theory of defense and ways to keep defendant from being killed by the State.	2.00 125.00/hr	250.00
11/23/2004	Telephone conversation with Scheick regarding case and trial date. Continued review of defendant's prison records.	2.00 125.00/hr	250.00
11/29/2004	Telephone conversation with Scheick regarding case and scheduling. Review defendant's juvenile records, priors, etc.	2.00 125.00/hr	250.00
12/9/2004	Telephone conversation with Scheick regarding scheduling issues, A.G. motion to quash transport order, status of case. Review A.G. motion.	1.00 125.00/hr	125.00
12/13/2004	Review Scheick letter and A.G. Motion for Reconsideratin and Relief.	1.00 125.00/hr	125.00
12/20/2004	Conference with Scheick regarding State's motion regarding transport, hearing on same, motions, and status of defense.	0.40 125.00/hr	50.00
	Telephone conversation with Scheick regarding hearing and meeting with defendant.	0.40 125.00/hr	50.00
12/29/2004	Telephone conversation with Scheick regarding case and visit to High Desert to see defendant.	0.40 125.00/hr	50.00
(	Conference with Scheick regarding new Supreme Court case law regarding death sentences and aggravators. To High Desert Springs for conference with defendant.	4.00 125.00/hr	500.00

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Eighth Judici	al District Court		Page
		Hrs/Rate	Amount
1/5/200	5 Telephone conversation with Scheick regarding trial schedule.	0.30 125.00/hr	37.50
1/19/200	5 Review transcript of hearing resetting trial and dates. Letter to defendant regarding same. Telephone conversation with defendant regarding same.	0.80 125.00/hr	100.00
1/20/2005	Brief courthouse conference with Scheick regarding phone call with defendant and case.	0.30 125.00/hr	37.50
1/26/2005	Telephone conversation with defendant regarding visitation issues.	0.30 125.00/hr	37.50
3/17/2005	Telephone conversation with Kathleen at Special Public Defender's office regarding I file from prison (2x). File review for same.	0.80 125.00/hr	100.00
3/31/2005	Conference in passing in court with Scheick regarding status of and update on case. Review Rosales memorandum regarding interview with defendant.	0.80 125.00/hr	100.00
4/4/2005	Telephone conversation with Schieck regarding meeting with mitigation expert.	0.30 125.00/hr	37.50
4/5/2005	To Schieck's office for meeting with mitigation specialist. Telephone conversation with defendant and Scheick regarding defense strategy.	2.00 125.00/hr	250.00
	Review defendant's prison "i-file" received from Schieck at meeting. Begin research into fetal alcohol syndrome for potential use at sentencing hearing.	2.00 125.00/hr	250.00
	Review treatise regarding fetal alcohol syndrome for information regarding whether we might be able to use it in the penalty phase.	1.50 125.00/hr	187,50
4/14/2005	Telephone conversation with Scheick regarding court dates.	0.30 125.00/hr	37.50

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NA

3

Eighth Judicial District Court		Page
	Hrs/Rate	Amount -
4/20/2005 Review letter from Scheick regarding change in dates. Review letter to Thomas regarding same.	0.40 125.00/hr	50.00
5/11/2005 Telephone conversation with Schieck's office regarding meeting with defendant at HDSP.	0.30 125.00/hr	37.50
5/16/2005 Review Scheick letter regarding meeting. Telephone conversation with Maribel regarding same.	0.40 125.00/hr	50.00
5/23/2005 Travel to High Desert State Prison for conference with defendant (due to staffing problems, waited over an hour for them to get defendant).	4.00 125.00/hr	500.00
SUBTOTAL: [	36.30	4,537.50]
For professional services rendered	39.10	\$4,887.50
Balance due		\$4,887.50

## EXHIBIT 231

### EXHIBIT 231

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### **VENDOR CLAIM VOUCHER** WITH CLARK COUNTY, NEVADA

R # <u>337227</u>	11. 18
AUG 2 6 2004 -	7-8-04
700 T 0 C004 -	

Date 2 6	2006	7.8-01	-
7 2 0	2604		

C	121	IOE	)JI	-
	Ve	ndor	No	

-29	-36	6-	_
-W-124	77		رــــ

Pay to	DAVID M. SCHIECK, ESQ.
Address	302 E. CARSON, STE, 600

Dept./Div.

Fund

LAS VEGAS, NV 89101

Project No. Department

	702-382-1844	Department	[,]	
Line No.	MARLO STEMS BUNGAL	Expense	Amount	Vendor Invoice No.
1	THOMAS (PEN/HRG/CAP) C136862			
2	IN COURT TIME (2 HOURS x \$125)	7212	250.00	
3	OUT OF COURT TIME (17.2 HRS X \$125)		2,150.00	
4	NLS 200.030 (L)			
5	EXPENSES (BACK UP ATTACHED)		152.51	
6	6/5/01 \$ 6,374.00.			
7	4/29/02 \$ 4,66107			
8	11/4/02 8 1,026.43			4112 0 0 000
9 -	4/24/04 \$ 4,131,74			AUG 0 9 200
10)/	Final Bill as Appointed Council	14	9	*Wolf
		TOTAL	2,552.51	
				10

I heroby estily that the above and foregoing claim against Clari	k
County, State of Nevada, is just and massociable, and that said claim	m
is now due, owing and unpaid. This/certificate need not be signed	if
County, State of Nevada, is just and mersonable, and that said clais now due, owing and unpaid. This certificate need not be signed a proper invoice is attached.	

#### CLAIMANT

I certify that the foregoing claim is correct and just; that the articles specified have been received by the proper officials of the County, or the services stated have been performed, that the other necessary for and have been or will be suplied to county purposes, and that to the best of my knowledge and belief the process charged are reasonable and just

Official

DISTRICT COURT JUDGE

ALLOWED BY COMPTROLLER		
FINANCE		
BUDGET		
AUDITING		
PAID BY CHECK NO.		
evide@51AE	0	
JUL 0 8-20	04	
		1200

District Court Administration

### (SEE INSTRUCTIONS ON REVERSE SIDE)

COURT APROVATED ATTORNEY -State of Nevada 2001 AUG 26 P 12: 55 (MUST SHOW PRESENT, AS WELL AS ALL PREVIOUS CASE NUMBERS, ATTORNEYS & FEES ALLOWED) CASE NO. ATTORNEY . **FEE ALLOWED** 2. Justice Court District Court David Schier Supreme Court 3. Reason Public Defender disqualified as set forth in record of case: Conflict Most Serious Criminal Charge on Information or Indictment N.R.S. Murden 4. 200 010 Attorney's Time & Expenses (ATTORNEY MUST ATTACH ITEMIZED TIME SHEET) 5. A. Court Time Hours @ \$75 Per Hour Hours @ \$125 per per hour..... 6. B. Out of Court Time 7. C. Expenses (MUST Be Itemized) TOTAL FEES & EXPENSES REQUESTED..... ☐ Concluded in Justice Court ☐ Bound Over to District Court ☐ Stopped Because of Mistrial ☐ Concluded in District Court Heard on Appeal in Supreme Court ☐ Post-Conviction Relief ☐ Appeal Post-Conviction Relief STATEMENT MADE UNDER OATH 9. I hereby represent to this Court, under the pains and penalty of perjury, that all foregoing information is true and correct to the best of my knowledge and belief. I further represent that I have not received, nor do I expect to receive, any compensation or reimbursement from any source, other than those disclosed below, for the defense of this indigent. FEES RECEIVED FROM: Clark County State of Nevada Other Approved by Court in which representation Attorney: was rendered Date: (Justice of the Peace) (Rev. 03/99)

### IN THE SUPREME COURT OF THE STATE OF NEVADA

MARLO THOMAS, Appellant, VS. THE STATE OF NEVADA, Respondent.

Supreme Court No. 40248

District Court Case No. C136862

#### REMITTITUR

TO: Shirley Parraguirre, Clark County Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order. Receipt for Remittitur.

DATE: Merch 9, 2004

Janette M. Bloom, Clerk of Court

cc: Hon. Sally L. Loehrer, District Judge Attorney General Brian Sandoval/Carson City Clark County District Attorney David J. Roger David M. Schieck

#### RECEIPT FOR REMITTITUR

Received of Janette M. Bloom, Clerk of the Supreme Court of the State of Nevada, the

DEPUTY County Clerk

04-02622

### 120 Nev., Advance Opinion 7

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARLO THOMAS, Appellant, vs. THE STATE OF NEVADA, Respondent.

No. 40248

FEB 1.0 2004

CLERK GE SUNREME COURT

BY CLERK GE SUNREME COURT

Appeal from a district court order denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

Affirmed in part, reversed in part, and remanded.

David M. Schieck, Las Vegas, for Appellant.

Brian Sandoval, Attorney General, Carson City; David J. Roger, District Attorney, and Clark A. Peterson, Chief Deputy District Attorney, Clark County, for Respondent.

BEFORE THE COURT EN BANC.

#### OPINION

#### PER CURIAM:

In April 1996, appellant Marlo Thomas robbed a manager and killed two employees at a restaurant where he formerly worked. He was convicted of two counts of first-degree murder and four other felonies and received two sentences of death. Thomas appealed, and this court

SUPPLEME COURT OF NEVADA

04-02536

OAC DAVID M. SCHIECK, ESQ. NEVADA BAR NO. 0824 302 E. CARSON, STE. 600 LAS VEGAS, NV 89101 702-382-1844	Schilley 18 Panayena. MAR 31 2 24 PH 'Och
	DISTRICT COURT
CL	ARK COUNTY, NEVADA
	* * *
THE STATE OF NEVADA,	) CASE NO. C 136862 ) DEPT. NO. XV
Plaintiff,	)
vs.	ORDER APPOINTING COUNSEL
MARLO THOMAS,	)
Defendant.	) DATE: 9-22-03 _) TIME: 9:00 A.M.

This matter having come on for hearing on the 29th day of March, 2004, DAVID M. SCHIECK, ESQ. appearing, CHIEF DEPUTY DAVE SCHWARTZ appearing on behalf of the State of Nevada, the Court being fully advised in the premises, and good cause appearing

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that DAVID M. SCHIECK, ESQ. is appointed as counsel to represent MARLO THOMAS for his penalty hearing on remand from the Nevada Supreme Court.

DATED AND DONE: March 29,2009

SALLY LOEHRER

DISTRICT COURT JUDGE

DAVID M. SCHIECK, ESQ.

SUBMITHED BY:

### **District Case Inquiry - Minutes**

Home Summary	Case 96-C-13686	2-C Just Ct. 9 Case#	6-F -07190	Status INACTIVE
Case Activity Calendar Continuance Minutes Parties	Plaintiff State of Nev Defendant Thomas, Ma Judge Loehrer, Sa	olıs		ey Roger, David J. ey Schieck, David M. pt. 15
Def. Detail Next Co-Def. Charges Sentending Ball Bond	Event 06/30/2004 Heard By Loehrer, Sa Officers Theresa Lee Angela Lee,	lly	STATUS CHEC	K /SET PENALTY HEARING
udgments District Case	Parties 0000 - S1	State of Nevada		Yes
arty Search	001190	Owens, Christophe	r J.	Yes
orp. Search	0001 - D1	Thomas, Mario		No
lar# Search	000824	Schieck, David M.		Yes
D Search	004435	Albregts, Daniel J.		Yes
Calendar Day	0002 - D	Hall, Kenya K		No

Help Comments & Feedback Legal Notice Court stated this case has been from the Supreme Court for a Penalty Hearing. Deft received two death sentences first time around due to an erroneous jury Instruction re what a life without sentence means. There is a possibility the jury erred on the side of finality. The Court needs to know if Mr. Schleck is going to stay on the case. Mr. Schleck stated when he appeared previously on this case, it was before he was appointed Special Public Defender. He was appointed because the deft had a problem with the Special Public Defender. The Court appointed Dan Albregts to work with him on the case. Deft was advised of this, and the fact Mr. Schleck was appointed as the Special Public Defender, Deft did not know what to think. He has not heard from the deft in a couple of weeks. CONFERENCE AT THE BENCH. Court further stated, Mr. Schleck was able to get the case reversed on deft's behalf. Deft should be pleased Mr. Schleck is staying on the case. COURT ORDERED, PENALTY HEARING DATE SET.

12/29/04 8:30 A.M. CALENDAR CALL

1/3/05 1:30 P.M. PENALTY HEARING

Due to time restraints and individual case loads, the above case record may not reflect all information to date.

Top Of Page

Generated on 7/7/2004 at 4:57:46 PM

http://courtgate.coca.co.clark.nv.us:8490/DistrictCourt/Asp/Minutes.asp?ItemNo=0055&S... 07/07/2004

Date -7/2/04 Time 9:51 am

#### **DAVID M. SCHIECK** Client Billing Worksheet

Page 1

-Selection Criteria-

Date range :Earliest through 6/30/04

Slip numbers :All Timekeeper :All

Client :THOMAS.PENHRG

Activity :A11 Custom Fields :All Reference :All

Slip status :Billed slips and transactions excluded :

Print Bills that are "paid in full" Include transactions outside date range :Yes Print Bills with no activity

: THOMAS.PENHRG Nickname 2: 94 Nickname 1

Address : MARLO THOMAS In reference to: THOMAS ADV. STATE

SECOND PENALTY HEARING

COURT APPOINTED

Rounding : None Full Precision: No

Last bill

Last charge : 6/30/04

Last payment : Amount : \$0.00

Arrangement : Time Charges: From slips.

Expenses: From slips.

Date/Slip#	Description	HOURS/RATE	AMOUNT	TOTAL
3/16/04 #8133	DMS / LC LETTER TO CLIENT	0.20 125.00	25.00	
3/16/04 #8134	DMS / C CONFERENCE WITH SPEC PUBL DEF RE: REPRESENTATION	0.20 125.00	25.00	
	DMS / CA COURT=APPEARANGE=- PENALTY HEARING SETTING	1.00	125.00	
3/29/04 #8269	DMS / P PREPARE ORDER OF APPOINTMENT	4 125.00	25.00	J' 1, , ,
3/29/04 #8270	DMS / LC LETTER TO CLIENT	0.20	25.00	
3/29/04 #8271	DMS / TCT TELEPHONE CALL TO JACKSON	0.20 125.00	25.00	
		111	mle	

Date 7/2/04 Time 9:51 am

#### DAVID M. SCHIECK Client Billing Worksheet

Page 2

THOMAS.PENHRG : MARLO THOMAS (continued)

Date/Slip#	Description	HOURS/RATE	AMOUNT	TOTAL
	DMS / RVW REVIEW PREVIOUS TRIAL TESTIMONY	2.00 125.00	250.00	
	DMS / RVW REVIEW PSYCH TESTIMONY	1.50 125.00	187.50	
	DMS / P PREPARE (ORGANIZE AND SUMMARIZE PRELIM HRG FILES)	2.00 125.00	250.00	
	DMS / RVW REVIEW KINSORA'S TESTIMONY	1.00 125.00	125.00	
	DMS / TCT TELEPHONE CALL TO JACKSON	0.20 125.00	25.00	
	DMS / RVW KINSORA TESTIMONY	0.50 125.00	62.50	
4/6/04 #8496	DMS / TCF TELEPHONE CALL FROM JACKSON	0.20 125.00	25.00	
4/6/04 #8497	DMS / TCT TELEPHONE CALL TO JACKSON	0.20 125.00 0.20 0.20 1.50	25.00	
	DMS / TCT TELEPHONE CALL TO JACISON /%	0.20 125.00	25.00	
	DMS / R RESEARCH FETAL ALCOHOL SYNDROME	1.50 125.00	187.50	
	DMS / P PREPARE KINSORA SUMMARY AND REPORTS	1.50 125.00	187.50	
	DMS / LC LETTER TO CLIENT	0.20 125.00	25.00	
4/17/04 #8637	DMS / R RESEARCH NV CASES RE: FAS	1.00 125.00	125.00	
	DMS / TC TELEPHONE CONFERENCE TO JACKSON	0.20 125.00	25.00	
	DMS / TCF TELEPHONE CALL FROM KINSORA	0.20 125.00	25.00	
	-	0/12.4	- pul	

Date · 7/2/04 Time 9:51-am

### DAVID M. SCHIECK Client Billing Worksheet

Page 3

THOMAS.PENHRG :MARLO THOMAS (continued)

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Date/Slip#	Description	HOURS/RATE	AMOUNT	TOTAL
4/19/04 #8656	DMS / TCF TELEPHONE CALL FROM JACKSON	0.20 125.00	25.00	
4/19/04 #8657	DMS / TCT TELEPHONE CALL TO DEPT. 15	0.20 125.00	25.00	
4/20/04 #8667	DMS / TCT TELEPHONE CALL TO JACKSON	0.20 125.00	25.00	
4/27/04 #8729	DMS / TCF TELEPHONE CALL FROM DEPT. 15	0.20 125.00	25.00	
4/27/04 #8730	DMS / TCT TELEPHONE CALL TO JACKSON	0.20 125.00	25.00	
4/27/04 #8731	DMS / TCT TELEPHONE CALL TO ALBREGHTS	0.20	25.00	
4/27/04 #8747	DMS / TCF TELEPHONE CALL FROM ALBREGTS	0.20	25.00	
4/28/04 #8756	DMS / TCT TELEPHONE CALL TO JACKSON	0.20 125.00	25.00	
6/30/04 #9719	DMS / CA GOURT=APPEARANGE==_STATUS HEARING	1.00 125.00	125.00	
6/30/04 #9720	DMS / LC LETTER TO CLIENT	0.20 125.00	25.00	
6/30/04 #9721	DMS / RVW REVIEW FILE RE: ALBREGTS DOCUMENTS	2.00 125.00 3.8	250.00 NW	
TOTAL BILL	ABLE TIME CHARGES	19.20		400.00
Date/Slip#	Description	QTY/PRICE		
3/31/04 #8359	DMS / \$X PHOTOCOPIES	54 0.10	5.40	
4/7/04 #8811	DMS / \$X PHOTOCOPIES  THOTOCOPIES	22 0.10	2.20	
		7.6	J	

Date 7/2/04 Time 9:51 am

#### DAVID M. SCHIECK Client Billing Worksheet

Page 4

THOMAS.PENHRG :

:MARLO THOMAS (continued)

Date/Slip#	Description	QTY/PRIC	<u>E</u>
4/9/04 #8428	DMS / \$TT TRAVEL EXPENSES	77.8	77.81
4/19/04 #8824	DMS / \$X PHOTOCOPIES	FJ 10 24 0.1	2.40
5/5/04 #8800	DME KSC QST TO ESP FOR I-FILE	1 64.7	o baid or
5/5/04 #9187	DMS / \$C COST TO ELY FOR I-FILE	1 64.7	64.70 - 00 100
TOTAL BILL	ABLE COSTS		\$217.21
TOTAL NEW C	CHARGES		\$2,617.21
NEW BALANCE	<u> </u>		

New Current period

2,617.21

TOTAL NEW BALANCE

\$2,617.21

2552.5]

2 HRS IN CT X \$125=\$250- 96. 17.2 hrs out at X \$125=\$2,150-19.2 hrs. Total \$2,400-

exp

01

#### \* Holiday Dnn:

1501 E. AULTMAN STREET ELY, NV 89301 PHONE: 775/289-8900 FAX: 775/289-4607

#### And Address

DAVID SCHIECY LAN OFFICE OF DAVID SCHIE 302 CARSON AVE

VE NV 89101-

Room	219-11
Attive Date	04/08/04
Dept. Date	04/09/04
Fallo #	95715
Room Rate	63,75
Account	2-CRANK
MkVSeg	4-68T

Independently owned by High Country Development and operated by Prospector Enterplises Rapid Check-Outsm SIGNATURE

The management is not responsible for any valuables not secured in sejary deposit boses provided at the front effice, I egise that my label ty for the charges is not waived and agree to be held personally bable in the weart that the indicated person, company or essociation rats to pay for any part or the full amount of such charges.

THE STATE OF	1000	New States of Table	155375	TO CHARLES THE COUNTY	ONE		
	CODE	REFERENCE	ţip:	DESCRIPTION	CHARGE?	PAYMENTA	T BALANCE
. 0406 9408 . 0406	114 812 914	0408000 0408001 0409000	PKH PHK AKF	DISCOUNT ROOM OCCUPANCY TAX VISA/MASTERCARD	63.75# 7.01# .00\$	.009 .009 -70.785	
		]		*** TOTAL ***			.003

LAS VEGAS A/P

"ENTAL RECORD;
UAVID SCHIECK
COMPLETED BY;
RENTED: LAS VEGAS A/P
RENTAL: 04/07/04 22;
RETURN: 04/09/04 22; 187391713 5042 RETURN: 04/09/04 20:54 MILES IN: 13457 OUT: 12869 MILES DRIVEN: 588 CLAN IN/OUT: 0506A /0506A CLS: C 2 DAYS DISCOUNT 20% 61.50 123.00 24.60 SUBTOTAL TX 17.500% ON 98.40 17.22 98.40 NET DUE PAID BY: HC 115.62 Thank you for renting from Hertz

Chevron Arby's 1693 Great Basin Ely, Nv STN 00209439

Total D

Septem 1

04/08/04 14:55:44

xxxxxxxx79282001 Invoice# 3915829 Auth# 002047

Pump#: 2 12.934 G @ \$ 2.213 Un1P/Self \$ 23.70 \$ 23.70

Total

THANK YOU FOR CHOCSING CHEUROY FAST EDDIE'S 7288 LAS VEGAS BLV LAS VEGAS NV 89119

DLRH 7789225 FAST EDDIES 4 LAS VEGA 84/09/04

XXXXXXXXXXXXX6727 672 INV# JK19416 AUTH# 809811 PUMP# 5 UNLEAD=

UNLEADED SELF PRICE/GAL FUEL TOTAL 10.923G \$2.139 \$23.36

TOTAL \$23.36 JOIN OUR VIP CLUB & GET SPECIAL DISCOUNTS

-THANK YOU-

#### David M. Schieck

Attorney At Law 302 E. Carson Ave., Ste. 600 Las Végas, NV 89101 Fax (702) 386-2687 (702) 382-1844

May 5, 2004

Adam Endel Associate Warden of Programs Ely State Prison P.O. Box 1989 Ely NV 89301

Re:

James Chappell, No. 52338

Marlo Thomas, No: 50682

Dear Mr. Endel:

Pursuant to your letters dated April 29, 2004, please find enclosed a check in the amount of \$113.20 as and for copying charges and postage for the Institutional Files of Mr. Thomas and Mr. Chappell.

Thank you for your courtesy and cooperation in this matter.

Very ruly yours,

DAVID M. SCHIECK, ESQ.

-	DAVID M. SCHIECK	5045
	A PROFESSIONAL CORPORATION 302 E. CARSON, 8TE. 600 LAS VEGAS, NV 89101 702-362-1844 DATE  DATE	94-72-1224 —
	PAY TO THE OF Ely State from STATE PRISON	3.20
- DEVAPOR	Bankof America.	ARS 1 ESTA
	50 18 AS AGIL NOT 122400724 (54.70 ) (Thomas (506.82) Kuth Jan	. AP
	1005045 11: 12 2400 2541: 0000 14383046 11	

## EXHIBIT 232

# EXHIBIT 232

ITEMIZED STATEMENT OF EARNINGS

SOCIAL SECURITY ADMINISTRATION OFFICE OF CENTRAL OPERATIONS 6100 WABASH AVENUE BALTIMORE MARYLAND 21215

Date: 09/08/2017

\*0301S2VJG000090\*NOTAFP.X1.EM11828.AFP.R170907.PAM

000000000

0026010635608918073189101663250

Inherentification of RECORD ATTORNEY OF RECORD 411 E BONNEVILLE AVE SUITE 250 LAS VEGAS NV 89101-6632

We are sending the statement of earnings requested for:

Number Holder's Name: GEORGIA A THOMAS Social Security Number: XXX-XX-9468

Years Requested: 1966 THRU 2016

Control Number: 17231102932 SERS Order Number: 00000211849

Enclosure(s):

Earnings Statement

#### SSA-1826

#### SOCIAL SECURITY ADMINISTRATION EARNINGS RECORD INFORMATION

Date: 09/08/2017

Our records show the amount of earnings reported, not the amount of Social Security taxes that were paid.

Wages were first covered under Social Security in 1937. Therefore, 1937 is the first year for which earnings may be shown on our records. Employers were required to report earnings semi-annually in 1937, and on a quarterly basis for the years from 1938 through 1977. Beginning with 1978, employers are required to report earnings annually.

Our records do not show the exact date of employment (month and day) because we do not need this information to figure Social Security benefits. Employers do not give us this information.

Each year, there is a maximum amount of earnings that is subject to Social Security taxes and is used to compute benefits. If a person earns more than this maximum amount, the earnings statement will usually show the maximum rather than the total earnings. Maximum benefits can be found on the SSA website. http://www.ssa.gov/OACT/COLA/cbb.html

Beginning in 1951, self-employed persons could also receive Social Security credit for their work. The maximum amounts of self-employment earnings that are subject to Social Security taxes and are used to compute benefits can also be found on the SSA website. http://www.ssa.gov/OACT/COLA/cbb.html

If you have any questions, you should call, write, or visit any Social Security office. If you visit or call, please bring this letter. It will help us answer questions. The toll free number to call is 1-800-772-1213 (for the deaf or hard of hearing, call our TTY number, 1-800-325-0778).

SSA-1826 ITEMIZED STATEMENT OF EARNINGS

\* \* \* FOR SSN XXX-XX-9468 \* \* \*

FROM: SOCIAL SECURITY ADMINISTRATION

OFFICE OF CENTRAL OPERATIONS

6100 WABASH AVENUE

BALTIMORE MARYLAND 21215

NUMBER HOLDER NAME: GEORGIA A THOMAS YEARS REQUESTED: 1966 THRU 2016

JOANNE DIAMOND
PRESUMPTIVE ATTORNEY OF RECORD
411 E BONNEVILLE AVE SUITE 250
LAS VEGAS NV 89101

EMPLOYER NUMBER: 88-0085568

DELMOR CORP & MA HAZEN

WESTERN LAUNDRY & LINEN RENTAL CO

1205 WESTERN AVE

LAS VEGAS NV 89102-2508

YEAR	1ST QTR	2ND QTR	3RD QTR	4TH QTR	TOTAL
1968	107.89	561.90			\$669.79
1969	390.22	779.30	1002.49	408.08	\$2,580.09

EMPLOYER NUMBER: 88-0067851

HOTEL CONQUISTADOR INC

TROPICANA HOTEL

3801 LAS VEGAS BLVD S LAS VEGAS NV 89109-4325

YEAR	1ST QTR	2ND QTR	3RD QTR	4TH QTR	TOTAL
1968		113.75	210.95		\$324.70
1973			100.87	1367.41	\$1,468.28
1974	1186.86	1348.35	1807.85	1592.72	\$5,935.78
1975	1488.60	1633.14	1466.22	1792.11	\$6,380.07
1976	1216.75	1589.89	1528.52	455.58	\$4,790.74

#### ITEMIZED STATEMENT OF EARNINGS SSA-1826 FOR SSN XXX-XX-9468 \* \* \* \*

EMPLOYER NUMBER: 88-0088880 ROUND UP REAL ESTATE INC 601 E CHARLESTON BLVD LAS VEGAS NV 89104-1508

YEAR	1ST QTR	2ND QTR	3RD QTR	4TH QTR	TOTAL
1968			10.50		\$10.50

EMPLOYER NUMBER: 88-0088689 NAVAJO NATIONAL INC

6237 BURGUNDY WAY

LAS VEGAS NV 89107-3478

YEAR	1ST QTR	2ND QTR	3RD QTR	4TH QTR	TOTAL
1968	~			22.12	\$22.12
1969				259.98	\$259.98

EMPLOYER NUMBER: 88-0092637 ARROWHEAD LINEN SERVICE OF NEVADA 2300 N COMMERCE ST NORTH LAS VEGAS NV 89030-4124

YEAR	1ST QTR	2ND QTR	3RD QTR	4TH QTR	TOTAL
1970	~	194.81	741.96	761.71	\$1,698.48
1971	760.07	846.41	793.69	639.98	\$3,040.15
1972	872.87	829.36	777.58	23.40	\$2,503.21
1973		620.65			\$620.65

EMPLOYER NUMBER: 22-1801857 IMPERIAL 400 NATIONAL INC VAGABOND INNS 5933 W CENTURY BLVD STE 200 LOS ANGELES CA 90045-5471

YEAR	1ST QTR	2ND QTR	3RD QTR	4TH QTR	TOTAL
1973	~	~	139.58		\$139.58

EMPLOYER NUMBER: 88-0097966

DESERT PALACE INC CAESARS PALACE 1 CAESARS PALACE DR

1973

LAS VEGAS NV 89109-8969

TOTAL 3RD QTR 4TH QTR YEAR 1ST QTR 2ND QTR 388.70 \$388.70

EMPLOYER NUMBER: 88-0100900 MOTEL DEVELOPMENT INC 4310 PARADISE RD LAS VEGAS NV 89169-0000

YEAR 1ST QTR 2ND QTR 3RD QTR 4TH QTR TOTAL 1978 \$13.25

EMPLOYER NUMBER: 95-3308336 LAS VEGAS INVESTORS LTD KING 8 TRUCK PLAZA INC % JEAN ADAMS GEN PTR 21031 VENTURA BLVD STE 506 WOODLAND HLS CA 91364-2234

YEAR 1ST QTR 2ND QTR 3RD QTR 4TH QTR TOTAL \$89.00

EMPLOYER NUMBER: 74-1724417 LA QUINTA INNS INC 909 HIDDEN RDG STE 600 IRVING TX 75038-3822

YEAR 1ST QTR 2ND QTR 3RD QTR 4TH QTR TOTAL 1980 \$516.76

EMPLOYER NUMBER: 88-0120900
TOWNE REALTY INC PHYLCON INC &
GARVEY TRUST ET AL PTR
MINI PRICE MOTOR INN JOINT VENTURE
710 N PLANKINTON AVE
MILWAUKEE WI 53203-2417

YEAR 1ST QTR 2ND QTR 3RD QTR 4TH QTR TOTAL 1980 \$217.00

EMPLOYER NUMBER: 95-2686406 GREAT WESTERN HOTELS CORP PO BOX 2127 LA HABRA CA 90632-2127

YEAR 1ST QTR 2ND QTR 3RD QTR 4TH QTR TOTAL 1980 \$22.05 \$84.30

SSA-1826 *		STATEMENT OF SSN XXX-XX-94		
EMPLOYER NUMBER: CLARK COUNTY SCHOOL DIRECTOR OF ACCOUNTY	OL DISTRICT			
LAS VEGAS NV 891	21-5295			
YEAR 1ST QTR 1980 1981	2ND QTR	3RD QTR	4TH QTR 201.40	TOTAL \$201.40 \$32.88
EMPLOYER NUMBER: MOTEL 6 G P INC 14651 DALLAS PKWY DALLAS TX 75254-8	STE 500			
YEAR 1ST QTR 1981	2ND QTR	3RD QTR	4TH QTR	TOTAL \$112.22
EMPLOYER NUMBER: KMART CORPORATION % ATTN WAGE ATTACK 3333 BEVERLY RD HOFFMAN EST IL 60	MENTS DEPT 22	294		
YEAR 1ST QTR 1993	2ND QTR	3RD QTR	4TH QTR	TOTAL \$61.88
******	******	*****	*****	*****
****** SOCIAL	SECURITY NUME	BER FOR YEAR(	RDED UNDER THIS	******
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# EXHIBIT 233

## EXHIBIT 233

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Signature of Enumerator M. C. Stone

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## EXHIBIT 234

### EXHIBIT 234

Parish of MADISON	District Court
W. B. RAGLAND, JR., ASST of District Attorney of the Sixt	
ouisiana, who prosecutes in this behalf in the name and by the authority of th	•
on into the Sixth Judicial District Court, in and for the Parish of MADISON	
with leave of the court first had and obtained on the $\stackrel{22nd}{\dots}$ day of the mo	
Anno Domini, nineteen hundred and SIXTY-SIX giv	ves the Court herein to understand
and be informed:	
THATBobby Lewis	
ate of the Parish aforesaid, in the Sixth Judicial District of the State of Louis	
the month of August in the year of our	
and SIXTY-SIX in the Parish, District and State afore	
crime of criminal mischief in that he did in	
empty drink bottles from the sidewalk into W striking an automobile driven by Moses D. Ha	. Green Street, thereby
	***************************************
contrary to the form of the Statute of the State of Louisiana in such case m	nade and provided, in contempt of
the authority of the State of Louisiana, and against the peace and dignity of	· ·
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W. B. RAGLAND, JR., ASST. District Attorney	
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contrary to the form of the Statute of the State of Louisiana in such case made and provided, in contempt of

INFORMATION THE STATE VS. BOBBY LEWIS #2390 CHARGE: Criminal Mischief FILED September 22, 1966 STATE'S WITNESSES Oscar Anglin, Alphretta, Ga. Moses-Hamrick, Duluth, Ba. J. H. Cook, Duluth, Ga. Clifton E. Pitman, Duluth, Ga. Lettie B. Childs, Talluah, La. Uyllis Robinson, Tallulah, La. Freddie Lee Albert, Tallulah Bobby Lewis, Tallulah, La. William, La

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STATE OF LOU	JISIANA (	State	Vs. <u>11969</u>
SIXTH JUDICIAL DISTR			Bobby Lewis
To: Wilbert	3	•	
YOU ARE H	EREBY COMMANDED to	appear before	the Sixth Judicial District
Court for the Parish	of Madison at the Court	House, in the \	'illage of Tallulah, on the
20th day of	October	, ir	the year <b>1966</b> ,
ato	'clock A_M., and there t	o attend until di	scharged, to testify to the
truth, according to yo	our knowledge, in a controv	versy pending h	erein between the parties
above named; and, he	erein you are not to fail und	der penalty of lav	v.
	Ву	order of District	Court:
		Jem	of Wellhite
		Љу. (	Clerk of District Court.

Issued this 18th; day of October

\_\_\_\_\_A. D., 19<u>\_\_66</u> .

#### Madison Parish Sheriff's Department

2

REPORT OF ARREST

August	14,	1966	
	Date		

Last Nam	•	First No	ime	Initial	Alias				Ident. No.
LEWIS		Bobb	7						
Residence				1	Emplo	Àet	-		2390
		., Tell	ulah, La.		C	oca Cela	Bottling Co.		
Sex	Color	Age	Height	Weight	Hair	Eyes	Complexion		ccupation
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FACTS OF ARREST

On the night of August 14, 1966, at approximately 10:00 P.M., a group of negroes caused a distrubance on West Green Street, near the Flamingo Club, which resulted in bottle throwing at passing automobiles driven by whites. A car owned and driven by Moses D. Hamrick, Duluth, Ga., which stopped at the traffic light on West Green, was struck by three bottles, one of which hit near the right window where Mr. Oscar Anglin, Alphretts, Ga., was riding with his arm out of the window. This bottle breke when it struck the car and Mr. Anglin received cuts on the right forearm and face from flying glass. The other two bettles struck the car on the

right side and bumper. demaging same.

Victim received treatment from Dr. Geo. M. Webb for a 3 inch laceration on the right ferearm and a 14 inch laceration on face under right eye.

Investigation of the incident reveals that a number of negro males were in the group. Witnesses state that the above named subject was one of those actually threwing bottles.

Thomas N. Smith & Jone R. Rogan
Arresting Officer

Witnesses

Oscar Anglin, Alphretta, Ga. Mosco Hamrick, Duluth, Ga.

J. H. Cook, Duluth, Ga. Clifton R. Pitman, Duluth, Ga. Lettie B. Childs, Rt. 1, Box 38, City

Byllie Robinson, 311 011 Mill Quarters, City

Fraddie Lee Albert, 300 Blk. West Green, City Bobby Lewis, West Darrow St., City Wilbert Ross, West Green St., City Wilson

AA7120

STA LQUISIANA.

PARISH OF MADISON

FOURTH JUSTICE COURT.

#### STATE OF LOUISIANA

FOURTH JUSTICE COURT.	Vs. NO
	BOBBY LEWIS #
Before me appeared James E. Roge	an .
Who, on oath, declared that Bobby Lewis	
on the 14th day of August 19 66	, did, in the Parish of Madison, Louisiana, violate
the laws of Louisiana by 1: Disturbing the po	eace
2: Aggravated Batter	ry on Oscar Anglin, Alphretta, Ga., by hitting
him with a bottle	
3: Criminal Damage	owned by Moses D. Hamrick to property (automobile drivenxbyx8sssxxxxxxxx)
Wherefore affiant prays that said Bobby	y Lemis
be arrested and dealt with according to law.	James & Rogan
Sworn to and given under my hand this, the	day ofAugust, 19 66
State Witnesses:	- color 2) rice because
Oscar Anglin, Alphretta, Ga. Moses Hamrick, Duluth, Ga.	Justice of the Peace, Fourth Ward, Madison Parish, La.
J. H. Cook, Duluth, Ga.	•
Clifton E. Pitman, Duluth, Ga.	-
Lettie B. Childs, Rt. 1, Box 38, City	
Braddie Los Albert 200 Pile Heat All Co	
Freddie Lee Albert 300 Blk. West Askew St	•
Bobby Lewis, West Darrow St. Wilbert Ross, West Green St.	
WIIDELL MOSS, West Offer St.	-

# STATE OF LOUISIANA, PARISH OF MADISON, SIXTH JUDICIAL DISTRICT COURT

#### KNOW ALL MEN BY THESE PRESENTS:

That we,	Bobby Lewis ,Gen.Del. Tallulah,La. West Darrow St.
as principal, and	Leverne Jones, 1009 N. Madison St. Tallulah, La.
security, all of the l	Parish of Madison, State aforesaid, are held and firmly bound to and unto the Governor
of the State of Louis	iana and his successors in office in the full sum of
	Two Hundred and no/100propertyDOLLARS,
lawful money of the	United States of America, for the payment of which sum we firmly bind ourselves, our
heirs and legal rep	resentatives.
Dated and signed a	Tallulah, Parish of Madison, thisday ofA. D., 19
The conditions of th	e foregoing Bond are such that, whereas, the above bounden  Bobby Lewis  has been arrested, charged with committing
	Crminal Mischief
this Bond to be null Witness;	ear before this Honorable Sixth Judicial Court on the
his Jahra y 1 y	, surety, sworn, says that over and above all
	exemptions, he is worth in property liable to execution the full amount of said bond.
Sworn to and subscr	bed before me
thisday of_	, 19

VOLUNTARY STATEMENT (Under Arrest)  A S ( 1) A 1) ( 1)
DATE SO CONTINE 3:23 FM PLACE (ILI) Hall to live Ja  1, Stille Childs years of age
and my address is 17 1 Bay 38 tallufal fa
I have been advised and duly warned by the TN. But the Chiefkagen
who has identified himself as the later of my right to the advice of counsel before making any statement and that I do not have to make any statement at all, nor incriminate myself in any manner.  I hereby expressly waive my right to the advice of counsel, and voluntarily make the following statement to the aforesaid person, knowing that any statement I make may be used against me on the trial or trials for the offense or offenses concerning which the following statement is herein made.
I declare that the following statement is made of my own free will without promise of hope or reward, without fear or threat of physical harm, without coercion, favor or offer of favor, without leniency or offer of leniency, by any person or persons whomsdever.
To Where were you Surday night 8/1/66
A. at the Hemingo Chit.
Q. Who was you with?
A. Ruthie Freeman Martha Wiley, David
O. Hid you go outside the Club and what
A. Wil saw Palice and late of Bays Sandin
a Clound
O. Hid you know what was gaing on an
A. I ask some one in the Sampe and
they said late of horn were thowing
I have read this statement consisting ofpage(s), and I affirm to the truth and accuracy of the facts contained therein.
This statement day completed at 3140 PM, on the 18 day of Child
WITNESS: XIImes & Logar Signature of person giving voluntary statement

(Under Agrest)
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years of age
and my address & 3 /1 Off mile Africagles
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who has identified himself as
of my right to the advice of counsel before making any statement, and that I do not have to make any statement at all, nor incriminate myself in any manner.
I hereby expressly waive my right to the advice of counsel, and voluntarily make the following statement to the aforesaid person, knowing that any statement I make may be used against me on the trial or trials for the offense or offenses concerning which the following statement is herein made.
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I declare that the following statement is made of my own free will without promise of hope or reward, without fear or
threat of physical harm, without coercion, favor or offer of favor, without leniency or offer of leniency, by any person or persons who has oever.
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1 about 10:00 flm ?
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the state of the s
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- any ofe will you land same Them
A Marth III's OI Att. of A
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the side (walk but side /P
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The service of the selection all with
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- The golfer flows (Many Their
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therein.
This statement from completed of 3. POPM, on the 18 day of Chin
WITNESS: May Magnitty of the 1900
WITNESS: Robert Rigers - Mills / Killshapp
Signature of person giving voluntary statement

VOLUNTARY STATEMENT (Under Arrest)
DATE S/ 10 SIME 3.10 FM. PLACE City Hall fallulate 34
- freddise see see see see see see see see see
and my address is 300 felle fill flaffler, fallerate to
who has identified himself as
of my right to the advice of counsel before making any statement, and that I do not have to make any statement at all, nor incriminate myself in any manner.
I hereby expressly waive my right to the advice of counsel, and voluntarily make the following statement to the aforesaid person, knowing that any statement I make may be used against me on the trial or trials for the offense or offenses concerning which the following statement is herein made.
I declare that the following statement is made of my own free will without promise of hope or reward, without fear or threat of physical harm, without coercion, favor or offer of favor, without leniency or offer of leniency, by any person or persons whomsoever,
O Freddie Lee When Were you Sunday right
- mg 14, 1966 at about 160:00 1M1- 5
A. I was at the theiningo Club.
Was you inside of out like?
A District of A Dick in the
- With Rith Freeman P
Dilly did you Come out side?
- A DA A M'
H. to go to the Sandwich Shop.
O 1) line of the file of the
Just the Rolling and F
- The foliated of the foliation of the f
A. Her Sin a brinch of Deagle was Thrown
foltles.
I am you stone affect the pleasons
I have read this statement consisting of page(s), and affirm to the truth and accuracy of the facts contained therein.
This statement was completed at 4'125 PM, on the 17 thay of Arry 1966
WITNESS: A TOP OF THE PORT OF THE PROPERTY OF
WITNESS: Signature of person giving voluntary statement
July Start La

STATEMENT OF: Freddie See albert

Freddie See Albert

STATEMENT OF: Freddil Lee albert

VOLUNTARY STATEMENT (Under Arrest)
DATE 8/19/60 TIME 9:30AN PLACE CITY HOW I AND AS
1, Befelof few ps 1 , am 17 years of age
and my address is the flavour At Julliglah sta
I have been advised and duly warned by Ay T. N. Smith & Cheil Kaga
who has identified himself as African of the four form of my right to the advice of counsel before making any statement, and that I do not have to make any statement at all, nor incriminate myself in any manner.
I hereby expressly waive my right to the advice of counsel, and voluntarily make the following statement to the aforesaid person, knowing that any statement I make may be used against me on the trial or trials for the offense or offenses concerning which the following statement is herein made.
I declare that the following statement is made of my own free will without promise of hope or reward, without fear or threat of physical harm, without coercion, favor or offer of favor, without leniency or offer of leniency, by any person or persons whomsoever.
Chil Sunday shift when the Battle
- Were through at the Coast
A. Yes Sir, I was inside when the first
Thattles was thrown,
Q. flid you go out side?
A. Hes I went to the side down and
was meating the falice and I asked them
White July got hurt with balller.
O Did us there are all the little ?
The your man with a continue
A. Mo. Sin.
Q. Hid you see anyone Throw abottle
A W. Line
fi fice
I have read this statement consisting of page(s), and I affirm to the truth and accuracy of the facts contained therein.
This statement was completed at THICAM, on the 19 day of 1966
WITNESS: Men M. Frill Bolly Loules
WITNESS: Signature of person giving voluntary statement

## EXHIBIT 235

## EXHIBIT 235

# THE STATE OF LOUISIANA, Parish of MADISON. Sixth Judicial District Court

son into the Sixth Judicial with leave of the court fin	in this behalf in the name and by the authority of the State of Louisiana, comes in per-
with leave of the court fir	
with leave of the court fir Anno Domini, nineteen hu	District Court, in and for the Parish of MADISON State of Louisiana, and
Anno Domini, nineteen hu	st had and obtained on the 22nd day of the month of September
	undred and SIXTY-SIX gives the Court herein to understand
and be informed:	
THAT Bol	bby Lewis
	id, in the Sixth Judicial District of the State of Louisiana, on the 14th day of
	ust, in the year of our Lord One thousand nine hundred
	, in the Parish, District and State aforesaid, did commit a
	ttery upon the person of Oscar Anglin.
	was control to the control of the co
	danguerra la companya da la companya da la companya da la companya da la companya da la companya da la companya
•	the Statute of the State of Louisiana in such case made and provided, in contempt of of Louisiana, and against the peace and dignity of the same.
	(UB. Radon )
	(N). ). (A) Cond
W	B., PARLOTT, Jh., ASST., District Atternal lith Judicial District of Louisiana
	B., RATIOID, Jh., ASS'I., District Attorney Inth Judicial District of Louisiana
And	B., FASTAID, Jh., ASST., District Attorney Inth Judicial District of Louisiana  District Attorney as aforesaid, with leave of the Court as
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SUMME HOCKEST

SY. CLERK OF COURT MADISON GRISH

Det 21 Malle canto may
INFORMATION
No. 11965 Contest
THE STATE
vs.
BOBBY LEWIS
#2390
CHARGE: Simple Battery
September 22, 1966  CLENE DISTRICT COURT  LEGAN (1981)
STATE'S WITNESSES
Oscar Anglin, Alphretta, Ga.
Moses Hamrick, Duluth, Ga. J. H. Cook, Duluth, Ga.
Clifton E. Pitman, Duluth, Ga.
Lettie B. Childs, Tallulah, La
Uyllis Robinson, Tallulah, La. Freddie L. Albert, Tallulah, L
Freddie L. Albert, Tallulah, L
Bobby Lewis- Tallulah, La.
Wilbert Ross, Tallulah, La.
Dr. Sec. m. Welle -
Martha Wiley

THE TENBAR GAZETTE- ST. JUREPIL, LA.

AA7137

STATE OF LOUISIANA, PARISH OF MADISON FOURTH JUSTICE COURT.

#### STATE OF LOUISIANA

FOURTH JUSTICE COURT.	BOBBY LEWIS # 30
Before me appeared James E. Rogan	
Who, on oath, declared that Bobby Lewis	
on the 14th day of August 19 66,	did, in the Parish of Madison, Louisiana, violate
the laws of Louisiana by 1: Disturbing the pea	ce
2: Aggravated Battery	on Oscar Anglin, Alphretta, Ga., by hitting
him with a bottle	
3: Criminal Damage to	owned by Moses D. Hamrick property (automobile drivesxbarksta)
Wherefore affiant prays that said Bobby	Lemis
be arrested and dealt with according to law.	James & Rogan
Sworn to and given under my hand this, the $\frac{36}{100}$	day of August , 19 66
State Witnesses: Oscar Anglin, Alphretta, Ga. Moses Hamrick, Duluth, Ga.	Justice of the Peace, Fourth Ward, Madison Parish, La.
J. H. Cook, Duluth, Ga.  Clifton E. Pitman, Duluth, Ga.  Lettie B. Childs, Rt. 1, Box 38, City  Uyllis Robinson, 311 Oil Mill Quarters	
Freddie Lee Albert 300 Blk. West Askew St. Bobby Lewis, West Darrow St. Wilbert Ross, West Green St.	

### Madison Parish Sheriff's Department

REPORT OF ARREST

August 14, 1966

Last Name		First Na	l ma		1 814	-				
		11130 110	14110	Initial	Altas				Ident. No.	
LEWIS		Bobb	у					•	2390	
Residence					Employer 2390					
West Darrow St., Tallulah, La.				Coca Cola Bottling Co.						
Sex	Color	r Age Height Weight							Occupation	
Male	Negro	17	5-10	159	Blk	Brn	Brn	Labo	Laborer	
Scars and Marks						Place of Birth Date of Birth			te of Birth	
None					Ta	Tallulah, La. 1/1/49			./49	
Date of Arre	st			N. Control	Place of Arrest					
	August 16, 1966					Tallulah, La.				
Charge	·	-			Complainant					
n.p .	Agg Batt					0.007703				
20201	-88. Date	ery: U	EIMINAL DA	mage to Prope		James E.	Rogan			
				FACTS C	F ARRE	ST				
	On the	night	of August	14. 1966 at	. 3222	rimetal	10:00 P.M., a		_	
negroe	s caused	a dist	rubance en	West Green 9	troot	rimately	Flamingo Clu	group	ot	
result	ed in bot	tle th	rowing at	nassing suton	whitee.	desirent	y whites. A	id, Whic	n _	
and dr	iven by M	loses D	. Hamrick	Duluth Ca	which	dilven b	y wnites. A at the traffi	car own	ed	
on Wes	t Green.	was at	ruck by th	ree hottles	ane of	which hi	ac the traiti	c tight	•	
where	on West Green, was struck by three bottles, one of which hit near the right window where Mr. Oscar Anglia Alphretta Co. was middle wild will be a struck by three bottles, one of which hit near the right window							dow		
This b	where Mr. Oscar Anglin, Alphretta, Ga., was riding with his arm out of the window. This bottle broke when it struck the car and Mr. Anglin received cuts on the right							ow.		
TOLEGI	4 and rac	e irom	IIVING GI	ARR. The oth	er two	bottlee	eived cuts on	the ri	ght	
right	side and	bumper	damaging	abb. The Oth	er cab	porries	struck the ca	r on th	e	
	Victim	recei	; damaging ved treatm	same.	Geo M	Mabb fo	r a 3 inch la			
the ri	ght forea	rm and	a 15 inch	laceration o	n face	under ei	cht ave	ceratio	n on	
	Invest	igatio	n of the i	ncident reves	le that	duder it	gnt eye. r of negro ma	1		
the gr	arb. wrc	nesses	state tha	t the above n	amed as	ibject wa	s one of thos	Tes wer	e in 11	
throwi	ng bottle	s.				]	- One of thos	e actua	LLY	
						Th	omas N. Smith	S. Yawa	P 7	
Witnesses						Thomas N. Smith & Jame E. Rogan Arresting Officer				
	anglin, A	labore	to Co		Address					
Moses I	Iamrick,	rpn <b>ret</b> i	ca, Ga.		Freddie Lee Albert, 300 Blk. West Green, City					
J. H. 6	ook, Dul	uch C	, Ga.		Bobby Lewis, West Darrow St., City Wilbert Ross, West Green St., City					
Clifton	E. Pitm	an. Dui	te luth Co		Wliber	t Ross,	West Green St	., City		
Clifton E. Pitman, Duluth, Ga. Lettie B. Childs, Rt. 1, Box 38, City										
Uyllis Robinson, 311 Oil Mill Quarters, City										
Relatives		,	mil Q	unicals, OIEA	Address			<del></del>		
		*		·						

#### DECLARATION OF CHRISTOPHER MILAN

- I, Christopher Milan, hereby declare as follows:
- I am an investigator employed with the Capital Habeas Unit of the Federal Public Defender, District of Nevada. I interviewed Joseph Hannigan, a seated member of the jury during the 1997 trial of Nevada v. Marlo Thomas.
- 2. My first attempt to interview Mr. Hannigan took place during the evening of July 25, 2017. I was able to make contact with Mr. Hannigan and we spoke briefly at the front door of his condominium. I explained my position, the office I work for, and the case to which I had been assigned. Mr. Hannigan conveyed to me that he was familiar with the case and remembered serving as a juror.
- 3. Mr. Hannigan stated that it was not a good time and he would be unable to participate in an interview that evening. I provided Mr. Hannigan with my business card and asked him to contact me when he became available. Mr. Hannigan took my card and told me he would call me.
- 4. Mr. Hannigan called me on August 2 to arrange an appointment. Mr. Hannigan preferred to meet during the normal work week. However, he could not meet the week of August 7 through August 11 due to medical appointments. I was unable to meet with Mr. Hannigan the week of August 14 through August 18 due to out-of-state work responsibilities. Mr. Hannigan and I agreed to meet on August 21 after I returned from my trip.
- 5. I received a voicemail from Mr. Hannigan on August 11 stating he would not be able to meet with me on August 21 due to another medical appointment. I returned his call and we decided to meet the following day, August 22.

- 6. I returned to Mr. Hannigan's home at approximately 11:00 a.m. on August 22. While entering the home, I thanked Mr. Hannigan for allowing me to speak with him. Mr. Hannigan then apologized for not being able to speak with me during my first visit to his home. He explained to me that with age and everything he has seen, he has become skeptical about many things. Mr. Hannigan went on to say that he had to have me checked out, as in verifying my identity and employment. Mr. Hannigan told me that he called the front desk of the Office of the Federal Public Defender, District of Nevada in order to obtain a physical description of Christopher Milan. After obtaining the description, Mr. Hannigan felt comfortable with setting up an interview.
- 7. Towards the end of the interview, Mr. Hannigan informed me that he once managed a business in Massachusetts prior to the 1997 trial. While managing this business, he allowed convicted felons to work for him in order to get a fresh start. The majority of the convicted felons did fairly well and moved on to other employment opportunities. However, Mr. Hannigan told me he employed one convicted felon who was extremely detrimental to his business. This particular employee was a convicted murderer. According to Mr. Hannigan, this employee was by far the worst convict to ever work for him. When I asked Mr. Hannigan to elaborate, he told me the convicted murderer took advantage of his kindness and was eventually charged with a federal crime.
- 8. My interview with Mr. Hannigan lasted for approximately one hour. At the conclusion, I thanked Mr. Hannigan for his time and asked him to reach out to me

if there was anything else he would like to share. Upon my return to the office, I asked our assistant investigator to research any federal cases involving Mr. Hannigan. The purpose of this request was to obtain more background information on the incident involving the convicted murderer and Mr. Hannigan's business.

- 9. While conducting research, we learned that, prior to his move to Las Vegas in approximately 1994, Mr. Hannigan managed a flower shop in Charlestown, Massachusetts. The flower shop was named Kerrigan's. Mr. Hannigan's flower shop was utilized by two members of a criminal organization to facilitate an illegal drug ring from approximately 1989 through 1993. The names of the two members were Michael Fitzgerald and John Houlihan.
- 10. Authorities discovered that Fitzgerald and Houlihan were the ringleaders of a twelve man criminal enterprise. Fitzgerald and Houlihan's gang dominated Charlestown, Massachusetts during this time period. It was difficult for authorities to build a strong case against the criminal enterprise due to its solid code of silence. Authorities were not able to break the code of silence until 1994.
- 11. We discovered that Mr. Hannigan's wife, Frances Hannigan, who was the owner of Kerrigan's, provided information to law enforcement about a murder involving Fitzgerald. However, Mrs. Hannigan did not feel comfortable testifying in court until after she and her husband moved to Las Vegas. Mrs. Hannigan testified in the winter of 1994, and the trial ended in the spring of 1995. Mrs. Hannigan's testimony assisted prosecutors in obtaining convictions on the following charges:

- engaging in a racketeering enterprise, racketeering conspiracy, conspiracy to commit murder in aid of racketeering, and conspiracy to distribute cocaine.
- 12.On September 13, 2017, I returned to Mr. Hannigan's home for a follow-up interview. I informed him of what I had learned regarding Kerrigan's. When I asked him to confirm that Kerrigan's was the flower shop he once managed, he lowered his head and asked why he opened his "big fucking mouth." Mr. Hannigan told me he had done everything in his power to try to forget about the incident involving Michael Fitzgerald and John Houlihan. Mr. Hannigan's business was practically ruined by its involvement in Fitzgerald and Houlihan's drug ring. Mr. Hannigan stated he "lost everything, down to the shirt off my back."
- 13.Mr. Hannigan did not want to elaborate on the Kerrigan's matter. He told me Fitzgerald and Houlihan were extremely dangerous people. According to Mr. Hannigan, members of the mafia did not even want to work with Fitzgerald and Houlihan due to the two men's erratic behavior. Mr. Hannigan commented whenever the mafia did choose to work with Houlihan and Fitzgerald, members of the mafia would have to count their fingers, meaning Houlihan and Fitzgerald could not be trusted and were likely to steal anything.
- 14.Mr. Hannigan stated that he received a few phone calls after Houlihan and Fitzgerald were tried and convicted in Federal District Court. The calls involved someone telling Mr. Hannigan that members of Houlihan's and Fitzgerald's old gang wanted to talk him. Mr. Hannigan told me if they want to come find him in

Las Vegas, they are going to have to buy a plane ticket to come all the way out here.

- 15.Mr. Hannigan did not want to elaborate on what exactly took place between Kerrigan's and the drug ring organized by Houlihan and Fitzgerald. Mr. Hannigan did confirm that the convicted murderer that once worked for him was either Houlihan or Fitzgerald, but would not say which.
- 16. When I asked Mr. Hannigan why he did not provide this information in his jury questionnaire or during voir dire, he told me he was not trying to think about it. Mr. Hannigan went on to say that he is going to suffer for providing me with this information. He told me that once his wife finds out, she will be extremely upset with him because they are going to have to worry about the situation all over again.

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 October 10, 2017.

Christopher Milan

#### Declaration of Jonathan H. Mack, Psy.D.

- I, Jonathan Mack, hereby declare as follows:
- In 2012, I conducted a neuropsychological evaluation of Marlo Thomas in connection with his state post-conviction proceedings.
- 2. I evaluated Mr. Thomas at Ely State Prison on April 2 and 3, 2012. After I completed my evaluation, I attempted to call Mr. Thomas's attorney, Bret Whipple, to discuss my findings. I was unable to reach Mr. Whipple and I do not believe I ever spoke with him about the case after I evaluated Mr. Thomas.
- 3. On August 20, 2012, I sent Mr. Whipple a draft report. The draft report reflected my opinion that I could not diagnose Mr. Thomas with mild intellectual disability (mild mental retardation, under the terminology of the time) because his IQ scores before the age of eighteen were too high to support such a diagnosis. Mr. Whipple did not contact me to discuss this matter after receiving my draft report. I do not know why Mr. Whipple would have pursued a claim under <a href="Atkins v. Virginia">Atkins v. Virginia</a> when my report specifically stated Mr. Thomas was not intellectually disabled.
- 4. It does not appear that Mr. Whipple ever asked me to produce a final report in Mr. Thomas's case. My records contain no report dated after August 20, 2012; my records do not contain a signed report; my records do not contain a finalized report. Rather, the only versions of a report for Mr. Thomas that I have in my records are all marked "draft." I have been informed by current

counsel for Mr. Thomas that an unsigned report dated October 20, 2013, was filed as an exhibit to a Supplemental Petition for Writ of Habeas Corpus filed March 31, 2014. This is highly irregular. My normal practice is to retain a copy for my records any time I send out a copy of the report, even if the new copy has only minor changes. Further, my practice is to handwrite my signature on all finalized reports. My billing records for the Thomas case do not reflect that I performed any work on the case in the period leading up to October 20, 2013.

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 Mercer County,

New Jersey, on October \_\_\_\_\_\_, 2017.

Jonathan H. Mack

#### Declaration of Joseph Hannigan

- I, Joseph Hannigan, hereby declare as follows:
- I am 75 years old. I currently reside in Las Vegas, Nevada. I served as a member of the jury in the 1997 case of State versus Marlo Thomas. I had never served as a juror prior to this case. I knew nothing about the crime prior to serving as a juror. I moved from Boston, Massachusetts to Las Vegas, NV around the year 1994.
- 2. I remember the jury selection process being very long and in depth. The judge did a very good job of keeping everyone on track. When it came to the prosecution and defense, I do not feel the judge favored one over the other. The working relationship between all attorneys was very professional. Both the prosecution and defense appeared invested in presenting their best case.
- 3. The jury questionnaire had a lot more questions than I expected. During voir dire, I was asked about being a victim of robbery prior to this case. I was also asked about being charged with setting up an illegal lottery prior to this case. I told the attorneys that I was charged, but was later cleared of everything.
- 4. In regards to the selected jury members, I do not remember any African Americans being selected. I feel there was an equal amount of older and younger individuals serving on the jury. The jury members appeared to come from all walks of life and had good heads on their shoulders. When it came to picking the foreman, each member of the jury had a chance to submit their vote. We decided a man with managerial experience was the most qualified. The foreman did a good job at allowing everyone to voice their opinions.

- 5. I believe the jury was given proper instructions by the court. I felt confident in what I was supposed to do during the trial. My purpose as a juror in this case was to participate in the guilt and penalty phase of the trial. Serving as a juror was a very eye opening experience. It showed me just how well the criminal justice system works. I believe the trial was run very efficiently.
- 6. I felt the courtroom was secure and safe. I never felt threatened by the defendant's presence or any of his witnesses. I remember the defendant wearing regular clothing during the trial. I would describe the defendant's demeanor during the trial as calm. In my opinion, the defendant appeared to lack remorse for his crimes.
- 7. The trial moved at a steady pace. The evidence provided by both the prosecution and defense was presented very well. The evidence was presented thoroughly and in a way that would allow the jury to fully comprehend. I knew about halfway through the trial that the defendant was guilty and deserved the death penalty. I had a suspicion that one of the victims was the son of a police officer. I could tell by the police like demeanor of some of the people seated around the family.
- 8. I do not remember hearing any witness testimony. If I did, nothing in particular stood out.

  I do not remember hearing anything about the defendant having low IQ or the abuse he suffered as a child. I also do not remember hearing about the defendant's mother drinking alcohol while she was pregnant with him.

- 9. Once all of the evidence had been presented, the jury made their way to the deliberation room. The room was closed and secured. However, I was given the opportunity to take smoke breaks. During our lunch break, a stranger approached the jury and made a comment about what was going on in the case. I remember the judge was displeased with the deputy for not reacting soon enough. I am not sure if anyone even heard what the stranger said. I do not remember what the stranger said.
- 10. After all of the evidence was presented, the jury discussed the mitigating and aggravating factors in the case. We did not feel anything the defendant went through prior to the trial outweighed his crime. It did not take long for the jury to determine the defendant was guilty of the crime. However, we did have to vote multiple times on what his penalty should be. Eventually, the jury reached a unanimous decision that the defendant deserved the death penalty
- I went into this case with an open mind. Prior to this case, I had actually given convicted felons a chance by allowing them to work for me after they were released from prison. The majority of them did fairly well and were able to get a fresh start. However, there was one employee who was a convicted murderer, and he made things very difficult for me. The convicted murderer ended up taking advantage of my kindness, which later led to federal charges being brought against him. He was by far the worst convicted felon I let work for me. his did not influence my decision in any way.
- 12. Before moving to Las Vegas, I managed a floral shop back east. The name of the shop was called Kerrigan's Flower Shop. Unfortunately, Kerrigan's was pressured by a criminal

organization to participate in an illegal drug ring. The organization was ran by Michael Fitzgerald and John Houlihan. Fitzgerald and Houlihan were extremely dangerous. My wife and I moved to Las Vegas in order to escape any retaliation after the criminal organization was prosecuted. I was never charged with anything. My wife later testified against the organization, but that was not until we felt safe in our new Las Vegas home. My wife feared my life was potentially in danger. I did not disclose this information on my questionnaire or during voir dire in the 1997 case of Nevada v. Marlo Thomas.

13. Christopher Milan is the first person from the defense team to ever contact me since the trial.

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 September 13, 2017.

Joseph Hannivan

#### **Declaration of Claytee White**

- I, Claytee White, hereby declare as follows:
- 1. I am the inaugural Director of the Oral History Research Center at the University of Nevada, Las Vegas, Libraries. I received my bachelor's degree from California State University, Los Angeles, and a master's degree in history from the University of Nevada, Las Vegas. I have also completed doctoral work at the College of William & Mary in Williamsburg, Virginia.
- 2. I am a historian who collects oral histories related to Las Vegas. I am also one of the five founders of the Las Vegas Black Historical Society, Inc., and have been chronicling the black community of Las Vegas 21 years. I have published articles, encyclopedia entries, and a book chapter about these topics. Through these projects I have interviewed more than 500 people about the history of Las Vegas.
- 3. Historically, cotton in the southern states was harvested by African-American workers. This originated during slavery and persisted through the era of sharecropping and beyond. In the 1940s and 1950s, however, cotton picking was becoming mechanized. This change had a particularly hard impact on communities like Tallulah, Louisiana, which were predominantly African American and depended heavily on the cotton industry for employment. African Americans began to leave those communities in search of better employment prospects.
- 4. At around the same time, there were many employment opportunities in Southern Nevada and a shortage of workers. The Culinary Union, Local 226 in Las Vegas, for example, were encouraging people to come out to fill the available jobs. As African Americans from Tallulah and other communities began migrating to Las Vegas, word of mouth spread until friends and family were encouraging each other to come. Basic Magnesium, Inc., in Henderson also provided jobs and motivated a number of African-American men to migrate to Southern Nevada.

- 5. During this time, segregation was alive and well in Las Vegas: African Americans were only allowed to live in the Westside, a segregated African-American community. This area, roughly, is the area northwest of what is currently downtown Las Vegas, marked by the railroad tracks. A number of homes in the Westside were demolished to make way for Interstate 15 in the late 1960s; the interstate, in turn, blocked Westside residents from the commercial areas of downtown and white residential communities. The I-15 came to be known as the "concrete curtain."
- 6. African Americans experienced much of the same poverty and racism that had plagued their lives in the South; Las Vegas was nicknamed "The Mississippi of the West." There were no laws requiring segregation, but segregation existed in housing, employment, and public accommodations. African-American entertainers had to use separate entrances when performing on the Strip, while staying in boarding houses on the Westside. After the NAACP threatened to march on the Strip, it was integrated in 1960.
- 7. By 1969, the tensions caused by segregation and police brutality had erupted into riots spanning several days. Two hundred Las Vegas police officers, sheriff's deputies, and tanks from Nellis Air Force Base came and blocked off the Westside; many people were not allowed to go in or out because of the blockade. A 7:00 p.m. curfew was imposed.
- 8. These riots, in turn, led to the 1971 Consent Decree, which mandated that 12.5% of certain job categories would be designated for African Americans. Prior to this consent decree, the only jobs that would have been available to someone like Mr. Thomas's mother would be jobs like: maid, linen room attendant, or porter.. For men like Mr. Thomas's father, the available jobs would have been as a porter—but only floor-cleaning porter—or helping the linen workers for things that were too heavy, like flipping mattresses.
- 9. The 1970s, when Mr. Thomas was a child, was an era where gains were being made. In 1972, the Welfare Rights Movement would have been at its height, having just had a march in 1971. This movement, in Las Vegas, morphed into Operation Life that made its headquarters in an old hotel,

The Cove. The dilapidated condition of the building motivated group of women to continue organizing and strategizing. These women were also working under the table jobs at laundry businesses, where they learned that black women were receiving fewer welfare benefits than white women. Among their accomplishments were the federal assistance program, WIC; the first public library to the Westside; and a housing complex

- 10. One notable example that initially spurred the Welfare Rights Movement was of the issues women were facing during this time was the prohibition of men in the homes of women and children receiving government assistance. Receiving assistance subjected these women to home searches at any time to verify no males were living there. Women had to worry about things like, if one of the children had large feet, how they would explain the presence of large shoes in the house or whiskers in the bathroom sink.
- 11. Around 1972, 1973, following harsh demonstrations, school integration took place. Integration meant the creation of Sixth Grade Centers where white children were bussed into the Westside community for sixth grade while African-American children were bussed out for every other grade. This posed problems for African-American children: for example, they were less likely to participate in sports because it would be at a school that was too far away.
- 12. Integration during the 1970s also meant housing integration. The wealthier African Americans were now free to move to more desirable neighborhoods. This had a destabilizing effect on the Westside. Particularly, this meant the middle class began moving out, and they took their dollars with them. As a result, businesses began closing and/or leaving also.
- 13. This is not to say that the middle class completely abandoned the Westside. People were still coming back for church, and their hair stylists. And there were still pockets of middle class communities, like Bonanza

Village. However, even those who stayed were not doing as much of their business within the Westside.

- 14. The flight out of the community meant that, for those of lower economic status, there were fewer job opportunities because the businesses were leaving. And so, though progress was being made on many fronts, there were also negative economic consequences.
- 15. By the 1980s, drugs began to have a devastating effect on the community and the Westside began looking a lot like it looks today. In one story I heard, an owner of a cocktail lounge explained that he was always able to keep the patrons of his bar under control. However, after drugs hit the community, he couldn't control them anymore, and he had to give up the business.

Ølaytee D. White

#### LAS VEGAS SUN

# Woman in salon-related shooting to be paroled

#### **Bill Gang**

Tuesday, Feb. 25, 1997 | 11:59 a.m.

It has been six years since a seemingly innocuous incident -- a bad haircut Tabatha Morris gave to a then-3-year-old boy -- festered into a gaping neighborhood wound that left the youngster's grandmother dead.

It has been more than three years since Morris, 26, was convicted by a jury of second-degree murder and sent to prison to serve two life terms.

The wound still was not closed Monday when Morris made what may be her last courthouse appearance when supporters and detractors again took courtroom seats in a brief but uneasy coexistence.

Monday's court session formalized a deal that likely will return Morris to her family and friends, and also to the North Las Vegas streets where the family and friends of her victim still reside.

Morris' conviction had been overturned by the Nevada Supreme Court in April and she had been facing another trial when she agreed to a plea bargain in December to end the case.

She pleaded guilty to a single count of second-degree murder and a charge of illegally discharging a firearm for, ironically, shooting the boy.

The deal carried a stipulation that the sentence be no more than nine years -- meaning Morris will be eligible for parole after serving only a few more months behind bars.

District Judge Nancy Becker also ordered that the defendant pay nearly \$4,800 in restitution to the family of her victims.

Although Becker didn't seem to be happy with the plea bargain, she deferred to Special Prosecutor Arnold Weinstock, who she said was the one who had to determine the chances of obtaining a conviction at a new trial.

At her original sentencing in 1993, Weinstock had chastised Morris for continuing to deny responsibility for the slaying.

The family and friends of the 52-year-old victim, Louise Potter, grumbled when then-defense attorney Mike Amador sought lenience, citing an attack on Morris in retaliation for the boy's haircut.

He said the attack outside a North Las Vegas beauty salon ended after a chunk of Morris' always elegantly coiffed hair was sliced off.

Trial testimony indicated that Morris gathered some friends and responded with a drive-by shooting that peppered a house at 1801 Helen St. with 14 bullets. Potter was hit in the head and the boy, Keno Fox, was left with a bullet wound to an arm that required a dozen stitches.

Weinstock has said that there were more than a dozen other people at the house who were lucky to escape harm.

The boy's mother, Gloria Fox, said at Morris' initial sentencing that he "can't stand to hear gunshots" and has been unable to participate in Fourth of July fireworks celebrations.

Much of the festering feud can be attributed to Morris being free on bail before her initial trial and living in the same neighborhood where the murder occurred. She was not jailed until the jury convicted her in August 1993.

In its decision to overturn the conviction in the 1990 slaying, the Supreme Court cited statements made by the prosecutor about her failure to talk with police after her arrest.

Justice Robert Rose wrote in the 4-1 opinion that the reference violated Morris' right against self incrimination and to remain silent.

archive

#### IN THE SUPREME COURT OF THE STATE OF NEVADA

BRETT O. WHIPPLE, ESQ., AN INDIVIDUAL; AND JUSTICE LAW CENTER, LLC, A NEVADA CORPORATION,

Petitioners,

vs.

THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE; AND THE HONORABLE FRANCES DOHERTY, DISTRICT JUDGE.

Respondents,

and

K. BETH LUNA, AN INDIVIDUAL; AND LUNA LAW FIRM, PA, A CORPORATION.

Real Parties in Interest.

No. 68668

FILED

IUN 2 3 2016

CLERKION SUPREME COURT

#### ORDER REGARDING SANCTIONS, DENYING MOTION TO DISMISS, AND IMPOSING ADDITIONAL SANCTION

On April 1, 2016, we entered an order denying real parties in interest's motion to dismiss this proceeding due to procedural deficiencies in the petition and appendix filed by petitioners but granting real parties in interest's request for sanctions. As directed by that order, real parties in interest have filed an affidavit, itemizing the attorney fees and costs incurred in preparing the motion to dismiss.

SUPREME COURT OF NEVADA

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16-19621

Counsel for real parties in interest asserts that she expended 1.5 hours on work related to the motion to dismiss. At an hourly rate of \$275, the total fee related to the motion is \$412.50. Counsel also represents that she spent .5 hours drafting the affidavit, incurring a fee of \$137.50. Petitioners have not opposed the affidavit.

Our April 1, 2016, order only awarded real parties in interest attorney fees and costs incurred in preparing the January 25, 2016, motion to dismiss. Therefore, petitioners are not required to pay the fees related to the drafting of the affidavit. We conclude the remainder of the attorney fees are reasonable. Accordingly, attorney Brett O. Whipple shall personally pay the sum of \$412.50 to real parties in interest and file proof of payment of the sanction in this court within 11 days of the date of this order.

Real parties in interest have also filed a motion to dismiss this matter because the amended petition is not accompanied by a verification in compliance with NRAP 21(a)(5). Petitioners oppose the motion and have submitted a verification that substantially complies with NRS 15.010.1 Having considered these documents as well as real parties in interest's reply, we deny the motion to dismiss. However, we conclude that sanctions are warranted based on Mr. Whipple's failure to timely file a verification as directed in our December 22, 2015, and April 1, 2016, orders. Mr. Whipple shall have 11 days from the date of this order to personally pay the sum of \$250 to the Supreme Court Law Library and provide this court with written proof of payment. We caution Mr. Whipple



<sup>&</sup>lt;sup>1</sup>The clerk shall detach the verification from the opposition filed on May 2, 2016, and file it separately.

that failure to comply with this order will result in the imposition of additional sanctions.

It is so ORDERED.

9( , C.J

Parraguirre

Douglas, J.

Douglas 7

Cherry

cc:

Justice Law Center Luna Law Firm, PA

Grigg Law

Supreme Court Law Librarian

SUPREME COURT OF NEVADA

#### IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF BRET O. WHIPPLE, BAR NO. 6168.

No. 70951

FILED

DEC 2 1 2016

CLERK OF SUPREME COURT

BY DEPUTY CLERK

#### ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

This is an automatic review of a Northern Nevada Disciplinary Board hearing panel's recommendation that this court approve, pursuant to SCR 113, a modified conditional guilty plea agreement in exchange for a stated form of discipline for attorney Brett O. Whipple. This matter has been submitted for decision on the record. SCR 113(3).

Whipple's from The disciplinary complaint arises representation of a client in a custody dispute before the district court. Whipple filed a motion to discontinue the opposing party's visitation schedule. Opposing counsel notified Whipple that the motion contained several inaccurate statements and requested that he withdraw the motion, which he did, but then he re-filed a substantially similar motion Whipple was again notified that containing the same inaccuracies. sanctions would be sought, but he did not withdraw the re-noticed motion at that time, and a motion for NRCP 11 sanctions was filed. At that point, Whipple withdrew the re-noticed motion and filed a motion to withdraw as counsel. The district court concluded that Whipple had violated NRCP 11, finding that the inaccuracies easily could have been corrected had Whipple

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16-39774

verified the information from sources to which he had access, and imposed \$500 in monetary sanctions and \$11,620.75 in attorney fees, and referred the matter to the State Bar of Nevada. The underlying disciplinary proceeding ensued.

Under the guilty plea agreement, Whipple admitted to violations of RPC 1.3 (diligence), RPC 5.3 (responsibilities regarding nonlawyer assistants), and RPC 8.4(d) (misconduct-prejudicial to the administration of justice). In exchange for the guilty plea, Whipple and bar counsel agreed upon a 90-day suspension to be stayed for a period of 18 months, and if Whipple does not engage in any conduct that violates the RPC during the stay period, the discipline will be reduced to a public reprimand. If Whipple is disciplined for conduct occurring during the stay period, then the stay will be lifted and the suspension imposed unless the subsequent disciplinary panel finds mitigating factors that warrant continuation of the stay. Whipple also agreed to pay the cost of the bar proceeding under SCR 120. Following a hearing, a panel of the Northern Nevada Disciplinary Board modified the conditional guilty plea agreement to add the conditions that Whipple pay \$1,500 in restitution to his client, complete four hours of continuing legal education in legal staff management, and comply with any reciprocal reporting requirements.

This court's review of the hearing panel's recommendation is de novo. See SCR 105(3)(b). We must decide whether the agreed-upon discipline, as modified by the hearing panel, is sufficient to protect the public, the courts, and the legal profession. See State Bar of Nev. v. Claiborne, 104 Nev. 115, 213, 756 P.2d 464, 527-28 (1988) (explaining the purpose of attorney discipline). In determining the appropriate discipline, we weigh the following factors: "the duty violated, the lawyer's mental

SUPREME COURT OF NEVADA



state, the potential or actual injury caused by the lawyer's misconduct, and the existence of aggravating or mitigating factors." *In re Discipline of Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (2008).

Based on our review of the record, we conclude that the modified guilty plea agreement should be approved. SCR 113(1). Considering the duties violated, that Whipple knowingly violated the RPC, the six mitigating factors (absence of prior discipline, absence of dishonest or selfish motive, cooperative attitude toward the proceeding, reputation, imposition of other sanctions under NRCP 11, and remorse), see SCR 102.5(2), and the only aggravating factor (substantial experience in the practice of law), see SCR 102.5(1), we conclude that the discipline set forth above is sufficient to serve the purpose of attorney discipline.

Accordingly, we hereby approve the modified conditional guilty plea and suspend Whipple from the practice of law for a period of 90 The suspension shall be stayed for a period of 18 months days. commencing from the date of this order on the condition that Whipple must not sustain any discipline for actions occurring during the 18-month period. If Whipple does not engage in any conduct that violates the RPC during the 18-month stay period, the discipline will be reduced to a public reprimand. If Whipple is disciplined for conduct occurring during the stay period, then the stay will be lifted and the 90-day suspension imposed unless a disciplinary panel finds mitigating factors that warrant continuation of the stay. Whipple must also (1) pay the costs of the disciplinary proceeding in the amount of \$750 plus the court reporter and mailing costs associated with this matter within 60 days; (2) pay \$1,500 in restitution to his client in the underlying matter within 30 days; (3) comply with the reporting requirements of any other professional licensing

SUPREME COURT OF NEVADA agencies to which he belongs and provide proof of such compliance to the State Bar; and (4) complete four hours of continuing legal education in the area of legal staff management and report completion to the State Bar within 12 months. The parties shall comply with the applicable provisions of SCR 115 and 121.1.

It is so ORDERED.

Parraguirre, C.J.

Hardesty, J

Cherry

Pickering

Douglas

Gibbons

Stiglich

cc: Chair, Northern Nevada Disciplinary Board
Michael J. Warhola, LLC
Kimberly K. Farmer, Executive Director, State Bar of Nevada
C. Stanley Hunterton, Bar Counsel, State Bar of Nevada
Perry Thompson, Admissions Office, U.S. Supreme Court

J.

J.

DATE: 10/09/2017 PATIENT NAME: ANGELA THOMAS DOB: 1974 RECIPIENT: OFFICE OF THE FEDERAL PUBLIC DEFENDER ATTN: Katrina Davidson This is in reply to your request for information on the above: 冈 Enclosed is a copy of the material requested. Based on information supplied, we have no record of this patient having been treated at SNAMHS. Due to presence of sensitive material contained in this record, we will require authorization with specific reference to Mental Health/Psychiatric/Substance Abuse medical records. Request will be processed upon receipt of proper Authorization. Enclosed is an "Authorization to Release Information". Please fill out completely and return. Request will be processed upon receipt of proper authorization. П Legal Guardianship paper not attached. Need identifying information on patient (i.e., date of birth, social security number, etc.) П Identifying information on patient on the request of information/authorization form(s) does not match our records.  $\Box$ Proper authorization was not sent with request. Request will be processed upon receipt of proper authorization. П Our physicians do not complete attached forms. Patient has not been seen by our facility in the periods you are requesting. П Pre-payment required. Copies of patient's medical records will be sent as soon as we receive your payment. П Request does not indicate to whom the records are being released. Cannot confirm business, phone, fax The medical records being requested are no longer available. Thank you, SNAMHS - Medical Records Department TOTAL: 213 pages Charge for photocopying record. (\$0.60 per page). Tax ID # 88-6000022 NV State Vendor #D40811000 Please enclose a copy of this statement and return along with your payment. CHECK SHOULD BE MADE PAYABLE TO: Southern Nevada Adult Mental Health Services Health Information Services Department

NOTE: If your records indicate that payment is to be made to SNAMHS at 6161 W. Charleston Blvd., Las Vegas, NV 89146, please do so as this is our main administration address.

6161 W. Charleston Blvd. Las Vegas, NV 89146

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR, Part 2) prohibits you from making any further disclosure of it without specific written consent of the person to whom it pertains, or otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

NOTE: This report is strictly confidential and is for the information only of the person to whom it is addressed. No responsibility can be accepted if it is made available to any other person, INCLUDING THE PATIENT.

#### PICTURE ID CONSENT



By signing below, I agree to have my photograph taken by Southern Nevada Adult Mental Health Service's Hospital for identification purposes. Additionally, I agree that my full first name and last initial may be used on the Patient Data Board, for informational and identification purposes.

Angela Shoyas	11-10-110						
(batient signature)	(Date)						
Willy m	11 140/16						
(witness signature)	// //o/16 (date)						
Age: 12 Height: 5'3 Sex: Weight: 20	Race: BK Hair Color: BK Color Eyes: BRN						
Other distinguishing features: Totton Wsideface							
Sexual Orientation: Do you think yourself as							
Gender Identity: Do you think of yourself as	OHOM						
Southern Nevada Adult Mental Health Services Nursing Department	NAME:						
PICTURE ID CONSENT	THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14						
ID 47 Page 5/2046	Avatar #:						

# Disc 'rge Interdisciplinary Continuity of Car 'an

Patient Name:	Medical Record No.:		
Angela Thomas  Admit Date:	24 04 14		
11/10/16	Discharge Date/Time: 1/19/17 @ / / / >		
Discharge status: Physician order Court-Ordered	Conditional Release Unconditional Release AMA AWOL		
COBRA to:			
Discharge Disposition/Placement: Clark County Detention	Center		
Personal residence Family/relative's residence Shelt	ter Provider home Other: Clark County Detention Center		
Address/Phone:_330 S. Casino Center Dr., Las Vegas, NV	89101/(702)671-3900		
Patient Housing Verified: Yes No If no, please expla			
Housing Verified With (list name of person or entity): CCDC s Phone: _(702)671-3900	Relationship to patient: None		
Patient to initial in acknowledgment and understanding of h	housing placement:		
Transportation Information (Please check all that apply):  ☐ City Bus ☐ Family/Relative Pick-Up ☐ Friend Pick-Up ☐ Staff Transport ☐ Taxi ☐ Other: Clark County Deten	p Service Coordinator Pick-Up Residential Provider Pick-Up tion Center (CCDC) staff pick up		
Food/snacks provided? Tes No If yes, quantity provided	ed:		
Patient to initial in acknowledgment and understanding with	Appointments		
Psychiatrist Clinician Medical Doctor	Psychiatrist Clinician Medical Doctor		
⊠Other: CCDC staff	Other:		
Name: Clark County Detention Center	Name:		
Address/Phone: 330 S. Casino Center Dr., Las Vegas, NV 89101/ (702)671-3900	Address/Phone:		
Date Time: To be determined by CCDC staff	Date/Time:		
Psychiatrist Clinician Medical Doctor Other:	Psychiatrist Clinician Medical Doctor Other:		
Name:	Name:		
Address/Phone:	Address/Phone:		
Date/Time:	Date/Time:		
J , , , , , , , , , , , , , , , , , , ,	AME: THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14		
DPBH MR 208 Page 1 of 3 Rev: 3/16	R #:		

## Disc rige Interdisciplinary Continuity of Car an

COC plan sent to providers?	Yes No ROI sig	ned? Yes No If no, why not?
Patient to initial in acknowledgm	ent and understanding o	of aftercare appointments:
Reason for Admission: (per psychiatric evaluation, located in Presenting Illness section)		o Stein Forensic Facility from CCDC after she was deemed incompetent to of this admission was to assess and restore Angela's competency to stand
Interventions:	and participated in weekl She participated in a psyc	ency restoration admission, she received a psychiatric evaluation, attended by treatment team meetings, and complied with medication management. chosocial assessment and follow up interviews. She participated in groups that were required during treatment. She participated in
Reason for Discharge to lower level of care or transfer:	Angela is court ordered t	o Clark County Detention Center upon release from Stein Forensic Facility.
Aftercare Recommendations:	provide a copy of the ICC contact at discharge for c	discharge from Clark County Detention Center. The nurse was notified to OC to the Forensic Specialist, and will provide a copy to the transport continuity of care. The charge nurse was also notified to make contact with discharge to provide medical report for continuity of care for hand-off
Discharge Diagnoses:	Schizoaffective Disorde	er, Bipolar Type and Post Traumatic Stress Disorder
Psychiatric Diagnoses:	Schizoaffective Disorde	er, Bipolar Type and Post Traumatic Stress Disorder
Medical Diagnoses:		
Problems Related to the Legal Sys	ousing Problems 🛛 Eco	ted to the Social Environment
Travel directions Provided I	OPBH clinic locations/add	resses and phone numbers (Attachment A) Other:
		ns the patient educated on the Affordable Health Care Act? Yes No one and a copy has been given to me. I acknowledge and understand
treatment recommendations.		Pt Initials: SW Initials:
** NURSING CARE AT	ND EDUCATIO	
Discharge Medication - Psychiatric Yes MNo (If yes, refer to Medication Summ		Discharge Medication – Medical:  Yes No  (If yes, refer to Medication Summary/Reconciliation form)
	cA.	,
<b>Division of Public and Beh</b> Discharge Interdisciplinary Cor	ntinuity of Care Plan	NAME: THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14  MR #:
DPBH MR 208 Page 2 of 3	Rev: 3/16	

# ${\sf Disc}^* \ \ {\sf `rge Interdisciplinary Continuity of Car} \quad {\sf `an}$

Medical Diagnoses: Asthre, DM	1 , Scizure, siècce Call.					
Educated related to 911 and ER in the event of acute distress or if symptoms worsen.  Educated related to suicide prevention hotline 1-800-273-8233  Discharge medications; explained prescription; see instructions/explanation on medication reconciliation log.  Advised patient of location of facility for medication clinics and outpatient follow up services.  Explained risk for adverse drug reaction with non-prescribed poly drug and/or alcohol abuse.  Medication side effects pamphlet provided.  Additional Instructions:						
Contents of this nursing care plan have been reviewed with me.	Pt Initials: RN Initials:	lations.				
Print Name	Signature					
MD/DO/APN/APRN: CUME SUSSMONIM	James Jen 20	Date: Z/T/I				
Discharging Nurse: Hale. Dia	Malol	Date: 1/19/12				
Social Worker:  Haffw Thoson CSW New Courdian (if applicable):	Leto, owlhern	Date:				
Patient Signature:	Angela Thomas	1-19-17 Date:				
Branden Irons						

<b>Division of Public and Behavioral Health</b> Discharge Interdisciplinary Continuity of Care Plan		NAME: MR#:	THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	*:	
DPBH MR 208	Page 3 of 3	Rev: 3/16			

INSERT PAENT ID LEG BCH SRD	
PET DSH SRS	RESOURCES
PET DSH SRS	Family: fuesband is on death row in jail
PPP NV SMC	Housing:
	Insurance:
CC MTV SH	PRIOR MEDS
VOL SOH UMC	Thorazine Elisperdal
The state of the s	haldol trazedone
CT CON SPV VH	Scropnet
CCDC	
CERTIFICATION	PREVIOUS TX
Date: Time:	IP: My OP:
Petition #: C - 16 - 3/8002-1	Other:
31000	
COURT DATE	SPECIAL PRECAUTIONS
Continued:	Q 5:
Committed:	1:1:
PENDING LEGAL ISSUES	Q15: FALL:
POSSIND of Carnelled Pressone.	PALL:
Jailed 1999-2008 shanslangeter arrested 5/30/16-	PPD
ills meth in let house	
LABS DONE IN ER	2 <sup>nd</sup> Step Given: Date Read:
	1/4/100
	DIAGNOSIS
ETOH LEVEL - THC / COC / BAR / AMPH / BZD / PCP / OP	Physician Name: DSM V
ETOTI LEVEL- HIOT COCT BART AWIFHT BZBTPCPT OF	DOM V
19/H /ADMISSION	
RSU/CPOD Admission Date: ///10//6 Q - / 430	MEDICAL CONDITIONS
IP Admission Date:	DX: 1/15-temen NTN hx alation CA 2012 tot
Reason for Admission: Byslan 100	- DM Tym 2 (TRE-DM) Filmmodeia
1 0 - 0 / 0 /	1 - Catalog (01) (13 ST (13) 2011)
Transfer Dates:	- Sq. SeiZure 0/0 EMERGENCY NOTIFICATION
Transfer Dates.	Name:
/ OTHER INFORMATION	Phone Number:
DOB: 1974 Age: 42m2	Relationship:
Diet: ADA SS#: 1732	ALLERGIES
Case Manager:	
Case Manager;	My Fresh Free & Tour Con
	No trush rus to tou land
Southern Nevada Adult Mental Health Services	NAME: _ THOMAS,ANGELA
Nursing Department	AKA LOVE ANGELA
KARDEX	NAME: _ THOMAS, ANGELA
IP-53 Rev 5/16	

	PATIENT PE	RSONAL SAFETY PLAN	
Calming Strategies: It is helpful fo	r us to be aware of things that help you fe		e
SListen to music	Exercise	☑ Read a book	∑ Talk with staff
□ Wrap up in a blanket	≱Have a hug with my consent	Drink a beverage	all ake walk with staff
メ Write in a journal	★ Calling friend/family member	□ Watch TV	□ Other (specify below)
■ Be in a dark room	Hugging a stuffed animal	*Medication	
□ Take a shower	★Talk with peers on unit	Do artwork	
What are some of the things that n	nake you angry, very upset or cause you t	o go into crisis? What are your "trigger	s"?
Being touched	□ Called names/made fun of	Security in uniform	Other (specify below)
★ Yelling/loud noises	> Physical force	Being isolated	
□ Contact with person who is upsetting	ng Being forced to do something	Someone lying about my behavior	
Gender Preference: Do you have	a preference regarding the gender of staf	f assigned to you during a time when yo	ou are upset or angry?
□ female staff	□ male staff		preference
Signals of Distress: Please descrice control. Check those things that a stress:	be your warning signals. For example, where most applicable to you. This information	hat you know about yourself, and what on will be helpful so that together we can	other people may notice when you begin to lose n create new ways of coping with anger and
□ Sweating	XCrying €	□ Breathing hard	□ Yelling
>>Hurting self	□ Injuring self/others	□ Pacing	□ Swearing
□ Running	- Clenching teeth	□ Not taking care of self	Other (specify below)
>Not eating	☐ Throwing objects	□ Being rude	lood pressure, back problems, etc., that we
Fall Precautions:	physical abuse that you would like to talk  a history of falling AYES NO; have any hip, knee or feet problems OYE		
	ulceron (R) foot bot	tom	
		OUP THERAPY	
DACTIVITY GROUPS (AT) COMMUNITY GROUPS CONSUMER ASSISTANCE PR MEDICATION MANAGEMENT PSYCHOEDUCATIONAL GRO PSYCHOLOGY GROUPS (PS) SYMPTOM MANAGEMENT (N	UPS (SOCIAL WORK) YCHOLOGY)		
	Adult Mental Health Services	THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	

DATE	INITIALS	NURSING CARE / TREATMENT	DATE	APPOINTMENTS	COMPLETE DATE
11/10/16	Ho	VS Daily. If SBP/DBP is greater than 150/95 or less than 100/55, call MD. Do VS TID or place on medical board.			
	1	Observation q15 minutes			
	¥.	Patio Privileges			
11/10/14	RU	No kech fruits of tomatoes			
12/19/16	<u>5</u>	No pech fruits of formatoes			
, , , , , , , , , , , , , , , , , , , ,		in mm	DATE	LAB WORK	COMPLETE DATE
12/19/4	dr.	May have some to Share 5 Shelp Supervisor	11/10/16	DIGNATO CENT	11/11/16
		Supering	12/7/16	DIGATIN CENT	131
			12/13	Dilester Level (for 12/14)	
			<u> </u>		
		TREATMEN'	T MALL GROUP	PS	
Medication	Utilization	TREATMEN' Social Skills		28	

- □ Diabetes Education- Nursing (2 Sessions)
- □ Smoking Cessation- Pharmacy (1 Session)
- a Impact of Behavior on Medication Compliance-Social Services (1 Session)

### Symptom Identification and Management

- ☐ Anger Management and Aggression- Social Services (3 Sessions)
- □ Suicide Prevention- Social Services (1 Session)
- ☐ Stress Management and Relaxation- Social Services (1 Session)
- □ Understanding Your Diagnosis- Social Services (1 Session)
- ☐ Cognitive Behavioral Coping Skills- Social Services (1 Session)

- □ Managing Yourself- MHT (1 Session)
- Journaling- MHT (1 Session)
- D Social Skills- PCW (2 Sessions)
- D Team Building- Allied Therapy (1 Session)

#### Wellness

- ☐ Men's Wellness- Nursing (1 Session)
- □ Wellness- Allied Therapy (1 Session)
- □ Basic Nutrition- Nursing (1 Session)
- ☐ Hypertension and Reducing Cholesterol-Nursing (1 Session)
- ☐ Women's Wellness- Nursing (1 Session)

#### Independent and Community Daily Living Skills Co-occurring Disorders

- □ Community Group and Current Events- MHT (Daily Meeting)
- ☐ Substance Abuse and Mental Illness-Session 2- Social Services (3 Sessions)

☐ Activities of Daily Living- MHT (1 Session)

IP-53

☐ Substance Abuse and Mental Illness-Session 1-Social Services (3 Sessions)

Southern Nevada Adult Mental Health Services Nursing Department KARDEX

NAME: Avatar # THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14

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Page 3|4

Goal Setting- Carlossion)  Leisure Skills and Exercise  Fitness/Team Sports- Allied Therapy (1 Session)  Reminiscing/Music/Task Concentration- Allied Therapy (1 Session)  Emotional Expression- Allied Therapy (1 Session)  Creative Expression/Art Therapy- Allied Therapy (1 Session)  Yoga- Allied Therapy (1 Session)  Leisure Education- Allied Therapy (1 Session)		
Relapse Prevention  Relapse Prevention- PCW (1 Session)		
Co-occurring Disorders  Substance Abuse and Mental Illness-Session 2- Social Services (3 Sessions)  Substance Abuse and Mental Illness-Session 1-Social Services (3 Sessions)		
Psychology Groups  WRAPP- Psychology  IMR-Psychology  BBT- Psychology (psychology referral)  STEPPS- Psychology (psychology referral)		
Discharge Planning  Discharge Planning - PCW (3 Sessions)		

Southern Nevada Adult Mental Health Services
Nursing Department
KARDEX

Rev 5/16

NAME: \_\_\_\_\_THOMAS, ANGELA
AKA LOVE, ANGELA
MR# 24 04 14

OOM NO: \_\_\_\_\_\_

IP-53

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THOMAS, ANGELA AKA LOVE, ANGELA MRH 24 04 14  Phys	(Initial) Orders Read Back.s Reviewed by:	Date: //9/17 Time: 1120 License #: 16223 78511441(08/14)
STEIN GH	24 Casal / 1/19/17	1/19/17@ 0005 Tessie Tourson Res /41 Discharge to CCD Ctoday using spackles/ restraints
THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14  STEIN GH		M. A. Shan, MD/MAL
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MR# 24 04 14			repe	et delante lavel
STEIN GH			NITURAL SIES	10 140 July Ques
PHYSICI	ΔN GELA	PS ORDE		DRUG AND FOOD ALLERGIES
PATIENTS AKA LOVE,AN MR# 24 04		2400	ent / 1/19/1	CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING MEDICATIONS
MR NUMBER.:		1 26° U.	sie Atmisa My	The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

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STEIN GH		
F/A X		22° cm v / 19/12 @0010 Acros Quincy
THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14		
STEIN GH		
; THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14		
STEIN GH		
PATIENT:  SOUTHERN NEVADA ADU PHYSICIAI THOMAS, ANGELA AIKA LOVE, ANGELA MR# 24 04 14  MR NUMBER.:		DIGO AND I COD ALLERONES

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STEIN GH					8
	り)(Initial)Orders Read	V: /	P 1	1/15/17@ 0	49
THOMAS,ANGELA AKA LOVE,ANGELA MRH 24 04 14	Physician Signature:  24 How Check Donns 10ty Abrum, Est DUTE: 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		un KA	Time:	3 5:45 10166 1511441(08/14)
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: THOMAS,ANGELA AKA LOVE,ANGELA			
STEIN GH			
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PATIENTS NAME:

MR NUMBER .:

THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14

CHECK PATIENT ALLERGY ON FRONT **COVER OF CHART BEFORE ORDERING MEDICATIONS** 

The biological equivalent of drugs ordered may be dispensed unless initiated by the proscriber here:

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THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	1/13/17	Jan V; norman poutis 3.17
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	N'S ORDER THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	VICES DRUG AND FOOD ALL ERGIES

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		Telephone Physician Order(s)
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	Geodon 8	Tong PO BID ( Phychosis )
THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14		
STEIN GH		A. Our In
	Orders Reviewed by  Physician Signature:	1210   210   11   1200   11   1200
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14		74/ Chart for 1/12/17 @ 0020
STEIN GH		
	ADA ADULT MENTAL HEALTH SER CIAN'S ORDE	RS
PATIENTS NAME:	THOMAS,ANGELA	CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING
MR NUMBER.:	AKA LOVE, ANGELA MR# 24 04 14	MEDICATIONS  The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

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PATIENTS NAME:		THOMAS, ANGELA AKA LOVE, ANGELA AKA 194 14	2	COVER OF CHART BEFORE ORDERING MEDICATIONS
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THOMAS, ANGELA THOMAS, ANGELA AKA LOVE, ANGELA MRH 24 04 14	37	N;	11. 3-2	en v 3
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Rev1/2012	$\mathcal{L}$	X		

PAT' 'E AN ≀	DATE / TIME	7	ORDERS	
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THOMAS, ANGELA AKA LOVE, ANGELA	Orders Received Date:	01/05/2017	Time: 1515	
MR# 24 04 14	r.o. Dr. Ircha		1 Razel Orthga	S RN
	Renew:			
	1) Keppra 500v	ng PO BID f	for seizure b/o	
STEIN GH	2) HCTZ 25mg	PO Daily A	or HTN - hold SBP =	100 mm Hg
	3) Albuteral 90W	nca ti puffs	Q60 PRN for SOB/	Asthma
		ela N. Jos	1 1/5/17@1925	
	Venpry:/ Du	leen.	1/5/120 1976	
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PATIEN' ME AND: R	DATE / TIME	T T	ORDERS	7
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	O. Dr. Nazemi Accheck XI	HOW	Wildle D	_(RN)
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				ש
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	ysician Signature:	(0)	License #:	12098
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PATIENTS NAME:			COVER OF CHART BEFORE MEDICATIONS	OKE ORDERING
MR NUMBER.:	THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14		The blological equivalent of drugs or unless initiated by the prescriber her	dered may be dispensed o:

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		Membral or experiencent 3000 po 2 has PRIN for Indigestion     Membral or experient 3000 po q has PRIN for Consideration
THOMAS,ANGELA AKA LOVE,ANGELA MRH 24 04 14	SCANNE	Moder Goong po 96° pm pri- peke - food or Moder 2000 po
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THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	- 200 cand 1/4/17 1/4/17	V 14/12000 Meni Orhom Ref. 1 Stoquel 300 y POQAM 6600 MPOQHS (psychosis)
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1	A ADULT MENTAL HEALTH SEF	DIGO MEDI COD MELLICOLO
PATIENTS NAME:  MR NUMBER.:	THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	CHECK PATIENT ALLERGY ON FRONT COVER-OF-CHART-BEFORE-ORDERING MEDICATIONS The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

PAI ME AND, IR	DATE / TIME ORDERS
THOMAS, ANGELA THOMAS, ANGELA AKA LOVE,	Telephone Physician Order(s)  Orders Received Date: 1/3/17 Time: 9:22 Am  T.O. Dr. Khan: 1 Date (RN)  Pt can be of 1:10 Physevalm as the denies S7/HT/PVH.
THOMAS, ANGELA AKA LOVE ANGELA MRH 24 04 14	Orders Read Back  Orders Reviewed by:  Date: 13/17  Time: 12 P  Physician Signature: M. A. A. License #: U.223  78511441(08/14)
STEIN GH	CANED 12 No. M. M. M. M. M. M. M. M. M. M. M. M. M.
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	13/17 prous party
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PATIENTS NAME:  MR NUMBER.:	CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING MEDICATIONS  THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14  The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:
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SOUTHERN NEVADA ADUI	T MENTAL HEALTH SE	RVICES	DRUG AND FOOD ALLERGIES
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MR NUMBER.:	THOMAS, ANGE AKA LOVE, ANGE MR# 24 04 14	LA	The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

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THOMAS, ANGELA THOMAS, ANGELA AKA LOVE, ANGELA MRH 24 04 14		
STEIN GH		
	VADA ADULT MENTAL HEALTH SE	RS / BROG AND FOOD ALLERGIES
PATIENTS NAME:		CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING
MR NUMBER.:	THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	MEDICATIONS  The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:
Rev1/2012		

PATIL AND L	E }	DATE / TIME	1	1	ORDERS	7
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THOMAS, ANGELA THOMAS, ANGELA AKA LOVE,		240,1=	Famulian	12/26	/16 @ 100	13 - 1
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SOUTHERN	5.0	nitial) Orders Read Ba	ack	THE B		
PHYS PATIENTS NAME:		Reviewed by Donie	Simulpate	: 1/5/	W17-	Time: /330
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SOUTHERN NEVADA ADU	LT MENTAL HEALTH SER	VICES	DRUG AND	FOOD ALL	ERGIES

### PHYSICIAN'S ORDERS

PATIENTS NAME:

MR NUMBER .:

THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14 CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING MEDICATIONS

The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

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	72/Volum	J /801 /2	1/22/14 @ 6005
STEIN GH	12/23/16,1	20050 8	4° short V Train In PN T
THOMAS, ANGELA ANA LOVE, ANGELA ANA LOVE, ANGELA ANA LOVE, ANGELA	12/23/16	Please Rome	· Vistavil 50 ms PO Olha PRN anxiety
THOMAN ANGLANGE ANGLA AKA LOVE 24 04 14 AKA LOVE ANGLA 14 14 AKA LOVE ANGLA 14 AKA L	1 /2 -1	7 11 GASC TREAC	Vision Jong To Gond The Entiry
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	<i>A</i>		
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24004		12/24/16001	CHECK PATIENT ALLERGY ON FRONT
PATIENTS NAME: MINERY	A BALDRIAS/PN II	alles / Pite	COVER OF CHART BEFORE ORDERING MEDICATIONS
MR NUMBER.: THOMA	S,ANGELA ZE,ANGELA	WILLIAM VIIII	The biological equivalent of drugs ordered may be dispensed
MR# :	4 04 14	-	unless initiated by the prescriber here:
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	(2	3	e M	48(	Vichery
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PATIENTS NAME:	CE ( 12/2	ollo O oor 5 Juhnmily		CHART B	ERGY ON FRONT EFORE ORDERING
MR NUMBER.:	THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	 		uivalent of dru	gs ordered may be dispensed er here:

PATIEN ME AND N. ER		DATE / TIME	1	ORDERS
THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	15			• [1:10]
24 04 14				Rightand
		12/16/16	Kray	of left shoulder
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THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14		MICH	Pag Ville	Arch 10 Chams
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STEIN GH  THOMAS, ANGELA AKA LOVE ANGELA	-	Me	17716 17716	- Alana
AKA LOVE,ANGELA MR# 24 04 14		and a	107	
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		V	Jun	12/14/16/209/20
			<u> </u>	Tran V. Lai RN
	}			
STEIN GH		cult 1 1		
	ADA ADUL	JUNG M. F. M.	17./18/	16 (a.003) H1
		I'S ORDE		DRUG AND FOOD ALLERGIES
PATIENTS NAME:	- 40 BB			CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING
MR NUMBER.:	112	THOMAS, ANGELA AKA LOVE, ANGELA		MEDICATIONS
THE STATE OF STREET STATE STAT		MR# 24 04 14		The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

PATIEN WE AND No. ER	DATE / TIME	ORDERS
THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	13/13/11	Drland 200 mg po x 1
STEIN GH	13/16@ 14/2 y	Smilling and Child
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	24° Ce. 3	V 12/14/15 @ 0010 Pelie Tohnsmilly /
STEIN GH	Orders Received Date: 1.0. Dr. Na Lami	THIO: U
THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	- Stat E - V/S & 6° - 1/S put f	esult a medical Board for Reviews  noted their 14/16/16 08/15
STEIN GIT	Orders Reviewed by:	Date: 12/16/16 Time: 13 (6)
SOUTHERN NE PHYS	Physician Signature:	License #: (2-09) 78511441(08/14)
PATIENTS NAME:  MR NUMBER.:	THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	COVER OF CHART BEFORE ORDERING MEDICATIONS  The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:
Rev1/2012	74 Vollas	Low 12/17/60 0030

PATIEN ME AND N. R	DATE / TIME C RED	ORDERS
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14		240 shout /sn 12/11/14 @ 0005 24 Chute 12/12/100132 1044.
STEIN GH		**
THOMAS,ANGELA AKA LOVE,ANGELA MRII 24 04 14	0930	Parais: Cogerta In to Q6 PEN - ED  netal aluly 12/12/16 1019  V H H 12/12/14 @ 1024
STEIN GH		
THOMAS, ANGELA AKA LOVE, ANGELA MRH 24 04 14	12 (12 (16 1000	7 treadore to 100 mg. B 9HS PAN Incomna
STEIN GH		10 14/2/14 @1100
	DA ADULT MENTAL HEALTH SEI	RS
PATIENTS NAME:	THOMAS, ANGELA THOMAS, ANGELA AKA LOVE, ANGELA MRH 24 04 14	CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING MEDICATIONS
MR NUMBER.:	Desire Others	

PATIEN ME AND NU ER		DATE / TIME C RED	?RDERS
THOMAS,ANGELA AKA LOVE,ANGELA MRH 24 04 14		1341	Romano Dlonk 200mg pr glur Saizure Alp
STEIN GH			Kappra 500mg po Bio 82 dis
THOMAS, ANGELA AKA LOVE, ANGELA MRH 24 04 14	The same of the sa	The state of the s	HCTZ 25 mg ps closely Chorn  WHTH, How Cof for 5 BP 2 100 m m ly  Bulbuland 90 unce TI puls 96  WEDICATIONS  O 1913-RDI OT OPHINAIANI 325 mg Inch bula of thise for pain or  Obviolated traps grantes than 160.6 FRN  Made of alaboration of ophinaiani 3000 ps 2 hro FRN for indignation  Made of alaboration or equivalent 3000 ps q ins FRN for indignation  Made of alaboration or equivalent 3000 ps q ins FRN for indignation
STEIN GH	ħ	Mr.	Minicipal or Captarates 1000 to Print Captages after each lose stool
THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14		24°CHARTV MINERVA BALDR	Modrin 6 comes po e 6 pm  740 Chai Ba 12/6/16 a coic ASIPNII MANARILIA / PATI
STEIN GH		74Voha	J/5 12/10/16 @ 8000 -
SOUTHERN NEVAD	A ADUL	T MENTAL HEALTH SE	RVICES DRUG AND FOOD ALLERGIES

### PHYSICIAN'S ORDERS

PATIENTS NAME:

THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14

MR NUMBER .:

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CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING MEDICATIONS

The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

PATIEN ME AND NU ER	DATE / TIME ( RED	ORDERS
THOMAS, ANGELA AKA LOVE, ANGELA MRH 24 04 14	12/7/16	Lever Land 12/7/16 (700)
	1259	Tythonic or equivalent School post labor Q divis for pain pr  Beneficial country process to the fifth for indignation  Manager or equivalent School post labor first principalities  Manager or equivalent School post labor first principalities
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		O Installment explanated, follow par (470) elegation (after page folio) (450)
		A Motom Goons po Q 6 hours PAN-Sens
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THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	12/8/16	My go of crit
	month	11 10 S
STEIN GH	w	10 10 10 10 500
THOMAS ANGELA  THOMAS ANGELA  AVA MERE 20 14 14	12 7/16	Trozalore 50m PD 9HS P
		120 M-
STEIN GH	W	37,8/1/60

MR NUMBER .:

PATIENTS NAME:

THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14

CHECK PATIENT ALLERGY ON FRONT **COVER OF CHART BEFORE ORDERING MEDICATIONS** 

The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

PATIL ME AND I ER	DATE / TIME ERED		ORDERS
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14			
SCANNE	M2/5/16	Po	Serventin To Coopy Bid (Pains).
STEIN GH			1/4000
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	D noted:	7 451 1 4	Taroo Manlayst  0745  INSTU @ 100
STEIN GH THOMAS, ANGELA AKA LOVE, ANGELA MR# 24 04 14	-P Note):/	May 03	Suparvision Officer  Anythere of the state o
STEIN GH	1.46	( /2/1/	19 0 120
	AN'S ORDER  24 West VI  Tiessie Wha	RS	CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING MEDICATIONS  The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

PATIE ME AND I ER		DATE / TIME C RED		PRDERS
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14		24°CGV 111	19/16 C	ONN ANDIA
	1	24/ Alca.	lens I	med/11/30/16 CTDT
- / <u>^</u>	赤	1 30 Up	75	Euopuel 200 pig PU gAm
		7,00	29/18	2400 ne QHS (PSychisty)
STEIN GH	1	( ) ( )	LAD P	Y Y Y S
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14			C. V	A C
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STEIN GH THOMAS, ANGELA AKA LOVE, ANGELA	1	V.O.D.	Remigi	o Francisco PNII 1/190/16
MR# 24 04 14			74V CO	und for 12/1/16 @ 0005
	-		nichen	1 /s 12/2/16 @ Over
	-	211	MU Chi	J 8 12/3/16 @ 0008
	9	24/reclint	- V 12/04,	16 @ 00% 17/
	-	- 24°/	Farmslia	v. 12/5/16 e 0005
	-			
STEIN GH	L			
		I'S ORDEI		DRUG AND FOOD ALLERGIES
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14				CHECK PATIENT ALLERGY ON FRONT COVER OF CHART BEFORE ORDERING
MR NUMBER.:				MEDICATIONS
WAY NOWIDEN				The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:

PATIEN ME AND NU ER	DATE / TIME ( RED		ORDERS			
THOMAS,ANGELA	11/22/		Penew			
AKA LOVE, ANGELA MR# 24 04 14	113/16	Buelge	arc crow foundment			
	1350	apply.	to affected once TID			
5/A23		pm pa	i X 7 days			
STEIN GH						
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and a second	- he act	1 11/2019	46 O 0100 Resne Otherson Am 17			
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	24° Chart V 1/25/11 @ 0150 Fins Pada KN/4/					
	24/ Chut for 11/24/14 @ 60005					
	oril du	mil chart for 11/27/14 @ 0005				
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	1 Am					
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LI STEI A	pored: A	20NP 11/27/16	(a) 0908			
THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14	V: sta	1/1/27 8	MVD			
	7		Wingly 22 00 db			
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PHYSICIAN	1 3 OKDE	<b>N</b> 3	CHECK PATIENT ALLERGY ON FRONT			
PATIENTS NAME:			COVER OF CHART BEFORE ORDERING MEDICATIONS			
MR NUMBER.:	THOMAS,ANGELA AKA LOVE,ANGELA MR# 24 04 14		The biological equivalent of drugs ordered may be dispensed unless initiated by the prescriber here:			
	MK# 24 04 **		• • • • • • • • • • • • • • • • • • • •			