

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID BURNS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Feb 28 2019 10:40 a.m.
Elizabeth A. Brown
Clerk of Supreme Court
Supreme Court Case No. 77424

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ATTORNEY FOR APPELLANT

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Conviction Solutions
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(702) 483-7360

ATTORNEYS FOR RESPONDENT

CLARK COUNTY DISTRICT ATTY.
Steven B. Wolfson
200 Lewis Ave., 3rd Floor
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(702) 455-4711

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ORIGINAL

1 IND

2 DAVID ROGER
3 Clark County District Attorney
4 Nevada Bar #002781
5 PAMELA WECKERLY
6 Chief Deputy District Attorney
7 Nevada Bar #006163
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

FILED

OCT 13 2010

John D. Williams
CLERK OF COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,

12 Plaintiff,

13 -vs-

14 WILLIE DARNELL MASON, aka
15 Willie Darnell Mason Jr. aka
16 G-DOGG, #1856118
17 DAVID JAMES BURNS aka
18 D-SHOT, # 2757610
19 STEPHANIE JEAN COUSINS, aka
20 Stepanie Jean Cousins, #2757784

21 Defendant(s).

Case No. C-10-267882-2
Dept. No. IV

SUPERCEDING
INDICTMENT

19 STATE OF NEVADA }
20 COUNTY OF CLARK } ss.

21 The Defendant(s) above named, WILLIE DARNELL MASON, aka Willie Darnell
22 Mason Jr. aka G-DOGG, DAVID JAMES BURNS aka D-SHOT, and STEPHANIE JEAN
23 COUSINS, aka Stepanie Jean Cousins, accused by the Clark County Grand Jury of the
24 crime(s) of CONSPIRACY TO COMMIT ROBBERY (Felony - NRS 199.480; 200.380);
25 BURGLARY WHILE IN POSSESSION OF A FIREARM (Felony - NRS 205.060);
26 ROBBERY WITH USE OF A DEADLY WEAPON (Felony - NRS 200.380, 193.165);
27 MURDER WITH USE OF A DEADLY WEAPON (Felony - NRS 200.010, 200.030,
28 193.165), ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Felony -

C-10-267882-2
IND
Indictment
993397



AA 00018

RECEIVED

OCT 13 2010

CLERK OF THE COURT

1 200.010, 200.030, 193.330, 193.165), and BATTERY WITH A DEADLY WEAPON
2 RESULTING IN SUBSTANTIAL BODILY HARM (Felony – 200.481) committed at and
3 within the County of Clark, State of Nevada, on or about the 7th day of August, 2010, as
4 follows:

5 COUNT 1 – CONSPIRACY TO COMMIT ROBBERY

6 did then and there meet with each other and/or MONICA LOUISE MARTINEZ
7 and/or JEROME THOMAS aka JOB-LOC and between themselves, and each of them with
8 the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit:
9 robbery, and in furtherance of said conspiracy, Defendants and/or their co-conspirators
10 committed the acts as set forth in Counts 3 thru 8, those acts incorporated by reference as if
11 fully set forth herein.

12 COUNT 2 – CONSPIRACY TO COMMIT MURDER

13 did then and there meet with each other and/or MONICA LOUISE MARTINEZ
14 and/or JEROME THOMAS aka JOB-LOC and between themselves, and each of them with
15 the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit:
16 murder, and in furtherance of said conspiracy, Defendants and/or their co-conspirators
17 committed the acts as set forth in Counts 3 thru 8, those acts incorporated by reference as if
18 fully set forth herein.

19 COUNT 3 - BURGLARY WHILE IN POSSESSION OF A FIREARM

20 did then and there wilfully, unlawfully, and feloniously enter, while in possession of a
21 firearm, with intent to commit larceny and/or assault and battery and/or a felony, to-wit:
22 robbery and/or murder, that certain building occupied by DERECA NEWMAN and/or
23 CORNELIUS MAYO and/or DEVONIA NEWMAN, located at 5662 Meikle Lane,
24 Apartment A, Las Vegas, Clark County, Nevada, the defendants being responsible under the
25 following principles of criminal liability, to-wit: 1) by directly or indirectly committing the
26 acts constituting the offense; and/or 2) by engaging in a conspiracy to commit larceny and/or
27 assault and/or battery and/or robbery and/or murder and/or burglary whereby Defendants had
28 the specific intent to commit burglary; and/or 3) by aiding or abetting each other in the

1 commission of the crime by Defendant WILLIE DARNELL MASON aka G-DOGG
2 accompanying Defendant STEPHANIE JEAN COUSINS and/or Defendant DAVID JAMES
3 BURNS aka D-SHOT to the residence while MONICA LOUISE MARTINEZ drove the
4 getaway vehicle and/or acted as a lookout, Defendant STEPHANIE JEAN COUSINS
5 creating a ruse for DERECA NEWMAN to open the door, Defendant WILLIE DARNELL
6 MASON aka G-DOGG and/or Defendant STEPHANIE JEAN COUSINS and/or Defendant
7 DAVID JAMES BURNS aka D-SHOT entering the residence with the intent to commit
8 larceny and/or assault and/or battery and/or robbery and/or murder, Defendant WILLIE
9 DARNELL MASON aka G-DOGG and/or Defendant DAVID JAMES BURNS aka D-
10 SHOT possessing the firearm, the Defendants and/or MONICA LOUISE MARTINEZ
11 and/or JEROME THOMAS aka JOB-LOC offering counsel and encouragement to each
12 other throughout.

13 COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON

14 did then and there wilfully, unlawfully, and feloniously take personal property, to-wit:
15 cocaine and/or lawful money of the United States, from the person of DERECA
16 NEWMAN, or in her presence, by means of force or violence or fear of injury to, and
17 without the consent and against the will of the said DERECA NEWMAN, said defendant
18 using a deadly weapon, to-wit: a firearm, during the commission of said crime, the
19 defendants being responsible under the following principles of criminal liability, to-wit: 1)
20 by directly or indirectly committing the acts constituting the offense; and/or 2) by engaging
21 in a conspiracy to commit larceny and/or assault and/or battery and/or robbery and/or murder
22 and/or burglary; and/or 3) by aiding or abetting each other in the commission of the crime by
23 Defendant WILLIE DARNELL MASON aka G-DOGG accompanying Defendant
24 STEPHANIE JEAN COUSINS and/or Defendant DAVID JAMES BURNS aka D-SHOT to
25 the residence while MONICA LOUISE MARTINEZ drove the getaway vehicle and/or acted
26 as a lookout, Defendant STEPHANIE JEAN COUSINS creating a ruse for DERECA
27 NEWMAN to open the door, Defendant WILLIE DARNELL MASON aka G-DOGG and/or
28 Defendant DAVID JAMES BURNS aka D-SHOT possessing the firearm, Defendant

1 WILLIE DARNELL MASON aka G-DOGG and/or Defendant DAVID JAMES BURNS
2 aka D-SHOT shooting DEREZIA NEWMAN in the head, Defendant WILLIE DARNELL
3 MASON aka G-DOGG and/or Defendant STEPHANIE JEAN COUSINS and/or Defendant
4 DAVID JAMES BURNS aka D-SHOT taking money or cocaine, the Defendants and/or
5 MONICA LOUISE MARTINEZ and/or JEROME THOMAS aka JOB-LOC offering
6 counsel and encouragement to each other throughout.

7 COUNT 5 - MURDER WITH USE OF A DEADLY WEAPON

8 did then and there wilfully, feloniously, without authority of law, and with malice
9 aforethought, kill DEREZIA NEWMAN, a human being, by shooting at and into the head
10 and/or body of said DEREZIA NEWMAN, with a firearm, the actions of defendants and/or
11 MONICA LOUISE MARTINEZ resulting in the death of the said DEREZIA NEWMAN,
12 the killing having been (1) done with premeditation and deliberation, and/or (2) committed
13 during the perpetration or attempted perpetration of robbery and/or burglary; the defendants
14 being responsible under one or more of the following principles of criminal liability, to-wit:
15 1) by directly or indirectly committing the acts constituting the offense; and/or 2) by
16 engaging in a conspiracy to commit robbery and/or murder and/or burglary; and/or 3) by
17 aiding or abetting each other in the commission of the crime with the intent a killing occur
18 by Defendant WILLIE DARNELL MASON aka G-DOGG accompanying Defendant
19 STEPHANIE JEAN COUSINS and/or Defendant DAVID JAMES BURNS aka D-SHOT to
20 the residence while MONICA LOUISE MARTINEZ drove the getaway vehicle and/or acted
21 as a lookout, Defendant STEPHANIE JEAN COUSINS creating a ruse for DEREZIA
22 NEWMAN to open the door, Defendant WILLIE DARNELL MASON aka G-DOGG and/or
23 Defendant STEPHANIE JEAN COUSINS and/or Defendant DAVID JAMES BURNS aka
24 D-SHOT entering the residence with the intent to commit larceny and/or assault and/or
25 battery and/or robbery and/or murder, Defendant WILLIE DARNELL MASON aka G-
26 DOGG and/or Defendant DAVID JAMES BURNS aka D-SHOT possessing the firearm,
27 Defendant WILLIE DARNELL MASON aka G-DOGG and/or Defendant DAVID JAMES
28 BURNS aka D-SHOT shooting DEREZIA NEWMAN in the head resulting in her death,

1 Defendant WILLIE DARNELL MASON aka G-DOGG and/or Defendant STEPHANIE
2 JEAN COUSINS and/or Defendant DAVID JAMES BURNS aka D-SHOT taking money or
3 cocaine, the Defendants and/or MONICA LOUISE MARTINEZ and/or JEROME THOMAS
4 aka JOB-LOC offering counsel and encouragement to each other throughout.

5 COUNT 6 - ROBBERY WITH USE OF A DEADLY WEAPON

6 did then and there wilfully, unlawfully, and feloniously take personal property, to-wit:
7 cocaine and/or lawful money of the United States, from the person of DEVONIA
8 NEWMAN, a twelve (12) year old child, or in her presence, by means of force or violence or
9 fear of injury to, and without the consent and against the will of the said DEVONIA
10 NEWMAN, said defendant using a deadly weapon, to-wit: a firearm, during the commission
11 of said crime, the defendants being responsible under the following principles of criminal
12 liability, to-wit: 1) by directly or indirectly committing the acts constituting the offense;
13 and/or 2) by engaging in a conspiracy to commit larceny and/or assault and/or battery and/or
14 robbery and/or murder and/or burglary; and/or 3) by aiding or abetting each other in the
15 commission of the crime by Defendant WILLIE DARNELL MASON aka G-DOGG
16 accompanying Defendant STEPHANIE JEAN COUSINS and/or Defendant DAVID JAMES
17 BURNS aka D-SHOT to the residence while MONICA LOUISE MARTINEZ drove the
18 getaway vehicle and/or acted as a lookout, Defendant STEPHANIE JEAN COUSINS
19 creating a ruse for DEREZIA NEWMAN to open the door, Defendant WILLIE DARNELL
20 MASON aka G-DOGG and/or Defendant DAVID JAMES BURNS aka D-SHOT possessing
21 the firearm, Defendant WILLIE DARNELL MASON aka G-DOGG and/or Defendant
22 DAVID JAMES BURNS aka D-SHOT shooting DEVONIA NEWMAN in the stomach,
23 Defendant WILLIE DARNELL MASON aka G-DOGG and/or Defendant STEPHANIE
24 JEAN COUSINS and/or Defendant DAVID JAMES BURNS aka D-SHOT taking money or
25 cocaine, the Defendants and/or MONICA LOUISE MARTINEZ and/or JEROME THOMAS
26 aka JOB-LOC offering counsel and encouragement to each other throughout.

27 ///

28 ///

1 COUNT 7 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

2 did then and there, without authority of law, and with malice aforethought, willfully
3 and feloniously attempt to kill DEVONIA NEWAN, a twelve (12) year old child, by
4 shooting at or into the body of the said DEVONIA NEWMAN, with a deadly weapon, to-
5 wit: a firearm, during the commission of said crime, the defendants being responsible under
6 the following principles of criminal liability, to-wit: 1) by directly or indirectly committing
7 the acts constituting the offense; and/or 2) by engaging in a conspiracy to commit assault
8 and/or battery and/or robbery and/or murder and/or burglary with the specific intent to kill;
9 and/or 3) by aiding or abetting each other in the commission of the crime with the intent a
10 killing would occur by Defendant WILLIE DARNELL MASON aka G-DOGG
11 accompanying Defendant STEPHANIE JEAN COUSINS and/or Defendant DAVID JAMES
12 BURNS aka D-SHOT to the residence while MONICA LOUISE MARTINEZ drove the
13 getaway vehicle and/or acted as a lookout, Defendant STEPHANIE JEAN COUSINS
14 creating a ruse for DEREZIA NEWMAN to open the door, Defendant WILLIE DARNELL
15 MASON aka G-DOGG and/or Defendant DAVID JAMES BURNS aka D-SHOT possessing
16 the firearm, Defendant WILLIE DARNELL MASON aka G-DOGG and/or Defendant
17 DAVID JAMES BURNS aka D-SHOT shooting DEVONIA NEWMAN in the stomach, the
18 Defendants and/or MONICA LOUISE MARTINEZ and/or JEROME THOMAS aka JOB-
19 LOC offering counsel and encouragement to each other throughout.

20 COUNT 8 - BATTERY WITH A DEADLY WEAPON RESULTING IN SUBSTANTIAL
21 BODILY HARM

22 did then and there wilfully, unlawfully, and feloniously use unlawful force or violence
23 upon the person of DEVONIA NEWMAN, a twelve (12) year old child, with use of a deadly
24 weapon, to wit: by shooting into the body of DEVONIA NEWMAN with a firearm, causing
25 substantial bodily harm to the said DEVONIA NEWMAN; the defendants being responsible
26 under the following principles of criminal liability, to-wit: 1) by directly or indirectly
27 committing the acts constituting the offense; and/or 2) by engaging in a conspiracy to
28 commit assault and/or battery and/or robbery and/or murder and/or burglary; and/or 3) by

1 aiding or abetting each other in the commission of the crime by Defendant WILLIE
2 DARNELL MASON aka G-DOGG accompanying Defendant STEPHANIE JEAN
3 COUSINS and/or Defendant DAVID JAMES BURNS aka D-SHOT to the residence while
4 MONICA LOUISE MARTINEZ drove the getaway vehicle and/or acted as a lookout,
5 Defendant STEPHANIE JEAN COUSINS creating a ruse for DEREZIA NEWMAN to open
6 the door, Defendant WILLIE DARNELL MASON aka G-DOGG and/or Defendant DAVID
7 JAMES BURNS aka D-SHOT possessing the firearm, Defendant WILLIE DARNELL
8 MASON aka G-DOGG and/or Defendant DAVID JAMES BURNS aka D-SHOT shooting
9 DEVONIA NEWMAN in the stomach resulting in substantial bodily harm, the Defendants
10 and/or MONICA LOUISE MARTINEZ and/or JEROME THOMAS aka JOB-LOC offering
11 counsel and encouragement to each other throughout.

12 DATED this 12th day of October, 2010.

13
14 DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

15
16 BY Pamela Weckerly
17 PAMELA WECKERLY
18 Chief Deputy District Attorney
Nevada Bar #006163

19
20 ENDORSEMENT: A True Bill

21
22 
23 Foreperson, Clark County Grand Jury
24
25
26
27
28

Names of witnesses testifying before the Grand Jury:

BAINES, BENJAMIN, c/o CCDA, 200 Lewis Ave, LV, NV

BUNTING, CHRISTOPHER, LVMPD #6484

HENDRICKS, T. SCOTT - FBI

JOHNSON, SUSAN, c/o CCDA, 200 Lewis Ave, LV, NV

MAYO, CORNELIUS, c/o CCDA, 200 Lewis Ave, LV, NV

MITCHELL, TYLER, c/o CCDA, 200 Lewis Ave, LV, NV

PHALER, MICHAEL, c/o CCDA, 200 Lewis Ave, LV, NV

OLSON, ALANE, CLARK COUNTY CORONER

ROWLAND, DONOVAN, c/o CCDA, 200 Lewis Ave, LV, NV

WILDEMANN, MARTIN, LVMPD #3516

Additional witnesses known to the District Attorney at time of filing the Indictment:

COUSINS, STEPHANIE, c/o CCDA, 200 Lewis Ave, LV, NV

CUSTODIAN OF RECORDS, CCDC

CUSTODIAN OF RECORDS, CLARK COUNTY CORONER

CUSTODIAN OF RECORDS, GREYHOUND BUS

CUSTODIAN OF RECORDS, LVMPD COMMUNICATIONS

CUSTODIAN OF RECORDS, LVMPD RECORDS

CUSTODIAN OF RECORDS, METRO PCS

CUSTODIAN OF RECORDS, OPERA HOUSE

CUSTODIAN OF RECORDS, T-MOBILE

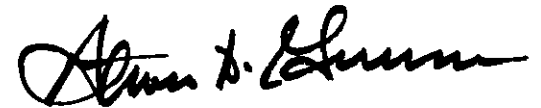
DAHN, ROBBIE, LVMPD #5947

HARDY, KENNETH, LVMPD #3031

NEWMAN, DEVONIA, c/o CCDA, 200 Lewis Ave, LV, NV

NEWMAN, WANDA, c/o CCDA, 200 Lewis Ave, LV, NV

10AGJ054A-C/10F15563X/10F17607X/10F18963X/sam
LVMPD EV#1008070732
(TK11)



CLERK OF THE COURT

1 **NISD**
2 DAVID ROGER
3 Clark County District Attorney
4 Nevada Bar #002781
5 PAMELA WECKERLY
6 Chief Deputy District Attorney
7 Nevada Bar #006163
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2211
10 (702) 671-2500
11 Attorney for Plaintiff

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,)
9 Plaintiff,)

10 -vs-)

11 DAVID JAMES BURNS,)
12 #02757610)

13 Defendant.)

CASE NO: C-10-267882-2

DEPT NO: IV

14 **NOTICE OF INTENT TO SEEK DEATH PENALTY**

15 COMES NOW, the State of Nevada, through DAVID ROGER, Clark County District
16 Attorney, by and through PAMELA WECKERLY, Chief Deputy District Attorney, pursuant
17 to NRS 175.552 and NRS 200.033 and declares its intention to seek the death penalty at a
18 penalty hearing. Furthermore, the State of Nevada discloses that it will present evidence of
19 the following aggravating circumstances:

20 1. The murder was committed by a person who, at any time before a penalty
21 hearing is conducted for the murder pursuant to NRS 175.552, is or has been convicted of:

22 (a) Another murder and the provisions of subsection 12 do not otherwise apply to that
23 other murder; or

24 (b) A felony involving the use or threat of violence to the person of another and the
25 provisions of subsection 4 do not otherwise apply to that felony.

26 To establish this aggravating circumstance, the State plans to rely on the conviction of
27 the defendant for the Attempt Murder With a Deadly Weapon, alternatively, Battery With a
28 Deadly Weapon Resulting In Substantial Bodily Harm charged in the Indictment regarding
victim, Devonia Newman as a prior violent felony.

2. The murder was committed while the person was engaged, alone or with others, in the commission of, or an attempt to commit or flight after committing or attempting to commit, any robbery, arson in the first degree, burglary, invasion of the home or kidnapping in the first degree, and the person charged:

(a) Killed or attempted to kill the person murdered; or

(b) Knew or had reason to know that life would be taken or lethal force used.

To establish this aggravating circumstance, the State will rely on the fact that Burns and his co-defendants intended to rob Derecia Newman and/or the other occupants of the residence in the course of these events. The State will establish that Burns entered Newman's residence and shot her. Then, he chased Davonia Newman down a hallway and ultimately shot her in the stomach. After shooting Davonia, Burns went through the pockets on her clothing and asked her where the drugs and/or money were located, thereby attempting to rob her. Cornelius Mayo will also testify that money and/or drugs were taken from the residence. In the instant case, the murder occurred during the course of a burglary of the residence and the robbery of Derecia Newman.

DATED this 28th day of October, 2010.

Respectfully submitted,

DAVID ROGER
Clark County District Attorney
Nevada Bar #002781

BY /s/ Pamela Weckerly

PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that service of the above and foregoing was made this 28th day of
October, 2010, by facsimile transmission to:

ANTHONY SGRO, ESQ.
FAX: (702) 386-2737

BY: /s/ J. Georges
Secretary for the District Attorney's Office

User ID: GEORGJE

=====

TO: Name: Anthony Sgro, Esq.

Company:

Fax Phone Number: (702) 386-2737

Contact Phone Number:

Info Code 1:

Info Code 2:

Sent to remote ID:702 386 2737

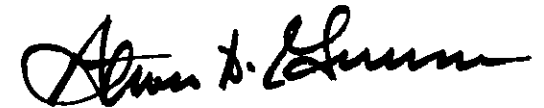
Sent at:Thu Oct 28 16:05:10 2010

Sent on channel 1

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Transmission Status (0/339;0/0): Successful Send

Page Record: 1 - 3.



CLERK OF THE COURT

NWEW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

WILLIE DARNELL MASON, aka
Willie Darnell Mason, Jr.
#1856118
DAVID JAMES BURNS, aka
D-SHOT
#2757610
STEPHANIE JEAN COUSINS, aka
Stephanie Jean Cousins,
#2757784
Defendants.

CASE NO: **C-10-267882-2**

DEPT NO: XVII

NOTICE OF WITNESSES
[NRS 174.234(1)(a)]

TO: WILLIE DARNELL MASON, aka Willie Darnell Mason, Jr. Defendant; and
TO: ANTHONY SGRO, ESQ., Counsel of Record:
TO: DAVID JAMES BURNS, aka D-SHOT, Defendant; and
TO: CHRISTOPHER ORAM, ESQ., Counsel of Record
TO: STEPHANIE JEAN COUSINS, aka Stephanie Jean Cousins, Defendant; and
TO: THOMAS ERICSSON, ESQ., Counsel of Record

//

//

1 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
2 NEVADA intends to call the following witnesses in its case in chief:

<u>NAME</u>	<u>ADDRESS</u>
ACUNA, RON OR DESIGNEE	INVESTIGATOR C.C. DISTRICT ATTORNEY
ATWOOD, C.	LVMPD #10003
AYOAMA, KATHRYN	LVMPD #8025
BAINES, BENJAMIN	GREYHOUND 200 S. MAIN ST., LVN
BOYD, FRED	LVMPD
BUNTING, CHRISTOPHER	LVMPD #6484
CARVOUNAIARIS, D.	LVMPD #!2712
CUSTODIAN OF RECORDS OR DESIGNEE	Clark County Detention Center, 330 S. Casino Center Blvd., Las Vegas, NV
CUSTODIAN OF RECORDS OR DESIGNEE	Clark County Detention Center, Communications 330 S. Casino Center Blvd., Las Vegas, NV
CUSTODIAN OF RECORDS OR DESIGNEE	GREYHOUND BUS LINES RECORDS
CUSTODIAN OF RECORDS OR DESIGNEE	LVMPD Communications, Las Vegas, NV
CUSTODIAN OF RECORDS OR DESIGNEE	LVMPD Records Las Vegas, NV
CUSTODIAN OF RECORDS OR DESIGNEE	OPERA HOUSE RECORDS
CUSTODIAN OF RECORDS OR DESIGNEE	T-MOBILE RECORDS
CUSTODIAN OF RECORDS OR DESIGNEE	METRO PCS RECORDS
CUSTODIAN OF RECORDS OR DESIGNEE	NEXTEL RECORDS
DAHN, ROBBIE	LVMPD #5947
FILMORE, DR.	UNIVERSITY MEDICAL CENTER
FLETCHER, SHAWN	LVMPD #5221

1	GOSHI, DR.	UNIVERSITY MEDICAL CENTER
2	HARDY, KENNETH	LVMPD #3031
3	JENSEN, B.	LVMPD #3662
4	JOHNS, MATT OR DESIGNEE	INVESTIGATOR C.C. DISTRICT ATTORNEY
5	KNIGHT, SAMANTHA NICOLE	2802 NORFOLK AVE, HENDERSON, NV
6	KYGER, T.	LVMPD #4191
7	KRYLO, JAMES	LVMPD #5945
8	LAMBRIGHT, SEC. OFFICER	UNIVERSITY MEDICAL CENTER
9	MARTINEZ, MIGUEL	5662 MEIKLE LN #C., LVN 89156
10	MAYO, CORNELIUS	5662 MEIKLE LANE #A, LVN 89156
11	MITCHELL, TYLER	ADDRESS UNKNOWN
12	MONROE, MONICA	14371 MOON VALLEY VICTORVILLE, CA. 92294
13	MONROY, ARMANDO	5662 MEIKLE LN #D, LVN 89156
14	NEWMAN, ERICA	4910 E. OWENS #C., LVN
15	NEWMAN, WANDA	c/o C.C. DISTRICT ATTORNEY
16	OLSON, DR. ALANE	C.C. CORONER'S OFFICE
17	PARENT/GUARDIAN OF NEWMAN, DEVONIA	5662 MEIKLE LN #A LAS VEGAS, NV 89110
18	PFAHLER, MICHAEL	SILVER NUGGET GAMING
19	ROWLAND, DONOVAN	ADDRESS UNKNOWN
20	SASNETT-HERNANDEZ, MARSHA	5662 MEIKLE LN #C, LVN 89156
21	SCANLON, M.	LVMPD #13517
22	SCOTT, J.	LVMPD #9618
23	SEAMAN-KELLY, JAN	LVMPD #5666
24	SPEAS, W.	LVMPD #5228
25	SZUKIEWICZ, J.	LVMPD #5411
26	TAYLOR, E.	LVMPD #9619

1 THOMAS, JENNIFER LVMPD #10074
2 THOMAS, K. LVMPD #13574
3 VAANDERING, B. LVMPD #13575
4 VASEK, JOHN SAN BERNADINO PD
5 VIGIL, STELLA 4616 EL PLAYA, LVN
6 WILDEMANN, MARTIN LVMPD #3516

7 These witnesses are in addition to those witnesses endorsed on the Information and
8 any other witness for which a separate Notice has been filed.

9

10

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

11

12

13

BY /s/ Pamela Weckerly

14

15

PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar # 006163

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1 CERTIFICATE OF FACSIMILE TRANSMISSION AND/OR ELECTRONIC MAIL

2 I hereby certify that service of Notice of Witnesses, was made this 6th day of
3 September, 2013, by facsimile transmission and/or e- mail to:

4 SUSAN D. BURKE, ESQ.
5 E-Mail: sburkelaw@gmail.com

6 ANTHONY SGRO, ESQ.
7 E-Mail: tsgro@pattisgrolewis.com

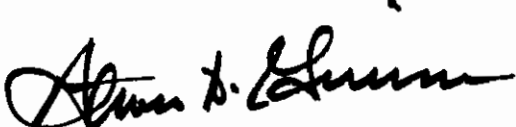
8 CHRISTOPHER ORAM, ESQ.
9 E-Mail: corambusiness@aol.com

10 THOMAS ERICSSON, ESQ.
11 E-Mail: tom@oronozlawyers.com

12
13 BY /s/ J. Robertson

14 Employee of the District Attorney's Office
15
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28 10F17607X/jr/MVU



CLERK OF THE COURT

MOT

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Attorneys for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

* * *

THE STATE OF NEVADA,

Plaintiff,

vs.

DAVID BURNS,
#2757610

Defendant.

CASE NO. C267882-2

DEPT. XX

Hearing Date: *October 14, 2014*

Hearing Time: *8:30 A.M.*

ENTERED
pw

**MOTION FOR THE DISCLOSURE OF MATERIALS AND FACTS RELATIVE TO
FUTURE PROSECUTIONS OF STATE'S WITNESSES PURSUANT TO GIGLIO ON AN
ORDER SHORTENING TIME**

COMES NOW, Defendant DAVID BURNS, by and through his attorneys of record,
ANTHONY P. SGRO, ESQ., and CHRISTOPHER ORAM, ESQ. and hereby files his Motion for
the Disclosure of Materials and Facts Relative to Future Prosecutions of State's Witnesses
Pursuant to *Giglio*.

///

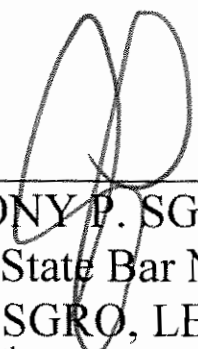
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OCT - 9 2014

AA 0018

1 This Motion is made and based on the following points and authorities, the Affidavit of
2 Anthony P. Sgro, Esq., the papers and pleadings on file herein, together with oral argument at the
3 time set for hearing on the matter.

4 DATED this 8th day of October, 2014.

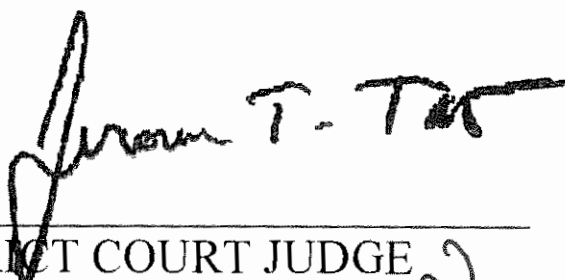

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7 ANTHONY P. SGRO, ESQ.
8 Nevada State Bar No. 3811
9 PATTI, SGRO, LEWIS & ROGER
720 S. 7th Street, 3rd Floor
Las Vegas, Nevada 89101
Attorney for Defendant

10 **ORDER SHORTENING TIME**

11
12 It appearing to the satisfaction of the Court, based upon the Affidavit of Counsel that cause
13 is shown to shorten the time for the hearing the instant Motion.

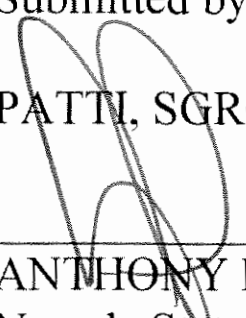
14 IT IS HEREBY ORDERED that the time for the hearing before this Court on Defendant's
15 MOTION FOR THE DISCLOSURE OF MATERIALS AND FACTS RELATIVE TO FUTURE
16 PROSECUTIONS OF STATE'S WITNESSES PURSUANT TO *GIGLIO* ON AN ORDER
17 SHORTENING TIME is shortened to the 14th day of October, 2014 at 8:30
18 o'clock A. m.

19
20 DATED: OCT - 9 2014

21 
22 DISTRICT COURT JUDGE 

23 Submitted by:

24 PATTI, SGRO, LEWIS & ROGER

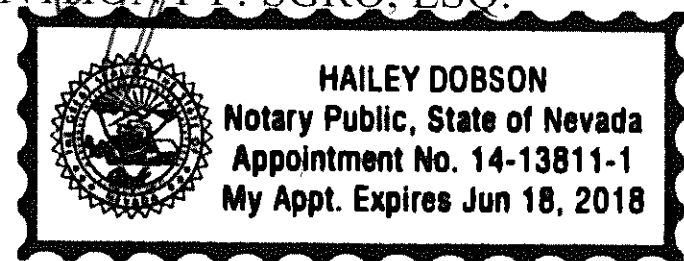
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26 ANTHONY P. SGRO, ESQ.
27 Nevada State Bar No. 3811
720 S. 7th St., 3rd Floor
Las Vegas, NV 89101
Attorney for Defendant

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

1. That I am attorney of record for the Defendant, DAVID BURNS.
2. That I provide this affidavit in support of Defendant's Motion for the Disclosure of Materials and Facts Relative to Future Prosecutions of State's Witnesses Pursuant to *Giglio* on an Order Shortening Time.
3. That Trial is currently scheduled for October 20, 2014.
4. Because your Affiant does not know the volume or detail of said records, your Affiant requires additional time prior to Trial to review any records this Court deems relevant to the instant matter.
5. Good cause exists for a request to place the matter on calendar for the instant motion.
6. Further, this Motion is brought in good faith and not for the purposes of delay.

ANTHONY P. SGRO, ESQ.

Hailey Oehr
NOTARY PUBLIC in and for said County and State



1 POINTS AND AUTHORITIES

2 **I. STATEMENT OF FACTS**

3 In both voluntary statements and at the time of the Grand Jury Hearing in this matter,
4 witnesses gave testimony against Defendant Burns. Some of these witnesses subsequently became
5 defendants in a multitude of criminal cases, all of which have either been seemly indefinitely
6 delayed or resolved favorably to the individual defendant. Further, discovery reveals in this case
7 that certain witnesses have admitted to criminal actions for which no charges were brought. As
8 such, it is critical that the defense receive any and all materials from the State that directly or
9 implicitly offer benefit to State's witnesses in exchange for their testimony.
10

11 a. Cornelius Mayo

12 Mr. Mayo was the live-in significant of other of victim, Derecia Newman, and was present
13 at the apartment when the shooting death of Ms. Newman occurred. Mr. Mayo gave a voluntary
14 statement to law enforcement on the night of the incident and testified at the Grand Jury
15 proceeding in this case.
16

17 It is alleged in this case that Ms. Newman sold controlled substances out of her house and
18 with her children present. In his voluntary statement, Mr. Mayo acknowledges that Stephanie
19 "probably" wanted some weed on the evening in question. See *Voluntary Statement of Mayo*, p.6
20 attached hereto as Exhibit "1." Further, Mr. Mayo acknowledges that his "sack" of marijuana was
21 taken during the course of the robbery. See *Grand Jury Testimony of Mayo*, p. 28 ll.15-16 attached
22 as Exhibit "2." De'vonica Newman, the minor child of Derecia who was shot in the course of the
23 robbery, stated in her voluntary statement that there was crack in the house. See *Voluntary*
24 *Statement of Newman* p.10, attached as Exhibit "3."
25

26 As a result of placing not only De'Vonica, as well as other children, in harm's way, Mr.
27 Mayo was charged by way of Criminal Complaint dated November 24, 2010 with one (1) count
28

1 Child Neglect with Substantial Bodily Harm, one (1) count Allowing Child to be Present Where
2 the Uniform Controlled Substances Act was Violated, and one (1) count Trafficking in Cocaine.
3 See *Register of Actions for Case No. 10F21953X* attached hereto as Exhibit “4” and incorporated
4 by reference. Despite that the case originated in 2010, the preliminary hearing in this matter has
5 not been conducted due to multiple continuances for negotiations. It appears that this case has
6 been stalled beyond any proceedings of ordinary course at the Justice Court level. As such, it is a
7 logical presumption that Mr. Mayo’s case has been continued for nearly four (4) years because his
8 negotiations may be contingent on his testimony in the instant matter.
9

10 Moreover, it appears that Mr. Mayo has acquired another Justice Court case during the
11 pendency of this matter; one (1) count of felony tampering with a vehicle charged by way of a
12 June 17, 2011 Criminal Complaint. See *Register of Actions for Case No. 11F10729X* attached
13 hereto as Exhibit “5” and incorporated by reference. Again, and in contravention of the ordinary
14 course of proceedings, that case has been languishing in the Justice Court for over three (3) years
15 due to multiple continuances.
16

17 b. Donovan Rowland

18 Mr. Rowland is a key witness for the State that also testified in both a voluntary statement
19 and before the Grand Jury. In his voluntary statement, Mr. Rowland admitted to meeting Jerome
20 Thomas, who is charged as an accessory in this matter, at a convenience store. See *Voluntary*
21 *Statement of Rowland*, p. 18, attached hereto as Exhibit “6.” Mr. Rowland also admits to buying
22 “weed” from Mr. Thomas. *Id.* at 22. When asked about the hearing the name D-Shot or D-Shock,
23 Mr. Rowland provided stated “the night that the incident happened I seen him at the
24 apartment[Monica’s] and I heard him [Thomas] say the name, his name, when he was in the
25 kitchen, but I’ve never seen him before.” *Id.* at 29.
26

27 ///
28

1 Most critically, Rowland testified at both the Grand Jury and in his voluntary statement
2 that he visited Jerome Thomas at 5:00am on August 7, 2010 at Defendant, Monica Martinez'
3 house. *Id.* at 36. At the house, Rowland stated that he saw defendants, Willie Mason and
4 Martinez. *Id.* at 36-37. Rowland claims that Thomas informed him at that time that "Mason and
5 "them" went "nuts." *Id.* In addition, Rowland allegedly observed Thomas cleaning a gun, which
6 Thomas gives to Rowland to for disposal. *Id.* at 36-37, 45, 58. At one point, Rowland stated that
7 he saw a man he knew as D- Shot in the kitchen. *Id.* at 39. D-Shot is alleged to be the moniker of
8 Defendant David Burns.

10 Similarly to Mr. Mayo, it appears that Mr. Rowland had had several interactions with law
11 enforcement following his testimony before the Grand Jury. Donovan Rowland was accused of
12 Burglary, Grand Larceny, and Conspiracy to Commit a Crime stemming from a November 18,
13 2010 incident. See *Register of Actions for Justice Court Case No. 10F22031A* attached hereto as
14 Exhibit "7." In addition, Mr. Rowland was charged with Carrying a Concealed Weapon and
15 Possession of a Stolen Firearm stemming from a January 28, 2011 incident. See *Register of Action*
16 *for Justice Court Case No. 11F01851X*, attached hereto as Exhibit "8." At the District Court level,
17 Mr. Rowland was permitted to plead to one (1) count of Carrying a Concealed Firearm. See *Guilty*
18 *Plea Agreement District Court Case No. C271285*, attached hereto as Exhibit "9." On April 4,
19 2008, all charges in Case No.10F22031A were dismissed "per negotiations." Exhibit "10."

22 In addition, Mr. Rowland was also charged with providing false information to a police
23 officer stemming from a March 30, 2011 incident. See *Register of Actions for Justice Court Case*
24 *No. 11M14826X*, attached hereto as Exhibit "11." That case was dismissed on April 1, 2011 with
25 a listed reason as "State Not Proceeding." *Id.* Finally, Mr. Rowland was charged with Burglary
26 and felony Theft stemming from a February 13, 2012 incident. See *Register of Actions for Justice*
27 *Court Case No. 12F03011X* attached hereto as Exhibit "12." In that case, Mr. Rowland was
28

1 permitted to plea to a misdemeanor theft charge and sentenced to thirty (30) days credit for time
2 served. See *Minutes, District Court Case No. C-12-282675-1*.

3 c. Stephanie Cousins

4 While Defendant Cousins is being held without bail in the instant matter, Ms. Cousins
5 confessed to a shocking variety of crimes in her voluntary statements. These crimes included, but
6 were not limited to Conspiracy to Distribute a Controlled Substance, Solicitation, and Possession
7 of a Controlled Substance. See *Statement of Cousins*, pp. 21-22, 111-116 attached as Exhibit "13."

8 Further, it appears from the record in this case that here charges in the instant matter have
9 not proceeded to trial nor ended in a plea negotiation, but instead have been indefinitely stayed,
10 most probably till the conclusion of Burns and Mason's trial. It is unknown at this time if the State
11 intends to call Ms. Cousins at the time of trial in this matter, but should the State have made any
12 offer of lenience in either this case, or other criminal matters, material concerning this "bargain"
13 should be provided to the defense.
14
15

16 **II. LEGAL STANDARD**

17 Pursuant to NRS 174.235 and *Brady v. Maryland*, 373 U.S. 83, (1963), the State has a duty
18 to disclose material information. Brady and its progeny require a prosecutor to disclose evidence
19 favorable to the defense if the evidence is material either to guilt or punishment. See *Jimenez v.*
20 *State*, 112 Nev. 610, 618-19, 918 P.2d, 687, 692 (1996). Failure to do so violates due process
21 regardless of the prosecutor's motive. *Id.* 618, 918 P.2d, 692. Due process does not require simply
22 the disclosure of exculpatory evidence. *Lay v. State*, 116 Nev. 1185, 14 P.3d, 1256 (2000).
23 Evidence must also be disclosed if it provides grounds for the defense to attack the reliability,
24 thoroughness, and good faith of the police investigation or to impeach the credibility of the state's
25 witnesses. *Id.* There is no legal distinction between impeachment evidence and exculpatory
26 evidence under *Brady*. *United States v. Bagley*, 473 U.S. 667, 676-77, 105 S. Ct. 3375, 3380-81,
27
28

1 87 L. Ed. 2d 481 (1985).

2 Included in “impeachment evidence” is any evidence of agreements between the
3 prosecution and the State’s witnesses regarding the treatment of said witnesses in future
4 prosecutions. In *Giglio v. United States*, 405 U.S. 150, 155, 92 S.Ct. 763, 766, 31 L.Ed.2d 104
5 (1972), the United States Supreme Court held that where the credibility of a witness is an
6 important issue in the case, “evidence of *any understanding* or agreement as to a future
7 prosecution would be relevant to his credibility and the jury was entitled to know of it.”(emphasis
8 added). The Nevada Supreme Court has interpreted *Giglio* to hold that this disclosure requirement
9 applies not only to explicit agreements, but also to any facts which imply an agreement, because
10 both would have a clear effect on the witness’s credibility. *Jimenez*, supra at 622, 695.
11
12

13 **III. ARGUMENT**

14 Pursuant to *Brady* and *Giglio*, supra, the State is required to disclose any materials or facts
15 that tend to show an implicit or explicit agreement between the State and the State’s witnesses
16 regarding any future prosecution of said witnesses. Given that a large number of the witnesses in
17 this case, including but not limited to Cornelius Mayo and Donovan Rowland, have subsequently
18 been charged with crimes in connection with this case, as well as unrelated crimes, there is
19 reasonable cause to suggest that some agreements regarding these prosecutions have been made.
20 Especially in light of the demonstrable favorable treatment that Mayo and Rowland have been
21 given in their criminal prosecutions.
22


23 As such, Burns respectfully requests that this Court order the State to disclose any and all
24 materials and facts regarding any agreement with a State’s witness as to future prosecutions of said
25 witness.
26

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DATED this 8 day of October, 2014.


ANTHONY P. SGRO, ESQ.
Nevada State Bar No. 3811
PATTI, SGRO, LEWIS & ROGER
720 S. 7th Street, 3rd Floor
Las Vegas, Nevada 89101
Attorney for Defendant

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~~X~~ the documents were submitted electronically for filing and/or service within the Eighth Judicial District Court pursuant to Administrative Order 14-02 for e-service to the following:

_____ placing the original copy in a sealed envelope, first-class, postage fully pre-paid thereon, and depositing the envelope in the U.S. mail as Las Vegas, Nevada addressed as follows:

ROBERT L. LANGFORD, ESQ.
616 S. 8th Street
Las Vegas, NV 89101
robert@nvlitigation.com

Kan Vile
An employee of Patti, Sgro, Lewis & Roger

EXHIBIT “1”

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 1

EVENT #: 100807-0732

SPECIFIC CRIME: HOMICIDE

DATE OCCURRED: 08-07-2010

TIME OCCURRED: 0353 HRS.

LOCATION OF OCCURRENCE: 5662 MEIKLE LANE

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: CORNELIUS MAYO

DOB:

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS: 5662 MEIKLE LANE #A
LAS VEGAS, NV 89156

PHONE 1:

WORK ADDRESS:

PHONE 2:

The following is the transcription of a tape-recorded interview conducted by DETECTIVE M. WILDEMANN, P#3516, and DETECTIVE B. JENSEN, P#3662, LVMPD HOMICIDE SECTION, on 08-07-10 at 0621 hours.

Q. Hi, this is Marty Wildemann, P#3516, taking a taped voluntary statement. This is gonna be under Event #100807-0732. Um, subject's gonna be a death investigation. We're taking this statement from Cornelius Mayo, uh, M-A-Y-O, date of birth , soc of He has an ID number of 1646544. Ah, his address is 5662 Meikle, M-E-I-K-L-E, Lane, Apartment A, Las Vegas, 89156. Ah, persons present are myself, Detective B. Jensen, P#...

BJ (B. JENSEN). 3662.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 2

EVENT #: 100807-0732
STATEMENT OF: CORNELIUS MAYO

Q. And, ah, Mr. Mayo. Uh, this statement's being taken outside his residence on, ah, August 7, 2010, at approximately 0621 hours. Ah, Cornelius, everybody calls you C-Note, is that right?

A. Yes.

Q. Okay. So obviously we're here talking about this incident and, ah, we're trying to get some details. Um, tell me what, uh, tell me what, ah, you were doing last night and how this all originated, how it started.

A. Well I know Stephanie called, said she was suppose to come by. And then about like 30 minutes later, I guess she came by, 'cause I was in the bathroom when this happened. 'Cause I know my girl, she went up. She got the door. I heard her screaming.

Q. Your girl, your girl, tell me your girl's name?

A. Derecia Newman.

Q. Okay. Derecia.

A. I heard her scream, and by the time I heard that, that's when I heard the first gunshot, then I heard her scream again, and then that's when the second gunshot, I didn't hear her say nothing. Then I felt like I heard a little rumbling but that was my daughter. I don't know if she was in her room, or in the front where, where that happened at. But I know she ran in the bathroom where I was at, 'cause she ducked down by the wall, 'cause that's when I was pulling up my clothes, trying to get out the bathroom, 'cause I was gonna _____(unintelligible/moving

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 3

EVENT #: 100807-0732
STATEMENT OF: CORNELIUS MAYO

recorder). Whatever. But before I could even get out of there, he was coming in the bathroom, I guess chasing behind her.

Q. Behind your daughter?

A. Yeah. But he ain't never come all the way in the bathroom 'cause it's like a little curve. It ain't even no _____ (unintelligible) 'cause he would of came in there a little more, I probably wouldn't be talking to you right now. But he, ah, she came out, she _____ (unintelligible) go back out the bathroom. It looked like she lunged towards him, I'm not for sure, but just when she did that, that's when he shot her I guess right here or somewhere. And then like I just waited in the bathroom like 20 seconds later 'cause I heard 'em going back down the hallway. Then I came outside. But I was already on the phone with 911 when I came outside. There wasn't nobody out here. I ain't see nothing after that.

Q. Okay. Did you recognize the, ah, the guy with the gun?

A. I, I didn't, I didn't see the gun. I didn't see them.

Q. Okay.

A. But...

Q. All right, so let's talk about this a little bit better. Okay? Derecia, ah, does Derecia have a cell phone?

A. No.

Q. No. Do you have a cell phone?

A. Yes.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 4

EVENT #: 100807-0732
STATEMENT OF: CORNELIUS MAYO

Q. Okay. Did, ah, did, ah, Stephanie have a cell phone?

A. Well, yes, I--yes.

Q. Okay. So when Stephanie calls and says she's coming over, she call your cell phone?

A. No, she called the house phone.

Q. Oh, what's your, what's your house phone number?

A. 702-444-9446.

Q. Okay.

BJ. Cornelius, what's your cell number?

A. 609-4483.

BJ. Who's the carrier on that?

A. Cricket.

BJ. Is it under your name?

A. No.

BJ. Whose name it's under?

A. My girl got it turned on. I'm not fur sure, I think it's Amber Jones. I'm not for sure though.

(RADIO TRAFFIC IN BACKGROUND/NOT TRANSCRIBED)

BJ. Okay.

Q. Okay. Um, okay, so Stephanie calls the house. Who answers the phone, takes the phone call from Stephanie?

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 5

EVENT #: 100807-0732

STATEMENT OF: CORNELIUS MAYO

A. My girl did, Derecia.

Q. Okay, Derecia does. Okay. And what time was that at?

A. Um, I'm not for sure exact time but probably like 3:00 something, after 3:30, or no, it could of been before that when she call. I'm not for sure though.

Q. Okay.

A. But the call log it should still be on my phone.

Q. Okay.

BJ. You got caller ID?

A. Yeah.

Q. Okay. So tell me who Monica is, do you know who Monica is?

A. Monica?

Q. Yeah.

A. No.

Q. Okay. Well, let me ask you this. While you were in there, and Stephanie's in there and everything, do--does Stephanie take a phone call, or do you guys get another phone call at the house?

A. No, _____ (unintelligible), well, since this happened, I have spoke to Stephanie on the phone, and what she claim is she was at the door and by the time my girl Derecia opened the door, she cla--she said it was two dudes came out of nowhere, 'cause the first story she told me she said they grabbed her by the shirt, they grabbed her by the shirt and had her by the shirt and put--took her in the house.

VOLUNTARY STATEMENT

PAGE 6

EVENT #: 100807-0732

STATEMENT OF: CORNELIUS MAYO

Then the other one she said they threw her down.

Q. All right. But that's what--this is what Stephanie's telling you?

A. Yeah.

Q. All right. I'm not gonna worry about that so much right now. Hold on a second.

Okay, sorry, I had a brief interruption there. Um, Cornelius, we're talking about...let's just go kinda back through the thing 'cause I think we misunderstood each other on what we were talking about. But, ah, so maybe at about 3:00 or something does somebody call your, your house?

A. Yes, Stephanie called.

Q. Stephanie. And do you know Stephanie's last name?

A. I believe it's Cousins.

Q. Okay. How long have you known Stephanie?

A. I known her for like eight, nine years probably.

Q. Okay. You know her a long time. Does Stephanie call and come over frequently?

A. She do but she haven't lately.

Q. She hasn't lately.

A. Yeah.

Q. Okay. But she calls at 3:00, what did she want?

A. Uh, I know she wanted some, probably some weed, but she ain't never say on the phone.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
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STATEMENT OF: CORNELIUS MAYO

- Q. Okay. That's...
- A. She just said she was gonna come by.
- Q. Okay. All right. So, uh, and for her to come by at 3:00 a.m. is not that big of a deal? You guys were still up?
- A. Yeah.
- Q. Okay. And, and, and tell me how to say your daughter's name, is it?
- A. Devonia.
- Q. Devonia. Okay. So Derecia and Devonia were up and you were up still, right?
- A. Yeah.
- Q. Okay. So, uh, do you actually see Stephanie arrive at your house?
- A. No, I just...my other daughter, the one, Devonia, she came and told Derecia that
somebody was knocking.
- Q. Okay.
- A. And then I guess when she got the door, I assume that's when everything happened. Like I don't know who came in first, Stephanie _____
(unintelligible/recorder moving).
- Q. Let me, I'm gonna interrupt you one more time. Stand-by. Okay, uh, Devonia comes and gets Derecia, says there's a knock at the door.
- A. Yeah.
- Q. Okay. Does Stephanie actually, was it Stephanie?
- A. Uh, I heard Stephanie in the house so I knew it was, ah, yes, she was there.
- _____

VOLUNTARY STATEMENT

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EVENT #: 100807-0732

STATEMENT OF: CORNELIUS MAYO

Q. Okay, where were you?

A. I was still in the bathroom.

Q. You were in the bathroom. Okay. What happens then?

A. I just heard my girl, I assumed she opened the door, then I heard her scream. I guess she saw 'em like soon as she open the door. That's why I said that about Stephanie, but I guess she seen 'em like soon as she opened the door. She screamed twice. You hear the first gunshot. Then she scream again, then she don't scream no more.

Q. Uh huh. Okay.

A. Then that's when my daughter ran to the back of the house where I was at in the bathroom.

Q. Do you have a bathroom in your master bedroom?

A. Yes.

Q. Okay. And that's where you were, all the way in the back.

A. Yeah.

Q. Okay. And she comes in. Tell me what happens.

A. And she came in by right around the wall, she ducked down, 'cause she scared. She call my name. I'm like stay right here. But and me telling her that, she ran up out the bathroom. That's when he was coming in the bathroom, I assume looking for her. And that's when he shot her and she just stayed right where she fell right there. I just told her to stay there.

VOLUNTARY STATEMENT

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EVENT #: 100807-0732

STATEMENT OF: CORNELIUS MAYO

- Q. All right. Did you get a look at this guy?
- A. No, 'cause when I came outside I didn't see nothing. I didn't see a car or nothing.
- Q. Well, let me ask you this, how does he come in the bathroom to shoot your daughter but you don't see him?
- A. Because...like as he was coming in, I guess she was going back out. Like she was scared.
- Q. So he might of been in the bedroom still.
- A. Yeah, he was in...
- Q. When he shot, he was in the bedroom?
- A. Yeah, he...yeah. He ain't never come in the bathroom all the way.
- Q. Okay. All right. And you're still in the bathroom?
- A. Yeah.
- Q. All right. And you...
- A. 'Cause if he, he woulda came about a step, a foot in there, he woulda saw me.
- Q. Okay. How many gunshots did you hear?
- A. Total about five or six.
- Q. About five or six. When you came out, who was in the apartment?
- A. Nobody, my kids.
- Q. Your kids, and your girl.
- A. (unintelligible) and my girl.
- Q. Okay. Uh, Stephanie was gone?

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EVENT #: 100807-0732
STATEMENT OF: CORNELIUS MAYO

A. Yeah, I ain't see her nowhere.

Q. Okay. Let me ask you this, how sure are you that Stephanie made it into that apartment? Did you hear her voice?

A. Yes, I'm a hundred percent positive.

Q. Okay. You're a hundred percent positive. So then did you hear the knock yourself, or, or not?

A. No, I ain't hear 'em knock.

Q. Okay.

A. But I heard my daughter when she came back there and said somebody was knocking.

Q. Okay. And you figured it had to be Stephanie 'cause she had just called.

A. Yeah.

Q. How long between her calling and, and the house and her arriving was there? Like five minutes, two minutes, one minute?

A. Probably like 20, 20-30 minutes.

Q. Oh, 20 or 30 minutes.

A. Yeah.

Q. So when did she say--did she tell your girl that she was right around the corner?

A. Uh, I'm not for sure.

Q. 'Cause remember you told us that, you know, she said she was right around the corner, and that you were out earlier and you didn't see anybody.

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STATEMENT OF: CORNELIUS MAYO

A. No, she said the dudes was hanging around the corner.

Q. Okay. So Stephanie comes up...okay, I gotcha. So she says she just noticed these guys hanging out when she came up.

A. Like soon as she open the door, she noticed them coming around the corner.

Q. Okay. All right. All right. Uh, and tell me how many shots you thought you heard?

A. Like five or six.

Q. Like five or six shots. Okay. Um, you never got a look at the guy, you never really saw Stephanie?

A. No.

Q. Okay. Is there a chance you think Stephanie's gonna lie in, in her statement to us, and what she says?

A. Um, no, not really.

Q. Okay. All right. Barry, you have anything additional?

BJ. No.

Q. Okay. Um, we're gonna end this interview, the time is 0638 hours, same people are present.

THIS VOLUNTARY STATEMENT WAS COMPLETED AT 5662 MEIKLE LANE, ON THE 7th DAY OF AUGUST, 2010 , AT 0638 HOURS.

MW:BJ:sd
10V1041

EXHIBIT “2”

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EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

BEFORE THE GRAND JURY IMPANELED BY THE AFORESAID
DISTRICT COURT

THE STATE OF NEVADA,)	
)	
Plaintiff,)	
)	
vs.)	No. 10AGJ054X
)	
WILLIE DARNELL MASON, aka Willie)	
Darnell Mason Jr., aka G-DOGG,)	
)	
Defendant.)	
<hr/>		

Taken at Las Vegas, Nevada
Tuesday, September 28, 2010
8:37 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Lisa Brenske, C.C.R. No. 186

1 THE FOREPERSON: Please state your first
2 and last name and spell them for the record, sir.

3 THE WITNESS: Cornelius Mayo.
4 C-o-r-n-e-l-i-u-s, M-a-y-o.

5 THE FOREPERSON: Thank you.

6 CORNELIUS MAYO,
7 having been first duly sworn by the Foreperson of the
8 Grand Jury to testify to the truth, the whole truth,
9 and nothing but the truth, testified as follows:

10

11 EXAMINATION

12

13 BY MS. WECKERLY:

14 Q. Mr. Mayo, can you hear me okay?

15 A. Yes.

16 Q. And I ask you to just keep your voice up a
17 little bit to make sure the sound carries all the way
18 back here, okay?

19 A. Yes.

20 Q. Sir, in August of 2010 where were you
21 living?

22 A. 5662 Meikle Lane, apartment A.

23 Q. And who lived at that residence with you at
24 that time?

25 A. My girlfriend Derecia Newman and our four

1 daughters; Devonia Newman, Cashmere Mayo and Cornelius
2 Mayo, Jr. and Cordaja Mayo.

3 Q. Can you spell your wife's, girlfriend's
4 name and the children's names for us.

5 A. Derecia Newman, D-e-r-e-c-i-a, N-e-w-m-a-n.
6 Devonia Newman, D-e-v-o-n-i-a, N-e-w-m-a-n. Cashmere
7 Mayo, C-a-s-h-m-e-r-e, M-a-y-o. And Cornelius Mayo,
8 C-o-r-n-e-l-i-u-s, M-a-y-o, Junior, J-u-n-i-o-r. And
9 Cordaja Mayo, C-o-r-d-a-j-a, M-a-y-o.

10 Q. With regard to the children, Devonia is how
11 old?

12 A. Devonia is 12.

13 Q. And the other children?

14 A. Cashmere is six and Cornelius, Jr. is five
15 and Cordaja is three.

16 Q. So young?

17 A. Yes.

18 Q. Now, on August the 7th who was home at the
19 apartment that early morning?

20 A. Everybody I just said, me and my girlfriend
21 and our four kids.

22 Q. Anybody else there?

23 A. Yeah. My girlfriend little sister was
24 there at the time.

25 Q. And what is Derecia's sister's name?

1 A. Erica Newman, E-r-i-c a, N-e-w-m-a-n.

2 Q. Now, the residence on Meikle, that's in Las
3 Vegas, Clark County, Nevada?

4 A. Yes.

5 Q. And did you at that residence have like
6 what we would call like a land line phone?

7 A. A house phone?

8 Q. Yes.

9 A. Yes.

10 Q. Do you remember what the number was?

11 A. Yes. (702) 444-9446.

12 Q. And did that phone have any kind of caller
13 ID feature on it?

14 A. Yes.

15 Q. It did?

16 A. Yes.

17 Q. Now, at about three in the morning on the
18 7th of August were you aware of a phone call that came
19 into your residence?

20 A. Yes. The phone rang approximately like
21 3:39 in the morning and Derecia, she got the phone and
22 said it was --

23 Q. Let me interrupt you one second. You can't
24 say what Derecia said, but did you see Derecia actually
25 answer a phone at 3:39?

1 A. Yes.

2 Q. And at some point did you later look at the
3 caller ID and see what was on the caller ID?

4 A. Yes.

5 Q. And whose name or whose number was on the
6 caller ID?

7 A. Cousins is the last name, just S.

8 Q. S Cousins?

9 A. Yeah. But it said Cousins S.

10 Q. So it said the last name first?

11 A. Yes.

12 Q. So Cousins S?

13 A. Yes.

14 Q. Do you know someone by the name of S
15 Cousins?

16 A. Yes.

17 Q. Who do you know by that name?

18 A. Stephanie Cousins.

19 Q. How long have you known Stephanie Cousins?

20 A. For probably like seven or six years.

21 Q. Quite awhile?

22 A. Yes.

23 Q. When Stephanie Cousins was calling at
24 3:39 I think you said in the morning on that date had
25 she called before at that type of hour at your

1 residence?

2 A. No, not recently.

3 Q. How about in the years that you've known
4 her?

5 A. Well, she probably will, but like usually
6 we don't even answer the phone that time.

7 Q. So what is your relationship with Stephanie
8 Cousins?

9 A. We just a friend I knew from the other
10 apartments we stayed in.

11 Q. Do you ever sell her any drugs?

12 A. No.

13 Q. Have you ever provided her with marijuana?

14 A. No, I haven't.

15 Q. Has Derecia to your knowledge?

16 A. Probably. When we stayed in our old
17 apartments probably. But not recently like.

18 Q. Not recently, but sometime in the past to
19 your knowledge Derecia has sold or given marijuana to
20 Stephanie Cousins?

21 A. Yes, she probably gave it to her. I
22 wouldn't say she sold it to her.

23 Q. Okay. After that call at 3:39 was there
24 another call made or did you become aware of someone
25 making another call to your house?

1 A. Yes. Around like approximately like 10
2 minutes later at 3:49 she called again.

3 Q. And was it again on the caller ID?

4 A. Yes.

5 Q. At that time did you answer the phone or
6 did you see anybody else answer the phone?

7 A. No, because I was in the bathroom at the
8 time.

9 Q. Did you hear it ring though?

10 A. Yes.

11 Q. After you heard the phone ring, you said
12 you were in the bathroom, what was the next thing you
13 heard or saw?

14 A. After the phone ring Derecia said she has
15 to go get the door.

16 Q. And you're still in the bathroom?

17 A. Yes.

18 Q. What's the next thing you hear?

19 A. I hear like I guess you could say like a
20 commotion or something, but I really can't tell because
21 I was in the back. And then I heard Derecia like kind
22 of scream and then I heard like two gunshots.

23 Q. So you hear kind of a loud noise or you
24 said a commotion?

25 A. Yes.

1 Q. And then you hear your girlfriend Derecia
2 scream?

3 A. Yes.

4 Q. Was she saying words or just screaming?

5 A. It wasn't even like no scream like that,
6 but like it was a scream. That's the only way I can
7 describe it.

8 Q. And then you said you heard two gunshots?

9 A. Yes.

10 Q. What did you hear after that?

11 A. That's when I heard Stephanie Cousins like
12 I guess she was kind of screaming too.

13 Q. And at this point you'd known Stephanie for
14 a couple of years?

15 A. Yes.

16 Q. So did you actually recognize her voice as
17 screaming?

18 A. Yes.

19 Q. After you heard Stephanie scream what was
20 the next thing that happened?

21 A. I heard like three -- probably like two or
22 three more gunshots and then that's when my daughter ran
23 in the bathroom where I was.

24 Q. Which daughter are you talking about?

25 A. Devonia Newman.

1 Q. So the 12-year-old?

2 A. Yes.

3 Q. She runs into the bathroom where you are?

4 A. Yes.

5 Q. And the bathroom that you're talking about
6 is -- let me ask you this. How many bathrooms are in
7 your residence?

8 A. Two.

9 Q. And the one that you were in, which one is
10 it?

11 A. The one in my room, the master bedroom.

12 Q. So your 12-year-old daughter runs into the
13 bathroom which is where you are?

14 A. Yes.

15 Q. And describe for the Grand Jury what
16 happens.

17 A. Well, after she run in the bathroom,
18 because as she run in the bathroom I'm pulling up my
19 pants and then she just looking at me like -- well, like
20 because I can tell she was scared but she just asked me
21 like what to do and I just told her to be quiet and sit
22 right here.

23 Q. Was she injured?

24 A. No.

25 Q. So she comes into the bathroom and you tell

1 her to sit right there?

2 A. Yes.

3 Q. What happens after that?

4 A. Well, like I guess he was chasing her down
5 the hallway and when he came in the room he shot through
6 the bathroom door and I believe that scared her, that's
7 what made her run back out the bathroom and that's when
8 he shot her.

9 Q. While you're in the bathroom with Devonia
10 there's a shot that comes through the bathroom door?

11 A. Yes.

12 Q. And can you see who it is that fired the
13 shot?

14 A. No, because he didn't never come in the
15 bathroom.

16 Q. And after that shot is fired do you
17 remember Devonia getting up and moving?

18 A. Yeah, because like she fell -- like when
19 she fell, she fell like in the bedroom and then she
20 liked switched her body the opposite way. Like her head
21 was in the bedroom but like after he shot her like she
22 switched her head to where she was in the bathroom.

23 Q. And I think I may be asking this in a bad
24 way. When Devonia comes in the bathroom at first she is
25 not shot, right?

1 A. No.

2 Q. And then a shot comes through the bathroom
3 door?

4 A. Yes.

5 Q. Is she hit by that shot?

6 A. No.

7 Q. What happens after that shot that comes in
8 the bathroom door? What does Devonia do?

9 A. She ran out the bathroom.

10 Q. What happens to her then?

11 A. That's when I guess he was right there and
12 he shot her in her stomach.

13 Q. And do you see Devonia after she's been
14 shot in the stomach?

15 A. Yes.

16 Q. And you could see that she was injured?

17 A. Yes.

18 Q. Did you ever get a look at who shot her?

19 A. No, cause I came out the bathroom probably
20 like two seconds or three seconds after, but he was
21 already out -- I didn't know he was out the room by
22 then.

23 Q. Now, when you looked at Devonia did she
24 have a shirt on or how could you see where she was hurt?
25 Was she grabbing her stomach?

1 A. Yes.

2 Q. And what did you tell her?

3 A. I just told her be still -- I just told her
4 be still, help on the way.

5 Q. Did you notice anything else about her
6 clothing like was she bleeding or what did her pockets
7 look like or anything like that?

8 A. No, there wasn't no blood on her.

9 Q. So you told her to be still. Where are the
10 smaller children at this point?

11 A. They in the bedroom that's directly across
12 from ours because everybody else was asleep.

13 Q. What about Derecia's sister Erica, where
14 was she?

15 A. She was in there also with my kids.

16 Q. What did you do?

17 A. Well, I asked them if they was all right
18 because I was already on the phone with 9-1-1 by then.

19 Q. And what phone did you use to call 9-1-1;
20 do you recall?

21 A. I believe it was my cell phone.

22 Q. And is that a different number than that
23 444-9446?

24 A. Yes.

25 Q. Do you know what your cell number is?

1 A. Yes.

2 Q. What number is that?

3 A. (702) 609-4483.

4 Q. And that's the number you think you dialed
5 9-1-1 from?

6 A. Yes.

7 Q. At some point I assume the police and
8 paramedics come?

9 A. Yes. Police arrived there first.

10 Q. Do paramedics come and take Devonia to the
11 hospital?

12 A. Yes.

13 Q. And to this day where is she, Devonia?

14 A. She is still in the hospital.

15 Q. And I mean you've seen her since back in
16 August I'm sure?

17 A. No.

18 Q. You haven't?

19 A. No.

20 Q. Do you know her condition now?

21 A. Well, she just start talking -- like they
22 just took her out I believe the intensive care unit on
23 Sunday and they took like the tubes out of her so she
24 can talk now.

25 Q. Have you talked to her?

1 A. I have, yes.

2 Q. And that would obviously be at the
3 hospital?

4 A. Yes. Well, she called.

5 Q. She called?

6 A. Yeah.

7 Q. Getting back to that morning you said the
8 police come and then paramedics come?

9 A. Yes.

10 Q. And you end up giving an interview or the
11 police talk to you about what went on that early morning
12 or that night?

13 A. Yes.

14 Q. At some point did you call Stephanie?

15 A. Yes, I probably called her probably like 10
16 minutes after -- 10 or 15 minutes after the first police
17 car probably got there.

18 Q. Did you call Stephanie from the 444 house
19 phone or from your cell phone?

20 A. I called her from my cell phone.

21 Q. When you called her from your cell phone,
22 what did you say to her?

23 A. My exact words?

24 Q. Yes.

25 A. Take your time.

1 A. When I first said it I was just like --

2 Q. The best to your recollection what were
3 your exact words?

4 A. Well, like I was cursing at her.

5 Q. You were angry?

6 A. Yes.

7 Q. And did she respond to you at all?

8 A. Yeah. Her response was when she knocked on
9 the door two dudes or something just so happen to be
10 waiting around the corner and they came around the
11 corner when Derecia opened the door.

12 Q. That's what Stephanie said, I was at the
13 door, two guys rushed in behind me?

14 A. Yes.

15 Q. Did you tell her whether or not you
16 believed her?

17 A. No. I told her she was lying because I
18 told her if they would have shot a little girl they
19 would have shot you too.

20 Q. Did you have any further conversation with
21 Stephanie that you remember?

22 A. Yeah, cause she called me back after I hung
23 up on her the first time I believe.

24 Q. And what did she tell you when she called
25 you back?

1 A. She was just trying to say like I love you
2 guys, you know I wouldn't do nothing like that to you
3 all.

4 Q. At some point you're allowed back into your
5 apartment after the police leave?

6 A. Yes.

7 Q. Did you notice whether anything was taken,
8 anything was missing from your residence?

9 A. The only thing they took was like -- cause
10 my drawer, it was right there by the bathroom in our
11 room, and it was opened already and I had like \$450.

12 Q. So some actual cash?

13 A. Yes.

14 Q. Any drugs taken?

15 A. There was no drugs in there. Well, I had a
16 sack of marijuana.

17 Q. Was that taken?

18 A. Yes, it was gone and my pack of Newports
19 was gone.

20 Q. So cigarettes, some marijuana and about
21 \$450?

22 A. Yes.

23 Q. And, sir, as you testify here this morning
24 can you tell us whether or not you've been convicted of
25 a felony just within the last 10 years?

1 A. No, I have no felonies.

2 MS. WECKERLY: Thank you. I have no
3 further questions of this witness.

4 THE FOREPERSON: Anyone?

5 Mr. Mayo, by law these proceedings are
6 secret and you're prohibited from disclosing to anyone
7 anything that transpired before us including any
8 evidence presented to the Grand Jury, any event
9 occurring or a statement made in the presence of the
10 Grand Jury or any information obtained by the Grand
11 Jury.

12 Failure to comply with this admonition is a
13 gross misdemeanor punishable by one year in the Clark
14 County Detention Center and a \$2,000 fine. In addition
15 you may be held in contempt of court punishable by an
16 additional \$500 fine and 25 days in the Clark County
17 Detention Center.

18 Do you understand this admonition?

19 THE WITNESS: Yes.

20 THE FOREPERSON: Thanks for your testimony.
21 You're excused, sir.

22 Raise your right hand, Detective.

23 Do you solemnly swear the testimony that
24 you are about to give upon the investigation now pending
25 before this Grand Jury shall be the truth, the whole

1 truth and nothing but the truth, so help you God?

2 THE WITNESS: I do, sir.

3 THE FOREPERSON: Please be seated.

4 You are advised that you are here today to
5 give testimony in the investigation pertaining to the
6 offenses of conspiracy to commit robbery, conspiracy to
7 commit murder, burglary while in possession of a
8 firearm, robbery with use of a deadly weapon, murder
9 with use of a deadly weapon, attempt murder with use of
10 a deadly weapon and battery with use of a deadly weapon
11 with substantial bodily harm involving Willie Darnell
12 Mason.

13 Do you understand this advisement?

14 THE WITNESS: Yes, sir.

15 THE FOREPERSON: Would you please state
16 your first and last name and spell them for the record.

17 THE WITNESS: Christopher Bunting.

18 C-h-r-i-s-t-o-p-h-e-r, B-u-n-t-i-n-g.
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EXHIBIT “3”

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 1

EVENT #: 100807-0732

SPECIFIC CRIME: HOMICIDE

DATE OCCURRED: 08-07-2010

TIME OCCURRED: 0353 HRS.

LOCATION OF OCCURRENCE: 5662 MEIKLE LANE #A

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: DE'VONIA JAVON NEWMAN

DOB:

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS: 4910 E. OWENS #C
LAS VEGAS, NV

PHONE 1:

WORK ADDRESS:

PHONE 2:

The following is the transcription of a tape-recorded interview conducted by DETECTIVE C. BUNTING, P#6484, LVMPD HOMICIDE SECTION, on 08-08-2010 at 1615 hours.

Q. This is Detective C. Bunting, conducting a taped interview reference Event #100807-0732. I'm going to be speaking with DeVonia, D-E capital V-O-N-I-A, Javon, J-A-V-O-N, Newman, N-E-W-M-A-N. Ah, date of birth of , social of . Today's date is 08-08-10, and the time is 1615 hours. The interview is taking place at UMC PICU, Pediatrics Intensive Care Unit in bed, or Room 280. And, ah, Devonina informed me that it's De'Vonina. Okay, De'Vonina, I know, um, we're gonna, we've talked a little bit about what happened, okay, and,

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 2

EVENT #: 100807-0732
STATEMENT OF: DE'VONIA NEWMAN

um, you wanna take a couple deep breathes and we'll, for a second. There you go. Okay, and you're doing--that's good--you're doing a great job. You can, you can go ahead and stop. You're doing a great job. And I'm just gonna ask you a couple questions about what happened? Okay? Um, on the night that this happened, you were with your mom, uh, you call her Ree?

A. (Unintelligible)

Q. Does, does, she goes by Ree though?

A. Yeah, but _____.

Q. Right. Derecia Newman, right?

A. (Unintelligible)

Q. Okay.

A. (Unintelligible)

Q. Newman. Right. Um, now you and your mom were in the living room area?

A. _____. I told her _____. She _____ the door, _____ like _____, and, and _____. My mom was like...

Q. Okay, hold on let me slow you down here so I can follow you, okay? So you hear a knock at the door and you go get your mom in her room and tell her that somebody's at the door, and you're shaking your head yes. And she comes to the front door, and it's Stephanie.

A. (Unintelligible). Yeah.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 3

EVENT #: 100807-0732
STATEMENT OF: DE'VONIA NEWMAN

Q. She opens the door and Stephanie is there.

A. My mom _____

Q. I'm sorry?

A. _____

Q. Right, the couches are that far apart.

A. _____ shut the door. Then the dude...

Q. Okay, Stephanie's by the big couch near the door, and your mom's by the other couch.

A. _____. He ran right there, shot my mom. I wasn't even paying attention where he shot her but all I know I just _____. So I ran...

Q. Okay, hold on, I'm gonna stop you there for a second, okay? So Stephanie's about to shut the door, and this guy comes in immediately and shoots your mom.

A. Yes.

Q. Okay. Um, the guy, can you describe him to me, what race is he?

A. Black.

Q. Okay, and about how old is he?

A. Twenty-seven or thirty.

Q. Okay. And how tall do you think he was?

A. Like 6'2".

Q. And was he heavy, skinny?

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STATEMENT OF: DE'VONIA NEWMAN

A. Skinny.

Q: He was skinny. Okay. Did he have any facial hair?

A: _____.

Q: A moustache?

A: Sorta like yours.

Q: Okay, just not shaven, so real...

A: _____.

Q: Right.

A. _____.

Q. Just on the lip he had a thin, a small moustache?

A. Yeah, _____.

Q. Okay. Now what was he wearing, do you remember what color shirt he was wearing?

A. _____.

Q. A white tee shirt with blue, with blue overalls, and they were rolled up at the pant. You mean like down hear the shoes? Okay.

A. Yeah, and I think they were white.

Q. What, the shoes?

A. Yeah.

Q. Okay. So a white tee shirt, blue coveralls, or overalls, and then white tennis shoes. And was he wearing a hat?

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STATEMENT OF: DE'VONIA NEWMAN

A. Orange hat with _____.

Q. Orange hat with white writing. Did you see what that writing was?

A. Yeah, but _____.

Q. It starts with a D. Okay.

A. _____.

Q. His, his hair was curly and down to his ear?

A. I think _____.

Q. So it went, it was as long as, um, his, the middle of his ear is what you're point to.

A. Yeah.

Q. Okay. And it was, was it wet like he had stuff in his hair?

A. It was _____.

Q. Poofy, curly, so kinda poofed out underneath the hat?

A. Yeah.

Q. Okay.

A. And _____.

Q. Okay, so he comes in and can you describe the gun to me?

A. It was about that long, _____ this long.

Q. Very long. Okay. You're showing me a pretty long gun. Okay. It was a handgun?

A. Yeah.

Q. A pistol?

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STATEMENT OF: DE'VONIA NEWMAN

A. _____.

Q. Like a handgun.

A. Yeah, it's one of those ones that _____ push out and twist it.

Q. The cylinder, it's a got a, it's a revolver? Okay. What color was it?

A. Silver.

Q. Silver?

A. Yeah.

Q. Okay. You're doing, you, you're doing awesome. Okay?

A. Yeah, it was silver.

Q. Okay.

A. _____, open the door.

Q. You ran into the bedroom and shut the door.

A. No, the bathroom.

Q. The bathroom. Okay.

A. He shot through the door.

Q. He shot through the bathroom door.

A. _____. He opened the door and then he shot me in the stomach.

Q. Okay, he shot through the door and then opened the door and shot you?

A. Yeah.

Q. Okay. So he was chasing you down the hallway?

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STATEMENT OF: DE'VONIA NEWMAN

A. He didn't quite get me yet.

Q. Okay.

A. But he knows that I ran through that door. And then...

Q. He didn't quite get you...

A. ...and then _____, this is what happened.

Q. Okay.

A. 'Cause I was _____, and I _____, and he was a little bit stronger than me, so he shot me in the stomach, and I, I fell down.

Q. Okay, hold on one second. Okay? You said--what, what happened right before he shot you in the stomach?

A. I tried to _____.

Q. You were wrestling with him?

A. Yeah. _____ stronger than me he turned this way, shot me in the stomach. And then _____.

Q. He went through your pockets?

A. Yeah, saying where's the money? Where's, where's the dope?

Q. Where's the money, where's the dope, as he going through your pockets?

A. Yeah.

Q. Were you lying on the ground, or standing up/

A. _____.

Q. Okay.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 8

EVENT #: 100807-0732
STATEMENT OF: DE'VONIA NEWMAN

- A. Then he seen the dope on the water jug.
- Q. He saw some dope on the water, the water jug?
- A. _____ opened the top drawer.
- Q. He opened the top drawer.
- A. And took some on the money.
- Q. And he took some money out of the top drawer?
- A. What I believe _____, oh yeah, when we were _____, sorry.
- Q. That's okay, you're all right.
- A. When I ran _____, my dad had picked up his phone and _____.
- Q. Your, your dad had picked up what?
- A. Some of the money. So _____.
- Q. Oh, out of the drawer?
- A. So _____ so we can buy out school clothes.
_____.
- Q. Was this before the shooting, or after?
- A. No, it was _____, 'cause he heard it, and then shot when he shot my mom.
And then he seen me _____, and then he run in the
door _____.
- Q. Okay. So he was in the bedroom, grabbing money out of the drawer?
- A. Yeah, so if something happened _____.
- Q. Sure. So he heard gunshots, you run...

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- A. And he was calling _____.
- Q. Hold on, hold on, slow down, give me a second. Okay? 'Cause I need you to slow down so I can understand what you're saying. So you're getting--you're running down the hallway and when you come into the master bedroom, in your dad's room, you see him in the drawer taking money out, and then you guys both go into the bathroom.
- A. Yeah, he had picked, while he's calling the police, he had picked up some money just in case if _____, then we both went in the bathroom.
- Q. Oh, you said when he's calling police.
- A. Yeah. And then, and then I...
- Q. Was he on the phone when the guy was still in the house shooting?
- A. _____ uh, I tried to shut the door _____ got in the shower and then...
- Q. You trying to shut the door, your dad jumps in the shower.
- A. Yeah, _____ shut the door the dude pushes the door.
- Q. He's pushing through the door?
- A. Yeah.
- Q. And you're struggling trying to keep it shut.
- A. He shut the door first, and then he opened the _____, shot me in the stomach.
- Q. Okay, stop right there. Let me repeat to make sure I understand you correctly.

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So your dad grabs some money and you guys both go into the bathroom. Okay. He jumps into the shower, you shut the door, and this guy, the suspect starts pushing on the door and you're struggling to keep the door shut. You're struggling. Yes? Okay.

A. _____.

Q. Okay. And then he shoots through the door, but then he gets the door open and then he shoots you in the stomach. Yes? Okay.

A. And then _____. After that _____ front door like in five seconds, and then _____.

Q. Okay, let's go back though. After he shoots you, is that when he grabs the, the crack rocks off the top of the water bottle, and then, and then he goes...

A. _____.

Q. ...of the money.

A. But I think my dad picked up like a hundred dollars, and 'cause he picked up a _____, and he...

Q. So he, there was still money in the drawer that your dad didn't get, and he, the suspect that shot you, he's the one who picked up the rest of that money.

A. _____. He grabbed all the _____ and stuff _____ and left _____.

Q. Okay, he stuffed what he could of the crack into his pockets, and then some of it fell

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On the floor? Okay. And then what?

A. That was it.

Q. And then he left?

A. Yeah.

Q. Okay, he was the...

A. _____

Q. Okay.

A. _____

Q. Okay, hold on, let me slow you down, let me slow you down.

A. And then...

Q. Hold on. After the suspect leaves, okay, um, real quick, was there anybody else besides Stephanie and this guy that was wearing the orange hat, was there anybody else inside that apartment that you saw?

A. _____

Q. Okay, I'm gonna run through this real quick up to this point, okay, and you just tell me if I'm wrong. Okay? You hear a knock at the door. Okay. You go get your mom who's in the back bedroom and tell her about that somebody's at the door. Then you both come out to the living room and she opens the door and it's Stephanie. Stephanie comes in just inside the door, and your mom is over near the couch. Where are you at, at this point?

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STATEMENT OF: DE'VONIA NEWMAN

A. I'm sitting on the left side of the couch. My mom, uh, was standing by the right side of the couch.

Q. Okay. So you're closer to the door.

A. No. _____. Big couch is right by the door and the little couch is by the patio door.

Q. Are you, which couch are you near?

A. _____ patio.

Q. The patio, so you're behind the couch where your mom is at.

A. Not behind, where the first one is...

Q. There's the couch near the door.

A. There's three couches.

Q. Right, the couch near the door, the couch, um, in the middle of the room, and then the couch near the patio.

A. I was by the one in the middle of the room.

Q. You were by the one in the middle of the room. Okay. And you're mom was by that one too. And then right when Stephanie starts to shut the door...

A. The dude pushes the door.

Q. He pushes...

A. _____.

Q. He hit her? Stephanie?

A. Yeah, on the back. But I--they shot my mom first. So I think Stephanie was a

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part of it. And then I ran back.

Q. Okay, let me stop you real quick right there. You said that he comes in, he barges--does he push Stephanie out of the way and then shoots your mom?

A. He hits her with the door, and_____.

Q. He hits Stephanie with the door.

A. And she said, "What the fuck?"

Q. Who, Stephanie?

A. Yeah.

Q. Okay, so she was surprised to get hit by the door?

A. Yeah, but she could have been acting.

Q. Okay.

A. But then he shot my mom first, then _____.

Q. And then--did he say anything, or did he just barge in and shoot?

A. Oh, he said where's the money at?

Q. That was the first thing he said _____?

A. _____. He just shot her.

Q. So he said, as he's coming in he said where's the money at and then just shot. He didn't give her a chance to answer.

A. No, 'cause I really believe she would of told him where it was.

Q. Right. But she didn't have enough time to even answer? No? Okay. All right.

So he, it's just those two, Stephanie and him that come in. He's by himself. Do

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you remember if he had the gun in his right or his left hand?

A. (No response)

Q. That's okay, take your time. You're doing, you're doing awesome. Left hand? Left hand. Okay. Okay, you just showed me and raised your finger up in the shape of a gun with your left hand, and that's what you're saying, the left hand, right? Okay. Okay. So you, you run back to the back bedroom, he's shooting at you while you're running back there? Not sure? Don't know? Okay. So you run back to the back bedroom. Do you hear him say anything else?

A. _____ try to shut the door but _____.

Q. The towels were on the door so you couldn't shut the door?

A. Yeah.

Q. Okay. So he followed you to the back bedroom, he then, um, tries to push open the...first of all when you come in the bedroom your dad is pulling money out of the top right drawer to the right of the bed. He pulls some but he doesn't get it all.

A. _____. He _____ like a hundred dollars, just in case.

Q. Right. And then he goes into the bathroom, you follow.

A. Yeah, I follow him.

Q. Let me finish, let me finish, and just tell me if I'm right, okay? You go, um you follow behind him into the bathroom. You try and...

A. He _____.

Q. He tells you to come in. Okay?

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A. And I try to shut the door.

Q. Try to shut the door.

A. So _____.

Q. The towels were on there so you couldn't shut it.

A. _____.

Q. He pushes it open.

A. Shots the...

Q. Shoots through the door, then pushes it open?

A. Yeah.

Q. Okay.

A. _____.

Q. And then...

A. Shoots me in the stomach.

Q. Shoots you in the stomach.

A. I fall down and _____.

Q. What was that?

A. He _____.

Q. Who did?

A. My dad _____. And then he waited 'til the dude walked away
and he told me just lay there, _____.

Q. Okay, hold on. I gotcha. When he, when after he shoots, shoots you in the

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stomach, he then goes through your pockets right then and asks where the money is and where the, the dope is. Is that the word he used, dope? Okay. And then he sees the dope, the crack rock on top of the water bottle. Was it on a plate? Is that what that plate is in there?

A. _____.

Q. Okay. And then he puts that in his pocket, right? Okay. And then he goes into the top drawer and gets the money and leaves. Is that correct?

A. _____.

Q. Okay. Hey, you have done awesome. Okay? You're a very strong young girl. Very proud of you. Okay. All right. That'll conclude the interview, and the time is 1633.

THIS VOLUNTARY STATEMENT WAS COMPLETED AT UMC, ON THE 8th DAY OF AUGUST, 2010, AT 1633 HOURS.

CB:sd
10V1044

EXHIBIT “4”

REGISTER OF ACTIONS**CASE No. 10F21953X****State of Nevada vs Mayo, Cornelius Lee**§
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§Case Type: **Felony**
Date Filed: **11/23/2010**
Location: **JC Department 2**
Metro Event Number: **1009151920**
Nevada DPS BIN Number: **W803171879****PARTY INFORMATION****Defendant Mayo, Cornelius Lee****Lead Attorneys**
Brent D. Percival
Court Appointed
7028685650(W)**State of Nevada****CHARGE INFORMATION**

Charges: Mayo, Cornelius Lee	Statute	Level	Date
1. CHILD NEGLECT WITH SUBSTANTIAL BODILY HARM	200.508	Felony	08/07/2010
2. ALLOWING CHILD TO BE PRESENT WHERE UCSA VIOLATED	453.3325	Felony	08/07/2010
3. TRAFFICKING IN COCAINE	453.3385	Felony	08/07/2010

EVENTS & ORDERS OF THE COURT

	OTHER EVENTS AND HEARINGS
11/17/2010	ARREST WARRANT REQUEST ARREST WARRANT REQUEST
11/17/2010	COMPLETED BY JI MinuteCode1: COMPLETED BY JI MinuteCode3: COMPLETED BY JI
11/23/2010	TRANSFERRED TO JC TRANSFERRED TO JC
11/23/2010	COMPLETED BY DCD MinuteCode1: COMPLETED BY DCD MinuteCode3: COMPLETED BY DCD
11/23/2010	CTRAK Track Assignment JC02
11/24/2010	RECEIVED FROM DA RECEIVED FROM DA
11/24/2010	Criminal Complaint
11/24/2010	Request For Arrest Warrant
11/24/2010	Filed Under Seal
11/24/2010	Declaration of Warrant Summons (Affidavit)
11/29/2010	Minute Order
11/30/2010	ARREST WARRANT ISSUED (Judicial Officer: Oesterle, Nancy C.) WARRANT REQUEST
11/30/2010	Arrest Warrant Request (8:00 AM) (Judicial Officer Oesterle, Nancy C.) Result: COMPLETED
11/30/2010	Arrest Warrant - Face Sheet
11/30/2010	Arrest Warrant Confidential
12/10/2010	NJCIS - CLEAR/SERVE NJCIS - CLEAR/SERVE
12/10/2010	Temporary Custody Record
12/14/2010	P/H DATE SET (Judicial Officer: Oesterle, Nancy C.) INT A/W HEARING
12/14/2010	Arrest Warrant Return Hearing (8:00 AM) (Judicial Officer Oesterle, Nancy C.) Result: COMPLETED
12/14/2010	Custody Status Slip (No Custody Change)
12/27/2010	CONT. ON DEFENSE MOTION (Judicial Officer: Martin, D. Eugene) PRELIM HEARING
12/27/2010	Preliminary Hearing (8:00 AM) (Judicial Officer Martin, D. Eugene) Result: COMPLETED
12/27/2010	Custody Status Slip (No Custody Change)
12/28/2010	P/H DATE SET (Judicial Officer: Martin, D. Eugene) FELONY ARRGN
12/28/2010	Arraignment (8:00 AM) (Judicial Officer Martin, D. Eugene) Result: COMPLETED
12/28/2010	Custody Status Slip (No Custody Change)
01/04/2011	P/H DATE SET (Judicial Officer: Sciscento, Joseph S.) FELONY ARRGN
01/04/2011	Arraignment (8:00 AM) (Judicial Officer Sciscento, Joseph S.) Result: COMPLETED
01/04/2011	Custody Status Slip (No Custody Change)
01/05/2011	Warrant Arrest Documents

10/1/2014

<https://www.clarkcountycourts.us/LVJCCriminal/CaseDetail.aspx?CaseID=10113105>

01/05/2011 **Warrant Arrest Documents**
01/05/2011 **Warrant Arrest Documents**
01/11/2011 **CONTINUE FOR STATUS CHECK** (Judicial Officer: Sciscento, Joseph S.)
PRELIM HEARING
01/11/2011 **Preliminary Hearing** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
Result: COMPLETED
01/11/2011 **Custody Status Slip (Release From Custody)**
01/11/2011 **Release Agreement**
04/11/2011 **P/H DATE SET** (Judicial Officer: Sciscento, Joseph S.)
FELONY ARRGN
04/11/2011 **Arraignment** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
Result: COMPLETED
11/29/2011 **P/H DATE RESET** (Judicial Officer: Sciscento, Joseph S.)
PRELIM HEARING
11/29/2011 **Preliminary Hearing** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
Result: COMPLETED
11/29/2011 **Custody Status Slip (No Custody Change)**
01/03/2012 **CONTINUED FOR PRELIMINARY HEARING** (Judicial Officer: Sciscento, Joseph S.)
PRELIM HEARING
01/03/2012 **Preliminary Hearing** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
Result: COMPLETED
06/15/2012 **CONTD FOR NEGOTIATIONS** (Judicial Officer: Sciscento, Joseph S.)
PRELIM HEARING
06/15/2012 **Preliminary Hearing** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
Result: COMPLETED
06/29/2012 **P/H DATE SET** (Judicial Officer: Sciscento, Joseph S.)
FELONY ARRGN
06/29/2012 **Arraignment** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
Result: COMPLETED
09/18/2012 **P/H DATE RESET** (Judicial Officer: Sciscento, Joseph S.)
PRELIM HEARING
09/18/2012 **Preliminary Hearing** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
Result: COMPLETED
07/16/2013 **Preliminary Hearing** (9:00 AM) (Judicial Officers Sciscento, Joseph S., Oesterle, Nancy)
O/R
Parties Present
07/16/2013 Reset by Court to 07/16/2013
07/16/2013 Reset by Court to 07/16/2013
Result: Matter Heard
07/16/2013 **Custody Status Slip (No Custody Change)** (Judicial Officer: Sciscento, Joseph S.)
07/16/2013 **Minute Order - Department 02** (Judicial Officer: Sciscento, Joseph S.)
07/16/2013 **Comment** (Judicial Officer: Sciscento, Joseph S.)
A. Goldstein, esq appeared on behalf of Mr. Percival,esq
07/16/2013 **Preliminary Hearing** (Judicial Officer: Sciscento, Joseph S.)
reset
07/16/2013 **Notify** (Judicial Officer: Sciscento, Joseph S.)
Mr. Percival,esq/SM
07/31/2013 **Preliminary Hearing** (9:00 AM) (Judicial Officer Sciscento, Joseph S.)
O/R
Parties Present
07/31/2013 Reset by Court to 07/31/2013
Result: Matter Continued
07/31/2013 **Minute Order - Department 02** (Judicial Officer: Sciscento, Joseph S.)
07/31/2013 **Continued For Negotiations** (Judicial Officer: Sciscento, Joseph S.)
10/30/2013 **Negotiations** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
o.r
Parties Present
Result: Matter Continued
10/30/2013 **Minute Order - Department 02** (Judicial Officer: Sciscento, Joseph S.)
10/30/2013 **Continued For Negotiations** (Judicial Officer: Sciscento, Joseph S.)
11/13/2013 **Negotiations** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
O/R
Parties Present
Result: Matter Continued
11/13/2013 **Minute Order - Department 02** (Judicial Officer: Sciscento, Joseph S.)
11/13/2013 **Continued For Negotiations** (Judicial Officer: Sciscento, Joseph S.)
and counsels presence/ B. Percival, esq./notified/ PJ
12/03/2013 **Negotiations** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
o.r
Parties Present
Result: Matter Continued
12/03/2013 **Minute Order - Department 02** (Judicial Officer: Sciscento, Joseph S.)
12/03/2013 **Continued For Negotiations** (Judicial Officer: Sciscento, Joseph S.)
03/04/2014 **Negotiations** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
o/r
Parties Present
Result: Matter Heard
03/04/2014 **Continued For Negotiations** (Judicial Officer: Sciscento, Joseph S.)
03/04/2014 **Minute Order - Department 02** (Judicial Officer: Sciscento, Joseph S.)

03/18/2014	Negotiations (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
	O/R
	<u>Parties Present</u>
	Result: Matter Heard
03/18/2014	Judicial Summary
03/18/2014	Continued For Negotiations (Judicial Officer: Sciscento, Joseph S.)
03/18/2014	Notify (Judicial Officer: Sciscento, Joseph S.)
	B. Percival, esq/ notified SMM
03/18/2014	Minute Order - Department 02 (Judicial Officer: Sciscento, Joseph S.)
10/08/2014	Negotiations (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
	o/r

EXHIBIT “5”

REGISTER OF ACTIONS**CASE No. 11F10729X****State of Nevada vs Mayo, Cornelius Lee**§
§
§
§
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§
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§
§Case Type: **Gross Misdemeanor**Date Filed: **06/17/2011**Location: **JC Department 6**Metro Event Number: **1106150165**Nevada DPS BIN Number: **W803171879**Other Agency Number: **1106144437****PARTY INFORMATION****Defendant Mayo, Cornelius Lee****Lead Attorneys**
Carmine James Colucci
Court Appointed
7023841274(W)**State of Nevada****CHARGE INFORMATION****Charges: Mayo, Cornelius Lee**

1. TAMPERING WITH A VEHICLE (FELONY)

Statute

205.274

Level

Felony

Date

06/15/2011

EVENTS & ORDERS OF THE COURT**OTHER EVENTS AND HEARINGS**

06/15/2011 **Arrest Report**

06/16/2011 **48 HOUR - PROBABLE CAUSE FOUND** (Judicial Officer: Tobiasson, Melanie A.)
48 HOUR HEARING

06/16/2011 **48 Hour Probable Cause Review** (8:00 AM) (Judicial Officer Tobiasson, Melanie A.)
Result: COMPLETED

06/16/2011 **Custody Status Slip (No Custody Change)**

06/16/2011 **Probable Cause Arrest Documents**

06/17/2011 **CONTINUE FOR STATUS CHECK** (Judicial Officer: Tobiasson, Melanie A.)
72H HEARING P/C

06/17/2011 **TRANSFERRED TO JC**
TRANSFERRED TO JC

06/17/2011 **RECEIVED FROM DA**
RECEIVED FROM DA

06/17/2011 **COMPLETED BY DCD**
MinuteCode1: COMPLETED BY DCD MinuteCode3: COMPLETED BY DCD

06/17/2011 **COMPLETED BY AEG**
MinuteCode1: COMPLETED BY AEG MinuteCode3: COMPLETED BY AEG

06/17/2011 **CTRACK Track Assignment JC10**

06/17/2011 **72 Hour Hearing** (8:00 AM) (Judicial Officer Tobiasson, Melanie A.)
Result: COMPLETED

06/17/2011 **Custody Status Slip (Release From Custody)**

06/17/2011 **Criminal Complaint**

06/17/2011 **Minute Order**

06/17/2011 **Official Court Date Slip**

09/19/2011 **ARRAIGNMENT COMPLETED** (Judicial Officer: Tobiasson, Melanie A.)
F/A STATUS CHK

09/19/2011 **Status Check on Filing of Criminal Complaint** (8:00 AM) (Judicial Officer Tobiasson, Melanie A.)
Result: COMPLETED

09/19/2011 **Financial Affidavit**

11/29/2011 **CONT. ON COURTS MOTION** (Judicial Officer: Tobiasson, Melanie A.)
PRELIM HEARING

11/29/2011 **Preliminary Hearing** (8:00 AM) (Judicial Officer Tobiasson, Melanie A.)
Result: COMPLETED

11/29/2011 **Motion to Withdraw Due to Conflict**
filed in open court

11/29/2011 **Custody Status Slip (No Custody Change)**

12/14/2011 **BENCH WARRANT ISSUED** (Judicial Officer: Tobiasson, Melanie A.)
PRELIM HEARING

12/14/2011 **Preliminary Hearing** (8:00 AM) (Judicial Officer Tobiasson, Melanie A.)
Result: COMPLETED

12/14/2011 **Bench Warrant Confidential**

12/14/2011 **Bench Warrant - Face Sheet**

02/17/2012 **Motion to Place on Calendar to Quash Warrant**

02/23/2012 **BENCH WARRANT QUASHED** (Judicial Officer: Tobiasson, Melanie A.)
BENCH WARRANT

02/23/2012 **P/H DATE SET** (Judicial Officer: Tobiasson, Melanie A.)

MOTIONS
02/23/2012 **Motion** (8:00 AM) (Judicial Officer Tobiasson, Melanie A.)
Result: COMPLETED
02/23/2012 **Warrant Arrest Documents**
03/28/2012 **CONTINUE FOR STATUS CHECK** (Judicial Officer: Tobiasson, Melanie A.)
PRELIM HEARING
03/28/2012 **Preliminary Hearing** (8:00 AM) (Judicial Officer Tobiasson, Melanie A.)
Result: COMPLETED
08/30/2012 **CONTD FOR NEGOTIATIONS** (Judicial Officer: Tobiasson, Melanie A.)
FELONY ARRGN
08/30/2012 **Arraignment** (8:00 AM) (Judicial Officer Tobiasson, Melanie A.)
Result: COMPLETED
01/01/2013 **Administrative Reassignment to Department 6**
Case reassigned from Department 10 (Judge Melanie A. Tobiasson)
03/01/2013 **Negotiations** (8:00 AM) (Judicial Officer Kephart, William)
No Bail Posted
03/01/2013 Reset by Court to 03/01/2013
Result: Matter Heard
03/01/2013 **Motion To Continue** (Judicial Officer: Kephart, William)
by state - granted
03/01/2013 **Minute Order - Department 06** (Judicial Officer: Kephart, William)
10/30/2013 **Negotiations** (8:00 AM) (Judicial Officer Kephart, William)
No bail posted
Parties Present
10/30/2013 Reset by Court to 10/30/2013
Result: Matter Heard
10/30/2013 **Minute Order - Department 06** (Judicial Officer: Kephart, William)
06/11/2014 **Preliminary Hearing** (9:00 AM) (Judicial Officer Kephart, William)
no bail posted
Parties Present
Result: Matter Heard
06/11/2014 **Judicial Summary**
06/11/2014 **Minute Order - Department 06** (Judicial Officer: Kephart, William)
06/11/2014 **Continued For Negotiations** (Judicial Officer: Kephart, William)
10/08/2014 **Negotiations** (8:00 AM) (Judicial Officer Kephart, William)
No Bail Posted

EXHIBIT “6”

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

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EVENT #: 100807-0732

SPECIFIC CRIME: HOMICIDE

DATE OCCURRED: 08/07/2010

TIME OCCURRED: 0353 HOURS

LOCATION OF OCCURRENCE: 5662 MEIKLE LN. # A

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: DONOVON DEANTE ROWLAND

DOB:

SOCIAL SECURITY #:

RACE: BLACK

SEX: MALE

HEIGHT:

WEIGHT:

HAIR: BLACK

EYES:

WORK SCHEDULE:

DAYS OFF:

HOME ADDRESS:

HOME PHONE:

WORK ADDRESS:

WORK PHONE:

BEST PLACE TO CONTACT:

BEST TIME TO CONTACT:

The following is the transcription of a tape-recorded interview conducted by DETECTIVE C. BUNTING, P# 6484, LVMPD HOMICIDE SECTION, on 08/19/2010 at 2055 hours. Also present is Detective M. Wildemann, P# 3516.

(Detective Bunting enters room)

Q: (takes phone call) Yeah. Yeah. Right. Okay. Um, I don't know if it's necessary, but you, yeah, I mean that's fine.

(Detective Bunting leaves room)

(background voices outside of room not transcribed)

Q: Okay. Yeah. Whenever you're done, you can just come with us.

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EVENT #: 100807-0732

STATEMENT OF: DONOVON ROWLAND

?: Alright. _____(inaudible)

(Detective Bunting enters room with Donovan Rowland)

Q: Alright, my man. Go ahead and have a seat. Alright. Listen. So, bathroom, you're good. No water? You sure?

A: Yeah.

Q: Alright. If you want some water, let me know, and we'll go get you something. We're good.

?: Alright.

Q: Thank you. Um, as soon as my partner gets done, he's gonna grab himself some water. And then, ah, and then we'll get rolling. I'm just gonna go-roll over everything that happened, 'cause he, obviously he wasn't there.

A: Okay.

Q: So, alright. And, ah, then we'll get this, we'll get this going. Alright. I got you, let's see, Donovan, D-O-N-O-V-A-N, Deante, D-E-A-N-T-E, Rowland, R-O-W-L-A-N-D.

Date of birth Soc

A: And you put Donovan spelled wrong. It's all O's.

Q: All O's. So your parents live at 3260 Fountain Falls Way, in Apartment 2065, in North Town, but you're not living there?

A: I live there, but, I'm, I'm barely around.

Q: Why is that?

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EVENT #: 100807-0732

STATEMENT OF: DONOVON ROWLAND

A: 'Cause I be out.

Q: You're just out and about? You just lay your head wherever?

A: Mostly at Anthony's house.

Q: His mom let's you stay there?

A: Mmm hmm.

Q: Or are you one of the ones in the shed she was talking about?

A: No. She, she let me stay there.

Q: Alright.

A: That was some other people that didn't have nowhere to go.

Q: Apparently you were there that evening that that happened?

A: Yeah. I was asleep on the couch. And then she woke us up like...

Q: She wasn't too happy about all the ruckus going on in the backyard?

A: Yeah. She woke us up like, "Who y'all [sic] got in my shed?"

Q: How old are you?

A: Nineteen.

Q: Nineteen. Alright. Is your parents pretty, your dad seems really cool, man. You know, is that not the case, or is he cool, or what?

A: Yeah. He cool. I just don't talk to him, and I'm not gonna.

Q: You still, you still see your mom?

A: Mmm mmm. I don't like her.

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STATEMENT OF: DONOVON ROWLAND

Q: No. Why? What's her story?

A: Nothing, she just left for another dude that we do, that I didn't like. So.

Q: Oh, when they were married? Were they married, or just dating, or...?

A: Mmm mmm. They, my dad and them hadn't been together for a long time.

Q: Yeah.

A: Yeah.

Q: She's still in town, or she's somewhere else?

A: No. She in Florida.

Q: Where at in Florida?

A: I don't know.

Q: You don't know.

A: _____(inaudible) don't care.

Q: Yeah.

(Background voices outside of room not transcribed)

Q: Well, I don't get along too well with my mother either. Matter of fact, I haven't seen her in about, ah, nine, nine years.

(Detective Wildemann enters room)

Q: This is my partnie, partner, Marty.

MW:(Detective Marty Wildemann) Marty.

A: Thank you. _____(inaudible)

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STATEMENT OF: DONOVON ROWLAND

MW: How you doing? You're welcome.

Q: Um, I'm gonna run down _____(inaudible), 'cause obviously, like I said, he, obviously, you know, he wasn't there. Okay. Um, well, obviously you already know we went to your house earlier today, 'cause your, your dad called me. So you were sitting there when he called me? You were sitting next to him when he called me on the phone earlier?

A: What did he said, you were gonna come?

Q: Right.

A: Yeah. They had just picked me up.

Q: So how, just out a curiosity, so he, he said that the cops were over at the house earlier, he calls you, and he tells you...

A: He called me, and ax [sic]...

Q: ...and you come over?

A: He called me, and axed [sic] me where I was at, and I was like, "At this girl's house." And then he was like, "Where at?" And I told him. And then he was like, "Ah, the cops came."

Q: "The cops were over here."

A: Yeah. And he's like, "Detectives." He was like, at first he said the cops, and then he was like, "No. Detectives came over here looking for you, like eight people." And he was like what I do? And I was like, "I don't know." And he's like, "What's

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VOLUNTARY STATEMENT

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STATEMENT OF: DONOVON ROWLAND

going on?" And I was like, "I don't know." And he's like, "I'll be there to pick you up in like ten minutes." And then...

Q: So where were you at when he picked you up?

A: Um, Alta and Rainbow by, at the girl house, this girl's house.

Q: Alright. So then you came back. He came and picked you up. And then that's when your dad called me?

A: Yeah. When we got to the house, he called you.

Q: Okay. And, ah, obviously he asked you what the heck cops were doing looking for you, and what'd you tell him?

A: I was like, "I don't know." I just kept telling him, "I don't know." But I knew.

Q: Yeah. Um, so me and Terese head over to the house. Ah, obviously he was waiting out front on top of the stairs. The door's open, and dad's standing right there, he walks in, we come inside, and he, ah, said he would talk with us. And then, ah, he was okay with grandma, and his step-mom was there. Ah, what was her name again?

A: Ah, Nancy.

Q: And what's your grandma's name? I can't remember.

A: Ah...

MW: Linda.

A: Linda.

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STATEMENT OF: DONOVON ROWLAND

Q: Linda. Right. So Linda, step-mom, and dad were sitting there with me and Terese, and, ah, we basically, ah, asked him if, what was going on, and sorry. My phone is non-stop. Anyway. Ah, and he told us some of the story, very, very limited, and, you know, the process...

MW: Mmm hmm.

Q: ...we went through it, you know, each time he told us a little bit more, a little bit more, a little bit more. And then he basically told us, and obviously his grandma, and his dad are like, "Mmm, this doesn't make sense." As we were. And, ah, he said, he finally told us that he knew where the, the gun was, and, ah, and I'll have him go through all of this, but I'm just giving you the short version.

MW: Yeah. No. I appreciate it.

Q: He could tell you the story, and, ah, he told us where the gun was. He had, ah, had Anthony Lassiter, that name sounds familiar to you?

MW: Mmm hmm. Sounds familiar. Yeah.

Q: _____(both talking) Yeah. Ah, he dropped it off over at his place. We went over there, got consent from both Anthony, and his mom, since he was older. He's 19, I think. And, ah, they both were fine. He came over, and, and, ah, we had ID come in, and pick up the firearm.

MW: Okay.

Q: So, and...

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STATEMENT OF: DONOVON ROWLAND

MW: How much did you, it is Donovan, right?

A: Mmm hmm.

MW: Okay. How much did you handle that gun, Donovan?

A: Just the time that I had it when he gave it to me.

MW: Okay. I mean were you, it, was it empty when you guys found it?

A: Yeah. It's empty.

MW: It's empty?

Q: Ah, yeah. Terese took care of it, and I, she was gonna leave me her notes on the firearm, so...

MW: Okay. _____(inaudible)

Q: ...actually, maybe I'll go get those real quick.

MW: Were there cartridges she...?

Q: I think it's, I think it's empty.

MW: Okay.

Q: But let me talk to her.

(Detective Bunting leaves room)

MW: Were there cartridges in the...?

A: No. There wasn't none in _____(inaudible). It was all...

MW: Okay. So let me ask you this. Were you pulling the hammer back, and pulling the trigger? It's okay, but I just...

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STATEMENT OF: DONOVON ROWLAND

A: _____(both talking)

MW: ...need to know that.

A: I was, I was, yeah, I was messing with everything. _____(both talking)

MW: Okay. You were messing with everything?

A: Yeah.

MW: So in other words, your DNA is gonna be all over that gun?

A: Yeah.

MW: Okay. Alright. Um, that's what we've been doing since the 7th, right?

A: Mmm hmm.

MW: I mean this is this one case. That's what this whole thing is. So we appreciate you being here. Ah, it's definitely honesty time. You know what I mean. I mean we're all way past the point of no return here. So, um, I'm glad that, you know, I'm glad you did what you did, you know, we got a 12 year old girl that's clinging to her life right now, and that's our main focus. That's our main priority right now, you know. So, ah, anyways. Who are you more scared of, your dad or your grandma?

A: Actually neither one.

MW: Yeah.

A: I'm a grown man. So I just _____(both talking)

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STATEMENT OF: DONOVON ROWLAND

MW: Yeah. You're a grown man, but, you know, you still got to answer to your parents.

Hell I, let's see, my dad's been dead for 10 years, 45, so I was 35, but I still, I think I'm still scared of him now, and he's been dead 10 years, you know what I mean.

A: Mmm hmm.

MW: It, I don't know how your dad is, but, but, ah, your grandma is a heck of a nice lady, you know, she had let us in. She was kind to us, and, and, ah, we talked with her for quite a while, and, ah, she's really got her stuff together. She wants the best for you, you know, and you're at a age right now, you're 19, you want to do your own thing, and let me ask you this. Donovan, where, you know, how do you feed yourself? How do you eat?

A: Money.

MW: You got money. Okay. Are you working, or are you just kind a hustling?

A: Mostly hustling.

MW: Okay.

A: Getting girls to do it for me.

MW: Yeah.

A: Not, not, not pimping a panda attack _____(both talking)

MW: No. No. No. I know what you're saying. Just, you got, you got a stable a little bit, you know, girls helping you out, right?

A: Yeah.

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STATEMENT OF: DONOVON ROWLAND

MW: Okay. Alright. I dig that. There's gonna come a part, a time in your life, though, where you're gonna want to be able to buy your own things, and, you know, maybe a car, you know what I mean.

A: That's why I'm in school right now.

MW: Okay. What are you going to school for?

A: And, I, right now I'm just trying to get my diploma, then I was gonna go to the CSN.

MW: Okay. What are you thinking about doing?

A: I don't know. That's why I want to go to CSN.

MW: Yeah. I know. 19.

A: See what I can do.

MW: Nineteen. Let's see. I was thinking about being a mechanic when I was 19, and I did that for about four years.

A: I would rather be a real estate agent.

MW: Ah, that's a tough market right now, but it's gonna get better. I think it's gonna get better. Actually, they're probably starting to pick up a little bit. So that wouldn't be too bad. Do you know somebody in the business that could help you out?

A: Mmm mmm.

MW: No.

A: Mmm mmm.

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STATEMENT OF: DONOVON ROWLAND

MW: Okay. Alright. Um, does CSN have a program for that, or is that something to do while you're at CSN?

A: Um, I don't know. I _____(inaudible) check 'em out, but, um, I just been focusing on my diploma first.

MW: Okay. Where do you keep your clothes at?

A: My dad house.

MW: Okay.

A: I got a bunch a clothes at _____(inaudible).

MW: So you go in there every couple days, kind a restock...

A: _____(both talking)

MW: ...and, and head back out?

A: Yeah.

MW: Okay. Alright. Um, how come your cell phone got turned off? Did you turn it off, or did it...?

A: No. I dropped it in the water in the hot tub.

MW: Okay.

A: Then, then it messed up. Like the phone was still on, but like it just kept going straight to Cricket, or if you called it'll go straight to Cricket _____(both talking)

MW: Okay. Alright.

A: The phone was just too damaged.

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STATEMENT OF: DONOVON ROWLAND

MW: Um, what day was that? Do you know, remember what day that was?

A: Mmm mmm.

MW: No.

A: No.

MW: I mean was it a couple weeks ago?

A: Yeah. It was _____(both talking)

MW: Okay. So it's, it's been a while?

A: Yeah. I just got a phone like two days ago.

MW: Okay. Alright. Open your water, man. That's yours.

A: Oh, no. I'm not even thirsty.

MW: You're okay?

A: Yeah.

MW: Okay. If you need anything, let us know. Alright. Alright. Um, what's your dad do for a living?

A: He drives the CAT bus.

MW: Oh, does he? He drives? He's a driver?

A: Yeah.

MW: Okay. Is that his Magnum?

A: Yeah.

MW: That's a nice car. I like those cars. How long has he had that?

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STATEMENT OF: DONOVON ROWLAND

A: For like two years.

MW: Okay. Alright. Alright. And how long have, ah, you guys lived with your grandma over there?

A: She live with us.

MW: Oh, okay. That's your dad's apartment then?

A: Yeah.

MW: Oh, okay. I'm sorry. I'm sorry.

(Detective Bunting returns to room)

Q: Sorry about that.

MW: It's alright, man. We were just kind a getting to know each other a little bit.

Q: Okay. Um, did he go over anything?

MW: No. No. No. No. Nope. Just waiting for you.

Q: Okay. Alright. Here's the deal. I mean ultimately he decided that he's willing to talk with us, and so forth, and so on. That's correct?

A: Yes.

Q: You're gonna be straight with us, tell us everything that happened?

A: Mmm hmm.

MW: You can tell we've actually done our research, and you can tell we know a lot of things. Okay. Alright.

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STATEMENT OF: DONOVON ROWLAND

Q: Um, he also, um, talked about, ah, G-Dog, and he spoke about, ah, well he calls him Slick. Job.

MW: Okay.

Q: Same. So, ah, why don't we...

MW: Job got a bum leg?

A: Mmm hmm.

MW: Okay.

Q: You know how he got that bum leg?

A: Mmm hmm.

Q: How is that?

A: Mmm.

Q: Would it happen to be that event you were involved with him, back, oh, yeah. Oh, okay.

A: How y'all know all this? Honestly, for real.

MW: Why do you think we look like we look right now? This is what we've been working. So it's...

Q: That's why this is missing, man. It's gone.

MW: This is what we been doing since the 7th, and I'm not kidding. My ki—I walked in, my kids yell, "Stranger", and I get bit by my dog, you know.

A: Ah, but that didn't have nothing to do with none of this.

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STATEMENT OF: DONOVON ROWLAND

MW: It's all the research, buddy. It's all research.

Q: Um, yeah. He, you showed a couple _____(inaudible).

MW: A couple photos.

Q: You know who these people are?

MW: Okay. _____(both talking)

Q: _____(both talking)

MW: Who do we...

Q: Yeah. When he was like, "I don't know what you're talking about" type thing. Well do you recognize this individual? Mmm, yeah, yeah. You know, that's how it all started. So...

MW: Okay. Okay.

Q: Um, a matter of fact, why don't I do that just so you're...

MW: Yeah. On's...

Q: Okay.

MW: ...ah, speed. I'd like that.

Q: Okay. Real quick, that would be you.

A: Hmm.

Q: Okay. You know who that is? Who is that?

A: Slick.

Q: Okay. That's who he knows as Slick.

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STATEMENT OF: DONOVON ROWLAND

MW: Does he, do you ever hear him go by Job?

A: Mmm, no.

MW: Not at all?

A: Not at all.

MW: Okay.

A: G-Dog.

Q: Okay. And, ah, I didn't show him a picture of like one a...

MW: I'd like to know if, if he knows any of the females.

Q: ...one of the females.

MW: Yeah. One of the females.

Q: He, he does know one...

MW: Okay.

Q: ...fairly, very well, which would be Monica.

MW: And we pull up one, okay. Let me have all these so I can cover up. (Pause) Can you move that for me?

A: Yeah. That's Monica.

MW: Is that Monica?

A: Yeah. She fat in this.

MW: Yeah. She's not looking so good in that photo, huh? Alright.

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VOLUNTARY STATEMENT

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STATEMENT OF: DONOVON ROWLAND

Q: Okay. Um, now he hasn't heard any of what you said. Um, so let's, I, actually I want to even get before the incident. Okay. Um, you, you talked about how, why don't you go over a little bit of how you met. Slick is the first person that you met, right?

A: Mmm hmm.

Q: Okay. And go ahead, and tell us how you've met him.

A: I met him at a Rebel, and...

Q: At where?

A: Ah, Lake Mead and Torrey Pines. I was with my friends. We got out the car, I was going in the store to pay for the gas, and I seen him coming out while I was going in, and he asked did I smoke, and I said, "Yeah." And then he was like, ah, "I'm trying to get some." And I was like, "Yeah." We exchanged numbers. And then ever since then like we became like real close friends like we would always talk, and stuff like that.

Q: Okay. And what number did he give you?

A: 510-512...

Q: 512 number?

A: Yeah. 512-629-0041.

Q: Okay.

MW: That's it.

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VOLUNTARY STATEMENT

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STATEMENT OF: DONOVON ROWLAND

Q: And he said his name was Slick?

A: Yes.

Q: And who do you, you were with who when you met him?

A: Joseph, and Ant. Joseph was driving. We was going to get some place _____(inaudible). I can't think of the name now.

Q: You're gonna have to speak up, man, 'cause I'm having a hard time.

A: I really can't think of the name right now, but I know it's Joseph, and...

Q: Joseph? Chris?

A: Yeah.

Q: Amanda?

A: And, Amanda wasn't there. It was me and Joseph. Amanda was there that night that when I went to go get it.

Q: Okay. But not when you first met him?

A: No.

Q: Okay. So it's just Joseph and Chris, right?

MW: How long ago was this?

A: A couple months ago.

MW: Oh, okay. Okay.

Q: Were you guys just walking over there, or did you, did somebody have a ride, or what?

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VOLUNTARY STATEMENT

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STATEMENT OF: DONOVON ROWLAND

A: We were in a car, and I was going to pay for the gas. And then he was coming out the store, and I was going in.

Q: Whose car was it?

A: Joseph's.

Q: Okay. Do you know his last name?

A: No. I don't know none of that. We just play basketball, and stuff together.

Q: Do you know where Chris and Joseph live? You ever been to there house?

A: (shakes head no) They don't even know where I stay. Well they know where I stay, but they don't know exactly where I _____(both talking)

Q: Okay. Okay. So you meet Slick. He says, "You want to buy some weed?" And what happens?

A: Ah, I went around the corner, got some from him. And then like we smoked, I left, we smoked it, and ever since then I hit him up. And then I kept hitting him up. And then me, I'd always end up over there, we would talk.

Q: Over where?

A: In the apartments, ah, Brittany Pines _____(both talking)

Q: Do you know the apartment number?

A: No. I just know it's right there by the pool.

Q: Upstairs? Downstairs?

A: Up.

VOLUNTARY STATEMENT

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STATEMENT OF: DONOVON ROWLAND

Q: Okay. Okay. So you start hitting him up for weed all the time.

A: (nods head yes)

Q: You're calling him...

A: Mmm hmm.

Q: ...and meeting him.

A: Like on a daily basis.

Q: And, okay. And, you, ah, how are you getting over there, man? I mean you're way...

A: I catch the bus, or I get a ride.

Q: Who are you typically get a ride from?

A: Mostly Amanda.

Q: Amanda?

A: Mmm hmm.

Q: And this is your friend that you were talking about earlier?

A: Yeah.

MW: It's just, just so I'm, I, so you're going there to buy weed from...

A: Yeah.

MW: ...Job and stuff?

A: Yes. And I'm just _____(both talking)

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STATEMENT OF: DONOVON ROWLAND

MW: So he kind of approached you as like he's always got it, and if you ever need it call him...

A: Yeah.

MW: ...kind of a thing? Okay. Alright.

Q: And who, now do these, you said you've known him for two months. I mean you're talking about, and you said you go over there almost every day to this apartment...

A: Yeah.

Q: ...to get weed.

A: I'll go over there, and just sit up with him, _____(both talking).

Q: And who is he with when you're getting weed?

A: Mostly him.

Q: Mostly just by himself?

A: Mmm hmm.

Q: Okay.

A: When his leg was broke, it was just him. And then I would come over, and if he needed something done I would do it for him, 'cause his leg was broke, he couldn't do too much _____(inaudible).

Q: Okay. So since you're seeing him everyday, you're a good customer, you guys start, what, building a relationship together?

A: Yeah. Something like that.

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VOLUNTARY STATEMENT

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STATEMENT OF: DONOVON ROWLAND

Q: I mean a friendship. I'm not talking about...

A: Yeah.

Q: Okay. Just, you know.

A: Okay.

Q: Um, alright. So how long does this go on? I mean what, what else ha--what does this turn into, man? I mean you...

A: Like _____(both talking)

Q: ...you're obviously calling him...

A: And then after that like we'll kick it. We'll end up at Monica's together or something, that's about it.

Q: Okay. When was the first time you went to Monica's?

A: Mmm. Like the, probably the second or third day she moved in. And I don't remember _____(both talking)

Q: Second or third day she moved into where?

A: Yeah. The house on Washington, and I gue--almost Sloan, by Eldorado High School.

Q: Okay.

A: Yeah.

Q: So pretty soon after that?

A: Yeah. _____(both talking)

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Q: And how, wh—how do they know each other? How does Slick, and...

A: Oh, I don't know. Not at all. I don't know. He just be like, "I got this bitch."

Q: Okay.

A: "This, this bitch. This bitch." That's all it really was.

Q: And how did you guys get over to her apartment?

A: Her house?

Q: Yeah. Or, I'm sorry, her house.

A: She would come pick us up.

Q: At his apartment?

A: Yeah. Most of the time.

Q: Do you know the name of that apartment complex?

A: Brittany Pines.

Q: Okay. Yeah.

MW: Did Job ever drive a car? Did you ever see him driving a car?

A: Mmm mmm.

MW: He didn't have, so he never had a...

A: No.

MW: ...a hooptie...

A: He didn't never drive.

MW: ...or bucket, or anything on the sly?

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A: No. Monica be the one driving, _____(inaudible) he don't drive.

MW: Drove all the time. Okay.

A: Monica was always the driver.

Q: So Monica's always the driver. What's she drive?

A: That Crown Vic. That Crown Victoria, 19...

Q: What color is it?

A: Grayish, grayish black. Dark tinted windows.

Q: Okay. Four door or two door?

A: Four door.

Q: Okay. So you guys, and when, when was the first time...so you've known him for two months...

A: Probably longer than that.

Q: Okay. How much longer?

A: Probably like three or four, three or four.

Q: Three, four months?

A: Mmm hmm.

Q: Okay. And how long after you, you met him do you meet Monica?

A: Like a week.

Q: Okay. So pretty much the whole time then?

A: Yeah. _____(both talking)

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Q: She spent a lot of time with Herb too, then?

A: No. She didn't like him. Like whenever we'll be around each other, and I could just tell she didn't like him.

Q: She be...

A: She would always be...

Q: Why?

A: Like she'll be like, "Ew, why we couldn't go out by our self?" Or something like that. Or, "Why is he here?" 'Cause she didn't like me, and like I realize that, 'cause I'll, she know I would mostly like always go kick it with him and stuff. She didn't like that, 'cause he'll want to kick it with me instead of her, and be like, "Bitch, get on."

Q: Right. Okay.

A: So she didn't like me. And then I stopped going to her house, 'cause she was like she didn't want me over there.

Q: Is she a working girl?

A: Ah, not, as far as I know, I think she probably went out once, and really didn't do nothing. So...

Q: Didn't get much luck?

A: Yeah.

Q: Where'd she go?

A: I don't know.

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Q: You don't know?

A: Mmm mmm. I think the Strip, and _____(both talking)

Q: Is she working for him, or working for her self?

A: I guess working for her self. I, he never said nothing about, "I got this girl working for me." None of that. None of that. I just knew she did it probably like once or twice.

Q: How?

A: 'Cause like if we'll be at her house like late nights, she'll start getting dressed up, and be like, "I'm going out." So.

Q: He didn't, it didn't bother him?

A: No.

Q: He knew what she was doing, though, right?

A: Probably. Most likely.

Q: Okay. Alright. So you, you start, when was the first time you went to her house?

A: Ah, the three days. Two or three days after she moved in. I don't remember when it was.

Q: Okay.

A: I just know it was like two or three days after she moved in, 'cause they had already had everything set up.

Q: You met her family?

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A: Yeah. The daughter, the two kids, that's it.

Q: What's the daughter's name?

A: Tyler.

Q: Okay. Alright. So when you guys go over there, or, are, is it just the three of you?

A: Ah, most of the time it was always just the three of us.

Q: When was the first time it wasn't the three of you?

A: Ah, a couple weeks ago.

Q: Okay. Who was there?

A: G-Dog. And if, ah, I didn't see nobody else, but if G-Dog was there, the other guy, D-Shot, or D-Shock might a been upstairs, but I didn't see him at all.

MW: Now you're saying that, that nickname. Is that something you've heard, or is that...

A: I...

MW: ...something you know him to be...

A: ...I heard that. That's the name I heard.

MW: Who, who said that?

A: Slick. That's _____(inaudible)

MW: And what'd he say?

A: D-Shot or D-Shock. One of those two.

MW: Now why, why did he say that?

A: Oh, I, ah, ah, ah...

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MW: Because he said, "Somebody's upstairs", or...?

A: No. Ah, 'cause when, the time, the night that the incident happened I seen him at the apartment, and I heard him say the name, his name, when he was in the kitchen, but I've never seen him before.

MW: Gotcha.

A: So that was my first time seeing him, the night of the incident at the apartment.

MW: Okay.

A: And...

MW: We'll get to all that. I'm sorry. I just...

Q: No. No. No. You're fine.

MW: Mmm hmm.

Q: Okay. So the first night that you saw that guy, D-Shot, or D-Shock.

A: Mmm hmm.

Q: That was at...

A: The apartment.

Q: The night of the incident?

A: Yeah.

Q: Okay. Okay. So you've, how long have you known, ah, G-Dog?

A: I've only seen him twice that _____(both talking).

Q: Do you know his real name?

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A: Nuh uh.

Q: Never heard him called anything else?

A: No.

Q: Okay.

A: Just only G-Dog.

Q: I'm sorry. And what, what was the id—sorry. What was your answer to that? You said how many times have you seen him?

A: Twice.

Q: Before the incident?

A: Yeah. Twice. The, before the incident I seen him like twice, because the incident time, and I seen him like probably a couple a weeks before that.

Q: That's when you were hanging out at Monica's?

A: Yeah.

Q: Okay. Where, where is, where is he from?

A: I don't know. I don't know at all. I just know the name is G-Dog, we smoke. I really don't, and I, I just smoke with people. I really don't ax [sic] to many questions.

Q: Right.

A: I don't know want to know your life story, and stuff like that.

Q: Right. Um, okay. So he introduces you. So it was, was G-Dog over at the apartment at, ah, Slick's apartment, and that's...

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A: _____(both talking)

Q: ...where you met? And then Monica came, and picked you guys up, and brought you over?

A: Ah, no. When, I got dropped off at Monica's house, when they were already there.

Q: Oh, so they told you where she lived, and somebody dropped you off?

A: I had already been there before. So I knew exactly where to go.

Q: Oh, okay. And when you got there, G-Dog...

A: Slick.

Q: ...Slick, and Monica...

A: Monica.

Q: ...had, were in the...

A: Were downstairs, and, and Tyler was downst--no, Tyler was upstairs, and one of the kids was downstairs, and another kid was upstairs.

Q: How long were you there for?

A: Probably like a hour and a half. I ain't stay the night, 'cause like she really didn't like me over there. So I mostly just smoke, we chat, listen to music for a little bit. And then I leave, call me a ride, or catch the bus.

Q: Okay. Alright. So let's get closer to the incident. So Friday night, the night, you know, Friday night, Saturday morning, but Friday night specifically.

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A: I was at a party. Was that Friday night? Friday or Saturday night. It's one of tho—I know I was at a party Friday night. _____(both talking)

Q: I'm talking about the night before the incident, or the night of the incident.

A: Ah, I came at 5:00 in the morning to the apartment.

Q: Okay. But before that.

A: Before that?

Q: You said you were at a party.

A: Yeah. And then I went to, I was at a pool party on Vegas and Buffalo. I got picked up by a girl I talk to, her and her friend had picked up me and the home boy, Sel, Marselis, and we went to the Denny's on Lake Mead and Tenaya. And then we get, and then after all that, we kick it with them for a little _____(both talking).

Q: Did you guy—did you buy?

A: Did you buy?

Q: Yeah.

A: No.

Q: Who bought it, man?

A: _____(both talking)

Q: You got those girls to carry it or what?

A: _____(both talking) last time. Yeah. They, they pay this time, I did the last time.

Q: Nice.

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A: And so I wasn't doing that again. And then they, then I, me and Marselis got dropped off to the club on Decatur and Flamingo.

Q: What are these girls names?

A: Ah, Alissa and Trinity, or something like that. That's who Marsel was talking to.

Q: Okay. Whose party was it?

A: Ah, I don't know. It was just a pool party. We got a text. And then so he was like, "Let's go over here."

Q: Okay.

A: And then we went to that, and we told them to meet us there. We were with TK, Anthony.

Q: Right.

A: We were with Anthony and them, and we went to that. And then we had those two girls pick us up, and we went to Denny's, and some of the people from the pool came to Denny's. And then TK, Anthony, and them went to the club, and they, they were all, everybody ended up staying the night over there.

Q: Okay.

A: And that morning, so now it's like 4:00 in the morning, 4:30 in the morning. We're leaving the Denny's, and we kick it with 'em at a little park for like 10, 15 minutes. Trinity was like, she wanted to go home. So we get dropped off. And then I get

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picked up, because I wanted to go to Slick's house, and get some weed, 'cause I ain't gonna sit and be _____(both talking).

Q: Who picks you up?

A: Amanda.

Q: So Amanda picks you up.

A: And I didn't want to sit there, and not be able to smoke, and, ah, 'cause all those people are irritating.

MW: Is this 5:00 in the morning Friday?

A: Yeah. Saturday morning.

MW: Saturday morning?

A: Yeah.

MW: Okay.

Q: Now you...

A: Saturday night I was out all...

MW: Okay.

A: ...Friday night til the morning.

MW: Til the morning.

Q: Now at any time Friday night did you call Slick?

A: Ah, I talked to him...

Q: Are you guys following, talking to each other.

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A: ...I talked to him, 'cause I talked to him, and told him where I was going. I was like, "I'm about to go out." 'Cause he was like, "What you doing?" I was like, "I'm about to go to a pool club, a pool party."

MW: Let me ask you this, and this is gonna be a little bit of a hard question, you know...

A: Okay.

MW: ...but I, I, I appreciate an honest answer. Did he call you up, and see if you wanted to go hit some licks, or anything like that?

A: Oh, no. No. No.

MW: Nothing like that?

A: He didn't, he didn't tell me none of that.

MW: Okay.

A: He was just like, "Are you gonna come through here later on?" And I was like, "Uh, I don't know yet." He was like, "What you doing?" I was like, "Shit, about to go to a pool party with these females." And he was like, "Oh, alright then. Just hit me up when you get there so I could make sure you safe. Woo. Woo. Woo." And then I called him when I got there. He was like, "Alright. Hit me up later." No. He was gonna hit me up later.

Q: And, and you're calling him on this 512 number. What phone number are you using?

A: 788-4584.

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Q: 788 what?

A: 4584.

Q: That's your new one, right?

A: No. That's my old one.

Q: That's your old one.

A: The one that I dropped in the water.

Q: What's your new one?

A: Ah, I don't know it by heart. You got it.

Q: I do have it, but I don't remember where I wrote it. Oh, as in I have the phone?

A: Mmm hmm. Yeah.

Q: Okay.

A: So I don't know it by heart.

Q: Alright. Sorry. So you call him. You guys are, you're like, "I'm gonna hit you up later."

A: Yeah.

Q: And then you talk to him, you call him at 5:00 in the morning, and say, "Hey, I'm just coming by to get some weed," or what?

A: No. I didn't even call him. I just popped up, 'cause I was one of the people that could just pop up at any time.

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Q: Okay. And at this point, he doesn't call you and let you know anything's going on or anything?

A: No. He didn't call me. That's why I felt weird, and 'cause usually I get a call, and whenever he say he'll call me back, I'll get a call. So then I go, I get, me and Amanda get there, the gates closed. So I get out the car. She waits in the front.

Q: Do you know Amanda's last name?

A: No sir.

Q: But you know where she lives?

A: Yes sir.

Q: Okay.

A: And then so I get out the car. I walked through front gate, go past the pool, go up the stairs, knock on the door. G-Dog answers, and it's a chair, and like a box, blocking the door, like it was barricaded. And then I come in, they're, he's, Slick was cleaning the gun, and then we sit there, I sit there for a minute, we smoking, and he's telling me what's going on.

Q: Okay. Hold on a second.

A: What, what happened.

Q: So G-Dog opens up the door, and there's some box, and a chair?

A: Yeah.

Q: Okay.

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A: And it, like it was barricaded actually.

Q: So you had to move it to open the door all the way?

A: Yeah.

Q: But what did he do? Crack it open, and look out to see who it is, or...?

A: No. They looked out the window first. And then moved everything, 'cause the window's right there by the front door.

Q: Did you see what type of box it is?

A: Nuh uh. It's like a red, white, and black box.

MW: Big long one?

A: It kind a looked like speakers.

MW: Long? Short?

A: I think speakers.

MW: Um, was it sun coming up yet? Was it, was it getting light?

A: No. It's still kind a dark, 'cause it didn't, at this point in time, it doesn't get sunny til like at least 6:00, 5:30, 6:00.

MW: Yeah. Okay.

Q: Yeah. You're right.

A: _____(both talking)

Q: How, what time, how do you know it was 5:00 o'clock?

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A: 'Cause I, I remember that pacifically [sic], 'cause I, I, I like that girl Alissa a lot, and I was like I, I remember when me and her was kicking it, and all that so.

Q: Okay.

A: I remember pacifically [sic].

Q: Alright. So you go there. G-Dog opens the door. He's moving crap out of the way so you could get in.

A: Yeah.

Q: And you, you said that he's, or that Slick is inside the room?

A: Yeah.

Q: The front...

A: Right there in the living room.

Q: Right.

A: As soon as I come in.

Q: And who else is in the room?

A: Monica's laying on the floor, and D-Shot, or D-Shock, whatever his name is, is in the kitchen doing something.

Q: What's he doing in the kitchen?

A: I don't know. I can't see him. It's a little thing, and I wasn't really paying attention to him. I...

Q: Alright. You mentioned a gun.

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A: Yeah.

Q: There was a gun on the floor...

A: Yeah.

Q: ...where he's cleaning it?

A: Yeah. He cleaned it. And then put it on the floor.

Q: So he's cleaning it like on the carpet area?

A: No. Like on a sheet. And then sat it on the floor. And then...

Q: Well, what'd the gun look like? Is it the same one that you took us to?

A: Yeah. Yeah.

Q: Okay.

A: I think so. And then we were talking.

Q: When you say cleaning, what's he cleaning it with?

A: Like a sheet just wiping it.

Q: He's just wiping it down with a sheet?

A: Yeah. That was it.

Q: Okay.

MW: Did you see the sheet?

A: Yeah. It was like a white.

MW: Could you see anything on the sheet after he was wiping? Do you know what I mean? I mean did it look...

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A: No. I...

MW: ...like he's intentionally wiping something off?

A: No. I didn't see nothing on it, after it, I just, I really didn't pay that much attention.

MW: The white sheet?

A: It was like whitish, yellow. Like something like that.

MW: Right in the living room?

A: Right in the living room.

MW: Was there a, was there a, ah, sorry...

A: I _____(inaudible)

MW: ...sleeping bag in there too? Did you see?

A: _____(inaudible). Alright. The set up from the last time I was there. When I come in, it's the box, it's the chair, when you look to the right, it's like a long chair that you could lay like one of those outside chairs that you could lay back _____(both talking).

MW: The gravity chairs, right?

A: Yeah. One of those. And then Monica's on the floor. And then it's like another chair that Slick's sitting on, it's like a metal, the, it just, like that you can lean back like this, and just sit there regular.

MW: Right.

A: And then there was like a bag or something, like a, a sleeping bag right here...

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MW: Okay.

A: ...towards where you turn on the air, and right here is the kitchen, and it was like the sheets, and there was a pair of pants or something on that, on that gravity chair. And then it was a pair of shorts close by the, close by the window, and the door, the patio door, and...

MW: You got a good memory, Donovan. Good job.

Q: You remember seeing any cigarettes, or...

A: Yeah. Cigarettes.

Q: ...condoms, or anything like that?

MW: Whose, who smokes?

A: Everybody.

MW: Everybody.

A: I smoke cigarettes too.

MW: Okay.

A: And it was a pack of, it's two packs of cigarettes right by the door, by where the door.

Q: Which door? This rear door? Patio door?

A: Patio door. Yeah. Right there by the shorts, if I remember. And then it was a ash tray by the gravity chair.

Q: Which is, the gravity chair is over near the door to the...

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A: Yeah.

Q: ...coming into the apartment?

A: Then you turn right.

Q: So over here?

A: Yeah. So if I came in through the door, it was right here.

MW: Mmm hmm.

A: Then on the floor it was a ash tray, 'cause that's where I was smoking at. And then he was just like, he was telling my like little bits like...

Q: Who else used that ash tray that was smoking? Did you see anybody else put their cigarette...

A: No.

Q: ...butts in that ash tray?

A: At that point in time, it's just me.

Q: Okay.

MW: Was, ah, G-Shock smoking?

A: It was, it was right...ah, no. He was still in the kitchen. At this point in time...

MW: Mmm hmm.

A: ...I was the only one smoking a cigarette. I was just sitting there smoking, and, 'cause I always smoke cigarettes. And then so when, so then he starts telling me, woo, whoops, and stuff happened, I got...

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Q: Well, okay. Does he literally say, "Woo. Woo. Woo."?

A: No. I did, I say that, 'cause I don't, I don't remember what was said...

Q: Okay.

A: ...and he, he was like, "Something happened, and I got to leave. So pretty soon I'm gonna be gone. I want you to hold this for me." Then I got the gun, and I left.

Q: Okay. Let's stop right there. What other conversation is going on? And you're in there smoking, hanging out, just chilling, and how long would you say you're there for?

A: Probably like 15 minutes.

Q: Okay.

A: 15. Everybody's really quiet though. Ah, Monica, them, when I first came in, they were arguing. He was like, "Bitch, shut up. I don't want to talk to you."

Q: Who said that?

A: Slick. And then after that she quiet. Then she's just laying there. And then, everybody's like mostly quiet, like really there wasn't no talking going on besides _____(both talking).

Q: Was that odd?

A: Yeah. That's why I was sitting there like it's kind of weird. Usually it'll be talking.

Q: Right.

A: And so I leave. And then in the morning...

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Q: Okay. Hold on one...So Slick says to you, "Something's going on. I gotta leave."

A: Mmm hmm.

Q: Does he say where?

A: Nuh uh. Not at the time.

Q: Okay. Not at that time.

A: Not at that time.

Q: Okay.

A: And then...

Q: And he says, "I need you to..."

A: "Hold this."

Q: And he what? Hands you the gun?

A: Yeah.

Q: Okay.

A: And then I leave.

Q: Do you ask, "What do you want me to do with it? What am I supposed to...?"

A: He, I was like, no. That didn't happen yet. That's what I was about to get to. Him telling me what to do with it.

Q: Okay. But that's, is that, I'm, I'm talking about this time that you're still in the apartment, the first time.

A: Oh, no. None of that. None of that.

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Q: Okay.

A: He didn't say nothing about that.

Q: Well we'll get to the other in just a minute. So he doesn't say anything, "I want you to hold on to this for me."

A: Yeah.

Q: Okay. "Cause I got to go." Doesn't tell you where? Doesn't say why at this point?

A: He just, "I gotta go."

Q: What's everybody else doing? They're looking at you like, you know?

A: Mmm mmm.

Q: Are they going about their business? What?

A: They were just, just going about their business. They were really quiet.

Q: Okay.

A: And I was smoking.

Q: Alright. So you leave.

A: And then I leave.

Q: Do you go in the car with Amanda?

A: Yeah. I walked back to the front gate.

Q: Where's the gun?

A: In my back pack.

Q: Okay. You have a back pack with you? What color is the back pack?

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A: It was all black.

Q: And it's an actual back pack, back pack?

A: It's a actual back pack, back pack.

Q: Where is that back pack at?

A: Anthony's.

Q: Oh, but it, the gun wasn't in it...

A: The gun wasn't in it.

Q: ...when we went over there.

A: Yeah. It was in the back...

Q: But it was in there?

A: ...it was that back pack right there.

Q: That was inside the closet?

A: Yeah.

Q: Okay. Alright. Alright. So you leave there. You go in the car with, ah, Amanda.

A: Amanda.

Q: And then what?

A: And then she takes me back to the club. And then at the club
_____ (inaudible). Then we smoke.

Q: Okay. You're at a club. You went inside the club with a back pack, and they didn't
search it?

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A: It's not a, it's not like a club, see. It's my friend Dar's, it's her like little, been, like it's supposed to, it used to be a club, but like she'll like bring all her friends over, and stuff. Her dad owns it, her uncle, or whatever, owns it, and she has the key, and so like we used to throw parties there, and stuff sometimes, or just go there, and kick it with us, because it was like a real stripper pole. And it's like, you know, we'll just go over there and kick it.

MW: Where's that at?

A: Um, Decatur and Flamingo, in that shopping center.

MW: There's a couple there. Which...

A: Ah, in the...

MW: ...like which corner of the intersection?

A: ...Taco Bell. Oh, but on the Taco Bell side.

MW: By the Taco Bell side?

A: Yeah. Yep. It's like a...

MW: Is there a, a, a, like a sign over the door? Like is it a business? You know what I mean, is...?

A: No. We always came in through the back.

MW: Through the back?

A: Yeah.

MW: Okay.

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A: 'Cause like she goes to the front, unlock the front. And then opens the back.

MW: Okay.

A: 'Cause she has the keys to it and everything. So.

Q: Okay. So you guys go to the club. You're kicking it. You got the gun with you still in your back pack.

A: Yeah. And I put the back pack like by where the bar is, and one of the cabinets, and I just sat it there. I never touched it. And then _____(both talking)

Q: He handed you that gun, though, right? You _____(inaudible), so you did touch that gun, correct?

A: Yeah. I touched the gun. All of it.

Q: Okay. Did you see anybody else in that apartment touch that gun?

A: No sir.

Q: Okay. Alright. So you're at the club. Then what?

A: Um, so then we, me and Marselis, we're just smoking and everything. I'm still up. And then at like 7:30, 8:00 o'clock, 8:30, one of those, around that time, I get a phone call from Slick.

Q: This is a couple hours later?

A: Yeah. And I had just went to sleep probably like at 7:00 o'clock.

Q: Where at? Where'd you sleep at?

A: The club. We were all at the club.

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Q: Just, did everybody turn off the lights, and start crashing, huh?

A: Yeah.

Q: Okay.

A: And I, and when everybody was crashing, I was still the only one up. I was just smoking. I just sat there, and kept smoking. And then, um, I went to sleep, probably like 30 minutes into my sleep, I get a phone call, and the only person I really will wake up for on the phone call is Slick, at that point in time, 'cause he knew I don't like to get woke up in the morning, and so when he called he was just like, "Are you by a TV. Watch the news." And so, and he was like, "After that, then call me back." And then I answered, no. I watched the news. I...

Q: And what'd you see on the news?

A: That a lady, and a little girl was shot, I guess on a drug deal gone bad, or something like that. That's what the news said. And then so, at that point in time, I put everything together, because of the apartment, and how everybody was acting. I put two and two together, and I called him back, and was like, "Damn. What happened?" And then he was like, "Ah, _____(both talking)

Q: You called him?

A: Yeah. I called him. And he was like, "G-Dog and them like they went wild, I guess, or whatever."

MW: Does he say it like that, Donovan?

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A: Yeah.

MW: 'Cause that's kind of important.

A: Yeah.

MW: Does he say G-Dog and them, or does he say, "Hey, G-Dog..."

A: He didn't say _____(both talking)

MW: ...G-Shock...

A: He didn't say. No. He didn't say, he just said, G-Dog and them, well he said G-Dog got crazy or something, and something went wrong. And then he shot, I wa—he was like he was never there or anything, he was just like that...

Q: _____(both talking)

A: ...they came back to _____(both talking)

Q: Your friend, Slick, was never there?

A: Yes. He said that he was never there, 'cause he was, it's not really too much he could do about _____(inaudible) his on crutches.

Q: Sure.

A: And so he was like, "That G-Dog went off, got crazy, or whatever." And then shot the lady or whatever. I don't know who shot. He just said that G-Dog went crazy, or something like that. I don't know exactly who shot, or anything like that. He just said that, "Everything went bad." And now he, he had to go, and for me to either bury the gun, or sell the gun. And I was like, "Okay."

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MW: To what the gun?

A: Sell it.

MW: Or...

A: Bury it.

MW: Bury it. Okay. That's what I thought you said.

Q: Okay. Ah, wha—did he, what did he say they were going over there for?

A: He, he didn't tell me none of that. I didn't know. I, basically from on TV, and they said dope, I'm basically guessing they were trying to rob the, the drug man or whatever.

Q: Okay. Did they ever say that to you?

A: No. I, I...

MW: Why do you assume that?

A: Um...

MW: Why do you think it was a robbery then?

A: I don't know. That's a, this is all from what I'm seeing on the news.

MW: Right.

A: I don't know. And that's what they said, a drug deal gone bad.

MW: Oh, oh, okay. I got you.

A: So I'm really going off of the news.

MW: I got you. I got you.

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A: He, he told me to just put two and two together. So I'm basically going off the news, and what I realize at the apartment.

MW: Okay.

A: So, 'cause he really didn't tell me too much. Like he'll tell me little things, because he'll know I'll figure out the rest.

MW: Okay.

A: So I was just putting two to two together the whole time.

MW: Okay.

Q: Okay. So he specifically tells you, the first time, that some things are going wrong. He's got to go.

A: Mmm hmm.

Q: Get out of town. Did he say, "Get out of town"?

A: No. He was just like, "I got to go."

Q: Okay. Doesn't say where he's going?

A: He doesn't say where he was going.

Q: And he asks, he hands you the gun, and asks you...

A: To hold it.

Q: ...to hold onto it.

A: Yes.

Q: You call him, or he calls you, tells you to watch the news when you're at this club.

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A: Mmm hmm.

Q: You watch the news, see that there was a, ah, lady and her daughter got shot.

A: Yes.

Q: And then you call him back. And you're like, "What happened?"

A: Yeah.

Q: And what specifically, not what you put together, but what specifically does he tell you?

A: He just said that Monica took them out to go do something, and from, well I guess some little crack head lady, or something like that.

Q: Okay. What, what all were his words?

A: _____(both talking)

MW: Yeah.

Q: Or, or the general thing that he said?

A: Uh...

Q: Now I want you to be...

A: _____(both talking)

Q: Listen to me, real quick. I want you to be very, as, as specific as you can.

A: Okay.

Q: But I also want you to leave out the news, and I want you to focus on exactly what he said.

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A: _____(both talking)

Q: Now if you don't know verbatim what he said, that's fine, just tell me that when you're saying it...

A: Yeah.

Q: ...but I, but tell me basic, well, I don't remember verbatim, but he said this. He did say specifically this.

A: Alright.

Q: Okay.

A: The specific thing he said was that Monica, G-Dog, and I guess D-Shock, or whatever his name is, went to go to do a drug deal, I guess, or whatever, to, at the apartment or whatever on Lake Mead and Nellis, whatever it is, and that when, I guess Monica met up with the lady, something like didn't seem right, and everything turned out. And one of, either G-Dog, or he didn't tell me specifically, but he said either G-Dog or D-Shot, or one of them flipped out, and everything went bad from there. And he never said that he was there, none of that.

Q: And what he's, what did he say, he said something about a crack head or...?

A: Yeah. Some crack head lady is the one that set the whole thing up, I guess.

Q: He told you that?

A: Yeah.

Q: Don't...

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A: That's not...

Q: Listen to me. _____(inaudible)

A: That's, that's what I was told.

Q: Listen to me real quick, because you're saying I guess. I, I want you to tell me, you just said that that's what you were told, so what...

A: Specifically from Slick, that's what I was told.

Q: That...

A: A crack head lady set the whole meeting up of Monica, and them meeting the drug dealer.

Q: Okay. Were they meeting the drug...

A: That...

Q: ...dealer to buy drugs? Were they meeting the drug dealer...

A: Mmm. That I don't know.

Q: ...to rip him off?

A: I guess to buy the drugs. That's, that, that's what I'm thinking at first, but then the way, you said not to say the news, but the way everything seemed that they were there to rob 'em.

Q: Okay.

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A: Because after that, I seen, I was on the internet, and I seen something, and it, it was talking about Monica, and how the little girl said that she seen one of the men grab money off a table, or a dresser, or something.

Q: Mmm hmm.

A: And take a large amount of dope. And...

Q: Okay. But what he said was he, he, Slick specifically mentions the crack head...

A: Mmm hmm.

Q: ...set up this meet? Whether it was for a robbery, or for...

A: Yeah.

Q: ...just to buy dope, you don't know, he didn't say that.

A: Yeah.

Q: Okay. And he said that Monica, and G-Dog, and G-Shock, or G-Shot, or whatever, okay. That, that they went over there, and...

A: Mmm hmm. _____(both talking)

Q: ...between G-Dog, or G-Shot, that something went bad?

A: Yeah.

Q: They went crazy.

A: Yeah.

Q: But it was specific to which, okay. How do you know, was he talking about one of the males specifically?

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A: Yeah. One of those males specifically.

Q: Okay. How do you know that?

A: Ah, to be honest, I really don't know. To be honest. It could be either one of them three.

Q: Okay. Okay. Um, alright. So he tells you this, you're at the, at the, ah, club. And then what, does he say anything else that you haven't told us?

A: No.

Q: Does he say any, he doesn't mention the gun again? Does he mention where he's going?

A: He was like, he was just like, "Just do it, whatever with it, throw it away, sell it, bury it, something, whatever you feel like doing." And then he was like, "If you sell it, just keep the money."

MW: Did he tell you what they, what they got from the lick? I mean did he tell you?

A: No. He ain't tell me none of that.

MW: None of it, huh? Didn't offer you a piece?

A: None of that.

MW: Didn't offer you a piece to sell the gun, just you could keep what you made off a selling the gun?

A: Yeah.

MW: Okay.

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Q: How many people have you told about this?

A: None. Nobody really.

Q: You haven't said one thing to anybo--well, well you said you've, you've obviously kept the gun, because you want to sell it. So have you tried to sell it to anybody?

A: I, at first I did, but then I thought about it like that's something that's even worse.

Q: How many people did you try to sell it to?

A: One.

Q: Who was that?

A: Some dude I met. I was out.

Q: Be specific.

A: I was on...

Q: You don't just walk down the street...

A: I was on...

Q: ...and meet somebody...

A: No. No. I was on...

Q: ...and ask them if they want to buy a gun.

A: It wasn't like that. It's like you could tell certain people by the way like they dress, and the way they, like I could do it like by the way they dress, and they talk, and they walk, and stuff like that.

Q: Have you asked anybody else? So you went up to this guy, and you ask, "Hey..."

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A: I was coming out the store, and he axed [sic] me did I smoke, and I was like, "No." He was like some black dude, had chains on and stuff, was driving like a Monte Carlo, or something, and I was like, "Do you know anybody that's trying to buy a gun?" And he was like, "Yeah. I'm looking for one. Woo. Woo. Woo." And then like I, we exchanged numbers, but then nothing ever happened from that. I just stopped texting him and calling him.

Q: So you did make calls to him?

A: Yeah. We _____(both talking)

Q: What's that number?

A: Ah, I don't remember.

Q: You have it on your phone?

A: Not on that phone. It was in the old phone, and that phone dropped in the water, and all my stuff was gone. I been having to like hit people up on my phone.

Q: Okay. So you asked that guy. I mean you, obviously Anthony knew about the gun. So...

A: No. I just told Anthony that, ah, "I got this gun. Can I put it over here?" Woo. Woo. Woo. He really didn't know what was going on. I was just like, "I can put this over here." And he was like, "Yeah."

Q: Did you tell any other friends, or see if they could hook, hook, hook you up with somebody that wanted to buy the gun?

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A: Nope.

Q: Okay. Alright. So that's _____(inaudible). So you get the, ah, you call, you call him, he tells you this, you're done with the call. What, what, what do you next, man?

A: Um...

Q: What do you, ah, when did you get, is this the same, now this is still Saturday morning around 7:38.

A: No. Sunday morning, 7:38.

Q: Oh, so you didn't, well, ah, hold on a second. I'm _____(inaudible)

A: Oh, no. That is Saturday. Yeah. It is Saturday. I been trippin'. I'm thinking it was Sunday, 'cause I was saying 5:00 in the morning, and I was thinking I was out.

Q: Okay. We're at 5:00 in the morning. You're at the apartment. Two hours later you're at the club...

A: Yeah.

Q: ...about to fall asleep, you have this conversation.

A: Yeah.

Q: Right?

A: Yeah.

Q: Okay.

A: Like so at least about like 8:30.

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Q: Okay.

A: Like 8:30.

Q: So what next? Do you go get rid of the gun with Anthony? Do you guys talk again?

A: No. It was _____(both talking)

Q: What else happens on Saturday pertaining to this?

A: Ah, I left the gun at the club, and we went out to a party on Torrey Pines and Desert Inn. After that party we all went back to the club, and we stayed the night there again.

Q: Okay. And you didn't talk to...

A: Mmm mmm.

Q: You didn't talk to...

A: No. No. I talked to him while I was at the, I talked to him while I was at the party. He called like four times.

Q: And what did he say to you?

A: He was just like _____(both talking)

Q: This is Saturday night?

A: Yeah. We would just talk, and just like regular talk like everything, "Hi. What you doing?" Woo. Woo. Woo. Just regular talk. And then...

Q: You guys don't talk about this at all?

A: Mmm mmm.

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Q: Okay.

A: I didn't want to know nothing about it.

Q: What, what do you call, what do you call him again?

A: Slick.

Q: Slick. Thanks. Alright. So, um, okay. So you guys talk four times on Saturday.

A: Mmm hmm.

Q: Not including after the morning. Okay. And you don't talk any of these times about it at all?

A: No.

Q: Okay.

A: At all.

Q: And then what about, so your, you spend the night again at the club on Saturday night.

A: Mmm hmm. It's...

Q: And then it's Sunday morning. What happens?

A: That, that's when he tells me to watch the news. That's the thing. I was, I was all misconboblute. It's Sunday when he tell me to watch the news. _____(both talking)

MW: So a whole day, 24 hours after you got the gun, that's when he says watch the news?

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A: Yeah. 'Cause I was confused about the times and the dates _____(both talking)

Q: Yeah. I think you said Sunday earlier, actually.

A: Yeah. I did say Sunday earlier. That's why I was like _____(both talking)

Q: Okay. So you spend the night at the club on Saturday. So the only time you saw him on Saturday was when he asked you to hold on to the gun?

A: Yeah.

Q: Okay. And you're in the apartment.

A: Yes.

Q: And then, alright. So Sunday morning, that's when he wakes you up if, and tells you to watch the news?

A: Mmm hmm.

Q: And what time was that at?

A: At least about like 8:30, almost 9:00 o'clock.

Q: Okay. So Sunday morning you get the call, and that's when you have the whole conversation...

A: Mmm hmm.

Q: ...about watch the news, and you ask him what happens, and he tells you...

A: Mmm hmm.

Q: ...everybody went crazy and everything.

MW: Does he tell you where he is at that time?

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A: Mmm mmm. At this point in time, I'm still thinking he's at the apartment the whole time. So.

Q: Real, real quick. This guy G-Shock, G-Shot, um, how many times have you seen him?

A: Just that one time.

Q: So you've only seen him one time, and that was at the apartment?

A: Mmm hmm.

Q: And when he was talking to you on the phone on Sunday...

A: Mmm hmm.

Q: ...was he referring, he said G-Shot, G-Shock was with, um, G-Dog during the incident?

A: I think so. If, yes. Yes.

Q: Okay. Is it I think, or it is?

A: Yes. Yes.

Q: Okay. So he said, so you knew he was referring to the same guy that was in that apartment?

A: Mmm hmm.

Q: Okay. Alright. So Sunday morning, 8:30, this conversation happens. You still have the gun in the club. And the, basically the guns been in the club this whole time?

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A: No. Ah, after I _____(inaudible) in Sunday, Dara gets into it with one of her other girls. And then, 'cause like they real drunk, I don't drink. I don't like things that make people act stupid, and so they were drunk, they fighting and stuff. Then her drunk self called her dad, and her dad's a detective. And then so he comes. So at this point in time, I wake up, and I'm like, "Alright. It's time for me to go." And so me and two other girls get a ride, and I go to, where I go from there? I go to Anthony's house, and I put it away.

Q: So you put that gun in Anthony's house on Sunday?

A: Yes. And it's been there ever since.

Q: About what time was that?

A: Ah, sometime in the morning. At least like, what time they wake me up? Uh, I don't know. It was sometime in the morning, at least like 11:00, 10:00, 11:00, in betwine [sic], in between 10:00 and 11:00.

Q: Okay.

A: _____(both talking)

Q: So you go over to Anthony's place, and did you show anybody else that gun?

A: Mmm mmm.

Q: At the party, or anything like that?

A: Mmm mmm.

Q: So the only other person you talk to about that gun is Anthony?

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A: (nods head yes)

Q: Okay. Alright. So you take the gun to Anthony's. You put it in the closet. Then what?

A: Then I leave it there.

Q: Okay.

A: There was no reason to bring it out.

Q: And then you talk to Slick again on Sunday?

A: Ah, yeah. I think so. If I remember, either Sunday, I probably talked to him a couple times on Sunday, then on Monday we talked a whole lot.

Q: Okay. So what does he say on Sunday?

A: Nothing. We just always check on each other.

Q: Did he say he was leaving still, or did...

A: Ah...

Q: ...he say he was gone? Did he...?

A: _____(both talking) he's like he was gone, and I didn't know where. I think he said he was going to Cali, at the point in time, but he probably could be telling me the wrong stuff, at that point in time, I would never know. _____(both talking)

Q: Okay. So he tells you that he's going to Cali?

A: Yeah. But we're always talking on the phone.

Q: Does he say who he goes to Cali with?

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A: Mmm mmm.

Q: Or by himself? Or how he gets there?

A: Mmm mmm.

Q: I mean he doesn't have a car, right?

A: Mmm hmm.

Q: Yes, he does have a car, or no, he doesn't?

A: No, he doesn't. 'Cause, oh, I don't know how he was getting there. He didn't tell me none of that.

Q: He didn't say anything?

A: Mmm mmm.

Q: Okay. So you, you said you talked a whole lot about the incident on Monday?

A: No. We just talked a whole lot, just me and him just conversate like, "How you doing? Everything alright?" And he'll talk about the girl Alissa, 'cause he know I like her a whole lot, I'm like woo, woo, woo, we'll talk about her. _____(inaudible)

Q: Does he ask you what you did with the gun?

A: Uh, at that, he axed [sic] me once, and I was like, "Right now I put it away, 'cause I just have it hidden." And he was like, "Oh, well alright." And that was it. Then we never talked about the gun again.

Q: What else? On these other conversations that you have with him, what else has he said about the incident, or anybody involved, or where he's at, or any of that?

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A: Mmm, nothing really. We didn't never talk about the incident again, or the gun. We just talked about each other, 'cause we had like became close, became good friends. So we always talk, check on each other, see if everything's alright. So that was about it.

Q: I showed you a picture earlier. You said it was your, you get, your girlfriend's...

A: Brother, I think.

Q: Yeah.

A: Oh.

Q: What's your girlfriend's name?

A: Donisha (phonetic).

Q: Donisha. Where does she live at?

A: Alta and, what's that street? Whatever street you all came to.

Q: Jones. Were you at the house?

A: He was there.

MW: Mmm hmm.

A: He was there. Yeah. You came.

Q: You were at the house?

A: Uh huh. I was there. I was _____(both talking)

Q: Was her brother inside the house then?

A: Mmm mmm. It was just me and everybody _____(both talking)

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Q: You walked out while were there, didn't you?

A: I was at the front door. I was standing at the front door. And then I was playing the game, then everybody came back in, and...

Q: Was her brother there at the time?

A: Mmm mmm. It was just me and everybody _____(both talking)

Q: What's that guy? Who is he?

A: Ah, I don't know his name. I just know that's her brother. Me, me, and he don't like me, 'cause I've talked to his little sister. So _____(inaudible) conversate. We don't ever...

Q: Does he have any involvement in this?

A: No sir. Not, he wasn't barely never at the house.

Q: Have you ever seen him at the apartment?

A: Nuh uh.

Q: Where Slick's at?

A: Nuh uh. He pr-nuh, no. Mmm mmm. Not whenever I was there. He was never like...

Q: Never seen him with Slick, or G-Dog, Monica?

A: Nope. None of that. He get real quiet, per-_____ (inaudible) at the house, at _____ (inaudible) house, or whatever. He would come for a minute then leave like he stay to his self.

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Q: You ever heard of a guy named Jamario?

A: Mmm mmm.

Q: No.

A: Mmm mmm.

Q: The only two people that touched the gun is you and Anthony?

A: Yes.

Q: Other than Slick, who handed it to you.

A: Yes.

Q: Did he get specific about what his involvement was?

A: No. He, he told me he didn't, didn't have nothing to do with it. _____(both talking)

Q: Well he had the gun. Why did he have the gun?

A: Because I'm guessing it's his.

Q: Did he say that he loaned to these guys?

A: Ah, no. He didn't say none of that. I mean I'm, I'm, I don't know. They probably just used it, and brung it back for all I know. I really don't ax [sic] too many questions.

MW: Um, Donovan, just a couple things. I lost my place. Um, first time in the apartment, or not the first time, I'm sorry, but when you saw, um, when you saw, the morning when you saw G-Shot, or G-Shock in there...

A: Mmm hmm.

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MW: ...and they're, everybody's kind a acting weird, right?

A: Yeah. Everybody was just quiet.

MW: Okay. Um, G-Shock is in, think about it now, G-Shock is in the kitchen, right?

A: Mmm hmm.

MW: Do you know what he was wearing?

A: I think no t-shirt.

MW: Just an old t-shirt?

A: No t-shirt.

MW: No t-shirt?

A: No t-shirt.

MW: So he had nothing on?

A: Nothing.

MW: Was his hair wet? Did it look like he got out of the shower?

A: You know, I really didn't pay no attention to that.

MW: Okay. Um, was he drinking anything? Was he, what was he doing in there?

A: I don't know. He was just doing something in the kitchen like I don't know.

MW: _____(both talking) messing around?

A: _____(both talking), yeah.

MW: Running water? Did you hear water running?

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STATEMENT OF: DONOVON ROWLAND

A: Uh uh. No water was running, but he was just messing around over there by the sink.

MW: Okay. Describe him for me.

A: Ah, probably like 5'11". Ah, dark skin, curly hair.

MW: Your complexion? Lighter? Darker?

A: Ah, like a little bit lighter than me, just...

MW: Little bit lighter.

A: Yeah.

MW: Okay. Curly hair?

A: Mmm hmm.

MW: Like a, like almost like curler, curly? You know what I mean, or...

A: Mmm mmm.

MW: ...or...

A: Like...

MW: I mean a perm, or...

A: _____(both talking)

MW: ...Afro?

A: Curly, curl, curl, curl.

MW: Okay.

A: And...

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STATEMENT OF: DONOVON ROWLAND

MW: A little bit longer, longer than yours?

A: Yeah.

MW: Okay.

A: And, mmm, about kind a stocky a little bit, had a little meat on him.

MW: Little bit.

A: _____(both talking)

MW: Okay.

A: Yeah. Just a little bit.

MW: Did he talk at all?

A: Mmm mmm. He, he, he quiet, real quiet.

MW: Okay.

A: Like I didn't hear him say nothing.

MW: Did he seem pumped up, or is he just, you really didn't pay much...

A: He's just quiet.

MW: ...attention, because he's so quiet?

A: I didn't, yeah. Yeah. He, I really don't pay that much attention. I like people like that that's quiet, 'cause I don't like to talk that much.

MW: Yeah.

A: _____(inaudible)

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STATEMENT OF: DONOVON ROWLAND

MW: Um, okay. And, and, ah, Slick is wiping the gun down. Okay. And you know the gun, I mean you know how to work it, it's a revolver, right?

A: Mmm hmm.

MW: Okay. So did he have the, the round part that holds all the cartridge cases, that's called the cylinder. Did he have the cylinder popped out? You know, was it like, you know how you could, you hit the button, and it goes chink to the side so you can load it.

A: Mmm hmm.

MW: I mean was he really wiping it down, almost like somebody that, you know, like a gun nut that cleans his gun...

A: Mmm mmm.

MW: ...or is he just wiping down the outside of it?

A: Just wiping down the outside.

MW: Okay. Did you see...

A: Just wiping down the outside, _____(both talking) open.

MW: ...did you see, when you got the gun did it have cartridge cases in it, or not?

A: No. It was empty. _____(inaudible)

MW: It was completely empty?

A: Completely empty.

MW: Did you see cartridge cases in the...

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STATEMENT OF: DONOVON ROWLAND

A: Mmm, I, I didn't see none.

MW: ...in the apartment at all? Nothing like that, huh?

A: (shakes head no) It was just all _____(inaudible) the gun. It was all
_____(inaudible).

MW: Okay. Alright.

A: _____(inaudible)

MW: And you pulled the hammer back? You've pulled the trigger?

A: Yeah.

MW: Okay.

A: I, I had messed with it.

MW: Did you wipe down the gun at all?

A: Ah, one time, but then I touched it all again after that.

MW: Okay. Did you wipe down like the inside of the cylinders? You know, did you pull
the bullets got a little, where the bullets go?

A: Ah, no.

MW: Okay.

A: No.

MW: Did you wipe down the inside of the barrel?

A: Yeah. 'Cause I touched it all up there, but then I _____(both talking)

MW: The in, inside, not _____(both talking)

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STATEMENT OF: DONOVON ROWLAND

A: Oh, the inside?

MW: Yeah.

A: No.

MW: No. So you never ran like a cloth down the inside of it?

A: Mmm mmm.

MW: Nothing like that? Okay. So, ah, Slick never gave you like bullets for it?

A: (shakes head no)

MW: Nothing like that? Okay.

A: Mmm mmm. I don't know if the _____(inaudible)

MW: Okay. Yeah. And that's a cannon, right?

A: Yeah.

MW: Did you ever see a gun like that before?

A: Nuh uh.

MW: You never see it in the movies?

A: Yeah.

MW: What kind a movies you see it in?

A: Western movies.

MW: Yeah.

A: Yeah.

MW: Okay. Alright. Um, that's all I got right this second.

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STATEMENT OF: DONOVON ROWLAND

Q: You want, you need to use the bathroom again?

A: No. I'm fine.

Q: Another water?

A: Mmm mmm.

MW: I'd like him to take a look at those stills. We could talk about that though.

Q: Okay.

MW: Okay.

Q: Why don't you give us a minute, man. Okay. Just sit tight for a second.

MW: Yeah. You're good on water?

Q: Relax. No bathroom? No water? You good?

A: I'm good.

MW: Good. We won't be much longer at all. Okay.

A: Alright.

Q: You want some chips or something, or something to eat, or are you good?

A: Some chips.

Q: Yeah.

A: Yeah.

Q: You want some chips?

A: Yeah.

MW: See if I can find some.

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STATEMENT OF: DONOVON ROWLAND

Q: I think I can find some. I think I know somebody whose got some in their drawer.

Just don't wander all over the place. Just sit.

MW: Yeah. _____(inaudible) You'll get stopped by somebody else.

Q: Yeah.

A: _____(inaudible) I'll just stay right here.

MW: Okay.

(Detective Bunting & Detective Wildemann leave room)

A: What the fuck?

(Detective Bunting Detective Wildemann return to room)

Q: How you doing, man? By the way, I spoke to your dad when we got back, he called,
he was asking me, you know, how you are, and everything else.

MW: Sorry. I got it man.

Q: Alright. Okay. You recognize this guy?

A: Mmm mmm.

MW: That's not G-Shock, or G-Shot?

Q: And, and we're not suggesting to you that it is.

MW: Yeah.

Q: I just want to know, do you recognize that guy?

A: No sir.

Q: Okay.

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STATEMENT OF: DONOVON ROWLAND

MW: Okay.

Q: Okay. Cool. Thanks.

MW: Now tell me who's in that picture.

A: Is that G-Dog?

?: _____(inaudible)

A: It's kind a blurry. I can't _____(inaudible)

MW: I know. It is a little weird. Look at it a little bit farther away. It's actually better, if, you know, if you get on top of it, it gets kind a crazy.

Q: So you think this guy in the middle is G-Dog?

A: Yeah. I think so.

Q: Okay. What about the other two?

MW: Who's that?

A: Slick.

MW: Okay. Who's that?

A: I don't know. _____(inaudible) I don't know who that is.

MW: Okay.

A: They don't look familiar.

Q: Do we have another...? _____(inaudible)

MW: Mmm mmm.

A: I really can't see enough _____(inaudible)

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STATEMENT OF: DONOVON ROWLAND

MW: No. It's not that great of a picture. You're right. Okay. Cool. We got his cell number.

Q: Yeah. We need...

MW: Has, ah, when's the last time you talked to Slick?

A: A couple weeks ago. Probably like two or three _____(inaudible)

MW: Okay. Alright. And it might just be...

Q: He knows, dude.

MW: He knows what?

Q: About Slick.

MW: Oh, okay. Oh, okay. Yeah. Yeah.

Q: Okay. Let me, let me get all these number straight, man. So Amanda's number is 468-8396?

A: Yes sir.

Q: Okay. And I, you know where she lives?

A: Mmm mmm.

Q: Okay. Well we're gonna go there on the way back.

A: Okay.

Q: Um, oh, no. We're not gonna go knock on the door and stuff.

A: Okay.

Q: It's late, but I'm just saying. Alright. So you're old cell is 788-4584.

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STATEMENT OF: DONOVON ROWLAND

A: Yes sir.

Q: Oh, actually, he handed me his cell earlier. Do you mind if we look at this?

A: Yeah. _____(both talking)

Q: Look through this real quick.

A: Oh, yeah.

Q: Is that alright?

A: Yeah.

MW: Did you take any pictures, you've got no picture on this, right?

A: Not at all.

MW: Okay.

Q: Okay. You said, so for Slick, you have his old number's 512, and you told me earlier that his new number is...

A: 404 something. 404-519...

Q: 404...

A: ...519...

Q: Uh huh.

A: ...3377.

Q: Okay. And his old number is 512...

A: 629...

Q: ...629...

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STATEMENT OF: DONOVON ROWLAND

A: ...0041.

Q: How many times have you called him on that new number?

A: A couple. I'm not sure.

Q: Did you ask him why he's got a new number?

A: Mmm mmm.

Q: Did he tell you why he had, I mean how did you even find out he had a new number?

A: He called me from it.

Q: And he said, "Call me on this number from now on", or what?

A: No. He didn't say that.

Q: How did you know not to call him on the old number?

A: He was just like, "This is my new number."

Q: Okay. So he told you that...

A: Yeah.

Q: ...the 404 number is his new number?

A: Yeah.

MW: How do you have him in here?

A: Who?

MW: What's his—Slick.

A: Oh, it's not in there.

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STATEMENT OF: DONOVON ROWLAND

MW: Oh, he's not in here.

A: Mmm mmm.

MW: Okay.

A: That's my new phone. I, I, didn't, um...

MW: Okay.

A: All my numbers aren't in there anymore. So _____(inaudible)

Q: Do you have any texts on there?

A: Ah...

MW: He's got a bunch. It's mostly girls.

Q: Are you a player?

A: Yeah. Something like that.

Q: The quiet type?

A: Mmm hmm.

Q: Alright. Ah, your old number, what's your new number? What's this number?

A: I'm about to go to it right now. 702-462-3352.

Q: I'm sorry? What was the last part?

A: 3352.

Q: 33...

A: 52.

Q: ...52. Okay. What about G-Dog?

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STATEMENT OF: DONOVON ROWLAND

A: Ah, don't know.

Q: Have you ever called him?

A: Yeah. Once. A couple, probably like three or four times.

Q: Why'd you call him?

A: To get in touch with Slick, but this is when he was here, when they were here.

Q: Where were they at?

A: The apartment, and I think Slick was _____(both talking)

Q: Before the incident or after?

A: Before, before.

Q: Okay. What about this other guy, G-Shock, G-Shot?

A: I don't know. I don't know him like that at all.

Q: Okay. What about Monica?

A: Um, we, we never really talked. She'll just be like if I was with him, with Slick, or anything, I'll be like, "No." Or she'll be trying to call me, and, yeah, mostly always about Slick. _____(both talking)

Q: Okay. So she would call you. Have you ever called her?

A: Yeah. A couple a time.

Q: What number?

A: Ah, a 927. I don't know the rest. I know it's 927, something, something, something.

MW: Something.

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STATEMENT OF: DONOVON ROWLAND

Q: Who all have you talked to, um, after this happened? Just Slick, or have you talked...

A: Just Slick.

Q: ...to Monica? Have you talked...

A: Just Slick.

Q: ...G-Dog?

A: Just Slick. That's the only person.

Q: You ever been to California with him?

A: Mmm, once. Once.

Q: Who, who'd you go down there with? How'd you get down there?

A: Monica.

Q: She drove you guys down there?

A: Yeah.

Q: Who else was in the car with you?

A: Just us three.

Q: You, Slick, and her?

A: Yeah.

Q: When was that?

A: About a month ago.

Q: Where'd you guys go?

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STATEMENT OF: DONOVON ROWLAND

A: Mmm, San Diego, San Berndino [sic], San Berdino.

Q: San Bernardino?

A: Yeah.

Q: Whose, to Monica's place, or Slick's place?

A: A hotel.

Q: You stayed in a hotel in San Bernardino?

A: (nods head yes)

Q: Did anybody else come in that hotel?

A: (shakes head no) Monica left, and it was just me and him in there, but then she came back. And then we was there for like a couple hours, and left, came right back.

Q: Why'd you guys go down there for?

A: I just went...

MW: Dude, was that a dope run? That sounds like a dope run to me.

A: _____(both talking)

MW: I mean it's okay if it was, just...

A: I don't know. No. I, I don't know. I ain't know what was going on. It was my birthday, and I was like I'm, I'm a go wich [sic] you.

MW: So you went down there, and stayed in the hotel room for a couple hours...

A: Yeah.

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STATEMENT OF: DONOVON ROWLAND

MW: ...then drove all the way back?

A: I ain't stay in the hotel room the whole time. I went out. I walked around and stuff, 'cause like everything out there I guess doesn't close til like _____(both talking

Q: Okay. But why the hell are you gonna go to San Bernardino on your birthday, man? You could go out partying on your birthday.

A: I've been out here the whole time like I know everything, and know everybody. So I wanted to see something new on my birthday. So I was just like, "I'll go with you."

Q: Here's the deal. I mean I told you earlier, we know that you called 17 times in one day, right?

A: Yeah.

Q: We brought that up in front of your parents.

A: Yeah. We used to talk a lot.

Q: Yeah. Okay. So, I mean, look I, we're not gonna hang you up on dope stuff. I don't, I don't really care, but the problem is you _____(inaudible) you're telling us, and then trust me, we're gonna find out more about you.

A: Oh, I, I don't...

Q: Okay.

A: ...I don't know about nothing about no dope, or none of that. I don't _____(both talking)

Q: You don't sell any weed for him or anything?

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STATEMENT OF: DONOVON ROWLAND

A: No. No.

Q: So you've never sold weed? If we talk to any person...

A: No. I sold, I sold weed. That's about it, but it was for me like it was mine, and I sold it.

Q: Okay. What about a his--have you ever seen Slick the crack?

A: Mmm mmm.

Q: Have you ever sold crack, or anything like that?

A: Mmm mmm.

Q: Okay. What about G-Dog?

A: Oh, I don't know. I don't know.

Q: So when you sold that weed, have you got any from Slick?

A: No.

Q: Just be straight. It's not that big _____(inaudible)

A: Nuh uh. Nuh uh. Like we'll, we'll buy it off a other people. And then like split it down the middle.

Q: Who we? What is...

A: Slick. Me and Slick.

Q: Okay.

A: And then...

MW: What kind a quantity?

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STATEMENT OF: DONOVON ROWLAND

A: Ah, like a _____(inaudible)

Q: Like how much volume?

A: Ah, probably like a ounce.

Q: So you split it up, and then you sell it?

A: Yeah.

Q: In ounces?

A: Well most of the time I just smoke it. I'm keeping it real.

MW: Well I guess, here's what we're kind a trying to ask you. Is Slick usually in pocket?

A: Mmm, no.

MW: Does Slick—okay. That didn't come our right. Does Slick usually have weed?

A: Usually. Sometimes. But not, not, not as, not of—it's every now and then most of the time.

Q: Well you said earlier that you're buying it from him almost every day.

A: Like almost every day, like he wouldn't have lots of it, but like it'll be little stuff, and if he had some little stuff like he'll sell it to me, or just sit there, and smoke it with me, and we'll sit there smoking a _____(inaudible)

MW: How's Slick making his money?

A: I don't know.

MW: You know, how's he paying the bills, and stuff like that?

A: Oh, I don't know.

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STATEMENT OF: DONOVON ROWLAND

MW: You don't know?

A: Mmm mmm. _____(both talking)

MW: I mean is he doing it through weed sales, do you think?

A: Uh uh. I don't, I don't know nothing about that.

Q: What about hoeing girls? We talked about that earlier.

A: Yeah. Ah, I don't really know _____(inaudible). He never had a hoes. Monica was just like a girl that'll give him money and shit, that I know of, just give him _____(both talking)

Q: So is he just basically using her?

A: Yeah. Pretty much.

Q: I mean...

A: And she thought he loved her, but no.

Q: Alright. So he's just playing her, because she's a source of income for him basically?

A: Mmm hmm. Yeah.

Q: Okay. So he's just using her for whatever. A drive, a freaking car ride, a BJ, or yeah, because she's got cash, and he doesn't, and he needs to pay a bill, or wants to go smoke some weed or something?

A: Yes.

Q: Or eat?

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STATEMENT OF: DONOVON ROWLAND

A: Yes. Monica was that.

Q: Is there another Monica...

A: Just Monica.

Q: ...rolling around in the apartment every once in a while?

A: Mmm mmm.

Q: So that's his only girl here?

A: No. As far as I know that's it.

Q: So this guy sells, he's a player, he's up here all the time from San Bernardino, but what's he doing up here? Why is he even coming up here? What's the reason?

A: I don't got no clue about that. He never told me none of that.

Q: Dude, you're calling the call guy 17 times in one day, and you're hanging out, and buying weed from him every day...

A: Yeah. But we just chillin.

Q: ...and he hands you a gun that was used in a murder. So it's not like you don't know him.

A: Chris, it, like I know him, but like I don't know everything. Like me and him became close, but I don't _____(both talking)

Q: I'm not asking you the size of his pecker, man. I'm just saying, but he, I mean he's, he's...

A: No.

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STATEMENT OF: DONOVON ROWLAND

Q: ...he's telling you, he's giving you a gun that was used in a murder.

A: Mmm hmm.

Q: Okay. You don't do that with just anybody. So you, I mean he trusts you to give you that gun.

A: Yeah. I, I know.

Q: So you've got to know, I mean what is he doing up here? Why is he even coming up here? How did he come up here? Why is he up here?

A: I don't know.

MW: Is he just running licks?

A: I don't, I, I really didn't know. He was just, most of the time he was mostly always in the house, or at Monica's like he really, barely ever went out. The only time we ever went out that incident happened. The Wal-Mart incident.

Q: They were, oh, in July?

MW: Who are the two girls? Just curious.

A: Ah, a girl I used to talk to a while back, and her friend, or her sister, whatever _____(inaudible).

MW: Okay. So it wasn't Monica?

A: No.

MW: Even though you said...

A: I was driving her car.

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STATEMENT OF: DONOVON ROWLAND

MW: ...you think one of the girls goes by Monica. Oh, you were driving Monica's car?

A: Yeah.

MW: Okay.

A: I was driving her car.

MW: I'm sorry. I'm curious.

Q: Okay. Is there anything else, man, that you, that we're gonna end up having to come and talk to you about here shortly? I have to tell you, I'm, I'm, I, I find it, there is one thing that I'm having an issue with that I don't think you're being straight with me about. Well there's probably more than that, just because of our history together, but one in particular is I just have a hard time believing that you're not trying to sell this gun, and get some money to more people. So this is, I'm just telling you right now, I mean you've obviously partied with a lot of people...

A: Mmm hmm.

Q: ...and it's not gonna, it's not gonna be too difficult, I mean all I have to do is connect the dots with everybody you call, or they call, I mean it could go on endlessly. We're talking about all these parties, right?

A: Yes.

Q: Okay. So people are gonna, eventually somebody's gonna frickin' talk about you wanting to sell a gun. So I'm, I'm gonna be, and I'm not, listen, I'm not talking about hemming you up. This is more of a, ah, honesty check with you...

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STATEMENT OF: DONOVON ROWLAND

A: Yeah.

Q: ...than anything else. Okay.

A: I understand. Yes sir.

Q: I mean we've already straightened out in the beginning how I feel about all of it. So who else have you brought up selling this gun to? And think real hard.

MW: We're not gonna go bang on doors.

A: Um...

Q: I'll tell you what. If you're straight with me, I won't, but if I think you're lying, I'm going to. Okay. So let's...

A: Ah...

Q: ...stop dicking around, and just be straight with me.

A: ...old boy that I told you I met at the store. Some other dude. A girl that I know. Some dude she was talking to, I don't know his name, but I was just like telling him did he want to buy a gun. Ah...

Q: What's the girls name?

A: Yvetta.

Q: Okay. You know the last name?

A: Mmm mmm. Her real name isn't even Yvetta, it's, I can't think, it's, it her real name is something, it start with a E, but I don't know, but she go by Yvetta.

Q: Okay.

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STATEMENT OF: DONOVON ROWLAND

A: And then, ah, another, a lady that I knew a long time ago. I tried to see if she knew somebody that wanted to buy it, but she said no.

Q: A lady you knew a long...

A: Yeah. Melissa.

Q: ...that doesn't tell me anything. Okay. Who else?

A: Ah...

Q: Keep rolling, man.

A: _____(inaudible) really don't know too many people. Ah, a home boy on Nellis and Vegas Valley. _____(inaudible)

Q: A home boy?

A: Yeah. I, I really don't know him like that rea—I don't know names like that. I forget names, but I remember faces better than names.

Q: Okay. Well you got to at least know a nick name or a, a first name if you're gonna go ask somebody to buy a gun.

A: No. 'Cause like I, if I know you like I, if I see you around, I'll be like, "Hey, I got this. I'm trying to sell it. You want it?"

Q: Alright. What's this home boys name?

A: I can't, we called him Tank. I just can't think of his real name.

Q: Alright. This is what I'm gonna do, man. I'm not gonna sit here all night just for you to be, I'm, I'm gonna give you some time to think about it.

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STATEMENT OF: DONOVON ROWLAND

A: I, I'm keeping it real like, sir, I really don't...

Q: I know. I know. You're fine. I'm just, look. You've already, we went from just Anthony to five other people just now. So you give it some thought. Next time I run into you, have a list of people written on a piece of paper. You give it some thought tonight.

A: Alright.

Q: Okay.

A: Mmm hmm.

Q: You're straight with me, I won't talk to any of 'em.

A: Alright.

Q: Fair enough?

A: Yes sir.

Q: That may seem odd to you, why the hell I'm gonna ask you for their names if I'm not gonna go talk to 'em, but I'm telling you right now, you give me a list of names, and I will not go talk to 'em. Do you understand?

A: Yes sir. Will any of this be _____(inaudible)? Like they can know what we were talking about, and how you found the gun?

MW: There's a possibility of that down the road, down the road, but just so you know, too, Donovan, we've talked to a lot of people. Okay. Do you see the size of that book?

VOLUNTARY STATEMENT

PAGE 98

EVENT #: 100807-0732

STATEMENT OF: DONOVON ROWLAND

You know, most of those are statements from people. I mean this isn't a huge mystery.

A: Okay.

MW: Really I think more now, we're just wondering why, you know, why this happened.

I mean you got any insight into that? Like why they did this, why, you know...

A: Not at all.

MW: ...if you're gonna do a robbery, do a robbery...

A: I don't know.

MW: ...but don't, you know, don't go blasting up the whole house, man.

A: Yeah. I don't know none of that at all.

MW: I mean Slick seemed pissed off?

A: Yeah. He was pissed. He was mad that that happened. He was real mad.

Q: Why did he, why do you think he was mad?

A: I don't know. He was just mad. He was just like...

Q: Well you're telling me you think he was mad. What makes you say that? Was he...

A: No. No. I know he was mad.

Q: ...was he cussing? Okay. What was he saying?

A: I, I could, I could just tell he was mad, 'cause he like he doesn't get that quiet around me like he won't be mad like, like whenever I'm around, like he'll bring like his joy up, I think like he cool.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 99

EVENT #: 100807-0732

STATEMENT OF: DONOVON ROWLAND

Q: You're his happy person?

A: Yeah. Type, type shit like that. Yeah. He'd calm him down.

Q: What were you thinking when he handed you a gun now? I mean you've, you've, your holding on to this frickin' gun that was used in a murder.

A: Mmm hmm. _____(inaudible)

Q: You didn't seem overly concerned when we were talking earlier today.

A: Nothing really. I didn't think of nothing. He just asked me to hold it, so I held it.

Q: Has the weight of this actually set in for you at all yet?

A: Yeah. It did a little while ago, a little while ago.

Q: Alright. Well let me tell you something, man, and, ah, I'm not your daddy. I'm not gonna sit here and preach to you, but well I guess I am. Um, but the bottom line is, is I will tell you that, ah, your decision to talk with us was probably the smartest decision you made, and it may not seem like it, because you have your buddy who's gonna be pissed off at you, because the police came over, and got a gun out of his house that you put there. Okay. And whatever else that you're concerned about, which I'm sure there's many things. Okay. But I'm telling you right now, ultimately you're just, ultimately you would a ended up being a stepping stone. Unless you, you want to spend your life in prison, dude, I, I seriously suggest that you re-evaluate your circumstance, and, ah, maybe being told what to do when you're living at momma's house, or daddy's house, ain't so bad.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 100

EVENT #: 100807-0732

STATEMENT OF: DONOVON ROWLAND

(Detective Wildemann leaves room)

Q: I mean unless you want to end up, I mean I don't know, man, like I said earlier, maybe the deal is, is that you want your way into this glamorous, glamorous world of gang banging, and murdering, and how to worry about your own home boys putting, plugging you in the back of your head, because you say something wrong today. Okay. I don't know. If that's your thing, you watch too many movies, and it seems exciting...(tape ends abruptly)

THIS VOLUNTARY STATEMENT WAS COMPLETED AT 4750 WEST OAKLEY ON THE 19TH DAY OF AUGUST, 2010 AT 2224 HOURS.

CB/MW/jc
10V1074

EXHIBIT “7”

REGISTER OF ACTIONS

CASE No. 10F22031A

State of Nevada vs Rowland, Donovan

§
§
§
§
§
§

Case Type: **Felony**
 Date Filed: **11/22/2010**
 Location: **JC Department 2**
 Metro Event Number: **1011183267**

RELATED CASE INFORMATION

Related Cases

10F22031B (CDF)

PARTY INFORMATION

Defendant	Rowland, Donovan	Lead Attorneys Kalani Hoo <i>Court Appointed</i> 7023828278(W)
------------------	------------------	--------------------------------------------------------------------------------

State of Nevada	State of Nevada
------------------------	-----------------

CHARGE INFORMATION

Charges: Rowland, Donovan	Statute	Level	Date
1. BURGLARY	205.060	Felony	11/18/2010
2. GRAND LARCENY	205.220	Felony	11/18/2010
3. CONSPIRACY TO COMMIT A CRIME	199.480	Gross Misdemeanor	11/18/2010

EVENTS & ORDERS OF THE COURT

	DISPOSITIONS
04/08/2011	Disposition (Judicial Officer: Sciscento, Joseph S.) 2. GRAND LARCENY DISMISSED PER NEGOTIATIONS
04/08/2011	Disposition (Judicial Officer: Sciscento, Joseph S.) 1. BURGLARY DISMISSED PER NEGOTIATIONS
04/08/2011	Disposition (Judicial Officer: Sciscento, Joseph S.) 3. CONSPIRACY TO COMMIT A CRIME DISMISSED PER NEGOTIATIONS
	OTHER EVENTS AND HEARINGS
11/18/2010	Temporary Custody Record
11/20/2010	OR ADMIN RELEASE OR ADMIN RELEASE
11/20/2010	Minute Order
11/20/2010	Release Agreement
11/22/2010	TRANSFERRED TO JC TRANSFERRED TO JC
11/22/2010	RECEIVED FROM DA RECEIVED FROM DA
11/22/2010	COMPLAINT FILED COMPLAINT FILED
11/22/2010	COMPLETED BY DCD MinuteCode1: COMPLETED BY DCD MinuteCode3: COMPLETED BY DCD
11/22/2010	COMPLETED BY AEG MinuteCode1: COMPLETED BY AEG MinuteCode3: COMPLETED BY AEG
11/22/2010	CTRACK Track Assignment JC02
11/22/2010	Criminal Complaint (NON USJR)
11/22/2010	PreTrial Services Financial Affidavit and Information Sheet
01/19/2011	P/H DATE SET (Judicial Officer: Baucum, Suzan) FELONY ARRGN
01/19/2011	Arraignment (8:00 AM) (Judicial Officer Baucum, Suzan) Result: COMPLETED
04/08/2011	DISMISSED PER NEGOTIATIONS (Judicial Officer: Sciscento, Joseph S.) PRELIM HEARING
04/08/2011	COURTESY NOTICE OF DISPOSITION GENERATED MinuteCode1: COURTESY NOTICE OF DISPOSITION GENERATED MinuteCode3: COURTESY NOTICE OF DISPOSITION GENERATED
04/08/2011	Preliminary Hearing (8:00 AM) (Judicial Officer Sciscento, Joseph S.) Result: CASE FINDING

10/9/2014

<https://www.clarkcountycourts.us/LVJCCriminal/CaseDetail.aspx?CaseID=10113182>

04/08/2011 | **Notice Relating to Sealing of Records**

04/08/2011 | **Notice of Disposition and Judgment**

EXHIBIT “8”

REGISTER OF ACTIONS

CASE No. 11F01851X

State of Nevada vs Rowland, Donovan

§
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§
§
§
§Case Type: **Felony**Date Filed: **01/31/2011**Location: **JC Department 5**District Court Case Number: **C271295**Metro Event Number: **1101283918**Other Agency Number: **1010041756**

PARTY INFORMATION

Defendant Rowland, Donovan

Lead Attorneys
James B. Hartsell
Court Appointed
7024550100(W)State of Nevada
Nevada

CHARGE INFORMATION

Charges: Rowland, Donovan

	Statute	Level	Date
1. CARRYING A CONCEALED WEAPON	202.350	Felony	01/28/2011
2. POSSESSION OF STOLEN PROPERTY	205.275	Felony	01/28/2011

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

02/16/2011 **Disposition** (Judicial Officer: Jansen, William D.)
1. CARRYING A CONCEALED WEAPON
WAIVE PRELIM UNCOND PER PLEA NEGO

02/16/2011 **Disposition** (Judicial Officer: Jansen, William D.)
2. POSSESSION OF STOLEN PROPERTY
WAIVE PRELIM UNCOND PER PLEA NEGO

02/16/2011 **Plea** (Judicial Officer: Jansen, William D.)
1. CARRYING A CONCEALED WEAPON
Bound Over

02/16/2011 **Plea** (Judicial Officer: Jansen, William D.)
2. POSSESSION OF STOLEN PROPERTY
Bound Over

OTHER EVENTS AND HEARINGS

01/28/2011 **Arrest Report**

01/29/2011 **48 HOUR - PROBABLE CAUSE FOUND** (Judicial Officer: Saragosa, Melissa)
48 HOUR HEARING

01/29/2011 **48 Hour Probable Cause Review** (8:00 AM) (Judicial Officer Saragosa, Melissa)
Result: COMPLETED

01/29/2011 **Probable Cause Arrest Documents**

01/31/2011 **TRANSFERRED TO JC**
TRANSFERRED TO JC

01/31/2011 **COMPLETED BY DCD**
MinuteCode1: COMPLETED BY DCD MinuteCode3: COMPLETED BY DCD

01/31/2011 **COMPLETED BY AEG**
MinuteCode1: COMPLETED BY AEG MinuteCode3: COMPLETED BY AEG

01/31/2011 **CTRACK Track Assignment JC05**

02/01/2011 **RECEIVED FROM DA**
RECEIVED FROM DA

02/01/2011 **Minute Order**

02/01/2011 **Criminal Complaint**

02/02/2011 **Modified Bail**
Ct1: \$5000.00 Cash/5000.00 Surety

02/02/2011 **Modified Bail**
Ct2: \$3000.00 Cash/3000.00 Surety

02/02/2011 **P/H DATE SET** (Judicial Officer: Jansen, William D.)
72H HEARING P/C

02/02/2011 **72 Hour Hearing** (8:00 AM) (Judicial Officer Jansen, William D.)
Result: COMPLETED

02/02/2011 **Custody Status Slip (No Custody Change)**

02/16/2011 **Modified Bail**
Ct1: \$3000.00 Cash/3000.00 Surety

02/16/2011 **WAIVE PRELIM UNCOND PER PLEA NEGO** (Judicial Officer: Jansen, William D.)
PRELIM HEARING

02/16/2011 **Preliminary Hearing** (8:00 AM) (Judicial Officer Jansen, William D.)
Result: Bound Over

02/16/2011 **Custody Status Slip (No Custody Change)**

02/16/2011 **Motion**
MOTION FOR O/R RELEASE

02/16/2011 **Release Agreement**

02/23/2011 **Bind Over Receipt**

02/23/2011 **Commitment and Order to Appear**

02/28/2011 **SEE CHARGE/DISPOSITION RECORD**
SEE CHARGE/DISPOSITION RECORD

04/27/2011 **SEE CHARGE/DISPOSITION/SENT RECORDS** (Judicial Officer: UNASSIGNED, UNASSIGNED)
SENTENCING

04/27/2011 **DISPOSITION NOTICE FOR DISTRICT COURT**
MinuteCode1: DISPOSITION NOTICE FOR DISTRICT COURT MinuteCode3: DISPOSITION NOTICE FOR DISTRICT COURT

04/27/2011 **Sentencing Hearing** (8:00 AM) (Judicial Officer UNASSIGNED, UNASSIGNED)
Result: SENT DECIS

07/18/2012 **PROBATION CONTINUING** (Judicial Officer: UNASSIGNED, UNASSIGNED)
PROBATION REVO

07/18/2012 **Converted Hearing Type** (8:00 AM) (Judicial Officer UNASSIGNED, UNASSIGNED)
Result: COMPLETED

EXHIBIT “9”

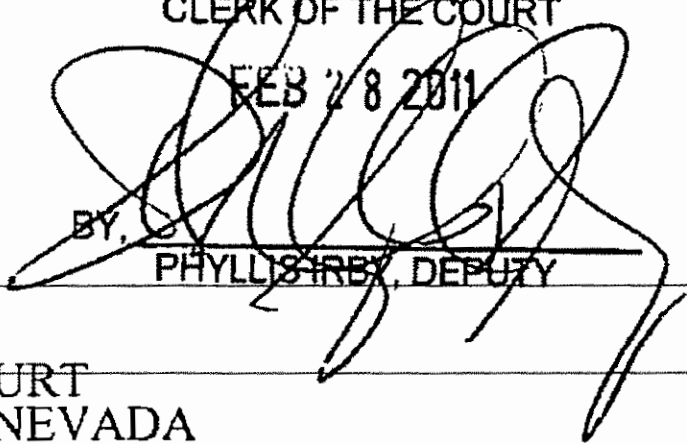
ORIGINAL

14

1 **GPA**
2 DAVID ROGER
3 DISTRICT ATTORNEY
4 Nevada Bar #002781
5 JEFFREY S. ROGAN
6 Deputy District Attorney
7 Nevada Bar #0010734
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

FEB 28 2011

BY: 
PHYLLIS KIRBY, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,
8
9 Plaintiff,

10 -vs-

11 DONOVAN ROWLAND,
12 #2763565

13 Defendant.

CASE NO: C271295-1
DEPT NO: VII

C-11-271295-1
GPA
Guilty Plea Agreement
1286333



14 GUILTY PLEA AGREEMENT

15 I hereby agree to plead guilty to: **CARRYING CONCEALED FIREARM OR**
16 **OTHER DEADLY WEAPON (Category C Felony - NRS 202.350(1)(d)(3))**, as more
17 fully alleged in the charging document attached hereto as Exhibit "1".

18 My decision to plead guilty is based upon the plea agreement in this case which is as
19 follows:

20 The State retains the right to argue but has no opposition to probation if no prior
21 Felony or Gross Misdemeanor Convictions. If Defendant receives an Honorable Discharge
22 from probation, he may withdraw his plea and plead guilty to Attempt Carrying Concealed
23 Weapon (Gross Misdemeanor) with Credit for Time Served. The State will not oppose
24 dismissal of the Remaining Count in this case and Case No. 10F22031A. The Defendant
25 agrees to forfeit the firearm as set forth in the Stipulation of Compromise of Seized Property
26 attached hereto as Exhibit "2".

27 I agree to the forfeiture of any and all weapons or any interest in any weapons seized

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1 and/or impounded in connection with the instant case and/or any other case negotiated in
2 whole or in part in conjunction with this plea agreement.

3 I understand and agree that, if I fail to interview with the Department of Parole and
4 Probation, fail to appear at any subsequent hearings in this case, or an independent
5 magistrate, by affidavit review, confirms probable cause against me for new criminal charges
6 including reckless driving or DUI, but excluding minor traffic violations, that the State will
7 have the unqualified right to argue for any legal sentence and term of confinement allowable
8 for the crime(s) to which I am pleading guilty, including the use of any prior convictions I
9 may have to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life
10 without the possibility of parole, life with the possibility of parole after ten (10) years, or a
11 definite twenty-five (25) year term with the possibility of parole after ten (10) years.

12 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
13 plea agreement.

14 CONSEQUENCES OF THE PLEA

15 I understand that by pleading guilty I admit the facts which support all the elements of
16 the offense(s) to which I now plead as set forth in Exhibit "1".

17 I understand that as a consequence of my plea of guilty the Court must sentence me to
18 imprisonment in the Nevada Department of Corrections for a minimum term of not less than
19 ONE (1) year and a maximum term of not more than FIVE (5) years. The minimum term of
20 imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I
21 understand that I may also be fined up to \$10,000.00. I understand that the law requires me
22 to pay an Administrative Assessment Fee.

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

27 I understand that I am eligible for probation for the offense to which I am pleading

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1 guilty. I understand that, except as otherwise provided by statute, the question of whether I
2 receive probation is in the discretion of the sentencing judge.

3 I also understand that I must submit to blood and/or saliva tests under the Direction of
4 the Division of Parole and Probation to determine genetic markers and/or secretor status.

5 I further understand that if I am pleading guilty to charges of Burglary, Invasion of
6 the Home, Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled
7 Substance, or Gaming Crimes, for which I have prior felony conviction(s), I will not be
8 eligible for probation and may receive a higher sentencing range.

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

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

15 I have not been promised or guaranteed any particular sentence by anyone. I know
16 that my sentence is to be determined by the Court within the limits prescribed by statute.

17 I understand that if my attorney or the State of Nevada or both recommend any
18 specific punishment to the Court, the Court is not obligated to accept the recommendation.

19 I understand that if the offense(s) to which I am pleading guilty was committed while
20 I was incarcerated on another charge or while I was on probation or parole that I am not
21 eligible for credit for time served toward the instant offense(s).

22 I understand that if I am not a United States citizen, any criminal conviction will
23 likely result in serious negative immigration consequences including but not limited to:

- 24 1. The removal from the United States through deportation;
- 25 2. An inability to reenter the United States;
- 26 3. The inability to gain United States citizenship or legal residency;
- 27 4. An inability to renew and/or retain any legal residency status; and/or

28 ///

5. An indeterminate term of confinement, with the United States Federal Government based on my conviction and immigration status.

Regardless of what I have been told by any attorney, no one can promise me that this conviction will not result in negative immigration consequences and/or impact my ability to become a United States citizen and/or a legal resident.

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

WAIVER OF RIGHTS

By entering my plea of guilty, I understand that I am waiving and forever giving up the following rights and privileges:

1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.
2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense(s) charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify against me.
4. The constitutional right to subpoena witnesses to testify on my behalf.
5. The constitutional right to testify in my own defense.
6. The right to appeal the conviction with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this

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conviction, including any challenge based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings as stated in NRS 177.015(4). However, I remain free to challenge my conviction through other post-conviction remedies including a habeas corpus petition pursuant to NRS Chapter 34.

VOLUNTARINESS OF PLEA

I have discussed the elements of all of the original charge(s) against me with my attorney and I understand the nature of the charge(s) against me.

I understand that the State would have to prove each element of the charge(s) against me at trial.

I have discussed with my attorney any possible defenses, defense strategies and circumstances which might be in my favor.

All of the foregoing elements, consequences, rights, and waiver of rights have been thoroughly explained to me by my attorney.

I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial would be contrary to my best interest.

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

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

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

4 DATED this 28 day of February, 2011.

5
6 
7 DONOVAN ROWLAND
Defendant

8
9 AGREED TO BY:

10 
11

12 JEFFREY S. ROGAN
13 Deputy District Attorney
Nevada Bar #0010734
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1 CERTIFICATE OF COUNSEL:

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

4 1. I have fully explained to the Defendant the allegations contained in the
charge(s) to which guilty pleas are being entered.

5 2. I have advised the Defendant of the penalties for each charge and the
6 restitution that the Defendant may be ordered to pay.

7 3. I have inquired of Defendant facts concerning Defendant's immigration status
8 and explained to Defendant that if Defendant is not a United States citizen any
criminal conviction will most likely result in serious negative immigration
consequences including but not limited to:

9 a. The removal from the United States through deportation;

10 b. An inability to reenter the United States;

11 c. The inability to gain United States citizenship or legal residency;

12 d. An inability to renew and/or retain any legal residency status; and/or

13 e. An indeterminate term of confinement, by with United States Federal
14 Government based on the conviction and immigration status.

15 Moreover, I have explained that regardless of what Defendant may have been
16 told by any attorney, no one can promise Defendant that this conviction will
not result in negative immigration consequences and/or impact Defendant's
ability to become a United States citizen and/or legal resident.

17 4. All pleas of guilty offered by the Defendant pursuant to this agreement are
18 consistent with the facts known to me and are made with my advice to the
Defendant.

19 5. To the best of my knowledge and belief, the Defendant:

20 a. Is competent and understands the charges and the consequences of
21 pleading guilty as provided in this agreement,

22 b. Executed this agreement and will enter all guilty pleas pursuant hereto
voluntarily, and

23 c. Was not under the influence of intoxicating liquor, a controlled
24 substance or other drug at the time I consulted with the Defendant as
certified in paragraphs 1 and 2 above.

25 Dated: This 21 day of February, 2011.

26
27
28
ATTORNEY FOR DEFENDANT

pm

1 INFO
2 DAVID ROGER
3 Clark County District Attorney
4 Nevada Bar #002781
5 JEFFREY S. ROGAN
6 Deputy District Attorney
7 Nevada Bar #0010734
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

7 I.A. 02/28/11
8 9:00 A.M.
9 J. HARTSELL

10 THE STATE OF NEVADA,

11 Plaintiff,

12 -vs-

13 DONOVAN ROWLAND
14 #2763565

Defendant.

Case No: C271295-1
Dept No: VII

INFORMATION

15
16 STATE OF NEVADA }
17 COUNTY OF CLARK } ss.

18 DAVID ROGER, District Attorney within and for the County of Clark, State of
19 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

20 That DONOVAN ROWLAND, the Defendant(s) above named, having committed the
21 crime of **CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON**
22 **(Category C Felony - NRS 202.350(1)(d)(3))**, on or about the 28th day of January, 2011,
23 within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes
24 in such cases made and provided, and against the peace and dignity of the State of Nevada,
25 did then and there wilfully, intentionally, unlawfully and feloniously carry concealed upon

26 ///

27 ///

28 ///

EXHIBIT "1"

P:\WPDOCS\NIN\101\10185101.DOC

1 his person, a firearm or other deadly weapon, to-wit: a .22 Derringer firearm, bearing Serial
2 No. 371402.

3 DAVID ROGER
DISTRICT ATTORNEY
4 Nevada Bar #002781

5
6 BY /s/JEFFREY S. ROGAN
JEFFREY S. ROGAN
7 Deputy District Attorney
Nevada Bar #0010734
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27 DA#11F01851X/pm
LVMPD EV#1101283918;
1010041756
28 (TK5)

STIPULATION FOR COMPROMISE OF SEIZED PROPERTY

Defendant Donovan Rowland ID# 2763565 CRIMINAL CASE# C271295-1
Seizing Law Enforcement Agency Las Vegas Metropolitan Police Department
Seizure Event Number 1101283918; 1010041756

IT IS HEREBY STIPULATED and AGREED by and between DAVID ROGER, Clark County District Attorney through his undersigned Deputy, and the Defendant that a stipulation for compromise be entered into and resolved as part of the negotiations in the aforementioned criminal case(s) pertaining to property impounded or seized by the aforementioned law enforcement agency under the aforementioned event number(s), as follows:

1. PROSECUTOR CHECKS THE APPROPRIATE PARAGRAPHS:

☒ **la. TOTAL FORFEITURE:** That Defendant agrees to release and waive any and all right, title and interest in said property as being forfeited to the seizing law enforcement agency and subject to disposition pursuant to Nevada Revised Statutes 179.1175, 179.118 and 179.1185.

Property To Be Forfeited: a .22 caliber Derringer firearm, bearing Serial No. 371402.

☐ **1b. PARTIAL FORFEITURE:** Within the guidelines and policies of the seizing law enforcement agency, the prosecution agrees to release to the Defendant or his designee the above-described property. That in exchange for release of the aforementioned property, Defendant agrees to release and waive any and all right, title and interest in the remainder of the seized property as being forfeited to the seizing law enforcement agency and subject to disposition pursuant to Nevada Revised Statutes 179.1175, 179.118 and 179.1185.

Property To Be Forfeited:

Property To Be Returned:

☐ **1c. VEHICLE FORFEITURE:** Said property includes, but is not limited to, a motor vehicle whereby the Defendant agrees to release and waive any and all right, title and interest in said motor vehicle as being forfeited to the seizing law enforcement agency and subject to disposition pursuant to Nevada Revised Statutes 179.1175, 179.118 and 179.1185.

2. That the Defendant hereby authorizes the District Attorney's Office and the seizing law enforcement agency to take such action as is necessary, including, but not limited to, using this agreement to secure a judgment or an ex-parte order in any contemplated or pending companion forfeiture proceeding in order to give full force and effect to this agreement.

3. That the parties agree that this forfeiture, or any subsequent action taken to secure full force and effect of this agreement, does not and will not be considered as putting the Defendant in jeopardy of life, limb or property for the same offense under the Fifth Amendment of the United States Constitution and under Section Eight of Article One of the Nevada Constitution; and, that this forfeiture, or any subsequent action taken to secure full force and effect of this agreement, does not or will not constitute an excessive fine under the Eighth Amendment of the United States Constitution and under Section Six of Article One of the Nevada Constitution.

4. That the parties agree that any breach, withdrawal, repeal, rejection or any other abrogation of the negotiations in the aforementioned criminal case(s) shall not have any effect upon the finality of this stipulation; and, that any breach, withdrawal, repeal, rejection or any other abrogation of this stipulation shall not have any effect upon the finality of the negotiations in the aforementioned criminal case(s).

5. That this Stipulation for Compromise shall incorporate all of the protections attendant to such stipulations as contemplated under the provisions of NRS 48.105 as to all parties named herein; and, this Stipulation for Compromise shall not be construed in any fashion as an admission pertaining to any criminal charges, and shall not and does not constitute an admission of civil liability or fault on the part of any of the undersigned parties, or their present or former agents, servants, employees or others.

6. That the parties agree to accept these terms in full settlement and satisfaction of any and all civil claims and demands which each party or assignees may have against each other, agents and employees on account of the seizure or impoundment of said property.

7. That this Stipulation for Compromise shall forever, and completely bar any action or claim in any tribunal in any matter whatsoever, whether State, Federal or otherwise by the Defendant herein concerning the forfeiture of said property.

EXHIBIT "2"

PAWPDOCS\INF\101\10185103.doc

AA 0200

That the respective parties bear the civil costs and attorney's fees which may have been occasioned and occurred as a result of the seizure and forfeiture of said property.

IT IS SO STIPULATED and AGREED

Donovan Rowland
Defendant

2/28/11
Date

[Signature] 5007
Attorney for Defendant, Nevada Bar #

2-28-11
Date

[Signature]
Clark County Deputy District Attorney, Nevada Bar #0010734

2/24/11
Date

EXHIBIT “10”

REGISTER OF ACTIONS

CASE No. 10F22031A

State of Nevada vs Rowland, Donovan

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§
§
§Case Type: **Felony**Date Filed: **11/22/2010**Location: **JC Department 2**Metro Event Number: **1011183267**

RELATED CASE INFORMATION

Related Cases

10F22031B (CDF)

PARTY INFORMATION

Defendant Rowland, Donovan

Lead Attorneys
Kalani Hoo
Court Appointed
7023828278(W)State of Nevada
Nevada

CHARGE INFORMATION

Charges: Rowland, Donovan

	Statute	Level	Date
1. BURGLARY	205.060	Felony	11/18/2010
2. GRAND LARCENY	205.220	Felony	11/18/2010
3. CONSPIRACY TO COMMIT A CRIME	199.480	Gross Misdemeanor	11/18/2010

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

04/08/2011 **Disposition** (Judicial Officer: Sciscento, Joseph S.)
2. GRAND LARCENY
DISMISSED PER NEGOTIATIONS

04/08/2011 **Disposition** (Judicial Officer: Sciscento, Joseph S.)
1. BURGLARY
DISMISSED PER NEGOTIATIONS

04/08/2011 **Disposition** (Judicial Officer: Sciscento, Joseph S.)
3. CONSPIRACY TO COMMIT A CRIME
DISMISSED PER NEGOTIATIONS

OTHER EVENTS AND HEARINGS

11/18/2010 **Temporary Custody Record**

11/20/2010 **OR ADMIN RELEASE**
OR ADMIN RELEASE

11/20/2010 **Minute Order**

11/20/2010 **Release Agreement**

11/22/2010 **TRANSFERRED TO JC**
TRANSFERRED TO JC

11/22/2010 **RECEIVED FROM DA**
RECEIVED FROM DA

11/22/2010 **COMPLAINT FILED**
COMPLAINT FILED

11/22/2010 **COMPLETED BY DCD**
MinuteCode1: COMPLETED BY DCD MinuteCode3: COMPLETED BY DCD

11/22/2010 **COMPLETED BY AEG**
MinuteCode1: COMPLETED BY AEG MinuteCode3: COMPLETED BY AEG

11/22/2010 **CTRACK Track Assignment JC02**

11/22/2010 **Criminal Complaint (NON USJR)**

11/22/2010 **PreTrial Services Financial Affidavit and Information Sheet**

01/19/2011 **P/H DATE SET** (Judicial Officer: Baucum, Suzan)
FELONY ARRGN

01/19/2011 **Arraignment** (8:00 AM) (Judicial Officer Baucum, Suzan)
Result: COMPLETED

04/08/2011 **DISMISSED PER NEGOTIATIONS** (Judicial Officer: Sciscento, Joseph S.)
PRELIM HEARING

04/08/2011 **COURTESY NOTICE OF DISPOSITION GENERATED**
MinuteCode1: COURTESY NOTICE OF DISPOSITION GENERATED MinuteCode3: COURTESY NOTICE OF DISPOSITION GENERATED

04/08/2011 **Preliminary Hearing** (8:00 AM) (Judicial Officer Sciscento, Joseph S.)
Result: CASE FINDING

10/2/2014

<https://www.clarkcountycourts.us/LVJCCriminal/CaseDetail.aspx?CaseID=10113182>

04/08/2011 | **Notice Relating to Sealing of Records**
04/08/2011 | **Notice of Disposition and Judgment**

EXHIBIT “11”

CASE No. 11M14826X

www.pearsoned.com

Case Type: Citation

Date Filed: 03/30/2011

Location: **JC Department 2**

Citation Number: 104355608

Other Agency Number: 0904243861

104355608

Lead Attorneys

State of Nevada

Charges: Rowland, Donovan

Statute

Level

Date _____

03/30/2011

DISPOSITIONS

Disposition (Judicial Officer: Sciscento, Joseph S.)

1. FALSE INFORMATION TO A POLICE OFFICER
DISMISSED/STATE NOT PROCEEDING

03/30/2011	TRANSFERRED TO JC TRANSFERRED TO JC
------------	----------------------------------------

03/30/2011 **COMPLETED BY JM**
MinuteCode1: COMPLETED BY JM MinuteCode3: COMPLETED BY JM

03/30/2011 CTRACK Track Assignment JC02

04/01/2011 RECEIVED FROM DA
RECEIVED FROM DA

04/01/2011 **DISMISSED/STATE NOT PROCEEDING** (Judicial Officer: Sciscento, Joseph S.)
OFF CALENDAR

04/01/2011 | COURTESY NOTICE OF DISPOSITION GENERATED

MinuteCode1: COURTESY NOTICE OF DISPOSITION GENERATED MinuteCode3: COURTESY NOTICE OF DISPOSITION GENERATED

04/01/2011	Converted Hearing Type (8:00 AM) (Judicial Officer Sciscento, Joseph S.) Result: CASE FINDING
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04/01/2011	Criminal Complaint
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04/01/2011	Criminal Complaint
04/01/2011	Notice of Disposition and Judgment

EXHIBIT “12”

CASE No. 12F03011X

www.ck12.org

Nevada DPS BIN Number: **W805457484**

06/12/2012 **ARRAIGNMENT COMPLETED** (Judicial Officer: Goodman, Eric)

INT A/W HEARING

06/12/2012 **Arrest Warrant Return Hearing** (8:00 AM) (Judicial Officer Goodman, Eric)
Result: COMPLETED

06/12/2012 **Custody Status Slip (No Custody Change)**

06/15/2012 **Motion to Withdraw Due to Conflict**

06/19/2012 **MOTION GRANTED** (Judicial Officer: Goodman, Eric)
MOTIONS

06/19/2012 **Motion** (8:00 AM) (Judicial Officer Goodman, Eric)
Result: COMPLETED

06/19/2012 **Custody Status Slip (No Custody Change)**

06/25/2012 **BOSTOS GRANTED-STATE** (Judicial Officer: Goodman, Eric)
PRELIM HEARING

06/25/2012 **Preliminary Hearing** (8:00 AM) (Judicial Officer Goodman, Eric)
Result: COMPLETED

06/25/2012 **Custody Status Slip (No Custody Change)**

07/09/2012 **HELD TO ANSWER TO DC ARRAIGNMENT** (Judicial Officer: Zobrist, Gerry)
PRELIM HEARING

07/09/2012 **Preliminary Hearing** (8:00 AM) (Judicial Officer Zobrist, Gerry)
Result: Bound Over

07/09/2012 **Custody Status Slip (No Custody Change)**

07/11/2012 **Bind Over Receipt**

07/11/2012 **Commitment and Order to Appear**

07/23/2012 **CONTINUE TO CALENDAR CALL**
CONTINUE TO CALENDAR CALL

08/16/2012 **VACATED - DEFENDANT PLED GUILTY** (Judicial Officer: UNASSIGNED, UNASSIGNED)
JURY TRIAL

08/16/2012 **SEE CHARGE/DISPOSITION RECORD** (Judicial Officer: UNASSIGNED, UNASSIGNED)
STATUS CHECK

08/16/2012 **Jury Trial** (8:00 AM) (Judicial Officer UNASSIGNED, UNASSIGNED)
Result: COMPLETED

08/16/2012 **Status Check** (8:00 AM) (Judicial Officer UNASSIGNED, UNASSIGNED)
Result: GUILTY/SENT

EXHIBIT “13”

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 1

EVENT #: 100807-0732

SPECIFIC CRIME: HOMICIDE

DATE OCCURRED: 08/07/2010

TIME OCCURRED: 0353 HOURS

LOCATION OF OCCURRENCE: 5662 MEIKLE LN. #A

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: STEPHANIE COUSINS

DOB:

**SOCIAL
SECURITY #:**

RACE:

SEX: FEMALE

HEIGHT:

WEIGHT:

HAIR:

EYES:

**WORK
SCHEDULE:**

DAYS OFF:

HOME ADDRESS: 6500 VEGAS DR. #2040
LV, NV

HOME PHONE: 702-542-4661

**WORK
ADDRESS:**

WORK PHONE:

**BEST PLACE TO
CONTACT:**

**BEST TIME TO
CONTACT:**

The following is the transcription of a tape-recorded interview conducted by DETECTIVE C. BUNTING, P#6484, and DETECTIVE M. WILDEMANN, P#3516, LVMPD HOMICIDE SECTION, on 08/08/2010 at approximately 12:18:32 p.m.

(THE FOLLOWING IS A THE TRANSCRIPTION OF A VIDEO RECORDED
INTERVIEW. INTERVIEW STARTS IN MIDDLE OF SENTENCE.)

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 21

EVENT #: 100807-0732

STATEMENT OF: STEPHANIE COUSINS

MW. Okay. So the little girl runs, right?

A. And, and, _____ (unintelligible).

MW. Yes.

A. All because of drugs but not on my behalf.

MW. Okay.

A. 'Cause I _____ (unintelligible) get my narcotics, only certain people that I wanna go get narcotics from.

MW. Okay.

A. Okay.

MW. Well let me ask you this. Why'd you take 'em to, to Ree's? If you can get narcotics anywhere around where you're at in the Hamptons...

A. Why?

MW. Why did you go up to Ree's house?

A. Okay. 'Cause I was going to get some weed too. But the Hamptons, I don't deal with the Hamptons, and I don't know who sell weed up in there anymore. Okay, _____ (unintelligible) I would of took them, _____ (unintelligible), to my daughter's house, and go there and purchase some weed, or some rocks, don't you think they would of did the same thing to my kid/daughter's house. If I would of brought 'em to your house, and they...

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 22

EVENT #: 100807-0732

STATEMENT OF: STEPHANIE COUSINS

MW. Well, let me ask you this then. Were you nervous to take them at a loved one's house?

A. To who?

MW. Why would you, I don't understand what you just said. Does that mean that you were nervous to take them to a loved one's house?

A. No, no, no, no, no. Huh uh. See my daughter already had called me earlier. She said mama, if Willie ask, you _____ (unintelligible) my phone number _____ (Unintelligible) to my house, don't bring him over to my house.

MW. Okay. All right.

A. Yes.

MW. So you took him to Ree's, why?

A. Uh huh. To go get some weed and rocks.

MW. Okay. But out of all the other places that you can go to, why Ree's? That's what I'm trying to ask you. Why Ree's?

A. Okay, why Ree's? 'Cause I always go to Ree. I never go, if I don't get it over in this vicinity where I live at, I always go to Ree's.

MW. Okay.

A. I never, never, never go nowhere else.

MW. All right. You're laying on the floor, the little girl just ran, what do you see next?

A. I just heard another bullet. I told you I only hear one gunshot, right?

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 111

EVENT #: 100807-0732

STATEMENT OF: STEPHANIE COUSINS

(BOTH TALKING)

A: Past that ____ shop, cross Christy Lane.

Q: Okay. So you're running basically between all--do you make it to Christy, do you pass Christy?

A: I make it over Christy. And I seen a, uh, _____ (unintelligible) call him a mark.

Q: Okay. Where at? Where's the mark at?

A: Turning down Christy, and that's how I got, that's how I got _____ (both talking).

Q: You just waved, waved him down?

A: No, he stopped me. A john. _____ (both talking).

Q: A john. I'm with you. I know what you meant. Mark, John, Trick. _____.
All right. So you stop him. You wave him down. Where's he at? What corner?
Here's Christy.

A: This corner between Christy and Lake Mead.

Q: This is Lake Mead, this is Christy.

A: Uh huh.

Q: Where you at?

A: (both talking)

Q: And you're walking this way, right?

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 112

EVENT #: 100807-0732

STATEMENT OF: STEPHANIE COUSINS

A: Uh huh.

Q: What side of the street? On the north side or south side?

A: (both talking). I'm walking westbound.

Q: Right. On the south side of the street or the north?

A: (Unintelligible)

Q: You're walking towards Nellis westbound, are you on the right side of the road, or the left side of the road?

A: I'm going left.

Q: Okay. So you came out here and then ran this way.

A: Uh huh.

Q: Here's Christy. You passed Christy you said.

A: Uh huh.

Q: And so you're on this corner? Right, southwest corner right here?

A: Uh huh.

Q: Are you exactly on the corner when you wave that officer [sic]?

A: _____ (unintelligible).

Q: Okay, roughly around there.

A: It wasn't a officer.

Q: Right. Where's the car? Is the car, which way's the car coming from?

A: The car coming from this way on Christy, coming northbound...southbound.

-- --

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT

PAGE 113

EVENT #: 100807-0732

STATEMENT OF: STEPHANIE COUSINS

Q: So he's up here and he crosses the street?

A: Uh huh.

Q: Does he pull over?

A: Uh huh. And that's how I got home.

Q: Is he by himself?

A: A mark, a trick gonna be by his self.

Q: More than likely, but not always. Could be a college kid, I don't know. Okay?

Was he by himself?

A: _____ (unintelligible).

Q: He was old drunk Mexican guy? What kind of car was he driving?

A: A red Toyota.

Q: Two door, four door?

A: Two door.

Q: What kind of Toyota?

A: _____ (unintelligible) Toyota. I just know it was a Toyota. I don't know what year it was.

Q: How old was he?

A: The guy? I'd say about 45.

Q: Tall guy, short guy, fat, skinny?

A: He was a decent size.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 114

EVENT #: 100807-0732

STATEMENT OF: **STEPHANIE COUSINS**

Q: What's that, what's decent?

A: _____ (unintelligible/eating).

Q: Okay. How tall are you?

A: About 5'3".

Q: Taller than you?

A: _____ (unintelligible/eating).

Q: What was he wearing?

A: Blue jeans and a white cowboy hat. _____ (unintelligible), and a white shirt.

Q: Tee shirt?

A: Tee shirt and cowboy boots.

Q: What kind of cowboy boots?

A: I don't know. It was night time and I wasn't trying to scope out what he had on. I just wanted to get the fuck from over there.

Q: He pulls over, over to the side, what's he ask you?

A: Do you date?

Q: Okay. What do you say?

A: Yeah.

Q: Okay. What happens next?

A: We left and parked around the corner. He took me a little ways down, then

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 115

EVENT #: 100807-0732

STATEMENT OF: **STEPHANIE COUSINS**

we--first when we finished _____ (unintelligible) take me home. He say
yes, I'll take you home. No problem, no problem. _____
(unintelligible) on Nellis _____ (unintelligible).

Q: Where'd you go, what corner? You said you drove around the corner when you
were working the trick, what, where at?

A: I don't know _____ (unintelligible), I don't know. I'm not familiar with any of
those streets.

Q: It was down Christy though?

A: Uh huh. I'm gonna say Christy and, um, Owens.

Q: So you're at the intersection of Christy and Owens?

A: Then he turned off, he turned off into another area, to park.

Q: Where?

A: I don't know the name of the street.

Q: Did you go left on Owens, did you go right on Owens towards Nellis?

A: Right on Owens.

Q: Okay, so you're going towards Nellis. Did you pull into the right, or do you pull into
the left?

A: _____ (unintelligible/eating) think there's a field, _____.

Q: You're in a field?

A: We didn't get out the car.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 116

EVENT #: 100807-0732

STATEMENT OF: STEPHANIE COUSINS

Q: What's that?

A: We didn't get out the car.

Q: Yeah, I'm saying you parked in the field?

A: Parked behind the field, yeah.

Q: And that's to the right?

A: _____ (unintelligible) it was a field there, or a vacant lot, whatever you wanna call it.

Q: Right. Okay, so you do your business with him and he takes you home?

A: He dropped me off at the corner of Vegas Valley and, Vegas Valley and Nellis, right there by the _____ (unintelligible) parking lot. You know what I'm saying?

Q: Nellis, Albertson's?

A: Uh huh.

Q: Okay. Where at, at the Albertson's?

A: I say on the corner.

Q: Right on the corner of Vegas Valley and Nellis.

A: The stop light, _____ (unintelligible) car go this way.

Q: Right. And you just get out right on that corner right there.

A: Yeah, _____ (both talking).

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 117

EVENT #: 100807-0732

STATEMENT OF: STEPHANIE COUSINS

Q: Where there's like a Carl's Jr. on the side or something, across the street, or is that too far?

A: ____ (unintelligible).

Q: Sahara. I think it's Sahara.

A: (Unintelligible)

Q: All right. You get out, where do you go? What's the first thing you do?

A: I'm going back _____ (unintelligible) my daughter. Screaming and hollering. She said mama what happened, what happened, what happened? I told her what happened. I couldn't even smoke no narcotics that night.

Q: You were upset enough that you couldn't smoke narcotics but you were able to turn a trick?

A: Okay. I didn't wanna seem nervous when the man picked me up, right? Or he would say what's the matter? Okay, I came _____ (unintelligible) involved with the police. First thing _____ (unintelligible), no police, no police. They might follow you, they might follow you. So I had to be calm for a minute, but I was still shaking, nervous. Okay?

Q: I'm just trying to understand. I'm not saying you're lying to me but that's a question.

A: Right.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT

PAGE 118

EVENT #: 100807-0732

STATEMENT OF: **STEPHANIE COUSINS**

Q: Give me one second. Okay? And hopefully we should be, probably be out of here in a minute. Okay?

A: Okay. Thank you.

Q: Yep. Feel better?

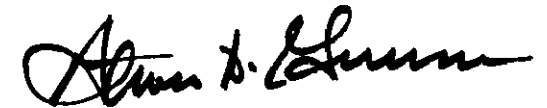
A: Can you guys take me to the restroom?

Q: Yeah, come on. You feeling better now?

(All leave room. End of interview).

THIS VOLUNTARY STATEMENT WAS COMPLETED AT 4750 W. OAKLEY ON THE 8TH DAY OF AUGUST, 2010 AT APPROXIMATELY 1:43:09 P.M.

CB:MW:sd
10V1063



CLERK OF THE COURT

NWEW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

WILLIE DARNELL MASON, aka
Willie Darnell Mason, Jr.
#1856118
DAVID JAMES BURNS, aka
D-SHOT,
#2757610

Defendants.

CASE NO: C-10-267882-2

DEPT NO: XX

SECOND SUPPLEMENTAL NOTICE OF WITNESSES
[NRS 174.234(1)(a)]

TO: WILLIE DARNELL MASON, aka Willie Darnell Mason, Jr.

TO: ROBERT LANGORD, ESQ., and
MAGGIE MCCLECHIE, ESQ., Counsel of Record:

TO: DAVID JAMES BURNS, aka D-SHOT, Defendant; and

TO: ANTHONY SGRO, ESQ., and
CHRISTOPHER ORAM, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses in its case in chief:

NAME

ADDRESS

ACUNA, RON
OR DESIGNEE

INVESTIGATOR
C.C. DISTRICT ATTORNEY

** Indicates additional witnesses**

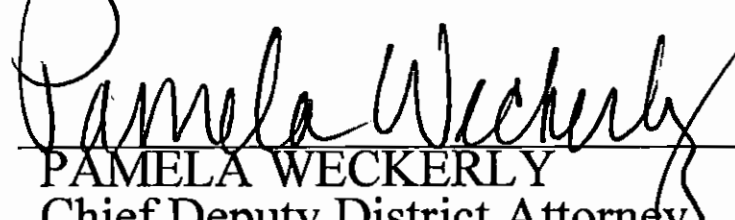
1	ATWOOD, C.	LVMPD #10003
2	AYOAMA, KATHRYN	LVMPD #8025
3	BAINES, BENJAMIN	GREYHOUND 200 S. MAIN ST., LVN
4	BOLES, KEVIN	FBI
5	BOYD, FRED	LVMPD
6	BUNTING, CHRISTOPHER	LVMPD #6484
7	CARVOUNAIARIS, D.	LVMPD #!2712
8	**COOPER, ULONDA	2968 JUNIPER HILLS BLDG 16 APT 102 LAS VEGAS, NEVADA
9		
10	CUSTODIAN OF RECORDS OR DESIGNEE	Clark County Detention Center, 330 S. Casino Center Blvd., Las Vegas, NV
11	CUSTODIAN OF RECORDS OR DESIGNEE	Clark County Detention Center, Communications 330 S. Casino Center Blvd., Las Vegas, NV
12		
13	CUSTODIAN OF RECORDS OR DESIGNEE	GREYHOUND BUS LINES RECORDS
14	CUSTODIAN OF RECORDS OR DESIGNEE	LVMPD Communications, Las Vegas, NV
15		
16	CUSTODIAN OF RECORDS OR DESIGNEE	LVMPD Records Las Vegas, NV
17	CUSTODIAN OF RECORDS OR DESIGNEE	OPERA HOUSE RECORDS
18		
19	CUSTODIAN OF RECORDS OR DESIGNEE	T-MOBILE RECORDS
20	CUSTODIAN OF RECORDS OR DESIGNEE	METRO PCS RECORDS
21		
22	CUSTODIAN OF RECORDS OR DESIGNEE	NEXTEL RECORDS
23	DAHN, ROBBIE	LVMPD #5947
24	FILMORE, DR.	UNIVERSITY MEDICAL CENTER
25	FLETCHER, SHAWN	LVMPD #5221
26	**GONZALEZ, WESSLEY	LVMPD #8886
27	GOSHI, DR.	UNIVERSITY MEDICAL CENTER
28		

1	HARDY, KENNETH	LVMPD #3031
2	**HUNT, LEKEISHA	2051 N. TORREY PINES, LVN
3	JENSEN, B.	LVMPD #3662
4	JOHNS, MATT	INVESTIGATOR
5	OR DESIGNEE	C.C. DISTRICT ATTORNEY
6	KNIGHT, SAMANTHA NICOLE	2802 NORFOLK AVE, HENDERSON, NV
7	KYGER, T.	LVMPD #4191
8	KRYLO, JAMES	LVMPD #5945
9	LAMBRIGHT, SEC. OFFICER	UNIVERSITY MEDICAL CENTER
10	**LASSETER, ANTHONY	5095 FOREST HILLS, LV NV
11	MARTINEZ, MIGUEL	5662 MEIKLE LN #C., LVN 89156
12	MAYO, CORNELIUS	5662 MEIKLE LANE #A, LVN 89156
13	MITCHELL, TYLER	ADDRESS UNKNOWN
14	MONROE, MONICA	14371 MOON VALLEY VICTORVILLE, CA. 92294
15	MONROY, ARMANDO	5662 MEIKLE LN #D, LVN 89156
16	NEWMAN, ERICA	4910 E. OWENS #C., LVN
17	NEWMAN, WANDA	c/o C.C. DISTRICT ATTORNEY
18	**NORMAN, S.	LVMPD #3110
19	OLSON, DR. ALANE	C.C. CORONER'S OFFICE
20	PARENT/GUARDIAN OF	5662 MEIKLE LN #A
21	NEWMAN, DEVONIA	LAS VEGAS, NV 89110
22	PFAHLER, MICHAEL	SILVER NUGGET GAMING
23	**PIERCE, CHRISTINE TAMIKA	2935 ALOHA #4/128, LVN
24	ROWLAND, DONOVAN	ADDRESS UNKNOWN
25	**SALMON, CHARISSE	2051 N. TORREY PINES, LVN
26	SASNETT-HERNANDEZ, MARSHA	5662 MEIKLE LN #C, LVN 89156
27	SCANLON, M.	LVMPD #13517
28	SCOTT, J.	LVMPD #9618

1	SEAMAN-KELLY, JAN	LVMPD #5666
2	SPEAS, W.	LVMPD #5228
3	SZUKIEWICZ, J.	LVMPD #5411
4	TAYLOR, E.	LVMPD #9619
5	THOMAS, JENNIFER	LVMPD #10074
6	THOMAS, K.	LVMPD #13574
7	VAANDERING, B.	LVMPD #13575
8	VASEK, JOHN	SAN BERNADINO PD
9	VIGIL, STELLA	4616 EL PLAYA, LVN
10	WILDEMANN, MARTIN	LVMPD #3516

11 These witnesses are in addition to those witnesses endorsed on the Information or
12 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
13 Witnesses has been filed.

14 STEVEN B. WOLFSON
15 DISTRICT ATTORNEY
16 Nevada Bar #001565

17 BY 
18 PAMELA WECKERLY
19 Chief Deputy District Attorney
20 Nevada Bar #006163

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1
2 CERTIFICATE OF FACSIMILE TRANSMISSION AND/OR ELECTRONIC MAIL

3 I hereby certify that service of State's Second Supplemental Notice of Witnesses, was
4 made this 15th day of October, 2014, by facsimile transmission and/or e-mail to:

5 ROBERT LANGFORD, ESQ.
6 E-Mail: robert@nvlitigation.com
7 FAX #702-471-6540

8 MAGGIE MCCLECHIE, ESQ.
9 E-Mail: maggie@nvlitigation.com
10 FAX #702-471-6540

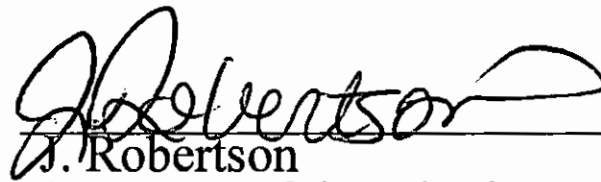
11 (COUNSEL FOR WILLIE MASON)

12 ANTHONY SGRO, ESQ.
13 E-Mail: tsgro@pslrfirm.com
14 FAX #702-386-2737

15 CHRISTOPHER ORAM, ESQ.
16 E-Mail: crorambusiness@aol.com
17 FAX #702-974-0623

18 (COUNSEL FOR DAVID BURNS)

19 BY:

20 

21 J. Robertson
22 Secretary of the District Attorney's Office
23
24
25
26
27
28

10F17607X/jr/mvu

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID BURNS,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Supreme Court Case No. 77424

APPELLANT'S APPENDIX

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 28th day of February, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Steven Wolfson, Clark County District Attorney's Office

Aaron Ford, Nevada Attorney General

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