

EXHIBIT(S) LIST

page 13

Case No.: 06C228460-2

State of Nevada

vs.

Jemarr D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
263.	photo	9-26-18	Stip	9-26-18	MS
264.	photo	9-26-18	Stip	9-26-18	MS
265.	photo	9-26-18	Stip	9-26-18	MS
266.	photo	9-26-18	Stip	9-26-18	MS
267.	photo	9-26-18	Stip	9-26-18	MS
268.	photo	9-26-18	Stip	9-26-18	MS
269.	photo	9-26-18	Stip	9-26-18	MS
270.	photo	9-26-18	Stip	9-26-18	MS
271.	photo	9-26-18	Stip	9-26-18	MS
272.	photo	9-26-18	Stip	9-26-18	MS
273.	photo	9-26-18	Stip	9-26-18	MS
274.	photo	9-26-18	Stip	9-26-18	MS
275.	photo	9-26-18	Stip	9-26-18	MS
276.	photo	9-26-18	Stip	9-26-18	MS
277.	photo	9-26-18	Stip	9-26-18	MS
278.	photo	9-26-18	Stip	9-26-18	MS
279.	photo	9-26-18	Stip	9-26-18	MS
280.	photo	9-26-18	Stip	9-26-18	MS
281.	photo	9-26-18	Stip	9-26-18	MS
282.	photo	9-26-18	Stip	9-26-18	MS
283.	photo	9-26-18	Stip	9-26-18	MS
284.	photo	9-26-18	Stip	9-26-18	MS
285.	photo	9-26-18	Stip	9-26-18	MS
286.	photo	9-26-18	Stip	9-26-18	MS
287.	photo	9-26-18	Stip	9-26-18	MS

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State of Nevada

vs.

Jemar D. Matthews

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Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
288.	photo	9-26-18	Stip	9-26-18	PS
289.	photo	9-26-18	Stip	9-26-18	MS
290.	photo	9-26-18	Stip	9-26-18	MS
291.	photo	9-26-18	Stip	9-26-18	MS
292.	photo	9-26-18	Stip	9-26-18	MS
293.	photo	9-26-18	Stip	9-26-18	MS
294.	photo	9-26-18	Stip	9-26-18	MS
295.	photo	9-26-18	Stip	9-26-18	MS
296.	photo	9-26-18	Stip	9-26-18	MS
297.	photo	9-26-18	Stip	9-26-18	MS
298.	photo	9-26-18	Stip	9-26-18	MS
299.	photo	9-26-18	Stip	9-26-18	MS
300.	photo	9-26-18	Stip	9-26-18	MS
301.	photo	9-26-18	Stip	9-26-18	MS
302.	photo	9-26-18	Stip	9-26-18	MS
303.	photo	9-26-18	Stip	9-26-18	MS
304.	photo	9-26-18	Stip	9-26-18	MS
305.	photo	9-26-18	Stip	9-26-18	MS
306.	photo	9-26-18	Stip	9-26-18	MS
307.	photo	9-26-18	Stip	9-26-18	MS
308.	photo	9-26-18	Stip	9-26-18	MS
309.	photo	9-26-18	Stip	9-26-18	MS
310.	photo	9-26-18	Stip	9-26-18	MS
311.	photo	9-26-18	Stip	9-26-18	MS
312.	photo	9-26-18	Stip	9-26-18	MS

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State of Nevada
State's

vs.

Jemar D. Matthews

EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
313.	photo	9-26-18	Stip	9-26-18	MS
314.	photo	9-26-18	Stip	9-26-18	MS
315.	photo	9-26-18	Stip	9-26-18	MS
316.	photo	9-26-18	Stip	9-26-18	MS
317.	photo	9-26-18	Stip	9-26-18	MS
318.	photo	9-26-18	Stip	9-26-18	MS
319.	photo	9-26-18	Stip	9-26-18	MS
320.	photo	9-26-18	Stip	9-26-18	MS
321.	photo	9-26-18	Stip	9-26-18	MS
322.	photo	9-26-18	Stip	9-26-18	MS
323.	photo	9-26-18	Stip	9-26-18	MS
324.	photo	9-26-18	Stip	9-26-18	MS
325.	photo	9-26-18	Stip	9-26-18	MS
326.	photo	9-26-18	Stip	9-26-18	MS
327.	photo	9-26-18	Stip	9-26-18	MS
328.	photo	9-26-18	Stip	9-26-18	MS
329.	photo	9-26-18	Stip	9-26-18	MS
330.	photo	9-26-18	Stip	9-26-18	MS
331.	photo	9-26-18	Stip	9-26-18	MS
332.	photo	9-26-18	Stip	9-26-18	MS
333.	photo	9-26-18	Stip	9-26-18	MS
334.	photo	9-26-18	Stip	9-26-18	MS
335.	photo	9-26-18	Stip	9-26-18	MS
336.	photo	9-26-18	Stip	9-26-18	MS
337.	photo	9-26-18	Stip	9-26-18	MS

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Case No.: 06C228460-2

State of Nevada

vs.

Jemar D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
338.	photo	9-26-18	Stip	9-26-18	M
339.	photo	9-26-18	Stip	9-26-18	PH
340.	photo	9-26-18	Stip	9-26-18	mm
341.	photo	9-26-18	Stip	9-26-18	ML
342.	photo	9-26-18	Stip	9-26-18	ML
343.	photo	9-26-18	Stip	9-26-18	PH
344.	photo	9-26-18	Stip	9-26-18	PH
345.	photo	9-26-18	Stip	9-26-18	PH
346.	photo	9-26-18	Stip	9-26-18	PH
347.	photo	9-26-18	Stip	9-26-18	M
348.	photo	9-26-18	Stip	9-26-18	PH
349.	photo	9-26-18	Stip	9-26-18	PH
350.	photo	9-26-18	Stip	9-26-18	PH
351.	photo	9-26-18	Stip	9-26-18	PH
352.	photo	9-26-18	Stip	9-26-18	PH
353.	photo	9-26-18	Stip	9-26-18	PH
354.	photo	9-26-18	Stip	9-26-18	PH
355.	photo	9-26-18	Stip	9-26-18	PH
356.	photo	9-26-18	Stip	9-26-18	PH
357.	photo	9-26-18	Stip	9-26-18	PH
358.	photo	9-26-18	Stip	9-26-18	PH
359.	photo	9-26-18	Stip	9-26-18	PH
360.	photo	9-26-18	Stip	9-26-18	PH
361.	photo	9-26-18	Stip	9-26-18	PH
362.	photo	9-26-18	Stip	9-26-18	PH

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Case No.: 06C228460-2

State of Nevada

vs. Jemar D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
363.	photo	9-26-18	Stip	9-26-18	ph
364.	photo	9-26-18	Stip	9-26-18	ph
365.	photo	9-26-18	Stip	9-26-18	ph
366.	photo	9-26-18	Stip	9-26-18	ph
367.	photo	9-26-18	Stip	9-26-18	ph
368.	photo	9-26-18	Stip	9-26-18	ph
369.	photo	9-26-18	Stip	9-26-18	ph
370.	photo	9-26-18	Stip	9-26-18	ph
371.	photo	9-26-18	Stip	9-26-18	ph
372.	photo	9-26-18	Stip	9-26-18	ph
373.	photo	9-26-18	Stip	9-26-18	ph
374.	photo	9-26-18	Stip	9-26-18	ph
375.	photo	9-26-18	Stip	9-26-18	ph
376.	photo	9-26-18	Stip	9-26-18	ph
377.	photo	9-26-18	Stip	9-26-18	ph
378.	photo	9-26-18	Stip	9-26-18	ph
379.	photo	9-26-18	Stip	9-26-18	ph
380.	photo	9-26-18	Stip	9-26-18	ph
381.	photo	9-26-18	Stip	9-26-18	ph
382.	photo	9-26-18	Stip	9-26-18	ph
383.	photo	9-26-18	Stip	9-26-18	ph
384.	photo	9-26-18	Stip	9-26-18	ph
385.	photo	9-26-18	Stip	9-26-18	ph
386.	photo	9-26-18	Stip	9-26-18	ph
387.	photo	9-26-18	Stip	9-26-18	ph

EXHIBIT(S) LIST

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Case No.: 16C228460-2

State of Nevada

vs.

Jemar O. MatthewsState's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
388.	photo	9-26-18	Stip	9-26-18	MS
389.	photo	9-26-18	Stip	9-26-18	MS
390.	photo	9-26-18	Stip	9-26-18	MS
391.	photo	9-26-18	Stip	9-26-18	MS
392.	photo	9-26-18	Stip	9-26-18	MS
393.	photo	9-26-18	Stip	9-26-18	MS
394.	photo	9-26-18	Stip	9-26-18	MS
395.	photo	9-26-18	Stip	9-26-18	MS
396.	photo	9-26-18	Stip	9-26-18	MS
397.	photo	9-26-18	Stip	9-26-18	MS
398.	photo	9-26-18	Stip	9-26-18	MS
399.	photo	9-26-18	Stip	9-26-18	MS
400.	photo	9-26-18	Stip	9-26-18	MS
401.	photo	9-26-18	Stip	9-26-18	MS
402.	photo	9-26-18	Stip	9-26-18	MS
403.	photo	9-26-18	Stip	9-26-18	MS
404.	photo	9-26-18	Stip	9-26-18	MS
405.	photo	9-26-18	Stip	9-26-18	MS
406.	photo	9-26-18	Stip	9-26-18	MS
407.	photo	9-26-18	Stip	9-26-18	MS
408.	photo	9-26-18	Stip	9-26-18	MS
409.	photo	9-26-18	Stip	9-26-18	MS
410.	photo	9-26-18	Stip	9-26-18	MS
411.	photo	9-26-18	Stip	9-26-18	MS
412.	photo	9-26-18	Stip	9-26-18	MS

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Case No.: 06C228461-2

State of Nevada

vs.

Jemar D. Matthews

state's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
413.	photo	9-26-18	Stip	9-26-18	MS
414.	photo	9-26-18	Stip	9-26-18	MS
415.	photo	9-26-18	Stip	9-26-18	MS
416.	photo	9-26-18	Stip	9-26-18	MS
417.	photo	9-26-18	Stip	9-26-18	MS
418.	photo	9-26-18	Stip	9-26-18	MS
419.	photo	9-26-18	Stip	9-26-18	MS
420.	photo	9-26-18	Stip	9-26-18	MS
421.	photo	9-26-18	Stip	9-26-18	MS
422.	photo	9-26-18	Stip	9-26-18	MS
423.	photo	9-26-18	Stip	9-26-18	MS
424.	photo	9-26-18	Stip	9-26-18	MS
425.	photo	9-26-18	Stip	9-26-18	MS
426.	photo	9-26-18	Stip	9-26-18	MS
427.	photo	9-26-18	Stip	9-26-18	MS
428.	photo	9-26-18	Stip	9-26-18	MS
429.	photo	9-26-18	Stip	9-26-18	MS
430.	photo	9-26-18	Stip	9-26-18	MS
431.	photo	9-26-18	Stip	9-26-18	MS
432.	photo	9-26-18	Stip	9-26-18	MS
433.	photo	9-26-18	Stip	9-26-18	MS
434.	photo	9-26-18	Stip	9-26-18	MS
435.	photo	9-26-18	Stip	9-26-18	MS
436.	photo	9-26-18	Stip	9-26-18	MS
437.	photo	9-26-18	Stip	9-26-18	MS

EXHIBIT(S) LIST

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Case No.: 06C228460-2

State of Nevada

vs.

Jernar D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
438.	photo	9-26-18	Stip	9-26-18	MS
439.	photo	9-26-18	Stip	9-26-18	MS
440.	photo	9-26-18	Stip	9-26-18	MS
441.	photo	9-26-18	Stip	9-26-18	MS
442.	photo	9-26-18	Stip	9-26-18	MS
443.	photo	9-26-18	Stip	9-26-18	MS
444.	photo	9-26-18	Stip	9-26-18	MS
445.	photo	9-26-18	Stip	9-26-18	MS
446.	photo	9-26-18	Stip	9-26-18	MS
447.	photo	9-26-18	Stip	9-26-18	MS
448.	photo	9-26-18	Stip	9-26-18	MS
449.	photo	9-26-18	Stip	9-26-18	MS
450.	photo	9-26-18	Stip	9-26-18	MS
451.	photo	9-26-18	Stip	9-26-18	MS
452.	photo	9-26-18	Stip	9-26-18	MS
453.	photo - from Autopsy	9-26-18	Stip	9-26-18	MS
454.	photo - from Autopsy	9-26-18	Stip	9-26-18	MS
455.	photo - from Autopsy	9-26-18	Stip	9-26-18	MS
456.	photo - from Autopsy	9-26-18	Stip	9-26-18	MS
457.	photo - from Autopsy	9-26-18	Stip	9-26-18	MS
458.	map	9-27-18	Stip	9-27-18	MS
459.	Photo (Returned to Counse)	withdrawn; not admitted			MS
460.	Photo (Returned to Counse)	withdrawn; not admitted			MS
461.	Diagram	9-28-18	Stip	9-28-18	MS
462.	Diagram	9-28-18	Stip	9-28-18	MS

EXHIBIT(S) LIST

Case No.: 06C228460-2

State of Nevada

vs.

Jemar D. Matthews

State's EXHIBITS

[illegible]

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My

17

EXHIBIT(S) LIST

Case No.: 06C228460-2

State of Nevada

VS.

Jemar D. Matthews

Defendant's EXHIBITS

[illegible]

EXHIBIT(S) LIST

Trial By Jury

Case No.: 06C 228 460-2

Date:

9-24-18

Dept. No.: XII

Judge:

Michelle Leavitt

Plaintiff: State of Nevada

Court Clerk:

Susan Botzenhart

Recorder:

Kristine Santi

Counsel for Plaintiff:

Agnes Lexis

vs.

Defendant: Jemar D. Matthews

John Giordani

Counsel for Defendant:

Todd Uventhal

Richard Tanasi

Trial

BEFORE THE COURT

Court's

EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1.	Voir Dire Jury List	9-24-18	no	9-24-18
2.	Bioform Attorney List	9-25-18	no	9-25-18
3.	Juror Notebook Contents	9-25-18	no	9-25-18
4.	Question from Juror #13	9-26-18	no	9-26-18
5.	Question from Juror #13	9-27-18	no	9-27-18
6.	Question from Juror #3	9-27-18	no	9-27-18
7.	Question from Juror #10	9-28-18	no	9-28-18
8.	Question from Juror #13	9-28-18	no	9-28-18
9.	Question from Juror #13	9-28-18	no	9-28-18
10.	Question from Juror #13	9-28-18	no	9-28-18
11.	Question from Juror #13	10-1-18	no	10-1-18
12.	Note from Jury foreperson	10-2-18	no	10-2-18
13.	Question from Jury foreperson	10-2-18	no	10-2-18
14.	Question from Jury foreperson	10-3-18	no	10-3-18
15.	Transcript Testimony of James Krylo	10-3-18	no	10-3-18

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT
MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

JEMAR MATTHEWS
aka JEMAR DEMON MATTHEWS,

Defendant(s).

Case No: 06C228460-2

Dept No: XII

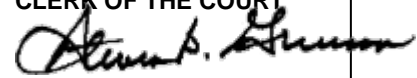
now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 21 day of December 2018.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



TODD M. LEVENTHAL, ESQ.
Leventhal and Associates, PLLC
Nevada Bar No. 8543
626 South Third Street
Las Vegas, Nevada 89101
leventhalandassociates@gmail.com
(702) 472-8686
Attorney for Defendant

Electronically Filed
Dec 27 2018 02:50 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

DISTRICT COURT

CLARK COUNTY NEVADA

THE STATE OF NEVADA

Plaintiff,

vs.

JEMAR D. MATTHEWS,

Defendant.

CASE NO.: 06C228460-2

DEPT NO.: 12

NOTICE OF APPEAL

TO: THE STATE OF NEVADA
STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY NEVADA AND
DEPARTMENT NO. XII OF THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK.

NOTICE is hereby given that Defendant, JEMAR D. MATTHEWS, presently incarcerated at

High Desert State Prison, appeals to the Supreme Court of the State of Nevada from the

judgment entered against said Defendant on the 12 day of December, 2018, whereby he was

convicted and SENTENCED to the Nevada Department of Corrections (NDC) as follows:

COUNT 1 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a

MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS; COUNT 2 - LIFE with the

eligibility of parole after serving a MINIMUM of TWENTY (20) YEARS, plus a

CONSECUTIVE term of LIFE with the eligibility of parole after serving a MINIMUM of

TWENTY (20) YEARS for the Use of a Deadly Weapon, CONCURRENT with COUNT

1; COUNT 3 - a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a

1 MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE
2 term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of
3 FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon; CONCURRENT with
4 COUNT 2; COUNT 4 - a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a
5 MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE
6 term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of
7 FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon, CONCURRENT with
8 COUNT 3; COUNT 5 - a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a
9 MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE
10 term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of
11 FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon, CONCURRENT with
12 COUNT 4; COUNT 6 - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM
13 parole eligibility of TWELVE (12) MONTHS, CONCURRENT with COUNT 5; COUNT 7
14 _ a MAXIMUM of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of
15 TWELVE (12) MONTHS, CONCURRENT with COUNT 6; COUNT 8 - a MAXIMUM of
16 ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY
17 (40) MONTHS, plus a CONSECUTIVE term of ONE HUNDRED EIGHTY (180)
18 MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS for the Use of a
19 Deadly Weapon, CONCURRENT with COUNT 7; COUNT 9 - a MAXIMUM of ONE
20 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40)
21 MONTHS, plus a CONSECUTIVE term of ONE HUNDRED EIGHTY (180) MONTHS
22 with a MINIMUM parole eligibility of FORTY (40) MONTHS for the Use of a Deadly
23 Weapon, CONCURRENT with COUNT 8; COUNT 10 - a MAXIMUM of SEVENTY-
24 TWO (72) MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS,
25 CONCURRENT with COUNT 9; and COUNT 11 - a MAXIMUM of SEVENTY-TWO (72)

1 MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS, CONCURRENT
2 with COUNT 10; ALL COUNTS to run CONCURRENT with COUNT 2; with FOUR
3 THOUSAND, FOUR HUNDRED FIFTY (4,450) DAYS credit for time served. The
4 AGGREGATE TOTAL sentence is LIFE with the eligibility of parole after serving a
5 MINIMUM OF FORTY (40) YEARS.
6

7
8 DATED this 19th day of December 2018.

9 RESPECTFULLY SUBMITTED:

10 /s/ Todd M. Leventhal

11 Todd M. Leventhal, Esq.
12 Leventhal and Associates, PLLC
13 Nevada Bar No. 8543
14 626 South Third Street
15 Las Vegas, Nevada 89101
16 leventhalandassociates@gmail.com
17 (702) 472-8686
18 *Attorney for Defendant*
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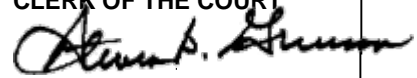
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/s/ Todd M. Leventhal
TODD M. LEVENTHAL, ESQ.
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JEMAR MATTHEWS
Reg. No.:1014654
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4 of 4



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Attorney for Defendant

DISTRICT COURT

CLARK COUNTY NEVADA

THE STATE OF NEVADA

Plaintiff,

vs.

JEMAR D. MATTHEWS,

Defendant.

CASE NO.: 06C228460-2

DEPT NO.: 12

CASE APPEAL STATEMENT

1. **Appellant filing this case appeal statement:** JEMAR D MATTHEWS.
2. **Judge issuing the decision, judgment, or order appealed from:** Michelle Leavitt.
3. **All parties to the proceedings in the district court (the use of et al. To denote parties is prohibited):** The State of Nevada, Plaintiff; Jemar Matthews, Defendant.
4. **All parties involved in this appeal (the use of et. al. to denote parties is prohibited):** Jemar Matthews, Appellant; The State of Nevada, Respondent.
5. **Name, law firm, address, and telephone number of all counsel on appeal and party or parties whom they represent:**

TODD M LEVENTHAL, ESQ., attorney for Appellant; 626 S. 3rd Street, Las Vegas,
NV 89101; 702-472-8686.

STEVEN B. WOLFSON, ESQ., counsel for Respondent; Clark County District
Attorney, 200 Lewis Avenue, 3rd Floor Las Vegas, Nevada 89155

1 ADAM LAXALT, ESQ., counsel for Respondent Attorney General 100 North
2 Carson Street Carson City, Nevada 89701-4717 (702) 687-3538

3 **6. Whether appellant was represented by appointed or retained counsel in the**
4 **district court:** Appointed.

5 **7. Whether appellant is represented by appointed or retained counsel on appeal:**
6 Appointed.

7
8 **8. Whether appellant was granted leave to proceed in forma pauperis, and the**
9 **date of entry of the district court order granting such leave:** N/A.

10 **9. Date proceedings commenced in the district court (e.g., date complaint,**
11 **indictment, information, or petition was filed):** Information filed December 7,
12 2006.
13

14 DATED this 19th day of December 2018.

15 RESPECTFULLY SUBMITTED:

16 /s/ Todd M. Leventhal

17 Todd M. Leventhal, Esq.
18 Leventhal and Associates, PLLC
19 Nevada Bar No. 8543
20 626 South Third Street
21 Las Vegas, Nevada 89101
22 leventhalandassociates@gmail.com
23 (702) 472-8686
24 *Attorney for Defendant*
25
26
27
28

1
2 **CERTIFICATE OF ELECTRONIC SERVICE**
3

4 I hereby certify that on the 19th day of December 2018, I electronically filed the
5 CASE APPEAL STATEMENT with the Clerk of Court using the CM/ECF system, which will
6 cause the document to be served to all participants in the case who are registered CM/ECF users.
7

8
9 /s/ Todd M. Leventhal
10 TODD M. LEVENTHAL, ESQ.
11 NEVADA BAR NO.: 8543
12 Leventhal and Associates, PLLC.
13 626 S. Third Street
14 Las Vegas, NV 89101
15 702-472-8686

16 **CERTIFICATE OF MAILING**
17

18 I hereby certify that on the 19th day of December 2018, a copy of the
19 CASE APPEAL STATEMENT was sent via U.S. Mail, postage prepaid to the Defendant's
20 following address:
21

22 JEMAR MATTHEWS
23 Reg. No.: 1014654
24 PO Box 650
25 Indian Springs NV 89070-0650
26

27 /s/ Todd M. Leventhal
28 TODD M. LEVENTHAL, ESQ.
NEVADA BAR NO.: 8543
Leventhal and Associates, PLLC.
626 S. Third Street
Las Vegas, NV 89101
702-472-8686

REGISTER OF ACTIONS

CASE No. 06C228460-2

The State of Nevada vs Jemar D Matthews

Case Type: **Felony/Gross Misdemeanor**
Date Filed: **12/04/2006**
Location: **Department 12**
Cross-Reference Case Number: **C228460**
Defendant's Scope ID #: **1956579**
ITAG Booking Number: **7**
ITAG Case ID: **2024735**
Lower Court Case # Root: **06F19196**
Lower Court Case Number: **06F19196B**
Supreme Court No.: **62241**
66844

RELATED CASE INFORMATION

Related Cases

06C228460-1 (Multi-Defendant Case)

PARTY INFORMATION

Defendant **Matthews, Jemar D Also Known As Matthews, Jemar Also Known As Matthews, Jemar Demon**
PO Box 1989
Ely, NV 89301-1989
Other Agency Numbers
1956579 Scope ID Subject Identifier

Lead Attorneys
Todd M. Leventhal
Retained
702-472-8686(W)

Plaintiff **State of Nevada**

Steven B Wolfson
702-671-2700(W)

CHARGE INFORMATION

Charges: Matthews, Jemar D	Statute	Level	Date
1. CONSPIRACY TO COMMIT MURDER	200.010	Felony	01/01/1900
2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON	200.030.1	Felony	01/01/1900
3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	Felony	01/01/1900
4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	Felony	01/01/1900
5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	Felony	01/01/1900
6. POSSESSION OF SHORT BARRELED RIFLE	202.275	Felony	01/01/1900
7. CONSPIRACY TO COMMIT ROBBERY	200.380	Felony	01/01/1900
8. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	Felony	01/01/1900
9. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	Felony	01/01/1900
10. ASSAULT WITH A DEADLY WEAPON	200.471.2b	Felony	01/01/1900
11. ASSAULT WITH A DEADLY WEAPON	200.471.2b	Felony	01/01/1900

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

01/01/1900	(Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT MURDER Guilty
01/01/1900	(Judicial Officer: User, Conversion) 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON Guilty
01/01/1900	(Judicial Officer: User, Conversion) 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
01/01/1900	(Judicial Officer: User, Conversion) 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
01/01/1900	(Judicial Officer: User, Conversion) 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
01/01/1900	(Judicial Officer: User, Conversion) 6. POSSESSION OF SHORT BARRELED RIFLE Guilty
01/01/1900	(Judicial Officer: User, Conversion) 7. CONSPIRACY TO COMMIT ROBBERY

	Guilty
01/01/1900	(Judicial Officer: User, Conversion) 9. ROBBERY WITH USE OF A DEADLY WEAPON Guilty
01/01/1900	(Judicial Officer: User, Conversion) 10. ASSAULT WITH A DEADLY WEAPON Guilty
01/01/1900	(Judicial Officer: User, Conversion) 11. ASSAULT WITH A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT MURDER Guilty
07/09/2007	(Judicial Officer: User, Conversion) 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 6. POSSESSION OF SHORT BARRELED RIFLE Guilty
07/09/2007	(Judicial Officer: User, Conversion) 7. CONSPIRACY TO COMMIT ROBBERY Guilty
07/09/2007	(Judicial Officer: User, Conversion) 8. ROBBERY WITH USE OF A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 9. ROBBERY WITH USE OF A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 10. ASSAULT WITH A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 11. ASSAULT WITH A DEADLY WEAPON Guilty
07/09/2007	(Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT MURDER Converted Disposition: Sentence# 0001: Minimum 26 Months to Maximum 120 Months Placement: NSP Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 300 Days to Maximum 300 Days Converted Disposition: Sentence# 0003: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$150.00 Converted Disposition: Sentence# 0004: ADMINISTRATION FEE Amount: \$25.00
07/09/2007	(Judicial Officer: User, Conversion) 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Converted Disposition: Sentence# 0001: Minimum 48 Months to Maximum 240 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0005 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 48 Months to Maximum 240 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0007 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Converted Disposition: Sentence# 0001: Minimum 48 Months to Maximum 240 Months Placement: NSP Cons/Conc: Concurrent w/Charge

	Item: 0007 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 48 Months to Maximum 240 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0011 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Converted Disposition: Sentence# 0001: Minimum 48 Months to Maximum 240 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0011 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 48 Months to Maximum 240 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0015 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 6. POSSESSION OF SHORT BARRELED RIFLE Converted Disposition: Sentence# 0001: Minimum 12 Months to Maximum 48 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0015 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 7. CONSPIRACY TO COMMIT ROBBERY Converted Disposition: Sentence# 0001: Minimum 12 Months to Maximum 72 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0019 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 12 Months to Maximum 72 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0020 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 8. ROBBERY WITH USE OF A DEADLY WEAPON Converted Disposition: Sentence# 0001: Minimum 40 Months to Maximum 180 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0020 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 40 Months to Maximum 180 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0022 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 9. ROBBERY WITH USE OF A DEADLY WEAPON Converted Disposition: Sentence# 0001: Minimum 40 Months to Maximum 180 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0022 and Sentence#: 0001 Converted Disposition: Sentence# 0002: Minimum 40 Months to Maximum 180 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0024 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 10. ASSAULT WITH A DEADLY WEAPON Converted Disposition: Sentence# 0001: Minimum 16 Months to Maximum 72 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0024 and Sentence#: 0001
07/09/2007	(Judicial Officer: User, Conversion) 11. ASSAULT WITH A DEADLY WEAPON Converted Disposition: Sentence# 0001: Minimum 16 Months to Maximum 72 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0026 and Sentence#: 0001
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 1. CONSPIRACY TO COMMIT MURDER Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 6. POSSESSION OF SHORT BARRELED RIFLE Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 7. CONSPIRACY TO COMMIT ROBBERY Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 8. ROBBERY WITH USE OF A DEADLY WEAPON Appeal Reversed/Remanded

03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 9. ROBBERY WITH USE OF A DEADLY WEAPON Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 10. ASSAULT WITH A DEADLY WEAPON Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 11. ASSAULT WITH A DEADLY WEAPON Appeal Reversed/Remanded
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 1. CONSPIRACY TO COMMIT MURDER
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 6. POSSESSION OF SHORT BARRELED RIFLE
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 7. CONSPIRACY TO COMMIT ROBBERY
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 8. ROBBERY WITH USE OF A DEADLY WEAPON
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 9. ROBBERY WITH USE OF A DEADLY WEAPON
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 10. ASSAULT WITH A DEADLY WEAPON
03/31/2017	Amended (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 11. ASSAULT WITH A DEADLY WEAPON
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 1. CONSPIRACY TO COMMIT MURDER Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 6. POSSESSION OF SHORT BARRELED RIFLE Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 7. CONSPIRACY TO COMMIT ROBBERY Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 8. ROBBERY WITH USE OF A DEADLY WEAPON Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 9. ROBBERY WITH USE OF A DEADLY WEAPON Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 10. ASSAULT WITH A DEADLY WEAPON Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 11. ASSAULT WITH A DEADLY WEAPON Charge Reinstated
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 1. CONSPIRACY TO COMMIT MURDER
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated

	2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 6. POSSESSION OF SHORT BARRELED RIFLE
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 7. CONSPIRACY TO COMMIT ROBBERY
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 8. ROBBERY WITH USE OF A DEADLY WEAPON
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 9. ROBBERY WITH USE OF A DEADLY WEAPON
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 10. ASSAULT WITH A DEADLY WEAPON
09/15/2017	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 11. ASSAULT WITH A DEADLY WEAPON
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 1. CONSPIRACY TO COMMIT MURDER Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 6. POSSESSION OF SHORT BARRELED RIFLE Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 7. CONSPIRACY TO COMMIT ROBBERY Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 8. ROBBERY WITH USE OF A DEADLY WEAPON Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 9. ROBBERY WITH USE OF A DEADLY WEAPON Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 10. ASSAULT WITH A DEADLY WEAPON Guilty
10/03/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 11. ASSAULT WITH A DEADLY WEAPON Guilty
12/05/2018	Amended (Judicial Officer: User, Conversion) Reason: Amended 1. CONSPIRACY TO COMMIT MURDER Sentenced to Nevada Dept. of Corrections Term: Minimum:26 Months, Maximum:120 Months
12/05/2018	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON Sentenced to Nevada Dept. of Corrections Term: Life with the possibility of parole after:20 Years Consecutive Enhancement:for use of the deadly weapon, Life with the possibility of parole after:20 Years Concurrent: Charge 1
12/05/2018	Amended (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Sentenced to Nevada Dept. of Corrections Term: Minimum:48 Months, Maximum:240 Months Consecutive Enhancement:for use of the deadly weapon, Minimum:48 Months, Maximum:240 Months Concurrent: Charge 2

12/05/2018 **Amended** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
Sentenced to Nevada Dept. of Corrections
Term: Minimum:48 Months, Maximum:240 Months
Consecutive Enhancement:for use of the deadly weapon, Minimum:48 Months, Maximum:240 Months
Concurrent: Charge 3

12/05/2018 **Amended** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
Sentenced to Nevada Dept. of Corrections
Term: Minimum:48 Months, Maximum:240 Months
Consecutive Enhancement:for use of the deadly weapon, Minimum:48 Months, Maximum:240 Months
Concurrent: Charge 4

12/05/2018 **Amended** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
6. POSSESSION OF SHORT BARRELED RIFLE
Sentenced to Nevada Dept. of Corrections
Term: Minimum:12 Months, Maximum:48 Months
Concurrent: Charge 5

12/05/2018 **Amended** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
7. CONSPIRACY TO COMMIT ROBBERY
Sentenced to Nevada Dept. of Corrections
Term: Minimum:12 Months, Maximum:72 Months
Concurrent: Charge 6

12/05/2018 **Amended** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
8. ROBBERY WITH USE OF A DEADLY WEAPON
Sentenced to Nevada Dept. of Corrections
Term: Minimum:40 Months, Maximum:180 Months
Consecutive Enhancement:for use of the deadly weapon, Minimum:40 Months, Maximum:180 Months
Concurrent: Charge 7

12/05/2018 **Amended** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
9. ROBBERY WITH USE OF A DEADLY WEAPON
Sentenced to Nevada Dept. of Corrections
Term: Minimum:40 Months, Maximum:180 Months
Consecutive Enhancement:for use of the deadly weapon, Minimum:40 Months, Maximum:180 Months
Concurrent: Charge 8

12/05/2018 **Amended** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
10. ASSAULT WITH A DEADLY WEAPON
Sentenced to Nevada Dept. of Corrections
Term: Minimum:16 Months, Maximum:72 Months
Concurrent: Charge 9

12/05/2018 **Amended** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
11. ASSAULT WITH A DEADLY WEAPON
Sentenced to Nevada Dept. of Corrections
Term: Minimum:16 Months, Maximum:72 Months
Concurrent: Charge 10
Credit for Time Served: 4450 Days
Comments: All Counts to run CONCURRENT to COUNT 2

Fee Totals:

Administrative	
Assessment Fee \$25	\$25.00
DNA Analysis Fee \$150	\$150.00
Genetic Marker	\$3.00
Analysis AA Fee \$3	
Fee Totals \$	\$178.00

OTHER EVENTS AND HEARINGS

12/04/2006 **Criminal Bindover**
CRIMINAL BINDOVER Fee \$0.00
06C228460-20001.tif pages

12/04/2006 **Hearing**
INITIAL ARRAIGNMENT
06C228460-20002.tif pages

12/07/2006 **Information**
INFORMATION
06C228460-20005.tif pages

12/07/2006 **Conversion Case Event Type**
INFORMATION CORRECTED IN OPEN COURT
06C228460-20032.tif pages

12/11/2006 **Initial Arraignment** (10:30 AM) ()
INITIAL ARRAIGNMENT Court Clerk: Sandra Anderson Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams
Parties Present

Minutes

Result: Matter Heard

01/03/2007 **Media Request and Order**
MEDIA REQUEST AND ORDER
06C228460-20009.tif pages

01/26/2007 **Expert Witness List**
NOTICE OF EXPERT WITNESSES
06C228460-20010.tif pages

02/02/2007 **Order**
ORDER - RELATED PARTYID: 06C228460_0002

06C228460-20011.tif pages
02/02/2007 **Application**
EX PARTE APPLICATION TO APPOINT INVESTIGATOR - RELATED PARTYID: 06C228460_0002
06C228460-20012.tif pages
02/07/2007 **Calendar Call** (9:00 AM) ()
CALENDAR CALL Court Clerk: Katherine Streuber Reporter/Recorder: Richard Kangas Heard By: Elizabeth Halverson
Parties Present
Minutes
Result: Matter Heard
02/12/2007 **CANCELED Jury Trial** (1:30 PM) ()
Vacated
Result: Vacate
03/23/2007 **Application**
EX PARTE APPLICATION FOR COURT APPROVAL OF PAYMENT OF SPECIFIC CATEGORIES OF ANCILLARY DEFENSE COSTS
ANCILLARY DEFENSE COSTS- RELATED PARTYID: 06C228460_0002
06C228460-20015.tif pages
03/23/2007 **Order**
ORDER - RELATED PARTYID: 06C228460_0002
06C228460-20016.tif pages
04/11/2007 **Motion**
STATE'S MTN TO COMPEL BUCCAL SWABS /6
06C228460-20017.tif pages
04/11/2007 **Calendar Call** (8:30 AM) ()
CALENDAR CALL Heard By: Elizabeth Halverson
Result: Matter Continued
04/11/2007 **Motion to Compel** (8:30 AM) ()
STATE'S MTN TO COMPEL BUCCAL SWABS /6 Heard By: Elizabeth Halverson
Result: Matter Continued
04/13/2007 **Certificate**
CERTIFICATE OF FACSIMILE TRANSMISSION
06C228460-20018.tif pages
04/16/2007 **Motion to Compel** (8:30 AM) ()
STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Richard Kangas Heard By: Halverson, Elizabeth
Parties Present
Minutes
Result: Matter Continued
04/18/2007 **Motion to Compel** (8:30 AM) ()
STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Denise Lopez Heard By: Halverson, Elizabeth
Parties Present
Minutes
Result: Matter Continued
04/20/2007 **Order**
ORDER TO COMPEL IMMEDIATE PRODUCTION OF PRELIMINARY HEARING TRANSCRIPTS - RELATED PARTYID: 06C228460_0002
06C228460-20019.tif pages
04/20/2007 **Motion to Compel** (8:30 AM) ()
STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Pamela Humphrey Heard By: Elizabeth Halverson
Parties Present
Minutes
Result: Matter Continued
04/24/2007 **Reporters Transcript**
REPORTER'S TRANSCRIPT PRELIMINARY HEARING
06C228460-20020.tif pages
04/25/2007 **Expert Witness List**
NOTICE OF EXPERT WITNESS
06C228460-20021.tif pages
04/25/2007 **Expert Witness List**
NOTICE OF WITNESSES
06C228460-20022.tif pages
04/25/2007 **Expert Witness List**
SUPPLEMENTAL NOTICE OF EXPERT WITNESS
06C228460-20023.tif pages
05/02/2007 **Order**
ORDER
06C228460-20026.tif pages
05/02/2007 **Expert Witness List**
SUPPLEMENTAL NOTICE OF WITNESSES
06C228460-20027.tif pages
05/02/2007 **Calendar Call** (8:30 AM) ()
CALENDAR CALL Heard By: David Barker
Result: Matter Continued
05/02/2007 **Calendar Call** (8:30 AM) ()
CALENDAR CALL Heard By: David Barker
Result: Matter Continued
05/02/2007 **Calendar Call** (8:30 AM) ()
CALENDAR CALL CONTINUED Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
Parties Present
Minutes
Result: Matter Continued
05/04/2007 **Calendar Call** (8:30 AM) ()
CALENDAR CALL CONTINUED Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

Parties Present
Minutes
 05/07/2007 Result: Matter Heard
Supplement
 SUPPLEMENTAL NOTICE OF WITNESS
 06C228460-20028.tif pages
 05/07/2007 **Order**
 STIPULATION AND ORDER
 06C228460-20035.tif pages
 05/07/2007 **Jury Trial** (1:00 PM) ()
 TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
Parties Present
Minutes
 05/08/2007 Result: Matter Continued
Media Request and Order
 MEDIA REQUEST AND ORDER
 06C228460-20030.tif pages
 05/08/2007 **Order**
 ORDER
 06C228460-20031.tif pages
 05/08/2007 **Media Request and Order**
 MEDIA REQUEST TO COURT PROCEEDINGS
 06C228460-20033.tif pages
 05/08/2007 **Jury List**
 DISTRICT COURT JURY LIST
 06C228460-20034.tif pages
 05/08/2007 **Brief**
 BENCH BRIEF - RELATED PARTYID: 06C228460_0002
 06C228460-20041.tif pages
 05/08/2007 **Jury Trial** (10:00 AM) ()
 TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
Parties Present
Minutes
 05/09/2007 Result: Matter Continued
Opposition
 STATES CONSOLIDATED OPPOSITION TO DEFENDANTS MOTIONS IN LIMINE
 06C228460-20042.tif pages
 05/09/2007 **Proposed Jury Instructions Not Used At Trial**
 PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL
 06C228460-20043.tif pages
 05/09/2007 **Jury Trial** (9:30 AM) ()
 TRIAL BY JURY Relief Clerk: Chanel West (1:05PM -2:05PM) Reporter/Recorder: Richard Kangas/Francesca Haak Heard By: Barker, David
Parties Present
Minutes
 05/10/2007 Result: Matter Continued
Subpoena Duces Tecum
 SUBPOENA DUCES TECUM - RELATED PARTYID: 06C228460_0002
 06C228460-20036.tif pages
 05/10/2007 **Subpoena Duces Tecum**
 SUBPOENA DUCES TECUM - RELATED PARTYID: 06C228460_0002
 06C228460-20037.tif pages
 05/10/2007 **Subpoena Duces Tecum**
 SUBPOENA DUCES TECUM
 06C228460-20038.tif pages
 05/10/2007 **Subpoena Duces Tecum**
 SUBPOENA DUCES TECUM - RELATED PARTYID: 06C228460_0002
 06C228460-20039.tif pages
 05/10/2007 **Subpoena Duces Tecum**
 SUBPOENA DUCES TECUM - RELATED PARTYID: 06C228460_0002
 06C228460-20040.tif pages
 05/10/2007 **Jury Trial** (9:30 AM) ()
 TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
Parties Present
Minutes
 05/11/2007 Result: Matter Continued
Instructions to the Jury
 INSTRUCTIONS TO THE JURY
 06C228460-20044.tif pages
 05/11/2007 **Conversion Case Event Type**
 SENTENCING (VL 6/25/07)
 06C228460-20047.tif pages
 05/11/2007 **Judgment**
 VERDICT
 06C228460-20048.tif pages
 05/11/2007 **Judgment**
 VERDICT
 06C228460-20049.tif pages
 05/11/2007 **Proposed Jury Instructions Not Used At Trial**
 DEFENDANTS PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL
 06C228460-20051.tif pages
 05/11/2007 **Jury Trial** (9:30 AM) ()
 TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present

Minutes
Result: Matter Heard

05/14/2007 **Order**
ORDER APPOINTMENT COUNSEL - RELATED PARTYID: 06C228460_0001
06C228460-20045.tif pages

05/14/2007 **Amended Jury List**
AMENDED CRIMINAL JURY LIST
06C228460-20050.tif pages

05/21/2007 **Motion**
DEFT'S MTN FOR NEW TRIAL /9
06C228460-20052.tif pages

05/23/2007 **Certificate**
CERTIFICATE OF MAILING - RELATED PARTYID: 06C228460_0002
06C228460-20053.tif pages

06/01/2007 **Opposition**
STATES OPPOSITION TO DEFENDANTS MOTION FOR A NEW TRIAL
06C228460-20054.tif pages

06/04/2007 **Motion for New Trial (8:30 AM) ()**
DEFT'S MTN FOR NEW TRIAL /9 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
Parties Present

Minutes
Result: Matter Continued

06/07/2007 **Application**
EX PARTE APPLICATION FOR ADDITIONAL INVESTIGATIVE FEES - RELATED PARTYID: 06C228460_0002
06C228460-20055.tif pages

06/07/2007 **Order**
ORDER - RELATED PARTYID: 06C228460_0002
06C228460-20056.tif pages

06/08/2007 **Motion for New Trial (8:15 AM) ()**
DEFT'S MTN FOR NEW TRIAL /9 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
Parties Present

Minutes
Result: Matter Continued

06/12/2007 **Reporters Transcript**
REPORTER'S TRANSCRIPT PORTION OF JURY TRIAL DAY 5
06C228460-20057.tif pages

06/18/2007 **Sentencing (8:30 AM) ()**
SENTENCING (VL 6/25/07)
Result: Matter Continued

06/25/2007 **Conversion Case Event Type**
SENTENCING
06C228460-20059.tif pages

06/25/2007 **Conversion Case Event Type**
SENTENCING
06C228460-20060.tif pages

07/02/2007 **Sentencing (8:15 AM) ()**
SENTENCING (VL 6/25/07)
Result: Vacate

07/02/2007 **Motion for New Trial (8:15 AM) ()**
DEFT'S MTN FOR NEW TRIAL /9 Heard By: David Barker
Result: Matter Continued

07/09/2007 **Reply**
REPLY TO STATES OPPOSITION TO MOTION FOR NEW TRIAL - RELATED PARTYID: 06C228460_0002
06C228460-20062.tif pages

07/09/2007 **Motion for New Trial (8:15 AM) ()**
DEFT'S MTN FOR NEW TRIAL /9 Heard By: David Barker
Result: Denied

07/09/2007 **Sentencing (8:15 AM) ()**
SENTENCING Heard By: David Barker
Result: Granted

07/09/2007 **Sentencing (8:15 AM) ()**
SENTENCING Heard By: David Barker
Result: Granted

07/09/2007 **All Pending Motions (8:15 AM) ()**
ALL PENDING MOTIONS (07-09-07) Relief Clerk: Carol Donahoo Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present

Minutes
Result: Matter Heard

07/11/2007 **Motion**
ALL PENDING MOTIONS (07-09-07)
06C228460-20061.tif pages

07/17/2007 **Judgment**
JUDGMENT OF CONVICTION/ADMIN ASSESSMENT
06C228460-20064.tif pages

07/17/2007 **Judgment**
JUDGMENT OF CONVICTION/RESTITUTION
06C228460-20065.tif pages

07/17/2007 **Judgment**
JUDGMENT OF CONVICTION/GENETIC TESTING
06C228460-20066.tif pages

07/17/2007 **Judgment**
JUDGMENT OF CONVICTION/ADMIN ASSESSMENT
06C228460-20067.tif pages

07/17/2007 **Judgment**
JUDGMENT OF CONVICTION/GENETIC TESTING

06C228460-20068.tif pages
07/30/2007 **Notice of Appeal**
NOTICE OF APPEAL (SC 49947) - RELATED PARTYID: 06C228460_0001
06C228460-20069.tif pages

08/06/2007 **Statement**
CASE APPEAL STATEMENT - RELATED PARTYID: 06C228460_0001
06C228460-20070.tif pages

08/17/2007 **Notice of Appeal**
NOTICE OF APPEAL (SC 50052) - RELATED PARTYID: 06C228460_0002
06C228460-20071.tif pages

08/17/2007 **Statement**
CASE APPEAL STATEMENT - RELATED PARTYID: 06C228460_0002
06C228460-20072.tif pages

09/17/2007 **Order**
ORDER - RELATED PARTYID: 06C228460_0002
06C228460-20073.tif pages

10/08/2007 **Order**
NUNC PRO TUNC ORDER OF APPOINTMENT - RELATED PARTYID: 06C228460_0002
06C228460-20074.tif pages

01/24/2008 **Hearing**
DEFT'S REQUEST STATUS CHECK: CUSTODY
06C228460-20075.tif pages

01/28/2008 **Request** (8:15 AM) ()
DEFT'S REQUEST STATUS CHECK: CUSTODY Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: Barker, David
Parties Present
Minutes
Result: Matter Continued

02/01/2008 **Request** (8:15 AM) ()
DEFT'S REQUEST STATUS CHECK: CUSTODY Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Off Calendar

03/10/2008 **Hearing**
AT REQ OF SUPREME COURT: APPOINTMENT OF COUNSEL/14
06C228460-20076.tif pages

03/12/2008 **Order**
ORDER FOR PRODUCTION OF INMATE
06C228460-20077.tif pages

03/26/2008 **Hearing**
STATUS CHECK: CONFIRMATION OF COUNSEL (J. PARRIS)
06C228460-20078.tif pages

03/26/2008 **Hearing**
STATUS CHECK: FURTHER PROCEEDINGS
06C228460-20079.tif pages

03/26/2008 **Request of Court** (8:15 AM) ()
AT REQ OF SUPREME COURT: APPOINTMENT OF COUNSEL/14 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Matter Heard

03/28/2008 **Motion**
ALL PENDING MOTIONS 03-28-08
06C228460-20080.tif pages

03/28/2008 **Status Check** (8:15 AM) ()
STATUS CHECK: CONFIRMATION OF COUNSEL (J. PARRIS) Heard By: David Barker
Result: Granted

03/28/2008 **Status Check** (8:15 AM) ()
STATUS CHECK: FURTHER PROCEEDINGS

03/28/2008 **All Pending Motions** (8:00 AM) ()
ALL PENDING MOTIONS 03-28-08 Court Clerk: Sandra Anderson Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Matter Heard

04/07/2008 **Order**
ORDER APPOINTING COUNSEL - RELATED PARTYID: 06C228460_0001
06C228460-20083.tif pages

06/13/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT STATES MOTION TO COMPEL BUCCAL SWABS
06C228460-20084.tif pages

07/11/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT JURY TRIAL DAY 1
06C228460-20085.tif pages

07/11/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT JURY TRIAL DAY 3
06C228460-20086.tif pages

07/11/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT JURY TRIAL DAY 5
06C228460-20087.tif pages

07/11/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT JURY TRIAL DAY 2
06C228460-20088.tif pages

07/11/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT JURY TRIAL DAY 4
06C228460-20089.tif pages

07/11/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT DEFTS MTN FOR NEW TRIAL JEMAR MATTHEWS SENTENCING JEMAR MATTHEWS SENTENCING PIERRE
JOSHLIN MATTHEWS SENTENCING PIERRE JOSHLIN
06C228460-20090.tif pages

07/11/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT CALENDAR CALL
06C228460-20091.tif pages

07/11/2008 **Reporters Transcript**
REPORTER'S TRANSCRIPT DEFENDANTS MOTION FOR A NEW TRIAL
06C228460-20092.tif pages

07/14/2008 **Certificate**
CERTIFICATE OF MAILING
06C228460-20093.tif pages

08/30/2008 **Petition**
PETITION FOR WRIT OF HABEAS CORPUS - RELATED PARTYID: 06C228460_0001
06C228460-20094.tif pages

09/11/2008 **Hearing**
SUPREME COURT REMAND: APPOINT NEW APPELLET COUNSEL/18
06C228460-20095.tif pages

09/24/2008 **Request of Court (8:15 AM) ()**
SUPREME COURT REMAND: APPOINT NEW APPELLET COUNSEL/18 Court Clerk: Sharon Chun Relief Clerk: Carol Donahoo/cd
Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Granted

10/09/2008 **Order**
ORDER FOR CONFIRMATION OF APPOINTMENT OF COUNSEL - RELATED PARTYID: 06C228460_0001
06C228460-20096.tif pages

07/14/2009 **Hearing**
DEFT'S PRO PER REQUEST FOR RECORDS/COURT CASE/19
06C228460-20099.tif pages

07/23/2009 **Opposition**
STATES OPPOSITION TO DEFTS PRO PER REQUEST FOR RECORDS - COURT CASE DOCUMENTS DOCUMENTS
06C228460-20100.tif pages

07/27/2009 **Request (8:15 AM) ()**
DEFT'S PRO PER REQUEST FOR RECORDS/COURTCASE/19 Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: Barker, David
Parties Present
Minutes
Result: Matter Continued

11/30/2009 **Request (8:15 AM) ()**
DEFT'S PRO PER REQUEST FOR RECORDS/COURTCASE/19 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Moot

12/09/2009 **Conversion Case Event Type**
INACTIVE CASE
06C228460-20101.tif pages

12/18/2009 **Motion**
DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20
06C228460-20103.tif pages

12/18/2009 **Motion**
DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21
06C228460-20104.tif pages

12/18/2009 **Affidavit In Support**
AFFIDAVIT IN SUPPORT OF MTN TO PROCEED IN FORMA PAUPERIS - RELATED PARTYID: 06C228460_0002
06C228460-20108.tif pages

12/21/2009 **Judgment**
CLERK'S CERTIFICATE/JUDGMENT AFFIRMED
06C228460-20105.tif pages

12/21/2009 **Judgment**
CLERK'S CERTIFICATE/REHEARING DENIED
06C228460-20106.tif pages

12/21/2009 **Judgment**
CLERK'S CERTIFICATE/PETITION DENIED
06C228460-20107.tif pages

12/29/2009 **Response**
STATES RESPONSE TO DEFTS MTN FOR THE APPOINTMENT OF COUNSEL
06C228460-20109.tif pages

01/04/2010 **Motion (8:15 AM) ()**
DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20
Result: Matter Continued

01/04/2010 **Motion (8:15 AM) ()**
DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21
Result: Matter Continued

01/06/2010 **Hearing**
STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL
06C228460-20110.tif pages

01/06/2010 **Motion**
ALL PENDING MOTIONS OF 1/6/10
06C228460-20111.tif pages

01/06/2010 **Motion (8:15 AM) ()**
DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20
Result: Matter Continued

01/06/2010 **Motion** (8:15 AM) ()
DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21
Result: Matter Continued

01/06/2010 **All Pending Motions** (8:15 AM) ()
ALL PENDING MOTIONS OF 1/6/10 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Matter Heard

01/15/2010 **Motion**
ALL PENDING MOTIONS
06C228460-20112.tif pages

01/15/2010 **Motion** (8:15 AM) ()
DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20

01/15/2010 **Motion** (8:15 AM) ()
DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21

01/15/2010 **Status Check** (8:15 AM) ()
STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL

01/15/2010 **All Pending Motions** (8:15 AM) ()
ALL PENDING MOTIONS Relief Clerk: Shelly Landwehr/sl Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Matter Heard

04/09/2010 **Judgment**
CLERK'S CERTIFICATE JUDGMENT AFFIRMED
06C228460-20113.tif pages

04/28/2010 **Request**
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS - RELATED PARTYID: 06C228460_0001
06C228460-20114.tif pages

04/28/2010 **Motion**
DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HRG
06C228460-20116.tif pages

05/12/2010 **Hearing**
STATUS CHECK: CONFIRMATION OF COUNSEL (THRU D.CHRISTENSEN)
06C228460-20117.tif pages

05/12/2010 **Hearing**
STATUS CK: SET EVIDENTIARY HEARING RE INEFFECTIVE ASSISTANCE OF COUNSEL
06C228460-20118.tif pages

05/12/2010 **Motion** (8:15 AM) ()
DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HRG Court Clerk: Sharon Chun
Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Matter Heard

05/28/2010 **Hearing**
STATUS CK: SET EVID HRG RE DEFT'S POST- CONV CLAIM OF INEFFECTIVE ASSIS COUNSEL
06C228460-20119.tif pages

05/28/2010 **Motion**
ALL PENDING MOTIONS 5/28/10
06C228460-20120.tif pages

05/28/2010 **Status Check** (8:15 AM) ()
STATUS CHECK: CONFIRMATION OF COUNSEL (THRU D.CHRISTENSEN)

05/28/2010 **Status Check** (8:15 AM) ()
STATUS CK: SET EVIDENTIARY HEARING RE INEFFECTIVE ASSISTANCE OF COUNSEL Heard By: David Barker
Result: Matter Continued

05/28/2010 **All Pending Motions** (8:15 AM) ()
ALL PENDING MOTIONS 5/28/10 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Matter Heard

06/08/2010 **Order**
ORDER FOR PRODUCTION OF INMATE
06C228460-20121.tif pages

07/16/2010 **Hearing**
STATUS CHECK: SET EVID HRG RE DEFT'S POST-CONV CLAIM (FROM 7/16/10)
06C228460-20122.tif pages

07/16/2010 **Status Check** (8:15 AM) ()
STATUS CK: SET EVID HRG RE DEFT'S POST- CONV CLAIM OF INEFFECTIVE ASSIS COUNSEL Relief Clerk: Billie Jo Craig
Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Matter Heard

07/21/2010 **Hearing**
EVIDENTIARY HEARING
06C228460-20123.tif pages

07/21/2010 **Status Check** (8:15 AM) ()
STATUS CHECK: SET EVID HRG RE DEFT'S POST-CONV CLAIM (FROM 7/16/10) Court Clerk: Sharon Chun Relief Clerk: Billie Jo Craig/bjc
Reporter/Recorder: Richard Kangas Heard By: David Barker
Parties Present
Minutes
Result: Matter Heard

12/08/2010 **Criminal Order to Statistically Close Case**
Criminal Order to Statistically Close Case

12/14/2010 **Petition for Writ of Habeas Corpus**
12/16/2010 **Order for Petition for Writ of Habeas Corpus**
03/23/2011 **CANCELED Evidentiary Hearing** (10:00 AM) (Judicial Officer Barker, David)
Vacated - Case Closed
hearing as to co-defendant

01/13/2012 **Motion**
Motion for Appointment of Counsel Pursuant to NRS 34.750

01/19/2012 **Opposition to Motion**
State's Opposition to Defendant's Motion for Appointment of Counsel

01/23/2012 **Motion** (8:15 AM) (Judicial Officer Barker, David)
01/23/2012, 02/06/2012
Def't's Pro Per Motion for Appointment of Counsel Pursuant to NRS 34.750
Parties Present
Minutes
Result: Matter Continued

06/11/2012 **Status Check** (8:15 AM) (Judicial Officer Barker, David)
Status Check: Briefing Schedule
Parties Present
Minutes
Result: Briefing Schedule Set

07/09/2012 **Supplemental**
Supplemental Points and Authorities in Support of Petition for Writ of Habeas Corpus (Post-Conviction)

07/10/2012 **Supplemental**
Amended Supplemental Points and Authorities In Support of Petition for Writ of Habeas Corpus (Post-Conviction) Amended Only to Repaginate and Add Missing Text to Page 5

08/28/2012 **Order for Production of Inmate**
Order for Production of Inmate, Jemar Matthews, aka Jemar Demon Matthews, BAC #1014654

08/31/2012 **Order for Production of Inmate**
Order for Production of Inmate Jemar Matthews, Bac # 1014654

09/10/2012 **Response**
State's Response To Defendant's Supplemental Points And Authorities In Support Of Petition For Writ Of Habeas Corpus

09/24/2012 **Reply**
Reply to State's Response to Defendant's Supplemental Points and Authorities in Support of Petition for Writ of Habeas Corpus (Post-Conviction)

10/12/2012 **Hearing** (9:00 AM) (Judicial Officer Barker, David)
Parties Present
Minutes
Result: Matter Heard

11/05/2012 **Motion**
Motion to Place on Calendar

11/06/2012 **Certificate of Service by Facsimile**
Certificate of Facsimile Transmission

11/13/2012 **Finding of Fact and Conclusions of Law**
Findings of Fact, Conclusions of Law and Order

11/19/2012 **Motion** (8:15 AM) (Judicial Officer Barker, David)
Def't's Motion to Place on Calendar Re: Appointment of Appellant Counsel
Parties Present
Minutes
Result: Motion Denied

11/20/2012 **Notice of Entry**
Notice of Entry of Findings of Fact, Conclusions of Law and Order

12/04/2012 **Notice of Appeal (criminal)**

12/05/2012 **Case Appeal Statement**
Case Appeal Statement

12/07/2012 **Order Denying Motion**
Order Denying Defendant's Motion For Appointment Of Appellant Counsel

01/15/2013 **Opposition**
State's Opposition To Defendant's Pro Per Motion To Appoint Counsel

01/16/2013 **Appointment of Counsel** (8:15 AM) (Judicial Officer Barker, David)
Appointment of Counsel per Supreme Court Remand
Parties Present
Minutes
Result: Matter Heard

01/17/2013 **Notice**
Notice Of Confirmation Of Counsel

02/12/2013 **Ex Parte Motion**
Ex Parte Motion for Investigative Fees

02/13/2013 **Status Check** (8:15 AM) (Judicial Officer Barker, David)
Status Check: Set Briefing Schedule
Parties Present
Minutes
Result: Matter Continued

02/12/2014 **NV Supreme Court Clerks Certificate/Judgment - Affirmed**
Nevada Supreme Court Clerk's Certificate Judgment - Affirmed

06/23/2014 **Petition for Writ of Habeas Corpus**
Petition for Writ of Habeas Corpus (Post Conviction)

06/23/2014 **Memorandum**
Memorandum In Support for (Post Conviction Habeas Corpus)

06/26/2014 **Order for Petition for Writ of Habeas Corpus**

08/04/2014 **Response**
State's Response And Motion To Dismiss Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)

08/25/2014 **Petition for Writ of Habeas Corpus** (8:15 AM) (Judicial Officer Barker, David)
Def't's Pro Per Petition for Writ of Habeas Corpus (Post Conviction)

Result: Denied
08/25/2014 **Response and Countermotion** (8:15 AM) (Judicial Officer Barker, David)
State's Response And Motion To Dismiss Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)
Result: Granted
08/25/2014 **All Pending Motions** (8:15 AM) (Judicial Officer Barker, David)
Parties Present
Minutes
Result: Matter Heard
10/02/2014 **Findings of Fact, Conclusions of Law and Order**
10/06/2014 **Notice of Entry**
Notice of Entry of Findings of Fact, Conclusions of Law and Order
11/06/2014 **Notice of Appeal (criminal)**
Notice of Appeal
01/05/2015 **Case Reassigned to Department 19**
District Court Case Reassignment 2015
05/30/2017 **Notice**
Notice to Place on Calendar
06/02/2017 **Order for Production of Inmate**
Order for Production of Inmate - Jemar Matthews, aka Jemar Demon Matthews, BAC #1014654
06/12/2017 **Motion** (8:30 AM) (Judicial Officer Kephart, William D.)
State's Motion to Place on Calendar for the Purpose of State's Notice of Intent to Proceed to Retrial
Parties Present
Minutes
Result: Trial Date Set
06/19/2017 **Notice of Appearance**
NOTICE OF APPEARANCE
07/01/2017 **Case Reassigned to Department 3**
Homicide Case Reassignment to Judge Douglas W. Herndon
07/21/2017 **Status Check** (9:00 AM) (Judicial Officer Herndon, Douglas W.)
STATUS CHECK: MURDER TEAM ASSIGNMENT
Parties Present
Minutes
07/24/2017 Reset by Court to 07/21/2017
Result: Continued
08/02/2017 **CANCELED Pre Trial Conference** (8:30 AM) (Judicial Officer Herndon, Douglas W.)
Vacated - per Judge
08/02/2017 Reset by Court to 08/02/2017
08/22/2017 **Status Check** (9:00 AM) (Judicial Officer Herndon, Douglas W.)
Status Check: Trial Setting/Case Reassignment
Parties Present
Minutes
Result: Matter Heard
08/22/2017 **Media Request and Order**
Media Request And Order Allowing Camera Access To Court Proceedings
08/30/2017 **CANCELED Calendar Call** (8:30 AM) (Judicial Officer Herndon, Douglas W.)
Vacated - per Judge
08/30/2017 Reset by Court to 08/30/2017
09/05/2017 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer Herndon, Douglas W.)
Vacated - per Judge
09/05/2017 Reset by Court to 09/05/2017
09/05/2017 **Status Check: Trial Setting** (8:30 AM) (Judicial Officer Johnson, Eric)
Parties Present
Minutes
Result: Trial Date Set
09/15/2017 **Amended Information**
Amended Information
11/02/2017 **Status Check** (8:30 AM) (Judicial Officer Johnson, Eric)
11/02/2017, 02/01/2018
Status Check: Homicide Trial
Parties Present
Minutes
Result: Matter Continued
02/12/2018 **Notice of Witnesses and/or Expert Witnesses**
State's Notice of Witnesses and/or Expert Witnesses
03/20/2018 **Status Check** (8:30 AM) (Judicial Officer Johnson, Eric)
Status Check: Homicide Trial
Parties Present
Minutes
Result: Matter Continued
03/21/2018 **Motion for Order**
Defendant's Motion for Order to Produce Records from (1) Division of Child and Family Services and (2) Family Courts and Services Center and/or Clark County District Court Family Division
03/27/2018 **Status Check** (8:30 AM) (Judicial Officer Johnson, Eric)
Status Check: Homicide Trial
Parties Present
Minutes
Result: Matter Continued
04/05/2018 **CANCELED Motion** (9:00 AM) (Judicial Officer Johnson, Eric)

04/10/2018 **Vacated**
 Defendant's Motion for Order to Produce Records from (1) Division of Child and Family Services and (2) Family Courts and Services Center and/or Clark County District Court Family Division
Order
 ORDER TO PRODUCE (1) DIVISION OF CHILD AND FAMILY SERVICES AND (2) FAMILY COURTS AND SERVICES CENTER AND/OR CLARK COUNTY DISTRICT COURT FAMILY DIVISION RECORDS
 04/10/2018 **Notice of Entry**
 Notice of Entry of Order
 04/24/2018 **CANCELED Calendar Call** (8:30 AM) (Judicial Officer Johnson, Eric)
 Vacated
 04/30/2018 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer Johnson, Eric)
 Vacated
 06/07/2018 **Status Check** (8:30 AM) (Judicial Officer Johnson, Eric)
 Status Check: Homicide Trial
Parties Present
Minutes
 Result: Matter Continued
 06/28/2018 **Status Check** (9:00 AM) (Judicial Officer Johnson, Eric)
 Status Check: Homicide Trial
Parties Present
Minutes
 Result: Matter Heard
 07/02/2018 **Case Reassigned to Department 12**
 Reassigned From Judge Johnson - Dept 20
 07/13/2018 **Notice of Witnesses and/or Expert Witnesses**
 State's Amended Notice of Witnesses and/or Expert Witnesses
 07/19/2018 **Notice of Witnesses and/or Expert Witnesses**
 Notice of Witnesses and/or Expert Witnesses
 07/25/2018 **Receipt of Copy**
 Receipt of Copy
 08/06/2018 **Supplemental Witness List**
 State's Supplemental Amended Notice of Witnesses and/or Expert Witnesses
 08/08/2018 **Receipt of Copy**
 Receipt of Copy
 08/24/2018 **Supplemental Witness List**
 Defense Supplemental Witness List Under [NRS 174.234(1) and 174.234(2)]
 08/24/2018 **Notice of Motion**
 State's Notice of Motion and Motion to Admit Transcript of Prior Jury Trial Testimony of LVMPD Forensic Scientist James Krylo
 09/04/2018 **Motion** (8:30 AM) (Judicial Officer Leavitt, Michelle)
 State's Notice Of Motion And Motion To Admit Transcript Of Prior Jury Trial Testimony Of LVMPD Forensic Scientist James Krylo
Parties Present
Minutes
 10/04/2018 Reset by Court to 09/04/2018
 Result: Granted
 09/07/2018 **Notice of Motion**
 Notice of Motion and Motion to Admit Transcript of Prior Trial Testimony of Victim Myniece Cook
 09/18/2018 **Calendar Call** (8:30 AM) (Judicial Officer Leavitt, Michelle)
 07/24/2018 Reset by Court to 07/24/2018
 07/24/2018 Reset by Court to 09/18/2018
 07/24/2018 Reset by Court to 07/24/2018
 Result: Trial Date Set
 09/18/2018 **Motion** (8:30 AM) (Judicial Officer Leavitt, Michelle)
 State's Notice of Motion and Motion to Admit Transcript of Prior Jury Trial Testimony of Victim Myniece Cook
Parties Present
Minutes
 10/16/2018 Reset by Court to 09/18/2018
 Result: Granted
 09/18/2018 **Order**
 Order To Remand Defendant To The Custody Of the Clark County Detention Center
 09/18/2018 **Supplemental Witness List**
 Defense Second Supplemental Witness List Under [NRS 174.234(1) and 174.234(2)]
 09/18/2018 **All Pending Motions** (8:30 AM) (Judicial Officer Leavitt, Michelle)
Parties Present
Minutes
 Result: Matter Heard
 09/18/2018 **CANCELED All Pending Motions** (8:30 AM) (Judicial Officer Leavitt, Michelle)
 Vacated
 09/24/2018 **Jury Trial** (10:30 AM) (Judicial Officer Leavitt, Michelle)
 09/24/2018, 09/25/2018, 09/26/2018, 09/27/2018, 09/28/2018, 10/01/2018, 10/02/2018, 10/03/2018
 Jury Trial
Parties Present
Minutes
 07/31/2018 Reset by Court to 09/25/2018
 08/06/2018 Reset by Court to 09/04/2018
 09/04/2018 Reset by Court to 07/31/2018
 09/25/2018 Reset by Court to 09/24/2018
 10/02/2018 Reset by Court to 10/02/2018
 Result: Trial Continues

09/25/2018	Jury List
09/26/2018	Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>
09/27/2018	Order for Production of Inmate <i>Order for Production of Inmate</i>
09/28/2018	Supplemental Witness List <i>Defense Third Supplemental Witness List Under [NRS 174.234(1) and 174.234(2)]</i>
10/02/2018	Amended Jury List
10/02/2018	Instructions to the Jury
10/03/2018	Verdict
10/03/2018	Stipulation <i>Stipulation and Waiver of Penalty Hearing</i>
10/10/2018	Order <i>Order for Transcript</i>
10/29/2018	Recorders Transcript of Hearing <i>Recorder's Partial Transcript of Proceedings: Jury Trial - Day 3, Testimony of Amy Nemick Only, Wednesday, September 26, 2018</i>
11/16/2018	PSI - Supplemental PSI
12/04/2018	Memorandum <i>Defendant Jemar Matthews Sentencing Memorandum</i>
12/05/2018	Sentencing (8:30 AM) (Judicial Officer Leavitt, Michelle) <i>Sentencing (Jury Verdict)</i> <u>Parties Present</u> <u>Minutes</u> Result: Defendant Sentenced
12/07/2018	Judgment of Conviction <i>Judgment of Conviction (Jury Trial)</i>
12/07/2018	Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>

FINANCIAL INFORMATION

	Defendant Matthews, Jemar D	
	Total Financial Assessment	353.00
	Total Payments and Credits	0.00
	Balance Due as of 12/19/2018	353.00
10/19/2007	Transaction Assessment	175.00
12/17/2018	Transaction Assessment	178.00

Steven D. Grierson

JOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JEMAR MATTHEWS, aka
Jemar Demon Matthews
#1956579

Defendant

CASE NO. 06C228460-2

DEPT. NO. XII

JUDGMENT OF CONVICTION
(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – CONSPIRACY TO COMMIT MURDER (Category B Felony) in violation of NRS 200.010, 200.030, 199.480; COUNT 2 – FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010, 200.030, 193.165; COUNT 3 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 4 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 5 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 6 – POSSESSION OF A SHORT BARRELED RIFLE (Category D Felony) in violation of NRS 202.275; COUNT 7 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; COUNT 8 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in

RECEIVED

DEPT 12

1 violation of NRS 200.380, 193.165; COUNT 9 – ROBBERY WITH USE OF A DEADLY
2 WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 10 –
3 ASSAULT WITH A DEADLY WEAPON (Category B Felony) in violation of NRS
4 200.471; and COUNT 11 – ASSAULT WITH A DEADLY WEAPON (Category B Felony)
5 in violation of NRS 200.471, and the matter having been **tried before a jury**, and the
6 Defendant having been found guilty of the crimes of COUNT 1 – CONSPIRACY TO
7 COMMIT MURDER (Category B Felony) in violation of NRS 200.010, 200.030,
8 199.480; COUNT 2 – FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
9 (Category A Felony) in violation of NRS 200.010, 200.030, 193.165; COUNT 3 –
10 ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in
11 violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 4 – ATTEMPT MURDER
12 WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010,
13 200.030, 193.330, 193.165; COUNT 5 – ATTEMPT MURDER WITH USE OF A
14 DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330,
15 193.165; COUNT 6 – POSSESSION OF A SHORT BARRELED RIFLE (Category D
16 Felony) in violation of NRS 202.275; COUNT 7 – CONSPIRACY TO COMMIT
17 ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; COUNT 8 –
18 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of
19 NRS 200.380, 193.165; COUNT 9 – ROBBERY WITH USE OF A DEADLY WEAPON
20 (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 10 – ASSAULT
21 WITH A DEADLY WEAPON (Category B Felony) in violation of NRS 200.471; and
22 COUNT 11 – ASSAULT WITH A DEADLY WEAPON (Category B Felony) in violation
23 of NRS 200.471; thereafter, on the 5th day of December, 2018, the Defendant was
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1 present in court for **sentencing** with counsel TODD LEVENTHAL, ESQ. and RICHARD
2 TANASI, ESQ., and good cause appearing,

3 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in
4 addition to the \$25.00 Administrative Assessment Fee, \$150.00 DNA Analysis Fee
5 including testing to determine genetic markers plus \$3.00 DNA Collection Fee, the
6 Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows:

7
8 **COUNT 1** – a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a
9 MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS; **COUNT 2** – LIFE with the
10 eligibility of parole after serving a MINIMUM of TWENTY (20) YEARS, plus a
11 CONSECUTIVE term of LIFE with the eligibility of parole after serving a MINIMUM of
12 TWENTY (20) YEARS for the Use of a Deadly Weapon, CONCURRENT with COUNT
13 1; **COUNT 3** – a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a
14 MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE
15 term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of
16 FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon; CONCURRENT with
17 COUNT 2; **COUNT 4** - a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a
18 MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE
19 term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of
20 FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon, CONCURRENT with
21 COUNT 3; **COUNT 5** – a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a
22 MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE
23 term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of
24 FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon, CONCURRENT with
25 COUNT 4; **COUNT 6** - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM
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1 parole eligibility of TWELVE (12) MONTHS, CONCURRENT with COUNT 5; **COUNT 7**
2 – a MAXIMUM of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of
3 TWELVE (12) MONTHS, CONCURRENT with COUNT 6; **COUNT 8** - a MAXIMUM of
4 ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY
5 (40) MONTHS, plus a CONSECUTIVE term of ONE HUNDRED EIGHTY (180)
6 MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS for the Use of a
7 Deadly Weapon, CONCURRENT with COUNT 7; **COUNT 9** – a MAXIMUM of ONE
8 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40)
9 MONTHS, plus a CONSECUTIVE term of ONE HUNDRED EIGHTY (180) MONTHS
10 with a MINIMUM parole eligibility of FORTY (40) MONTHS for the Use of a Deadly
11 Weapon, CONCURRENT with COUNT 8; **COUNT 10** - a MAXIMUM of SEVENTY-
12 TWO (72) MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS,
13 CONCURRENT with COUNT 9; and **COUNT 11** - a MAXIMUM of SEVENTY-TWO (72)
14 MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS,
15 CONCURRENT with COUNT 10; ALL COUNTS to run CONCURRENT with COUNT 2;
16 with FOUR THOUSAND, FOUR HUNDRED FIFTY (4,450) DAYS credit for time served.
17 The AGGREGATE TOTAL sentence is LIFE with the eligibility of parole after serving a
18 MINIMUM OF FORTY (40) YEARS.
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23 DATED this 6 day of December, 2018.

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MICHELLE LEAVITT
DISTRICT COURT JUDGE *pk* *SB*

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. 06C228460-2****The State of Nevada vs Jemar D Matthews**§
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§

Location: **Department 12**
 Judicial Officer: **Leavitt, Michelle**
 Filed on: **12/04/2006**
 Case Number History:
 Cross-Reference Case Number: **C228460**
 Defendant's Scope ID #: **1956579**
 ITAG Booking Number: **7**
 ITAG Case ID: **2024735**
 Lower Court Case # Root: **06F19196**
 Lower Court Case Number: **06F19196B**
 Supreme Court No.: **62241**
66844

CASE INFORMATION

Offense	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CONSPIRACY TO COMMIT MURDER	F	01/01/1900		
2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON	F	01/01/1900	Case Status:	12/07/2018 Closed
3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	F	01/01/1900		
4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	F	01/01/1900		
5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	F	01/01/1900		
6. POSSESSION OF SHORT BARRELED RIFLE	F	01/01/1900		
7. CONSPIRACY TO COMMIT ROBBERY	F	01/01/1900		
8. ROBBERY WITH USE OF A DEADLY WEAPON	F	01/01/1900		
9. ROBBERY WITH USE OF A DEADLY WEAPON	F	01/01/1900		
10. ASSAULT WITH A DEADLY WEAPON	F	01/01/1900		
11. ASSAULT WITH A DEADLY WEAPON	F	01/01/1900		

Related Cases

06C228460-1 (Multi-Defendant Case)

Statistical Closures

12/07/2018	Jury Trial - Conviction - Criminal
04/29/2010	USJR Reporting Statistical Closure
12/20/2009	USJR Reporting Statistical Closure
07/17/2007	USJR Reporting Statistical Closure
03/28/2008	USJR Reporting Statistical Closure
12/08/2010	Jury Trial - Conviction - Criminal

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
















Case Number	06C228460-2
Court	Department 12
Date Assigned	07/02/2018
Judicial Officer	Leavitt, Michelle

PARTY INFORMATION

		Lead Attorneys
Defendant	Matthews, Jemar	Leventhal, Todd M. <i>Retained</i> 702-472-8686(W)
Plaintiff	State of Nevada	Wolfson, Steven B

CASE SUMMARY**CASE NO. 06C228460-2**


















702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
12/04/2006	 Criminal Bindover <i>CRIMINAL BINDOVER Fee \$0.00</i>	
12/04/2006	Hearing <i>INITIAL ARRAIGNMENT</i>	
12/07/2006	 Information <i>INFORMATION</i>	
12/07/2006	 Conversion Case Event Type <i>INFORMATION CORRECTED IN OPEN COURT</i>	
01/03/2007	 Media Request and Order <i>MEDIA REQUEST AND ORDER</i>	
01/26/2007	 Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>	
02/02/2007	 Order <i>ORDER - RELATED PARTYID: 06C228460_0002</i>	
02/02/2007	 Application <i>EX PARTE APPLICATION TO APPOINT INVESTIGATOR - RELATED PARTYID: 06C228460_0002</i>	
03/23/2007	 Application <i>EX PARTE APPLICATION FOR COURT APPROVAL OF PAYMENT OF SPECIFIC CATEGORIES OF ANCILLARY DEFENSE COSTS ANCILLARY DEFENSE COSTS- RELATED PARTYID: 06C228460_0002</i>	
03/23/2007	 Order <i>ORDER - RELATED PARTYID: 06C228460_0002</i>	
04/11/2007	 Motion <i>STATE'S MTN TO COMPEL BUCCAL SWABS /6</i>	
04/13/2007	 Certificate <i>CERTIFICATE OF FACSIMILE TRANSMISSION</i>	
04/20/2007	 Order <i>ORDER TO COMPEL IMMEDIATE PRODUCTION OF PRELIMINARY HEARING TRANSCRIPTS - RELATED PARTYID: 06C228460_0002</i>	
04/24/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PRELIMINARY HEARING</i>	
04/25/2007	 Expert Witness List <i>NOTICE OF EXPERT WITNESS</i>	
04/25/2007	 Expert Witness List	

CASE SUMMARY

CASE No. 06C228460-2

NOTICE OF WITNESSES

04/25/2007	 Expert Witness List <i>SUPPLEMENTAL NOTICE OF EXPERT WITNESS</i>
05/02/2007	 Order <i>ORDER</i>
05/02/2007	 Expert Witness List <i>SUPPLEMENTAL NOTICE OF WITNESSES</i>
05/07/2007	 Supplement <i>SUPPLEMENTAL NOTICE OF WITNESS</i>
05/07/2007	 Order <i>STIPULATION AND ORDER</i>
05/08/2007	 Media Request and Order <i>MEDIA REQUEST AND ORDER</i>
05/08/2007	 Order <i>ORDER</i>
05/08/2007	 Media Request and Order <i>MEDIA REQUEST TO COURT PROCEEDINGS</i>
05/08/2007	 Jury List <i>DISTRICT COURT JURY LIST</i>
05/08/2007	 Brief <i>BENCH BRIEF - RELATED PARTYID: 06C228460_0002</i>
05/09/2007	 Opposition <i>STATES CONSOLIDATED OPPOSITION TO DEFENDANTS MOTIONS IN LIMINE</i>
05/09/2007	 Proposed Jury Instructions Not Used At Trial <i>PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL</i>
05/10/2007	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 06C228460_0002</i>
05/10/2007	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 06C228460_0002</i>
05/10/2007	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM</i>
05/10/2007	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 06C228460_0002</i>
05/10/2007	 Subpoena Duces Tecum <i>SUBPOENA DUCES TECUM - RELATED PARTYID: 06C228460_0002</i>

CASE SUMMARY

CASE NO. 06C228460-2

05/11/2007	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY</i>
05/11/2007	Conversion Case Event Type <i>SENTENCING (VL 6/25/07)</i>
05/11/2007	 Judgment <i>VERDICT</i>
05/11/2007	 Judgment <i>VERDICT</i>
05/11/2007	 Proposed Jury Instructions Not Used At Trial <i>DEFENDANTS PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL</i>
05/14/2007	 Order <i>ORDER APPOINTMENT COUNSEL - RELATED PARTYID: 06C228460_0001</i>
05/14/2007	 Amended Jury List <i>AMENDED CRIMINAL JURY LIST</i>
05/21/2007	 Motion <i>DEFT'S MTN FOR NEW TRIAL /9</i>
05/23/2007	 Certificate <i>CERTIFICATE OF MAILING - RELATED PARTYID: 06C228460_0002</i>
06/01/2007	 Opposition <i>STATES OPPOSITION TO DEFENDANTS MOTION FOR A NEW TRIAL</i>
06/07/2007	 Application <i>EX PARTE APPLICATION FOR ADDITIONAL INVESTIGATIVE FEES - RELATED PARTYID: 06C228460_0002</i>
06/07/2007	 Order <i>ORDER - RELATED PARTYID: 06C228460_0002</i>
06/12/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT PORTION OF JURY TRIAL DAY 5</i>
06/25/2007	Conversion Case Event Type <i>SENTENCING</i>
06/25/2007	Conversion Case Event Type <i>SENTENCING</i>
07/09/2007	 Reply <i>REPLY TO STATES OPPOSITION TO MOTION FOR NEW TRIAL - RELATED PARTYID: 06C228460_0002</i>
07/11/2007	Motion <i>ALL PENDING MOTIONS (07-09-07)</i>
07/17/2007	 Judgment

CASE SUMMARY

CASE No. 06C228460-2

JUDGMENT OF CONVICTION/ADMIN ASSESSMENT

07/17/2007 Judgment

JUDGMENT OF CONVICTION/RESTITUTION

07/17/2007 Judgment

JUDGMENT OF CONVICTION/GENETIC TESTING

07/17/2007  Judgment

JUDGMENT OF CONVICTION/ADMIN ASSESSMENT

07/17/2007 Judgment

JUDGMENT OF CONVICTION/GENETIC TESTING

07/30/2007  Notice of Appeal

NOTICE OF APPEAL (SC 49947) - RELATED PARTYID: 06C228460_0001

08/06/2007  Statement


CASE APPEAL STATEMENT - RELATED PARTYID: 06C228460_0001

08/17/2007  Notice of Appeal


NOTICE OF APPEAL (SC 50052) - RELATED PARTYID: 06C228460_0002

08/17/2007  Statement

CASE APPEAL STATEMENT - RELATED PARTYID: 06C228460_0002

09/17/2007  Order

ORDER - RELATED PARTYID: 06C228460_0002

10/08/2007  Order


NUNC PRO TUNC ORDER OF APPOINTMENT - RELATED PARTYID: 06C228460_0002

01/24/2008 Hearing

DEFT'S REQUEST STATUS CHECK: CUSTODY

03/10/2008 Hearing

AT REQ OF SUPREME COURT: APPOINTMENT OF COUNSEL/14

03/12/2008  Order

ORDER FOR PRODUCTION OF INMATE

03/26/2008 Hearing


STATUS CHECK: CONFIRMATION OF COUNSEL (J. PARRIS)

03/26/2008 Hearing

STATUS CHECK: FURTHER PROCEEDINGS

03/28/2008 Motion

ALL PENDING MOTIONS 03-28-08

04/07/2008  Order

ORDER APPOINTING COUNSEL - RELATED PARTYID: 06C228460_0001

06/13/2008  Reporters Transcript

REPORTER'S TRANSCRIPT STATES MOTION TO COMPEL BUCCAL SWABS








CASE SUMMARY

CASE NO. 06C228460-2

07/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL DAY 1</i>
07/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL DAY 3</i>
07/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL DAY 5</i>
07/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL DAY 2</i>
07/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT JURY TRIAL DAY 4</i>
07/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFTS MTN FOR NEW TRIAL JEMAR MATTHEWS SENTENCING JEMAR MATTHEWS SENTENCING PIERRE JOSH LIN MATTHEWS SENTENCING PIERRE JOSH LIN</i>
07/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT CALENDAR CALL</i>
07/11/2008	 Reporters Transcript <i>REPORTER'S TRANSCRIPT DEFENDANTS MOTION FOR A NEW TRIAL</i>
07/14/2008	 Certificate <i>CERTIFICATE OF MAILING</i>
08/30/2008	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS - RELATED PARTYID: 06C228460_0001</i>
09/11/2008	Hearing <i>SUPREME COURT REMAND: APPOINT NEW APPELLET COUNSEL/18</i>
10/09/2008	 Order <i>ORDER FOR CONFIRMATION OF APPOINTMENT OF COUNSEL - RELATED PARTYID: 06C228460_0001</i>
07/14/2009	 Hearing <i>DEFT'S PRO PER REQUEST FOR RECORDS/COURT CASE/19</i>
07/23/2009	 Opposition <i>STATES OPPOSITION TO DEFTS PRO PER REQUEST FOR RECORDS - COURT CASE DOCUMENTS DOCUMENTS</i>
12/09/2009	Conversion Case Event Type <i>INACTIVE CASE</i>
12/18/2009	 Motion <i>DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20</i>
12/18/2009	 Motion <i>DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21</i>

CASE SUMMARY

CASE No. 06C228460-2

12/18/2009	 Affidavit in Support <i>AFFIDAVIT IN SUPPORT OF MTN TO PROCEED IN FORMA PAUPERIS - RELATED PARTYID: 06C228460_0002</i>
12/21/2009	 Judgment <i>CLERK'S CERTIFICATE/JUDGMENT AFFIRMED</i>
12/21/2009	Judgment <i>CLERK'S CERTIFICATE/REHEARING DENIED</i>
12/21/2009	Judgment <i>CLERK'S CERTIFICATE/PETITION DENIED</i>
12/29/2009	 Response <i>STATES RESPONSE TO DEFTS MTN FOR THE APPOINTMENT OF COUNSEL</i>
01/06/2010	Hearing <i>STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL</i>
01/06/2010	Motion <i>ALL PENDING MOTIONS OF 1/6/10</i>
01/15/2010	Motion <i>ALL PENDING MOTIONS</i>
04/09/2010	 Judgment <i>CLERK'S CERTIFICATE JUDGMENT AFFIRMED</i>
04/28/2010	 Request <i>MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS - RELATED PARTYID: 06C228460_0001</i>
04/28/2010	 Motion <i>DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HRG</i>
05/12/2010	Hearing <i>STATUS CHECK: CONFIRMATION OF COUNSEL (THRU D.CHRISTENSEN)</i>
05/12/2010	Hearing <i>STATUS CK: SET EVIDENTIARY HEARING RE INEFFECTIVE ASSISTANCE OF COUNSEL</i>
05/28/2010	Hearing <i>STATUS CK: SET EVID HRG RE DEFT'S POST- CONV CLAIM OF INEFFECTIVE ASSIS COUNSEL</i>
05/28/2010	Motion <i>ALL PENDING MOTIONS 5/28/10</i>
06/08/2010	 Order <i>ORDER FOR PRODUCTION OF INMATE</i>
07/16/2010	Hearing <i>STATUS CHECK: SET EVID HRG RE DEFT'S POST-CONV CLAIM (FROM 7/16/10)</i>
07/21/2010	Hearing <i>EVIDENTIARY HEARING</i>

CASE SUMMARY

CASE NO. 06C228460-2

12/08/2010	 Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>
12/14/2010	 Petition for Writ of Habeas Corpus Filed by: Plaintiff State of Nevada
12/16/2010	 Order for Petition for Writ of Habeas Corpus
01/13/2012	 Motion Filed By: Defendant Matthews, Jemar <i>Motion for Appointment of Counsel Pursuant to NRS 34.750</i>
01/19/2012	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Appointment of Counsel</i>
07/09/2012	 Supplemental Filed by: Defendant Matthews, Jemar <i>Supplemental Points and Authorities in Support of Petition for Writ of Habeas Corpus (Post-Conviction)</i>
07/10/2012	 Supplemental Filed by: Defendant Matthews, Jemar <i>Amended Supplemental Points and Authorities In Support of Petition for Writ of Habeas Corpus (Post-Conviction)</i> <i>Amended Only to Repaginate and Add Missing Text to Page 5</i>
08/28/2012	 Order for Production of Inmate <i>Order for Production of Inmate, Jemar Matthews, aka Jemar Demon Matthews, BAC #1014654</i>
08/31/2012	 Order for Production of Inmate <i>Order for Production of Inmate Jemar Matthews, Bac # 1014654</i>
09/10/2012	 Response <i>State's Response To Defendant's Supplemental Points And Authorities In Support Of Petition For Writ Of Habeas Corpus</i>
09/24/2012	 Reply Filed by: Defendant Matthews, Jemar <i>Reply to State's Response to Defendant's Supplemental Points and Authorities in Support of Petition for Writ of Habeas Corpus (Post-Conviction)</i>
11/05/2012	 Motion Filed By: Defendant Matthews, Jemar <i>Motion to Place on Calendar</i>
11/06/2012	 Certificate of Service by Facsimile Filed by: Defendant Matthews, Jemar <i>Certificate of Facsimile Transmission</i>
11/13/2012	 Finding of Fact and Conclusions of Law <i>Findings of Fact, Conclusions of Law and Order</i>
11/20/2012	 Notice of Entry Filed By: Plaintiff State of Nevada

CASE SUMMARY

CASE NO. 06C228460-2

Notice of Entry of Findings of Fact, Conclusions of Law and Order

12/04/2012	 Notice of Appeal (criminal) Party: Defendant Matthews, Jemar
12/05/2012	 Case Appeal Statement Filed By: Defendant Matthews, Jemar <i>Case Appeal Statement</i>
12/07/2012	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion For Appointment Of Appellant Counsel</i>
01/15/2013	 Opposition <i>State's Opposition To Defendant's Pro Per Motion To Appoint Counsel</i>
01/17/2013	 Notice Filed By: Plaintiff State of Nevada <i>Notice Of Confirmation Of Counsel</i>
02/12/2013	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Investigative Fees</i>
02/12/2014	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
06/23/2014	 Petition for Writ of Habeas Corpus Filed by: Defendant Matthews, Jemar <i>Petition for Writ of Habeas Corpus (Post Conviction)</i>
06/23/2014	 Memorandum Filed By: Defendant Matthews, Jemar <i>Memorandum In Support for (Post Conviction Habeas Corpus)</i>
06/26/2014	 Order for Petition for Writ of Habeas Corpus
08/04/2014	 Response Filed by: Plaintiff State of Nevada <i>State's Response And Motion To Dismiss Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)</i>
10/02/2014	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
10/06/2014	 Notice of Entry Filed By: Plaintiff State of Nevada <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
11/06/2014	 Notice of Appeal (criminal) Party: Defendant Matthews, Jemar <i>Notice of Appeal</i>
01/05/2015	Case Reassigned to Department 19

CASE SUMMARY

CASE NO. 06C228460-2

District Court Case Reassignment 2015

05/30/2017	 Notice Filed By: Plaintiff State of Nevada <i>Notice to Place on Calendar</i>
06/02/2017	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate - Jemar Matthews, aka Jemar Demon Matthews, BAC #1014654</i>
06/19/2017	 Notice of Appearance Party: Defendant Matthews, Jemar <i>NOTICE OF APPEARANCE</i>
07/01/2017	Case Reassigned to Department 3 <i>Homicide Case Reassignment to Judge Douglas W. Herndon</i>
08/22/2017	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>
09/15/2017	 Amended Information <i>Amended Information</i>
02/12/2018	 Notice of Witnesses and/or Expert Witnesses <i>State's Notice of Witnesses and/or Expert Witnesses</i>
03/21/2018	 Motion for Order Filed By: Defendant Matthews, Jemar <i>Defendant's Motion for Order to Produce Records from (1) Division of Child and Family Services and (2) Family Courts and Services Center and/or Clark County District Court Family Division</i>
04/10/2018	 Order Filed By: Defendant Matthews, Jemar <i>ORDER TO PRODUCE (1) DIVISION OF CHILD AND FAMILY SERVICES AND (2) FAMILY COURTS AND SERVICES CENTER AND/OR CLARK COUNTY DISTRICT COURT FAMILY DIVISION RECORDS</i>
04/10/2018	 Notice of Entry Filed By: Defendant Matthews, Jemar <i>Notice of Entry of Order</i>
07/02/2018	Case Reassigned to Department 12 <i>Reassigned From Judge Johnson - Dept 20</i>
07/13/2018	 Notice of Witnesses and/or Expert Witnesses <i>State's Amended Notice of Witnesses and/or Expert Witnesses</i>
07/19/2018	 Notice of Witnesses and/or Expert Witnesses Filed By: Defendant Matthews, Jemar <i>Notice of Witnesses and/or Expert Witnesses</i>
07/25/2018	 Receipt of Copy <i>Receipt of Copy</i>
08/06/2018	 Supplemental Witness List

CASE SUMMARY


CASE NO. 06C228460-2


State's Supplemental Amended Notice of Witnesses and/or Expert Witnesses


08/08/2018	 Receipt of Copy <i>Receipt of Copy</i>
08/24/2018	 Supplemental Witness List Filed by: Defendant Matthews, Jemar <i>Defense Supplemental Witness List Under [NRS 174.234(1) and 174.234(2)]</i>
08/24/2018	 Notice of Motion Filed By: Plaintiff State of Nevada <i>State's Notice of Motion and Motion to Admit Transcript of Prior Jury Trial Testimony of LVMPD Forensic Scientist James Krylo</i>
09/07/2018	 Notice of Motion <i>Notice of Motion and Motion to Admit Transcript of Prior Trial Testimony of Victim Myniece Cook</i>
09/18/2018	 Order <i>Order To Remand Defendant To The Custody Of the Clark County Detention Center</i>
09/18/2018	 Supplemental Witness List Filed by: Defendant Matthews, Jemar <i>Defense Second Supplemental Witness List Under [NRS 174.234(1) and 174.234(2)]</i>
09/25/2018	 Jury List
09/26/2018	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>
09/27/2018	 Order for Production of Inmate <i>Order for Production of Inmate</i>
09/28/2018	 Supplemental Witness List Filed by: Defendant Matthews, Jemar <i>Defense Third Supplemental Witness List Under [NRS 174.234(1) and 174.234(2)]</i>
10/02/2018	 Amended Jury List
10/02/2018	 Instructions to the Jury
10/03/2018	 Verdict
10/03/2018	 Stipulation <i>Stipulation and Waiver of Penalty Hearing</i>
10/10/2018	 Order <i>Order for Transcript</i>
10/29/2018	 Recorders Transcript of Hearing <i>Recorder's Partial Transcript of Proceedings: Jury Trial - Day 3, Testimony of Amy Nemick Only, Wednesday, September 26, 2018</i>


CASE SUMMARY


CASE NO. 06C228460-2


11/16/2018  PSI - Supplemental PSI

12/04/2018  Memorandum
Filed By: Defendant Matthews, Jemar
Defendant Jemar Matthews Sentencing Memorandum

12/07/2018  Judgment of Conviction
Judgment of Conviction (Jury Trial)

12/07/2018  Criminal Order to Statistically Close Case
Criminal Order to Statistically Close Case

12/19/2018  Notice of Appeal (criminal)
Party: Defendant Matthews, Jemar
Notice of Appeal

12/19/2018  Case Appeal Statement
Filed By: Defendant Matthews, Jemar
Case Appeal Statement

DISPOSITIONS

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
1. CONSPIRACY TO COMMIT MURDER
Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)
6. POSSESSION OF SHORT BARRELED RIFLE
Guilty
PCN: Sequence:

01/01/1900 **Plea** (Judicial Officer: User, Conversion)

CASE SUMMARY

CASE NO. 06C228460-2

	7. CONSPIRACY TO COMMIT ROBBERY Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 8. ROBBERY WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 9. ROBBERY Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 10. ASSAULT WITH A DEADLY WEAPON Guilty PCN: Sequence:
01/01/1900	Plea (Judicial Officer: User, Conversion) 11. ASSAULT WITH A DEADLY WEAPON Guilty PCN: Sequence:
07/09/2007	Disposition (Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT MURDER Guilty PCN: Sequence:
07/09/2007	Disposition (Judicial Officer: User, Conversion)
07/09/2007	Disposition (Judicial Officer: User, Conversion) 2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
07/09/2007	Disposition (Judicial Officer: User, Conversion)
07/09/2007	Disposition (Judicial Officer: User, Conversion) 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
07/09/2007	Disposition (Judicial Officer: User, Conversion)
07/09/2007	Disposition (Judicial Officer: User, Conversion) 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
07/09/2007	Disposition (Judicial Officer: User, Conversion)

CASE SUMMARY

CASE NO. 06C228460-2

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)
 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
 Guilty
 PCN: Sequence:

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)
 6. POSSESSION OF SHORT BARRELED RIFLE
 Guilty
 PCN: Sequence:

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)
 7. CONSPIRACY TO COMMIT ROBBERY
 Guilty
 PCN: Sequence:

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)
 8. ROBBERY WITH USE OF A DEADLY WEAPON
 Guilty
 PCN: Sequence:

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)
 9. ROBBERY WITH USE OF A DEADLY WEAPON
 Guilty
 PCN: Sequence:

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)
 10. ASSAULT WITH A DEADLY WEAPON
 Guilty
 PCN: Sequence:

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)
 11. ASSAULT WITH A DEADLY WEAPON
 Guilty
 PCN: Sequence:

07/09/2007 **Disposition** (Judicial Officer: User, Conversion)

07/09/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
 1. CONSPIRACY TO COMMIT MURDER
 01/01/1900 (F) 200.010 (DC50038)
 PCN: Sequence:

CASE SUMMARY

CASE NO. 06C228460-2

Converted Disposition:

Sentence# 0001:
Minimum 26 Months to Maximum 120 Months
Placement: NSP

Converted Disposition:

Sentence# 0002: CREDIT FOR TIME SERVED
Minimum 300 Days to Maximum 300 Days

Converted Disposition:

Sentence# 0003: DNA FEE/GENETIC MARKERS ANALYSIS
Amount: \$150.00

Converted Disposition:

Sentence# 0004: ADMINISTRATION FEE
Amount: \$25.00

07/09/2007

Adult Adjudication (Judicial Officer: User, Conversion)

2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.030.1 (DC50006)
PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0001
and Sentence#: 0001

Converted Disposition:

Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE
Cons/Conc: Consecutive
w/Charge Item: 0001
and Sentence#: 0001

07/09/2007

Adult Adjudication (Judicial Officer: User, Conversion)

3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.010 (DC50031)
PCN: Sequence:

Converted Disposition:

Sentence# 0001:
Minimum 48 Months to Maximum 240 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0005
and Sentence#: 0001

Converted Disposition:

Sentence# 0002:
Minimum 48 Months to Maximum 240 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0007
and Sentence#: 0001

07/09/2007

Adult Adjudication (Judicial Officer: User, Conversion)

4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.010 (DC50031)
PCN: Sequence:

Converted Disposition:

Sentence# 0001:
Minimum 48 Months to Maximum 240 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0007
and Sentence#: 0001

Converted Disposition:

Sentence# 0002:

CASE SUMMARY

CASE NO. 06C228460-2

Minimum 48 Months to Maximum 240 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0011
and Sentence#: 0001

07/09/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.010 (DC50031)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 48 Months to Maximum 240 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0011
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 48 Months to Maximum 240 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0015
and Sentence#: 0001

07/09/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
6. POSSESSION OF SHORT BARRELED RIFLE
01/01/1900 (F) 202.275 (DC51435)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 12 Months to Maximum 48 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0015
and Sentence#: 0001

07/09/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
7. CONSPIRACY TO COMMIT ROBBERY
01/01/1900 (F) 200.380 (DC50147)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 12 Months to Maximum 72 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0019
and Sentence#: 0001
Converted Disposition:
Sentence# 0002:
Minimum 12 Months to Maximum 72 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0020
and Sentence#: 0001

07/09/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
8. ROBBERY WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.380 (DC50138)
PCN: Sequence:

CASE SUMMARY

CASE NO. 06C228460-2

Converted Disposition:
Sentence# 0001:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0020
and Sentence#: 0001

Converted Disposition:
Sentence# 0002:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0022
and Sentence#: 0001

07/09/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
9. ROBBERY WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.380 (DC50138)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0022
and Sentence#: 0001

Converted Disposition:
Sentence# 0002:
Minimum 40 Months to Maximum 180 Months
Placement: NSP
Cons/Conc: Consecutive
w/Charge Item: 0024
and Sentence#: 0001

07/09/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
10. ASSAULT WITH A DEADLY WEAPON
01/01/1900 (F) 200.471.2b (DC50201)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 16 Months to Maximum 72 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0024
and Sentence#: 0001

07/09/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
11. ASSAULT WITH A DEADLY WEAPON
01/01/1900 (F) 200.471.2b (DC50201)
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 16 Months to Maximum 72 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0026
and Sentence#: 0001

03/31/2017 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded
1. CONSPIRACY TO COMMIT MURDER
Appeal Reversed/Remanded

CASE SUMMARY

CASE NO. 06C228460-2

PCN: Sequence:

03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>6. POSSESSION OF SHORT BARRELED RIFLE</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>7. CONSPIRACY TO COMMIT ROBBERY</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>8. ROBBERY WITH USE OF A DEADLY WEAPON</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>9. ROBBERY WITH USE OF A DEADLY WEAPON</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>10. ASSAULT WITH A DEADLY WEAPON</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>
03/31/2017	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded</p> <p>11. ASSAULT WITH A DEADLY WEAPON</p> <p>Appeal Reversed/Remanded</p> <p>PCN: Sequence:</p>

CASE SUMMARY**CASE NO. 06C228460-2**

03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 1. CONSPIRACY TO COMMIT MURDER 01/01/1900 (F) 200.010 (DC50038) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.030.1 (DC50006) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010 (DC50031) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010 (DC50031) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010 (DC50031) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 6. POSSESSION OF SHORT BARRELED RIFLE 01/01/1900 (F) 202.275 (DC51435) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 7. CONSPIRACY TO COMMIT ROBBERY 01/01/1900 (F) 200.380 (DC50147) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 8. ROBBERY WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.380 (DC50138) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 9. ROBBERY WITH USE OF A DEADLY WEAPON

CASE SUMMARY**CASE NO. 06C228460-2**

	01/01/1900 (F) 200.380 (DC50138) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 10. ASSAULT WITH A DEADLY WEAPON 01/01/1900 (F) 200.471.2b (DC50201) PCN: Sequence:
03/31/2017	Amended Supreme Court Reversal/Remand (Judicial Officer: User, Conversion) Reason: Appeal Reversed/Remanded 11. ASSAULT WITH A DEADLY WEAPON 01/01/1900 (F) 200.471.2b (DC50201) PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 1. CONSPIRACY TO COMMIT MURDER Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 2. MURDER WITH USE OF A DEADLY WEAPON Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 6. POSSESSION OF SHORT BARRELED RIFLE Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 7. CONSPIRACY TO COMMIT ROBBERY Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated

CASE SUMMARY

CASE NO. 06C228460-2

	8. ROBBERY WITH USE OF A DEADLY WEAPON Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 9. ROBBERY WITH USE OF A DEADLY WEAPON Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 10. ASSAULT WITH A DEADLY WEAPON Charge Reinstated PCN: Sequence:
09/15/2017	Amended Disposition (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 11. ASSAULT WITH A DEADLY WEAPON Charge Reinstated PCN: Sequence:
09/15/2017	Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 1. CONSPIRACY TO COMMIT MURDER 01/01/1900 (F) 200.010 (DC50038) PCN: Sequence:
09/15/2017	Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.030.1 (DC50006) PCN: Sequence:
09/15/2017	Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010 (DC50031) PCN: Sequence:
09/15/2017	Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010 (DC50031) PCN: Sequence:
09/15/2017	Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010 (DC50031) PCN: Sequence:
09/15/2017	Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 6. POSSESSION OF SHORT BARRELED RIFLE 01/01/1900 (F) 202.275 (DC51435) PCN: Sequence:
09/15/2017	Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated

CASE SUMMARY**CASE No. 06C228460-2**

	<p>7. CONSPIRACY TO COMMIT ROBBERY 01/01/1900 (F) 200.380 (DC50147) PCN: Sequence:</p> <hr/>
09/15/2017	<p>Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 8. ROBBERY WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.380 (DC50138) PCN: Sequence:</p> <hr/>
09/15/2017	<p>Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 9. ROBBERY WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.380 (DC50138) PCN: Sequence:</p> <hr/>
09/15/2017	<p>Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 10. ASSAULT WITH A DEADLY WEAPON 01/01/1900 (F) 200.471.2b (DC50201) PCN: Sequence:</p> <hr/>
09/15/2017	<p>Amended Adjudication Withdrawn (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 11. ASSAULT WITH A DEADLY WEAPON 01/01/1900 (F) 200.471.2b (DC50201) PCN: Sequence:</p> <hr/>
10/03/2018	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 1. CONSPIRACY TO COMMIT MURDER Guilty PCN: Sequence:</p>
10/03/2018	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:</p>
10/03/2018	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:</p>
10/03/2018	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:</p>
10/03/2018	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:</p>
10/03/2018	<p>Amended Disposition (Judicial Officer: User, Conversion) Reason: Amended 6. POSSESSION OF SHORT BARRELED RIFLE</p>

CASE SUMMARY**CASE NO. 06C228460-2**

Guilty
PCN: Sequence:

10/03/2018 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Amended
7. CONSPIRACY TO COMMIT ROBBERY

Guilty
PCN: Sequence:

10/03/2018 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Amended
8. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty
PCN: Sequence:

10/03/2018 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Amended
9. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty
PCN: Sequence:

10/03/2018 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Amended
10. ASSAULT WITH A DEADLY WEAPON

Guilty
PCN: Sequence:

10/03/2018 **Amended Disposition** (Judicial Officer: User, Conversion) Reason: Amended
11. ASSAULT WITH A DEADLY WEAPON

Guilty
PCN: Sequence:

12/05/2018 **Amended Adult Adjudication** (Judicial Officer: User, Conversion) Reason: Amended
1. CONSPIRACY TO COMMIT MURDER

01/01/1900 (F) 200.010 (DC50038)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:26 Months, Maximum:120 Months

12/05/2018 **Amended Adult Adjudication** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated

2. 1ST DEGREE MURDER WITH USE OF A DEADLY WEAPON

01/01/1900 (F) 200.030.1 (DC50006)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Life with the possibility of parole after:20 Years

Consecutive Enhancement:for use of the deadly weapon, Life with the possibility of parole after:20 Years

Concurrent: Charge 1

12/05/2018 **Amended Adult Adjudication** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated

3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

01/01/1900 (F) 200.010 (DC50031)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:48 Months, Maximum:240 Months

Consecutive Enhancement:for use of the deadly weapon, Minimum:48 Months, Maximum:240 Months

Concurrent: Charge 2

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12/05/2018	Amended Adult Adjudication (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010 (DC50031) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:48 Months, Maximum:240 Months Consecutive Enhancement:for use of the deadly weapon, Minimum:48 Months, Maximum:240 Months Concurrent: Charge 3
12/05/2018	Amended Adult Adjudication (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.010 (DC50031) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:48 Months, Maximum:240 Months Consecutive Enhancement:for use of the deadly weapon, Minimum:48 Months, Maximum:240 Months Concurrent: Charge 4
12/05/2018	Amended Adult Adjudication (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 6. POSSESSION OF SHORT BARRELED RIFLE 01/01/1900 (F) 202.275 (DC51435) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:48 Months Concurrent: Charge 5
12/05/2018	Amended Adult Adjudication (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 7. CONSPIRACY TO COMMIT ROBBERY 01/01/1900 (F) 200.380 (DC50147) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:72 Months Concurrent: Charge 6
12/05/2018	Amended Adult Adjudication (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 8. ROBBERY WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.380 (DC50138) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:40 Months, Maximum:180 Months Consecutive Enhancement:for use of the deadly weapon, Minimum:40 Months, Maximum:180 Months Concurrent: Charge 7
12/05/2018	Amended Adult Adjudication (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 9. ROBBERY WITH USE OF A DEADLY WEAPON 01/01/1900 (F) 200.380 (DC50138) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:40 Months, Maximum:180 Months Consecutive Enhancement:for use of the deadly weapon, Minimum:40 Months, Maximum:180 Months Concurrent: Charge 8
12/05/2018	Amended Adult Adjudication (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated 10. ASSAULT WITH A DEADLY WEAPON 01/01/1900 (F) 200.471.2b (DC50201) PCN: Sequence:

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Sentenced to Nevada Dept. of Corrections
 Term: Minimum:16 Months, Maximum:72 Months
 Concurrent: Charge 9

12/05/2018 **Amended Adult Adjudication** (Judicial Officer: User, Conversion) Reason: Charge(s) Reinstated
 11. ASSAULT WITH A DEADLY WEAPON
 01/01/1900 (F) 200.471.2b (DC50201)
 PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
 Term: Minimum:16 Months, Maximum:72 Months
 Concurrent: Charge 10
 Credit for Time Served: 4450 Days
 Comments: All Counts to run CONCURRENT to COUNT 2

Fee Totals:

Administrative Assessment Fee	25.00
\$25 DNA Analysis Fee	150.00
\$150 Genetic Marker Analysis AA Fee	3.00
\$3	
Fee Totals \$	178.00

HEARINGS

12/11/2006 **Initial Arraignment** (10:30 AM)
 Events: 12/04/2006 Hearing
INITIAL ARRAIGNMENT Court Clerk: Sandra Anderson Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams

MINUTES

Hearing

INITIAL ARRAIGNMENT

Matter Heard; INITIAL ARRAIGNMENT Court Clerk: Sandra Anderson Relief Clerk: Phyllis Irby/pi
 Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams

Journal Entry Details:

AS TO DEFT. JOSH LIN: DEFT. JOSH LIN ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial. AS TO DEFT. MATTHEWS: DEFT. MATTHEWS ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial. CUSTODY (BOTH) 2-07-07 9:00 AM CALENDAR CALL (DEPT. XVIII)(BOTH) 2-12-07 1:30 PM JURY TRIAL (DEPT. XVIII) (BOTH) ;

02/07/2007 **Calendar Call** (9:00 AM)
CALENDAR CALL Court Clerk: Katherine Streuber Reporter/Recorder: Richard Kangas Heard By: Elizabeth Halverson

MINUTES

Matter Heard; CALENDAR CALL Court Clerk: Katherine Streuber Reporter/Recorder: Richard Kangas Heard By: Elizabeth Halverson

Journal Entry Details:

Ms. Lewis advised they had not received Preliminary Hearing transcript and requested a continuance of trial. COURT ORDERED, trial date VACATED and RESET. CUSTODY (BOTH) 05-02-07 8:30 AM CALENDAR CALL (BOTH) 05-07-07 10:30 AM TRIAL BY JURY (BOTH) ;

02/12/2007 **CANCELED Jury Trial** (1:30 PM)
Vacated

04/11/2007 **Calendar Call** (8:30 AM)
CALENDAR CALL Heard By: Elizabeth Halverson

04/11/2007 **Motion to Compel** (8:30 AM)
STATE'S MTN TO COMPEL BUCCAL SWABS /6 Heard By: Elizabeth Halverson

CASE SUMMARY

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04/16/2007	<p>Motion to Compel (8:30 AM) <i>STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Richard Kangas Heard By: Halverson, Elizabeth</i> Matter Continued; STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Richard Kangas Heard By: Halverson, Elizabeth Journal Entry Details: <i>Mr. Figler advised Mr. Singer is supposed to be Mr. Joshlin's counsel of record, however, counsel advised Mr. Singer informed him he withdrew from this matter. Court noted and stated no order has been submitted. Mr. Figler further made representation as to there being a PD conflict if appointed. Deft. Matthews made representation and Mr. Figler stated he still needs a copy of the preliminary transcript. There being no appearance by Mr. Singer, COURT ORDERED, matter CONTINUED for Mr. Singer to appear; Motion and Trial STAND. CUSTODY (BOTH) ;</i></p>
04/18/2007	<p>Motion to Compel (8:30 AM) <i>STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Denise Lopez Heard By: Halverson, Elizabeth</i> Matter Continued; STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Denise Lopez Heard By: Halverson, Elizabeth Journal Entry Details: <i>Mr. Singer advised he has been in contact with the Public Defender's office and the deft's family and was advised deft. and his family want the matter to be reassigned to PD's office as there is no conflict. Further, counsel stated Mr. Reed was on the matter and have discovery. Mr. Imlay stated he was advised there was a conflict with the PD's office because of a witness and stated he will request Mr. Reed appear next date to advise Court of conflict. Mr. Figler stated there are some genetic materials recovered that can be connected to Mr. Joshlin and there is a red knit glove found in the pathway of the person who fled. There was no genetic material found on this glove. State opposed and stated the glove has been tested and DNA was found. State lodged with Court a report as to the DNA genetic material found on the glove. Following arguments, COURT ORDERED, matter CONTINUED and Mr. Reed to APPEAR next date. COURT FURTHER ORDERED, Motion STAYED and Trial STANDS. FURTHER, COURT ADMONISHED, Mr. Figler to get expedited transcript as to preliminary hearing to Court IMMEDIATELY. CUSTODY (BOTH) ;</i></p>
04/20/2007	<p>Motion to Compel (8:30 AM) <i>STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Pamela Humphrey Heard By: Elizabeth Halverson</i> Matter Continued; STATE'S MTN TO COMPEL BUCCAL SWABS /6 Court Clerk: Pamela Humphrey Reporter/Recorder: Pamela Humphrey Heard By: Elizabeth Halverson Journal Entry Details: <i>APPEARANCES CONTINUED: Norman Reed, Clark County Homicide Team, also present. Mr. Reed advised the Court his office checked and learned there is a conflict and, therefore, can't take this case. COURT SO NOTED, and ORDERED, Mr. Singer APPOINTED. Mr. Figler argued as to the buccal swabs stating any testing done on the red glove should be limited. Mr. Figler further stated the results of the testing will be entered into a data base which will be used to search for other crime matches. Mr. Figler stated if State finds other crimes, counsel doesn't want other crimes brought into this case and that the search should be limited to determining the DNA profile as to the red glove. Ms. Lewis argued the type of testing that will be done is standard and the results of the testing has to be entered into the database accordingly. Further, Ms. Lewis noted the red glove have DNA profile and State is trying to see if it matches the deft. Mr. Figler stated deft. wants the transcripts and want 21 days to file writ and to invoke speedy trial. Following arguments, COURT ORDERED, Motion GRANTED and if results are entered into database, NO EVIDENCE from other crimes can be brought into this case, and TRIAL STANDS. ;</i></p>
05/02/2007	<p>Calendar Call (8:30 AM) <i>CALENDAR CALL Heard By: David Barker</i></p>
05/02/2007	<p>Calendar Call (8:30 AM) <i>CALENDAR CALL Heard By: David Barker</i></p>
05/02/2007	<p>Calendar Call (8:30 AM) <i>CALENDAR CALL CONTINUED Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i> Matter Continued; CALENDAR CALL CONTINUED Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David Journal Entry Details: <i>CALENDAR CALL: JOSLIN & MATTHEWS Both Mr. Singer and Mr. Figler stated they were prepared to start trial on 5/7/07 and want to go forward. Ms. Lewis stated that on 4/20/07 Judge Halverson Granted the State's Motion To Compel Buccal Swabs. She had submitted the Order to Judge Halverson, but, has not yet received the signed Order. She inquired if this Court will sign a new Order for preparation of the buccal swab, because this evidence is of an</i></p>

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urgent matter and the results could take up to a couple of weeks. COURT SIGNED the State's Order, it was conformed and FILED IN OPEN COURT. COURT NOTED this case is eighteen months old, both Defts are in custody, and both have Invoked, so this case has a priority trial status. Mr. Figler stated he thinks that both defense counsel may be able to "work out some type of stipulation" with Ms. Lewis. COURT ORDERED, CALENDAR CALL CONTINUED to Friday. All counsel acknowledged they will be present at that time. CUSTODY (BOTH) CONTINUED TO 5/4/07 8:30 A.M. ;

05/04/2007 **Calendar Call (8:30 AM)**

CALENDAR CALL CONTINUED Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

Matter Heard; CALENDAR CALL CONTINUED Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

COURT ADVISED that jury selection will begin at 1:00 PM on Monday, May 7, 2007. Both parties confirmed they expected the trial to complete in five days, and, there may not be a penalty phase, that is still being discussed. Ms. Lewis noted the State has twenty witnesses with one from Texas. Mr. Figler moved to strike any expert witnesses disclosed within twenty-one days of this trial. Arguments ensued by Ms. Lewis and Mr. Figler; Ms. Lewis reiterated that she could not disclose the experts until she did because of continuances delays by Defense for the buccal swabs. She also noted she had filed the State's Notice of Witnesses on 4/25/07 and the Supplemental Notice of Witnesses filed on 5/2/07. Ms. Lewis reiterated that she needed the buccal swabs before the DNA testing could be performed and the DNA expert is coming in on Saturday to share the results. COURT STATED that issue of late disclosure of witnesses will be determined on a case-by-case basis at trial. Mr. Figler renewed his argument that the DNA evidence is too late. COURT STATED it agrees with the State that the evidence can come in, but, ORDERED, it may not come in during the State's Case-In-Chief, it was not properly noticed. Ms. Lewis stated she may need a couple of extra days before trial start so the Report can be prepared. She also requested any Motions in Limine to be submitted in writing, so as not to discuss the issues during trial. COURT STATED it will not limit Defendants. COURT ORDERED, trial to go forward as scheduled on Monday with a 1:00 P.M. start. Mr. Figler noted that this case was transferred from Dept XXIII to this Department, but, Defense never received a formal findings or reasons why the case was transferred from one to the other. He also noted that this Judge was employed by the District Attorney's Office and he respectfully requests this Judge if he knows of any conflicts to disclose. COURT ADVISED that it reviewed every criminal file and has been recusing if there is a possible conflict. COURT STATED there is no potential conflict and this Court has no memory of this case, it was never on his "track". COURT ADVISED that Judge Bell is willing to try this case if counsel have any doubt as to potential conflicts. Mr. Figler stated he just wanted to make a record. COURT INQUIRED if either counsel had any information that this Judge was conferred in this case. Ms. Lewis interjected that she has been directly assigned this case and that the only one to help her was Mr. Bateman, and when this case was reassigned, and this Judge was never involved in this case. COURT DIRECTED counsel to advise the Court if they wanted to send this trial to Overflow, Judge Bell. Mr. Figler stated he will do so. COURT REITERATED, TRIAL BEGINS Monday, 5/7/07 at 1:00 P.M. CUSTODY (BOTH) ;

05/07/2007 **Jury Trial (1:00 PM)**

TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
Matter Continued; TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David

Journal Entry Details:

TRIAL CONVENED before Jury Panel was seated. Ms. Lewis stated that the Information should include Deft Jemar Matthews' name on page 1, Line 21, but, due to a clerical error it was not included. COURT ORDERED the INFORMATION INTERLINEATED to insert Jemar Matthews and the AMENDED INFORMATION was FILED IN OPEN COURT. COURT NOTED there appeared to be issues re witnesses. Ms. Lewis explained that three or four names have been added to the State's Witnesses and Mr. Figler was given the names. Mr. Figler objected to any DNA evidence based on Notice requirements; no reports were submitted to Defense. Mr. Bateman noted the buccal swabs were tested and the State wants to include that information. COURT EXPRESSED concern re the Brady issue. Mr. Figler argued that any exculpatory evidence must be turned over by the State and inquired if there was a formalized document regarding the Offer of Proof if it were to be admissible. No ruling yet made by the Court. COURT INQUIRED of Mr. Figler about his concern that this Judge was with the District Attorney's Office prior to being appointed to the Bench and any possibility of conflict. Mr. Figler noted that Defense only received notice of the case transfer from Dept XXIII to this Department on the Friday prior to Calendar Call, and, there was no explanation given as to why Judge Halverson was not still on this case. He also stated that since he had an initial concern that this Judge was with the District Attorney's he made an Oral Motion for this Court to reveal any conflicts and a record made that this Court was not involved with this case. Mr. Figler stated that this Court has satisfied the requirements by Defense and there is no conflict; Defense is ready to proceed to trial. COURT REITERATED that it has no memory or knowledge of this case. Mr. Bateman interjected that all of Judge Halverson's criminal cases were transferred to this Court, not just this case. COURT STATED that neither the location for the trial, nor the schedule is yet firm, but, counsel will be apprised on a day-to-day basis. Discussion held regarding jury selection and alternates. COURT ADVISED that the SECRET ALTERNATES will be seated in Seat 13 & 14. COURT ALSO ORDERED, re the Peremptory Challenges for Alternates, the State will be allowed one challenge and the Defense will be allowed two between them. Discussion held regarding potential penalty phase. Ms. Lewis stated that the State will waive the penalty

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phase and the Court may sentence Deft. Mr. Figler and Mr. Singer both stated they will also waive the penalty phase of the trial. Mr. Figler requested that the State does not disclose statements as to gunshot discharging too soon. COURT ORDERED, that issue must wait for proper foundation. JURY PANEL SEATED AT 2:00 P.M., the first fourteen members being seated in the jury box. COURT PRESENTED opening remarks and made introductions of the court staff and all counsel. Introductions made by Mr. Bateman, Mr. Figler, and Mr. Singer. ROLL CALL conducted by the Clerk. Following additional remarks by the Court, Jury Panel was administered the voir dire oath. General voir dire conducted by the Court with the COURT THANKING and EXCUSING Jury Panel members for cause. Individual panel members were further voir dired by counsel. Peremptory Challenges were conducted. COURT THANKED and EXCUSED additional Panel members for cause during the Challenges. OUTSIDE PRESENCE OF JURORS: Stipulation and Order regarding the Penalty Hearing, FILED IN OPEN COURT. PANEL SEATED, all present per stipulation of counsel. Peremptory challenges concluded. COURT THANKED and EXCUSED those Panel Members not selected as final Jurors. FOURTEEN JURORS WERE PLACED UNDER OATH and SEATED. COURT ADMONISHED JURORS and ORDERED them RECESSED until 10:00 A.M. tomorrow. There being nothing to come before the Court at this time, COURT ORDERED, EVENING RECESS; TRIAL CONTINUED TO 10:00 A.M. on 5/8/07. CUSTODY;

05/08/2007 **Jury Trial (10:00 AM)**

TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
 Matter Continued; TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
 Journal Entry Details:

JURY TRIAL - DAY 2 OUTSIDE PRESENCE OF JURY: Both Mr. Singer and Mr. Figler mentioned that members of the jury had spoken to them outside the courtroom, and, although counsel told them they weren't allowed to speak to them, they suggested the Court give jurors the admonishment re conversations with officers of the Court. COURT STATED it will do so again this morning. All parties agreed that there was no other resolutions needed. FILED IN OPEN COURT: Deft Jamar Matthews, BENCH BRIEF. Court REVIEWED and inquired if Mr. Figler were raising Motions in Limine at this late time? He responded that he is reiterating past issues of concern. Mr. Bateman confirmed the State will "do our best to avoid any references to gangs." Mr. Figler again raised the question of foundation for the gunshot residue test and argued that no discovery has been presented by the State per date and cited "notice violation." Ms. Lewis argued that the State is not required to provide discovery re an impound report and noted she had given Defense the names of every single person who will testify. However, when questioned who will testify as to the gunshot residue, she stated she was not sure, but, thought his name was Mr. McPhail. COURT DIRECTED Ms. Lewis to give a copy of any reports to Defense and ORDERED that Mr. McPhail is to be made available to Defense before he takes the stand to testify. Mr. Figler reiterated that he evidence was tested without a report and without impounding it, and, Mr. McPhail does not show up on the Pltf's Witness List. He also reiterated that the Notice was faxed to his office yesterday at 11:24 A.M. COURT STATED IT WILL RESERVE RULING on foundation, it goes to weight of admissibility and is okay for Pltf to use in their Opening. Ms. Lewis confirmed that Mr. McPhail was not referred to in other reports. Mr. Figler renewed his objection, citing a Discovery Rule Violation, further testing needs to be done before admission, there is no time frame, there is a transference issue re the gunshot residue, there is an absence of reports, and it is prejudicial to Defense. Plaintiff should not be allowed to reference the gunshot residue test in their opening. Ms. Lewis argued that the Pltf is now required to provide a report. COURT ORDERED, Plaintiff allowed to proceed with foundation, and is to provide to Deft any exhibits for examination. Mr. Figler cited "notice violation". COURT STATED there is sufficient information and notice for Deft to proceed. Mr. Singer stated he joins in Mr. Figler's objection. Mr. Figler inquired of Ms. Lewis if that was all the added witnesses; Ms. Lewis responded, yes. JURORS SEATED AT 10:27 A.M. and all counsel stipulated to presence of all. COURT PRESENTED comments and admonishment to Jurors and the Information was read by the Clerk. COURT ADVISED JURORS re evidence and directed them as to any Juror questions. During the Opening Statements made by Ms. Lewis, objections were raised by either Mr. Figler or Mr. Singer. COURT ORDERED, OBJECTIONS OVER-RULED. Mr. Figler presented his opening statement, followed by Mr. Singer. State's first witness called forth, was sworn, and testified; exhibits presented. (Please see Witness List and Exhibit Lists.) OUTSIDE PRESENCE OF JURORS a record was made of Defense's objections to photo(s) shown during the State's opening remarks. Mr. Figler stated the photos were prejudicial; Mr. Singer noted his client was shown in "shackles" and that Ms. Lewis misrepresented the charges. COURT STATED that Defense can raise those questions during closing arguments. Ms. Lewis stated there was no purposeful design, she only showed the photo because that's the only one available. Following a brief recess, Mr. Figler noted that he has the Report and Declaration now. COURT SO NOTED. JURORS SEATED, all present per stipulation of all counsel. Bench Conference held, wherein the Bailiff advised the Court that Juror #13's Juror Notebook could not be found after lunch. Another was provided temporarily. Later it was returned to Juror, the COURT EXPLAINED that during the lunch recess there was a meeting in the courtroom and one of the attendees had inadvertently picked it up and carried it off with him/her. Jurors confirmed everything in the notebook was as it was before. State continued with additional witnesses and exhibits. Witnesses identified Deft(s) at various times during testimonies. Mr. Figler and Mr. Singer noted for the record that the witnesses identified the Defendants who were sitting next to their counsel during the trial. COURT ORDERED, JURORS RECESSED at 5:14 P.M. and TRIAL NOTED TO CONTINUE TOMORROW at 10:30 A.M. in Courtroom 15-B. OUTSIDE JURORS: COURT DIRECTED counsel to confer about Jury Instructions so they can be addressed. Counsel so confirmed. Mr. Figler noted that one of the jurors, #2, was nodding off during trial. Mr. Figler made an Oral Motion for Mistrial because Mr. Bateman's reference to Deft's "SCOPE" and that it was waived before the face of a witness as though an official document, and a witness could have seen it. He also stated that no

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cautionary instruction can remedy that. Mr. Bateman argued that "we can all have a SCOPE" and that it was not prejudicial. COURT ORDERED, UNDER ADVISEMENT, a ruling will be made tomorrow on this issue. COURT ORDERED, EVENING RECESS. ;

05/09/2007 **Jury Trial (9:30 AM)**

TRIAL BY JURY Relief Clerk: Chanel West (1:05PM -2:05PM) Reporter/Recorder: Richard Kangas/Francesca Haak
 Heard By: Barker, David

Matter Continued; TRIAL BY JURY Relief Clerk: Chanel West (1:05PM -2:05PM) Reporter/Recorder: Richard
 Kangas/Francesca Haak Heard By: Barker, David

Journal Entry Details:

DAY 3 OF TRIAL TRIAL RECONVENED, OUTSIDE PRESENCE OF JURORS. COURT ADDRESSED the Defts' Motions for Mistrial. COURT STATED it had researched the matter and DETERMINES that "SCOPE" is a neutral term and that is had minimum impact to jurors. COURT NOTED that the Deft does not want to have a curative instruction presented to jurors. COURT ORDERED, Motion For Mistrial, DENIED. Mr. Figler renewed his argument that Defense had not received notice that a gunshot residue test had been performed until the day of trial and had not received the Evidence Impound Report until last night. He argued that the results of the gunshot residue test failed to reveal the mix of three elements, and because only two were found and that admissibility is disallowed across the country. He requested he be allowed to voir dire Mr. McPhail and that the State is penalized by not allowing testing notice, "the Defense was sandbagged". Ms. Lewis argued that they noticed witnesses. COURT INQUIRED if the third person is an exculpatory witness? Ms. Lewis responded, no. COURT STATED IT DOES NOT FIND A BRADY VIOLATION. COURT FURTHER noted that this can be taken up further outside the jury during examination of Mr. McPhail. JURORS SEATED, all present per stipulation of all counsel. Plaintiff called forth additional witnesses with testimonies under oath; exhibit presented. (Please see Witness and Exhibit Lists.) During identification of Deft by witness, Mr. Figler noted that both Defts are seated by their respective counsel. JURY PRESENT: (CHANEL WEST-RELIEF CLERK at 1:05 P.M.) Testimony and exhibits presented (See worksheet.) Court excused the Jury for an afternoon recess. OUTSIDE THE PRESENCE: Upon Court's inquiry, State advised the Court of the number of remaining witnesses and indicated they intend to rest tomorrow. Court requested Jury Instructions from counsel and Mr. Figler advised counsel is currently working on them. Court made reference to evidence previously not admitted in front of the Jury and STATED FINDINGS pursuant to statute that could possibly allow it's admission. Mr. Figler submitted objection. Ms. Lewis made request to re-move for it's submission in front of the Jury and COURT SO ORDERED. Further, COURT ADVISED, it is limiting this ruling. Colloquy regarding evidence. COURT STATED FURTHER FINDINGS and ADVISED it would reserve the ruling as to this evidence. Court noted the issue of the gunshot residue and noted it's receipt of Points and Authorities and the State's opposition as to Motions in Limine. Mr. Phillips moved for Joinder to Motions in Limine. Testimony and exhibits continued (See worksheet.) Mr. Figler, Mr. Bunin, and Mr. Singer submitted an objection that they have never received a curriculum vitae and Mr. Figler requested the State provide a copy. Argument submitted by Mr. Bateman. Mr. Figler agreed to proceed with the trial and advised he would follow-up to ensure he receives the copies. Mr. Figler and Mr. Bunin submitted further objections that they have not received a full copy of the reports. Upon Court's inquiry, State advised they didn't have that information today. Court advised testimony would continue. During testimony, Mr. Figler submitted an objection as to the testimony and record referenced to by the witness. (CLERK PRESENT at 2:25 P.M.) STILL OUTSIDE PRESENCE OF JURORS, voir dire of Crystina Vachon continued. When she was excused from the witness stand, Mr. Figler argued that Ms. Vachon is not an authority, has no scholarly works, and he could have brought in Ph.D. experts and scholars to testify had he known about this test. He reiterated that the documents were not provided to Defense before yesterday. And, he argued Mr. McPhail can provide no guarantees on non-contamination. Mr. Figler again requested a dismissal of the case because the evidence has major prejudicial impact. Or, in the alternative, Mr. Figler requested a trial continuance to "get our experts for the gunshot residue "experts"." COURT ORDERED, Mr. Figler's Motion for Dismissal of Trial With Prejudice, DENIED. COURT INQUIRED if Deft now wants to continue the trial two weeks? Mr. Figler stated he needs a continuance or he'll be ineffective because he didn't know that the gunshot residue test was done. Mr. Bateman argued that Defense is not prejudiced because "they didn't do their work, as of May 3 they had the results." He noted he has proof of the transmittal. Mr. Singer argued that a fax was sent yesterday to their office, but, of course was not received because he was here in court yesterday. Mr. Singer also argued that he could have scheduled experts, had he known and argued that even Mr. McPhail stated that the original report was not found and the print-out was only received yesterday. Following additional arguments and colloquy, Mr. Figler referred the Court to the Plaintiff's reference to "firearms analysis", there was no mention of gunshot residue tests. All counsel noted a two week continuance would be possible. COURT STATED that a two-week continuance is appropriate. Mr. Figler stated that neither Deft has waived his right to a speedy trial. Following a brief recess. Ms. Lewis stated there is a stipulation that the State can proceed with mention of a residue examination of the black and red gloves, but, will make no mention of the hands being examined for residue. Mr. Figler confirmed there is to be no evidence re gunshot residue, only testimony about the gloves, and with that stipulation he withdraws his motion for continuance of the trial. Ms. Lewis stated she wants Mr. Figler to state that he is ready to cross-examine this witness based upon the agreement of gloves, and she reiterated that the State never saw the 180 page report until Ms. Vachon noted it. COURT ORDERED RECESS. TRIAL RECONVENED, STILL OUTSIDE PRESENCE OF JURORS. Mr. Bateman stated that the State will not introduce the gunshot residue test on the hands of co-defendants, but, only will bring in the red and two black gloves, so Mr. McPhail will not need to testify. Mr. Figler confirmed he withdraws his motion to continue trial. Mr. Singer inquired if Defense can argue about the gloves. COURT RESPONDED, "yes." JURORS SEATED, all present per stipulation of all counsel. State's next witnesses were placed under oath and testified; exhibits presented.

CASE SUMMARY**CASE NO. 06C228460-2***COURT ORDERED, EVENING RECESS; TRIAL CONTINUED tomorrow at 9:30 A.M. ;*05/10/2007 **Jury Trial (9:30 AM)**

TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David
Matter Continued; TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David

Journal Entry Details:

DAY 4 OF TRIAL COURT RECONVENED OUTSIDE PRESENCE OF JURORS. COURT NOTED there is a stipulation regarding the evidence chain-of-custody from the victim to Det. Krylo, Exhibit #165. Also, State's Consolidated Opposition to Defendant's Motions In Limine, FILED IN OPEN COURT. JURORS SEATED at 10:03 A.M., all present per stipulation of all counsel. The State called forth its next witness, designated as an expert. Mr. Singer objected to testimony regarding microscopic analysis; COURT NOTED he can cross-examine regarding that issue. The Questions from Jurors were brought to the attention of the Bench, counsel approached to discuss, and the Juror Questions were marked as Court's Exhibits. (Please see Court's Exhibit List.) Fred Boyd designated as expert witness and testified as to microscopic examination of the bullets. OUTSIDE PRESENCE OF JURORS: Regarding Juror Question, marked as Court's Exhibit #2, Mr. Singer requested the Court to ask the Juror Question in a different manner than it was written. The Court presented the alternative which was approved by Mr. Singer before being asked of the witness. COURT CANVASSED DEFT MATTHEWS re his Fifth Amendment Rights. Deft Matthews stated he will not take the stand to testify. Mr. Figler requested a Jury Instruction given regarding fact that the Deft is not compelled to testify. COURT ALSO CANVASSED DEFT JOSH LIN as to his Fifth Amendment Rights. Deft Joshlin stated he will not take the stand to testify. Mr. Singer also requested a Jury Instruction regarding the fact that the Deft is not compelled to testify. Following a full recess, OUTSIDE PRESENCE OF JURY, Mr. Figler stated that several parties were present in the courtroom during the trial, and as they were leaving the court room they said, "they killed my baby." He requested the Court to admonish all present about comments made. COURT STATED it didn't hear the comments. At request of Plaintiff, Court's Exhibit #3 was marked. JURORS SEATED, all present as before per stipulation of all counsel. THE STATE ANNOUNCED IT RESTED ITS CASE at 12:31 P.M. COURT ORDERED, Jurors recessed for lunch. OUTSIDE PRESENCE OF JURORS, Mr. Singer made an Oral Motion to Dismiss Count 5 against Deft Joshlin, stating his argument on the record. The State argued in opposition. COURT ORDERED, DEFT JOSH LIN'S MOTION TO DISMISS COUNT 5, DENIED. Arguments re final Jury Instructions continued. Deft's Proposed Jury Instructions Not Used At Trial, FILED IN OPEN COURT. JURORS SEATED at 1:24 P.M., all present per stipulation of all counsel. Mr. Figler presented the first Defense witness, who was sworn and testified; exhibits presented. (Please see Witness and Exhibit Lists.) COURT ORDERED, JURORS RECESSED at 6:00 P.M. and ORDERED to return tomorrow at 9:30 A.M. OUTSIDE PRESENCE OF JURORS, discussion held regarding tomorrow's schedule. COURT ORDERED, EVENING RECESS ;

05/11/2007 **Jury Trial (9:30 AM)**

TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker
Matter Heard; TRIAL BY JURY Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker


Journal Entry Details:

DAY 5 OF TRIAL TRIAL RECONVENED OUTSIDE PRESENCE OF JURORS. Arguments re Jury Instructions continued on the record. Final Jury Instructions accepted and numbered by the Court. Deft's Jury Instructions Offered But Not Used, FILED IN OPEN COURT. All counsel stipulated to the reading of the Jury Instructions prior to closing arguments. The State confirmed it will call no rebuttal witnesses; Defense stated no sur-rebuttal witnesses will be called. JURORS SEATED, all present per stipulation of all counsel. COURT READ Jury Instructions and Verdict forms to the Jurors, each provided their own copy. Closing arguments made by all counsel. COURT ANNOUNCED the Alternate Jurors to be Jurors #13 and #14. The Bailiff and Judicial Executive Assistant were sworn to take charge of the Jurors and Alternates. COURT ORDERED JURORS TO DELIBERATION AT 2:24 p.m. VERDICT REACHED AT APPROXIMATELY 6:10 P.M. TRIAL RECONVENED at 6:35 P.M. with all twelve jurors present per stipulation of all counsel. FOREPERSON was announced to be Juror #8. At direction of the Court the Clerk announced the Verdicts, as follows: VERDICT FOR DEFT PIERRE JOSH LIN: GUILTY OF COUNT 1 - CONSPIRACY TO COMMIT MURDER; COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON; COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MYNIECE COOK); COURT 4 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MICHEL-LE TOLEFREE); COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MAURICE HICKMAN); COUNT 7 - CONSPIRACY TO COMMIT ROBBERY; COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON (GEISHE M. ORDUNO); and COUNT 9 - ROBBERY WITH USE OF A DEADLY WEAPON (MELVIN BOLDEN). VERDICT RE DEFT JEMAR MATTHEWS GUILTY OF: COUNT 1 - CONSPIRACY TO COMMIT MURDER; COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON; COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MYNIECE COOK); COUNT 4 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MICHEL-LE TOLEFREE); COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MAURICE HICKMAN); COUNT 6 - POSSESSION OF SHORT BARRELED RIFLE; COUNT 7 - CONSPIRACY TO COMMIT ROBBERY; COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON (GEISHE M. ORDUNO); COUNT 9 - ROBBERY WITH USE OF A DEADLY WEAPON (MELVIN BOLDEN); COUNT 10- ASSAULT WITH USE OF A DEADLY WEAPON (BRADLEY CUPP); and COUNT 11- ASSAULT WITH USE OF A DEADLY WEAPON (BRIAN WALTERS) At request of Defense counsel, COURT ORDERED, JURORS POLLED as to if those were their verdicts as read. All twelve Jurors answer in the affirmative.

CASE SUMMARY

CASE NO. 06C228460-2

COURT THANKED AND EXCUSED JURORS. OUTSIDE PRESENCE OF JURORS, COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) for both defendants, and set for sentencing. Mr. Figler made an Oral Motion for A New Trial Based On Cumulative Prosecutorial Misconduct. COURT ORDERED, DENIED. FILED IN OPEN COURT: Verdicts and Jury Instructions. COURT ORDERED, JURY TRIAL ADJOURNED. CUSTODY (BOTH) 6/18/07 8:30 AM SENTENCING (BOTH) ;

06/04/2007	<p>Motion for New Trial (8:30 AM) Events: 05/21/2007 Motion <i>DEFT'S MTN FOR NEW TRIAL /9 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i></p> <p>MINUTES  Motion <i>DEFT'S MTN FOR NEW TRIAL /9</i> Matter Continued; DEFT'S MTN FOR NEW TRIAL /9 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David Journal Entry Details: <i>Upon stipulation of both counsel, COURT ORDERED, Motion CONTINUED. CUSTODY ;</i></p>
06/08/2007	<p>Motion for New Trial (8:15 AM) <i>DEFT'S MTN FOR NEW TRIAL /9 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David</i> Matter Continued; DEFT'S MTN FOR NEW TRIAL /9 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: Barker, David Journal Entry Details: <i>COURT STATED it read the Motion and reviewed the video-tape, but, requires more time to review in detail. COURT ORDERED, MOTION CONTINUED TO 7/2/07. Mr. Figler requested additional transcripts prepared, including Bunin's closing and the rebuttal. Mr. Kangas advised they may possibly be back in a week, once ordered. COURT ORDERED, TRANSCRIPT TO BE PREPARED ON EXPEDITED BASIS. COURT FURTHER ORDERED, the 6/18/07 Sentencing of both Joshlin & Matthews, CONTINUED to 7/2/07 as well. CUSTODY 7/2/07 8:15 AM SENTENCING (JOSHLIN & MATTHEWS) ;</i></p>
06/18/2007	<p>Sentencing (8:30 AM) Events: 05/11/2007 Conversion Case Event Type <i>SENTENCING (VL 6/25/07)</i></p>
07/02/2007	<p>Sentencing (8:15 AM) <i>SENTENCING (VL 6/25/07)</i></p>
07/02/2007	<p>Motion for New Trial (8:15 AM) <i>DEFT'S MTN FOR NEW TRIAL /9 Heard By: David Barker</i> Matter Continued; DEFT'S MTN FOR NEW TRIAL /9 Heard By: David Barker</p>
07/09/2007	<p>Motion for New Trial (8:15 AM) <i>DEFT'S MTN FOR NEW TRIAL /9 Heard By: David Barker</i> Denied; DEFT'S MTN FOR NEW TRIAL /9 Heard By: David Barker</p>
07/09/2007	<p>Sentencing (8:15 AM) Events: 06/25/2007 Conversion Case Event Type <i>SENTENCING Heard By: David Barker</i></p> <p>MINUTES Conversion Case Event Type <i>SENTENCING</i> Granted; SENTENCING Heard By: David Barker</p>
07/09/2007	<p>Sentencing (8:15 AM) Events: 06/25/2007 Conversion Case Event Type <i>SENTENCING Heard By: David Barker</i></p>
07/09/2007	<p>All Pending Motions (8:15 AM) <i>ALL PENDING MOTIONS (07-09-07) Relief Clerk: Carol Donahoo Reporter/Recorder: Richard Kangas Heard By: David Barker</i></p>

CASE SUMMARY**CASE NO. 06C228460-2****MINUTES**

07/11/2007

Motion*ALL PENDING MOTIONS (07-09-07)*

Matter Heard; ALL PENDING MOTIONS (07-09-07) Relief Clerk: Carol Donahoo Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

DEFT. 'S MOTION FOR NEW TRIAL (MATTHEWS)...SENTENCING (JOSHLIN)...SENTENCING (MATTHEWS) Deft.'s Reply to State's Opposition to Motion for New Trial FILED IN OPEN COURT. Court noted it reviewed the video tape of the trial. Arguments by counsel. Court stated its findings and ORDERED, Motion DENIED. PIERRE JOSHLIN: Pursuant to the Jury's verdict, DEFT. JOSHLIN ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F), COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), COUNTS 3, 4, 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 7 - CONSPIRACY TO COMMIT ROBBERY (F), and COUNTS 8, 9 - ROBBERY WITH USE OF A DEADLY WEAPON (F). Sworn statement by victim's mother, Cora Williams, and victim's sister, Danielle Matison. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and the \$150.00 DNA Analysis fee including testing to determine genetic markers and \$418.85 Restitution, as to COUNT 1, Deft. SENTENCED to a MINIMUM of TWENTY-SIX (26) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 2, Deft. SENTENCED to LIFE WITH the possibility of parole after TWENTY (20) YEARS, plus an equal and CONSECUTIVE term for use of a deadly weapon; as to COUNT 3, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 4, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 5, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 7, Deft. SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 8, Deft. SENTENCED to a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon; as to COUNT 9, Deft. SENTENCED to a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon; all COUNTS to run CONCURRENT with each other, with THREE HUNDRED (300) DAYS credit for time served; BOND, if any, EXONERATED. JEMAR D. MATTHEWS: Pursuant to the Jury's verdict, DEFT. MATTHEWS ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F), COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), COUNTS 3, 4, 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 6 - POSSESSION OF SHORT BARRELED RIFLE (F), COUNT 7 - CONSPIRACY TO COMMIT ROBBERY (F), COUNTS 8, 9 - ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNTS 10, 11 - ASSAULT WITH USE OF A DEADLY WEAPON (F). Sworn statement by victim's mother, Cora Williams, and victim's sister, Danielle Matison. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and the \$150.00 DNA Analysis fee including testing to determine genetic markers, as to COUNT 1, Deft. SENTENCED to a MINIMUM of TWENTY-SIX (26) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 2, Deft. SENTENCED to LIFE WITH the possibility of parole after TWENTY (20) YEARS, plus an equal and CONSECUTIVE term for use of a deadly weapon; as to COUNT 3, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 4, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 5, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 6, Deft. SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 7, Deft. SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 8, Deft. SENTENCED to a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon; as to COUNT 9, Deft. SENTENCED to a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and

CASE SUMMARY

CASE NO. 06C228460-2

CONSECUTIVE MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon; as to COUNT 10, Deft. SENTENCED to a MINIMUM of SIXTEEN (16) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 11, Deft. SENTENCED to a MINIMUM of SIXTEEN (16) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); all COUNTS to run CONCURRENT with each other, with THREE HUNDRED (300) DAYS credit for time served; BOND, if any, EXONERATED. ;

01/28/2008 **Request (8:15 AM)**

Events: 01/24/2008 Hearing

DEFT'S REQUEST STATUS CHECK: CUSTODY Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: Barker, David

MINUTES

Hearing

DEFT'S REQUEST STATUS CHECK: CUSTODY

Matter Continued; DEFT'S REQUEST STATUS CHECK: CUSTODY Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: Barker, David

Journal Entry Details:

Mr. Figler advised the Defendant has been sentenced in this case and a Judgment of Conviction has been signed by the Court; however, he has yet to be transported to the Nevada Department of Corrections. Court Directed State to look into this matter and COURT ORDERED, matter CONTINUED. CUSTODY ;

02/01/2008 **Request (8:15 AM)**

DEFT'S REQUEST STATUS CHECK: CUSTODY Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: David Barker

Off Calendar; DEFT'S REQUEST STATUS CHECK: CUSTODY Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

Court noted, he has spoken with the Clark County Detention Center (CCDC) who has advised the Defendant has been placed on the correct list in order for him to be transported to Nevada Department of Corrections. COURT ORDERED, MATTER OFF CALENDAR. NDC ;

03/26/2008 **Request of Court (8:15 AM)**

Events: 03/10/2008 Hearing

AT REQ OF SUPREME COURT: APPOINTMENT OF COUNSEL/14 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

MINUTES

Hearing

AT REQ OF SUPREME COURT: APPOINTMENT OF COUNSEL/14

Matter Heard; AT REQ OF SUPREME COURT: APPOINTMENT OF COUNSEL/14 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

Deft incarcerated in NDC and not present. Mr. Singer appeared and stated he has not been appointed as counsel in this matter. COURT ORDERED, JOHN PARRIS APPOINTED as counsel and matter SET for status check on Friday. Deft so agreed. NDC 3/28/08 8:15 AM STATUS CHECK: FURTHER PROCEEDINGS...STATUS CHECK: CONFIRMATION OF COUNSEL (JOHN PARRIS) CLERK'S NOTE: Mr. Parris has been notified of the appointment via email this date. ;

03/28/2008 **All Pending Motions (8:00 AM)**

ALL PENDING MOTIONS 03-28-08 Court Clerk: Sandra Anderson Reporter/Recorder: Richard Kangas Heard By: David Barker

MINUTES

Motion

ALL PENDING MOTIONS 03-28-08

Matter Heard; ALL PENDING MOTIONS 03-28-08 Court Clerk: Sandra Anderson Reporter/Recorder: Richard Kangas Heard By: David Barker


Journal Entry Details:

STATUS CHECK: FURTHER PROCEEDINGS...STATUS CHECK: CONFIRMATION OF COUNSEL COURT ORDERED, Mr. Parris confirmed as attorney of record. Mr. Parris advised the Court he would contact Mr. Singer for Discovery. ;

03/28/2008 **Status Check (8:15 AM)**

CASE SUMMARY

CASE NO. 06C228460-2

	<p>Events: 03/26/2008 Hearing</p> <p><i>STATUS CHECK: CONFIRMATION OF COUNSEL (J. PARRIS) Heard By: David Barker</i></p>
03/28/2008	<p>Status Check (8:15 AM)</p> <p>Events: 03/26/2008 Hearing</p> <p><i>STATUS CHECK: FURTHER PROCEEDINGS</i></p>
09/24/2008	<p>Request of Court (8:15 AM)</p> <p>Events: 09/11/2008 Hearing</p> <p><i>SUPREME COURT REMAND: APPOINT NEW APPELLET COUNSEL/18 Court Clerk: Sharon Chun Relief Clerk: Carol Donahoo/cd Reporter/Recorder: Richard Kangas Heard By: David Barker</i></p> <p>MINUTES</p> <p>Hearing</p> <p><i>SUPREME COURT REMAND: APPOINT NEW APPELLET COUNSEL/18</i></p> <p>Granted; SUPREME COURT REMAND: APPOINT NEW APPELLET COUNSEL/18 Court Clerk: Sharon Chun Relief Clerk: Carol Donahoo/cd Reporter/Recorder: Richard Kangas Heard By: David Barker</p> <p>Journal Entry Details:</p> <p><i>Defendant/Appellant Joshlin incarcerated in the Nevada Department of Corrections (NDC) and not present. Court noted this matter has been remanded to District Court by the Supreme Court for the limited purpose of securing counsel for Appellant. Ms. Roys CONFIRMED as counsel of record on behalf of Karen Connolly, Esq. NDC ;</i></p>
07/27/2009	<p>Request (8:15 AM)</p> <p>Events: 07/14/2009 Hearing</p> <p><i>DEFT'S PRO PER REQUEST FOR RECORDS/COURTCASE/19 Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: Barker, David</i></p> <p>MINUTES</p> <p> Hearing</p> <p><i>DEFT'S PRO PER REQUEST FOR RECORDS/COURT CASE/19</i></p> <p>Matter Continued; DEFT'S PRO PER REQUEST FOR RECORDS/COURTCASE/19 Relief Clerk: Tia Everett/te Reporter/Recorder: Richard Kangas Heard By: Barker, David</p> <p>Journal Entry Details:</p> <p><i>Mr. Figler informed the Court although the Nevada Supreme Court has affirmed the prior conviction, counsel has filed a petition for re-hearing; however, should the motion be denied counsel will file for en banc consideration and should all requests be denied then the Defendant will be in need of his file. Further, Mr. Figler requested the request be continued while counsel exhaust all of his options. COURT ORDERED, matter CONTINUED based on the state of appeal. NDC ;</i></p>
11/30/2009	<p>Request (8:15 AM)</p> <p><i>DEFT'S PRO PER REQUEST FOR RECORDS/COURTCASE/19 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</i></p> <p>Moot; DEFT'S PRO PER REQUEST FOR RECORDS/COURTCASE/19 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker</p> <p>Journal Entry Details:</p> <p><i>COURT NOTED THAT Deft is in custody at the Nevada Department of Corrections. Mr. Figler stated the final denial of appeal has been received and the Court should receive the Remittent any day now. Mr. Figler noted that he had sent two banker's boxes of records to Deft at NSP and all the Court Transcripts were sent to him also. Mr. Figler requested to be retained for any post-conviction relief and thinks there should be a stay until the remittitur. COURT NOTED that Mr. Figler has confirmed that the full records have been sent to Deft; therefore, Deft's Request if MOOT. COURT IS WAITING for the Supreme Court Remittitur before further consideration of Mr. Figler's withdrawal. NDC ;</i></p>
01/04/2010	<p>Motion (8:15 AM)</p> <p>Events: 12/18/2009 Motion</p> <p><i>DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20</i></p> <p>MINUTES</p> <p> Motion</p> <p><i>DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20</i></p> <p>Matter Continued; DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20</p>
01/04/2010	<p>Motion (8:15 AM)</p> <p>Events: 12/18/2009 Motion</p>

CASE SUMMARY

CASE NO. 06C228460-2

DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21

MINUTES



Motion

DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21

Matter Continued; DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21

01/06/2010 **Motion** (8:15 AM)

DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20

01/06/2010 **Motion** (8:15 AM)

DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21

01/06/2010 **All Pending Motions** (8:15 AM)

ALL PENDING MOTIONS OF 1/6/10 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

MINUTES

Motion

ALL PENDING MOTIONS OF 1/6/10

Matter Heard; ALL PENDING MOTIONS OF 1/6/10 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

DEFT'S PRO PER MOTION FOR THE APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING...DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS COURT NOTED Deft is in custody at NDC and Deft needs to articulate the grounds for an appointment of counsel. Mr. Figler stated he received a copy of the NV Supreme Court's remittitur and Deft's issue is ineffective assistance of counsel, therefore, withdrawal would seem appropriate. COURT STATED that appointment of counsel will have to be assigned through Drew Christensen and SET status check for confirmation of counsel. FOLLOWING CALENDAR, COURT ORDERED BOTH DEFT'S MOTIONS CONTINUED TO 1/15/10 as well. NDC 1/15/10 8:15 AM STATUS CHECK: CONFIRMATION OF COUNSEL...DEFT'S PRO PER MOTION FOR THE APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING...DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS cc: D. Figler, Esq. ;

01/15/2010 **Motion** (8:15 AM)

DEFT'S PRO PER MTN FOR THE APPT OF CNSL & REQ FOR EVID HRG /20

01/15/2010 **Motion** (8:15 AM)

DEFT'S PRO PER MTN FOR LEAVE TO PROCEED IN FORMA PAUPERIS /21

01/15/2010 **Status Check** (8:15 AM)

Events: 01/06/2010 Hearing

STATUS CHECK: CONFIRMATION OF APPOINTEDCOUNSEL

01/15/2010 **All Pending Motions** (8:15 AM)

ALL PENDING MOTIONS Relief Clerk: Shelly Landwehr/sl Reporter/Recorder: Richard Kangas Heard By: David Barker

MINUTES

Motion

ALL PENDING MOTIONS

Matter Heard; ALL PENDING MOTIONS Relief Clerk: Shelly Landwehr/sl Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

DEFT'S PRO PER MOTION FOR THE APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING...DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS...STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL Chris Ford present on behalf of Luke Ciciliano. Colloquy regarding appointment of counsel to represent Deft. in these proceedings. Mr. Ford CONFIRMED as counsel. Colloquy regarding Deft's motions. COURT NOTED, Mr. Figler made a good record. Matter OFF CALENDAR. NDC ;

05/12/2010 **Motion** (8:15 AM)

Events: 04/28/2010 Motion

DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HRG Court

CASE SUMMARY

CASE NO. 06C228460-2

Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

MINUTES



Motion

DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HRG

Matter Heard; DEFT'S PRO PER MTN FOR APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HRG Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

Mr. Vitale appeared on behalf of K. Connolly, Esq. and stated his office represented Deft Joshlin through Appeal, but, new counsel needs to be appointed for him for this post-conviction request for relief. COURT NOTED that the Supreme Court gave direction that counsel should be appointed for claims of ineffective assistance of counsel, and, ORDERED, COUNSEL TO BE APPOINTED through Drew Christensen's Office. COURT FURTHER ORDERED, MATTER SET FOR STATUS CHECK RE CONFIRMATION. NDC 5/28/10 8:15 AM STATUS CHECK: CONFIRMATION OF COUNSEL (THROUGH D. CHRISTENSEN'S OFFICE)...STATUS CHECK: SET EVID HEARING RE INEFFECTIVE ASSISTANCE OF COUNSEL ;

05/28/2010 Status Check (8:15 AM)

Events: 05/12/2010 Hearing

STATUS CHECK: CONFIRMATION OF COUNSEL (THRU D.CHRISTENSEN)

05/28/2010 Status Check (8:15 AM)

Events: 05/12/2010 Hearing

STATUS CK: SET EVIDENTIARY HEARING RE INEFFECTIVE ASSISTANCE OF COUNSEL Heard By: David Barker

05/28/2010 All Pending Motions (8:15 AM)

ALL PENDING MOTIONS 5/28/10 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

MINUTES

Motion

ALL PENDING MOTIONS 5/28/10

Matter Heard; ALL PENDING MOTIONS 5/28/10 Court Clerk: Sharon Chun Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

STATUS CHECK: CONFIRMATION OF COUNSEL...STATUS CHECK: SET EVIDENTIARY HEARING RE INEFFECTIVE ASSISTANCE OF COUNSEL COURT ADVISED that Michael Schwarz, Esq. was appointed counsel through Drew Christensen's Office, and ORDERED, STATUS CHECK CONTINUED re setting of the Post-Conviction claim of ineffective assistance of counsel. COURT NOTED that a Transport Order will be required for Deft's presence at that time. NDC 7/16/10 8:15 AM STATUS CHECK: SET EVIDENTIARY HEARING RE INEFFECTIVE ASSISTANCE OF COUNSEL CLERK'S NOTE: A copy of this minute order has been provided to Mr. Schwarz. ;

07/16/2010 Status Check (8:15 AM)

Events: 05/28/2010 Hearing

STATUS CK: SET EVID HRG RE DEFT'S POST- CONV CLAIM OF INEFFECTIVE ASSIS COUNSEL Relief Clerk: Billie Jo Craig Reporter/Recorder: Richard Kangas Heard By: David Barker

MINUTES

Hearing

STATUS CK: SET EVID HRG RE DEFT'S POST- CONV CLAIM OF INEFFECTIVE ASSIS COUNSEL

Matter Heard; STATUS CK: SET EVID HRG RE DEFT'S POST- CONV CLAIM OF INEFFECTIVE ASSIS COUNSEL Relief Clerk: Billie Jo Craig Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

Court noted defendant had been transported and Mr. Schwarz was not present. Mr. Schwarz was to advise the Court if supplemental briefing was necessary. Court noted Mr. Schwarz not present. Court stated its findings, and ORDERED, matter CONTINUED for counsel to be present. Court advised defendant need not be present at the next Court date and a copy of the Minutes from the next Court date to be provided to the defendant. NDC CONTINUED TO: 7/21/10 8:15 AM ;

07/21/2010 Status Check (8:15 AM)

Events: 07/16/2010 Hearing

STATUS CHECK: SET EVID HRG RE DEFT'S POST-CONV CLAIM (FROM 7/16/10) Court Clerk: Sharon Chun Relief Clerk: Billie Jo Craig/bjc Reporter/Recorder: Richard Kangas Heard By: David Barker

CASE SUMMARY

CASE NO. 06C228460-2

MINUTES

Hearing

STATUS CHECK: SET EVID HRG RE DEFT'S POST-CONV CLAIM (FROM 7/16/10)


Matter Heard; STATUS CHECK: SET EVID HRG RE DEFT'S POST-CONV CLAIM (FROM 7/16/10) Court Clerk: Sharon Chun Relief Clerk: Billie Jo Craig/bjc Reporter/Recorder: Richard Kangas Heard By: David Barker

Journal Entry Details:

Colloquy regarding status of case. COURT ORDERED, a briefing schedule set as follows: Defendant's Motion Due: 11/24/10 State's Response Due: 2/23/11 Defendant's Reply Due: 3/9/11 EVIDENTIARY HEARING: 3/23/10 10:00 AM COURT ORDERED, matter SET for Evidentiary Hearing. NDC 3/23/11 10:00 AM EVIDENTIARY HEARING ;

03/23/2011 **CANCELED Evidentiary Hearing (10:00 AM)** (Judicial Officer: Barker, David)

*Vacated - Case Closed
hearing as to co-defendant*

01/23/2012  **Motion (8:15 AM)** (Judicial Officer: Barker, David)

01/23/2012, 02/06/2012

Events: 01/13/2012 Motion

Deft's Pro Per Motion for Appointment of Counsel Pursuant to NRS 34.750

Matter Continued;

Motion Granted; Deft's Pro Per Motion for Appointment of Counsel Pursuant to NRS 34.750

Journal Entry Details:

Upon Court's inquiry, Mr. Colucci advised he will accept appointment. COURT ORDERED, motion GRANTED. Further, Mr. Colucci advised he has sent letter to previous counsel requesting discovery and requested a 120 day status check. FURTHER ORDERED, matter SET for status check. NDC 6/11/12 8:15 AM STATUS CHECK: BRIEFING SCHEDULE ;

Matter Continued;

Motion Granted; Deft's Pro Per Motion for Appointment of Counsel Pursuant to NRS 34.750

Journal Entry Details:

Court noted conviction affirmed by Supreme Court, Mr. Ciciliano appointed to assist in any post conviction efforts, Mr. Ciciliano has indicated he cannot continue, Mr. Christensen contacted to no avail and COURT ORDERED, matter CONTINUED. NDC CONTINUED TO: 2/6/12 8:15 AM CLERK'S NOTE: Mr. Christensen e-mailed and advised of the Court's order. 1/23/12 aw CLERK'S NOTE: The above minute order has been distributed to: Jemar Matthews #1014654, WSCC, P.O. Box 7007, Carson City, NV 89702.;

06/11/2012  **Status Check (8:15 AM)** (Judicial Officer: Barker, David)

Status Check: Briefing Schedule

Briefing Schedule Set;

Journal Entry Details:

Upon Court's inquiry, Mr. Colucci stated he has reviewed entire file, will be filing supplemental to the petition and requested a briefing schedule be set. COURT ORDERED, the following briefing schedule: Deft's Supplemental brief due by July 9, 2012, State's Opposition due by September 10, 2012, Deft's Reply due by September 24, 2012, and matter SET thereafter for hearing. NDC 10/12/12 9:00 AM HEARING ;

10/12/2012  **Hearing (9:00 AM)** (Judicial Officer: Barker, David)

Matter Heard;

Journal Entry Details:

Mr. Bateman stated just for clarification, Deft. argued motion to sever should of been filed, included legal reasons for a severance and the State believes this is a legal matter for the Court. The Court needs to decide legal reasons for severance motion, believes it is a matter of law and no need for hearing. Mr. Colucci stated there is a lot of other factors involved. Further, earlier in case, Mr. Figler filed bench brief indicating there may be Bruton issues and the purpose of closing arguments was to connect this Deft. with the other Deft. Additionally, State argued both Defts' acted in concert, not charged with conspiracy and wants to know if it was a strategic decision. Court noted on Order of Affirmance, there was a conspiracy charge. Mr. Colucci stated even with conspiracy issue, argued no evidence there was a conspiracy to commit murder. Dayvid Figler, sworn and testified. Mr. Colucci argued evidence against Deft. was not as strong as it was against the Co-Deft. Further, rebuttal argument was both Defts' together and by repeating the words "they and them", State lumped together with no distinction between the charges. Additionally, the spill over effect was huge, Deft's counsel knew both Defts' would be linked together, possible Bruton issues and motion to sever should of been filed. Mr. Bateman argued no red flag during trial in regards to Mr. Singer's issues and actions. Further, no law presented that deficient performance by Co-Deft's counsel would be basis for severance. Additionally, Mr. Bateman argued evidence was sufficient, at no time was it brought up there was insufficient evidence against this Deft., no specific trial right precluded shown here, does not believe Deft's trial counsel fell to such a level to be deficient, prejudice prong not met and ineffective assistance of counsel not shown. Further argument by Mr. Colucci.

CASE SUMMARY

CASE NO. 06C228460-2

Court stated issue addresses whether or not trial conduct of Deft's counsel was deficient. Further, Court FINDS issue of severance is a matter of law, if brought pre trial, it would of been denied based on theories presented. Additionally, the Court does not question Mr. Figler's efforts even with the spill over argument were met. Based upon that fact, anything seen, heard or briefed on would indicate his efforts were factually or legally deficient and ORDERED, petition DENIED. State to prepare findings of fact and conclusions of law. NDC ;

11/19/2012



Motion (8:15 AM) (Judicial Officer: Barker, David)

Deft's Motion to Place on Calendar Re: Appointment of Appellant Counsel

Motion Denied; Deft's Motion to Place on Calendar Re: Appointment of Appellant Counsel

Journal Entry Details:

Court noted there seems to be some conflict as to the findings of facts and conclusions of law. Mr. Colucci advised all that has been worked out with the State. Further, Mr. Colucci stated Deft. needs new counsel and not him. Court further noted this is the third level of post conviction, needs reason and factual basis stated, Deft. does not have right to counsel and ORDERED, motion DENIED. Mr. Colucci requested to withdraw as counsel without prejudice. COURT SO ORDERED. NDC ;

01/16/2013



Appointment of Counsel (8:15 AM) (Judicial Officer: Barker, David)

Appointment of Counsel per Supreme Court Remand

Matter Heard; Appointment of Counsel per Supreme Court Remand

Journal Entry Details:

Court noted per Mr. Christensen, Mr. Gamage will be appointed as counsel but could not be present today. Colloquy. COURT ORDERED, William Gamage, Esq., APPOINTED as COUNSEL and matter SET for status check. NDC 2/13/13 8:15 AM STATUS CHECK: SETTING OF BRIEFING SCHEDULE CLERK'S NOTE: Logan with Mr. Gamage's office advised of appointment and status check date. aw 1/16/13 CLERK'S NOTE: The above minute order has been distributed to: Jemar Matthews #1014654, P.O. Box 650, Indian Springs, NV 89070. aw ;

02/13/2013



Status Check (8:15 AM) (Judicial Officer: Barker, David)

Status Check: Set Briefing Schedule

Matter Continued;

Journal Entry Details:

Mr. Gamage requested matter be continued sixty days, advised he just received a lot of records and he will be submitting ex parte request for investigator. COURT ORDERED, matter CONTINUED. NDC CONTINUED TO: 4/17/13 8:15 AM CLERK'S NOTE: This matter remanded for the limited purpose of securing appellate counsel and April 17, 2013, date VACATED. aw 3/5/13 ;

08/25/2014

Petition for Writ of Habeas Corpus (8:15 AM) (Judicial Officer: Barker, David)

Deft's Pro Per Petition for Writ of Habeas Corpus (Post Conviction)

Denied;

08/25/2014

Response and Countermotion (8:15 AM) (Judicial Officer: Barker, David)

State's Response And Motion To Dismiss Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)

Granted;

08/25/2014



All Pending Motions (8:15 AM) (Judicial Officer: Barker, David)

Matter Heard;

Journal Entry Details:

DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)... STATE'S RESPONSE AND MOTION TO DISMISS DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)
Court noted long procedurally history of case. Judgment of Conviction (JOC) filed as a function of jury verdict convicting Deft. of 11 Counts including assault, attempt murder, first degree murder with use of a deadly weapon and conspiracy. A direct appeal was taken as a function of that verdict on the JOC and the Supreme Court sustained the conviction and granted remittitur in 2009. First step in the post-conviction began on or about November or December 2009. Mr. Colucci represented Deft. in first post-conviction habeas was heard and denied in October 12, 2012. Deft. filed pro per notice of appeal of that decision and requested counsel which was denied. There was a limited remand by the Nevada Supreme Court to appoint appellate counsel and Mr. Gamage was appointed to do that. On February 10, 2014, remittitur was issued by the Supreme Court affirming the denial of Deft's post-conviction petition. Court FINDS this is a successive petition. Further, the Court notes State stands in opposition in response to this new petition and filed a motion indicating this petition is time barred under NRS 34.726, over one year has passed, no allegations of good cause sufficient to overcome that procedural bar and ORDERED, Deft's petition DENIED on procedural grounds. FURTHER ORDERED, State's Motion GRANTED also on those grounds. State to prepare findings of fact and conclusion of law. NDC CLERK'S NOTE: The above minute order has been distributed to: Jemar Matthews, aka Jemar Demon Matthews #1014654, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89018. aw ;

CASE SUMMARY

CASE NO. 06C228460-2

06/12/2017	 Motion (8:30 AM) (Judicial Officer: Kephart, William D.) <i>State's Motion to Place on Calendar for the Purpose of State's Notice of Intent to Proceed to Retrial</i> Trial Date Set; Journal Entry Details: <i>Mr. Giordani advised this case was reversed approximately ten (10) years after trial and the State intends to precede with trial. Mt. Gamage advised Defendant is requesting to invoke his right to a speedy trial. COURT ORDERED, matter SET for trial within 60 days; although, based on the Court's scheduling the date will be approximately three (3) weeks outside the 60 day date. Mr. Giordani objected and stated the Defendant is no longer entitled to a speedy trial and requested a date in ordinary course. NDC 8/02/2017 8:30 AM PRE TRIAL CONFERENCE 8/30/2017 8:30 AM CALENDAR CALL 9/05/2017 10:00 AM JURY TRIAL ;</i>
07/21/2017	 Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) STATUS CHECK: MURDER TEAM ASSIGNMENT Continued; Journal Entry Details: <i>Defendant not present, in custody with the Nevada Department of Corrections. Upon Court's inquiry, Mr. Giordani stated defendant invoked his right to speedy trial in front of Judge Kephart, noting he believes defendant previously waived. Court stated case was reversed at the Federal level, noting Todd Leventhal and Richard Tanasi were appointed upon remand to state court. Mr. Giordani stated that Mr. Leventhal indicated that he will be in another trial for the next eight weeks, therefore, will not be ready for trial on September 5, 2017. Court stated defendant originally invoked, however, trial was continued which would have caused the defendant to waive. Discussion regarding caseload transfer. Counsel to speak with defendant regarding trial dates. COURT ORDERED, Pre-Trial Conference and Trial VACATED, matter SET for Status Check to discuss trial setting. Matter RECALLED. Same parties present. Mr. Giordani noted a concern that defendant may have been released. Court stated he is still in custody with Nevada Department of Corrections. COURT FURTHER ORDERED, Defendant REMANDED TO CCDC WITHOUT BAIL. State to prepare an order to transport. Court stated matter will remain in this department for now. NDC 8/22/17 9:00 AM STATUS CHECK: TRIAL SETTING/ CASE REASSIGNMENT;</i>
08/02/2017	CANCELED Pre Trial Conference (8:30 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i>
08/22/2017	 Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Trial Setting/Case Reassignment</i> Matter Heard; Journal Entry Details: <i>Court stated matter was previously on calendar for trial setting, however, Mr. Leventhal was in trial. Parties indicated they are ready to set a trial date. Pursuant to EDCR 1.30 and 1.31 this court ORDERS the case REASSIGNED to Department 20, matter SET for Status Check. Mr. Leventhal stated defendant is still being held in Nevada Department of Corrections. Court stated defendant will be remanded to the Clark County Detention Center since he is no longer under imprisonment. Matter RECALLED. Mr. Kochevar now present. Mr. Leventhal advised he spoke to Mr. Giordani who does not have an issue if the defendant returns to Nevada Department of Corrections. Upon Court's inquiry, Mr. Leventhal stated case was reversed at the federal level four months ago. Court stated the prison will wait until they receive an order reversing the conviction and the District Court remands the defendant to the Clark County Detention Center. Mr. Leventhal requested defendant be allowed to return to prison prior to being remanded to the detention center. Court stated he will not remand the defendant at this time, however, parties need to discuss with Department 20 at the next hearing. State to prepare an order to transport for the defendant for the next hearing. CUSTODY 9/05/17 8:30 AM STATUS CHECK: TRIAL SETTING (DEPT. 20) ;</i>
08/30/2017	CANCELED Calendar Call (8:30 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i>
09/05/2017	 Status Check: Trial Setting (8:30 AM) (Judicial Officer: Johnson, Eric) Trial Date Set; Journal Entry Details: <i>Mr. Leventhall advised this is a 10 year old case and requested a trial date in April. Upon Court's inquiry, Mr. Leventhall advised there are no discovery issues at this time. Following colloquy, COURT ORDERED, trial SET in April with a status check in November. CUSTODY 11/2/17 8:30 AM STATUS CHECK: HOMICIDE TRIAL 4/24/18 8:30 AM CALENDAR CALL 4/30/18 9:00 AM JURY TRIAL;</i>
09/05/2017	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Kephart, William D.)

CASE SUMMARY

CASE NO. 06C228460-2

Vacated - per Judge

11/02/2017



Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

11/02/2017, 02/01/2018

Status Check: Homicide Trial

Matter Continued;

Matter Continued;

Journal Entry Details:

Mr. Tanasi appeared for Mr. Leventhal. Upon Court's inquiry, Mr. Tanasi advised an offer has been extended that they need to discuss with Defendant and that there are no issues as to discovery. Following colloquy, COURT ORDERED, matter CONTINUED to March. CUSTODY (COC-NDC) ... CONTINUED 3/20/18 8:30 AM;

Matter Continued;

Matter Continued;

Journal Entry Details:

Mr. Tanasi appeared for Mr. Leventhal. Upon Court's inquiry, counsel advised there are no discovery issues and they are on track for trial in April. Mr. Giordani advised this is a re-trial and they have everything they need. Following colloquy, COURT ORDERED, matter CONTINUED to February status checks. CUSTODY ... CONTINUED 2/1/18 8:30 AM;

03/20/2018



Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

Status Check: Homicide Trial

Matter Continued;

Journal Entry Details:

Mr. Leventhal advised they are going to be asking for a continuance of the trial, however, requested this matter be continued one week as Mr. Giordani is not present today. Mr. Merback concurred. Mr. Leventhal stated the reason for the continuance is his experts need to review the file and the mitigation experts have just started. Mr. Merback concurred. COURT ORDERED, matter CONTINUED ONE (1) WEEK. CUSTODY (COC-NDC) ... CONTINUED 3/27/18 8:30 AM;

03/27/2018



Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

Status Check: Homicide Trial

Matter Continued;

Journal Entry Details:

Upon Court's inquiry, Mr. Leventhal advised they have identified their experts and they are on board but, we need a little more time and requested the trial be reset to August. Mr. Giordani concurred and had no objection. At this point, Mr. Leventhal advised there are no discovery issues. COURT ORDERED, trial date VACATED and RESET with a status check in June. As to the Motions set on 4/5, Mr. Leventhal advised these are for CPS records. Upon Court's inquiry, Mr. Giordani advised the State is not taking a position. There being no opposition, COURT ORDERED, Defendant's Motion for CPS records, etc is GRANTED and taken OFF CALENDAR. Mr. Tanasi advised there were proposed Orders attached to the Motion set for 4/5. Mr. Giordani to review the Orders, notify chambers if there a problem by Thursday and if there are no problems, Court will sign the Orders. CUSTODY (COC-NDC) 6/7/18 8:30 AM STATUS CHECK: HOMICIDE TRIAL 7/24/18 8:30 AM CALENDAR CALL 8/6/18 9:00 AM JURY TRIAL;

04/05/2018

CANCELED Motion (9:00 AM) (Judicial Officer: Johnson, Eric)

Vacated

Defendant's Motion for Order to Produce Records from (1) Division of Child and Family Services and (2) Family Courts and Services Center and/or Clark County District Court Family Division

04/24/2018

CANCELED Calendar Call (8:30 AM) (Judicial Officer: Johnson, Eric)

Vacated

04/30/2018

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Johnson, Eric)

Vacated

06/07/2018



Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

Status Check: Homicide Trial

Matter Continued;





Journal Entry Details:

Mr. Tanasi advised Mr. Leventhal is in Federal Court this morning. Upon Court's inquiry, Mr. Tanasi advised there are no discovery issues. Mr. Giordani advised he has conveyed an amended offer that contemplates they can argue for a minimum of twenty (20) years and advised the offer is only open until next status check. COURT ORDERED, matter

CASE SUMMARY

CASE NO. 06C228460-2

CONTINUED. CUSTODY (COC-NDC) ... CONTINUED 6/28/18 9:00 AM;

06/28/2018	 Status Check (9:00 AM) (Judicial Officer: Johnson, Eric) <i>Status Check: Homicide Trial</i> Matter Heard; Journal Entry Details: <i>Upon Court's inquiry, Mr. Leventhal advised he has no issues as to discovery and is ready for trial. Mr. Giordani advised he does not have the CPS records. Mr. Leventhal stated they would not be used in their case-in-chief but in penalty. Mr. Giordani explained the offer that was extended as First Degree Murder no use, pleading to the rest of the charges, State retaining the right to argue consecutive or concurrent. However, that offer is now off the table as Defendant rejected it. Mr. Leventhal advised they had a counter offer that was not accepted and is now withdrawn as well. There being no issues and calendar call around the next status check date, COURT ORDERED, matter OFF CALENDAR as no further date is necessary. CUSTODY (COC-NDC);</i>
09/04/2018	 Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>State's Notice Of Motion And Motion To Admit Transcript Of Prior Jury Trial Testimony Of LVMPD Forensic Scientist James Krylo</i> Granted; Journal Entry Details: <i>Deft. not present; was not transported from Nevada Department of Corrections (NDC). Chief Deputy District Attorney Agnes Lexis, Esq., is present on behalf of State of Nevada. Mr. Leventhal informed the Court defense takes no position on having the transcript admitted, if the witness is not available. COURT ORDERED, Motion GRANTED. State to prepare the order. CUSTODY (COC-NDC) 9/18/18 8:30 A.M. CALENDAR CALL 9/25/18 10:30 A.M. TRIAL BY JURY;</i>
09/18/2018	Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle) Trial Date Set;
09/18/2018	Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>State's Notice of Motion and Motion to Admit Transcript of Prior Jury Trial Testimony of Victim Myniece Cook</i> Granted; Journal Entry Details: <i>There being no opposition, COURT ORDERED motion GRANTED. Counsel announced ready for trial, estimated 7 days with 26 witnesses. Trial date set 9/24/18 10:30am. COURT ORDERED, Defendant to be remanded into custody for the trial. CUSTODY (COC NDC);</i>
09/18/2018	 All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>State's Notice of Motion and Motion to Admit Transcript of Prior Jury Trial Testimony of Victim Myniece Cook</i> <i>Calendar Call There being no opposition, COURT ORDERED motion GRANTED. Counsel announced ready for trial, estimated 7 days with 26 witnesses. Trial date set 9/24/18 10:30am. COURT ORDERED, Defendant to be remanded into custody for the trial. CUSTODY (COC NDC);</i>
09/18/2018	CANCELED All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle) Vacated
09/24/2018	 Jury Trial (10:30 AM) (Judicial Officer: Leavitt, Michelle) 09/24/2018-09/28/2018, 10/01/2018-10/03/2018 Jury Trial MINUTES Trial Continues; Trial Continues; Trial Continues; Trial Continues; Trial Continues; Trial Continues; Jury Deliberating; Verdict;

CASE SUMMARY

CASE NO. 06C228460-2

Journal Entry Details:

Jury deliberating. 10:27 A.M. -- Court reconvened with all parties present from before. JURY RETURNED VERDICTS AS FOLLOWS: COUNT 1 - GUILTY OF CONSPIRACY TO COMMIT MURDER (F); COUNT 2 - GUILTY OF FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 3 - GUILTY OF ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 4 - GUILTY OF ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 5 - GUILTY OF ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 6 - GUILTY OF POSSESSION OF SHORT BARRELED RIFLE (F); COUNT 7 - GUILTY OF CONSPIRACY TO COMMIT ROBBERY (F); COUNT 8 - GUILTY OF ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT 9 - GUILTY OF ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT 10 - GUILTY OF ASSAULT WITH A DEADLY WEAPON (F); and, COUNT 11 - GUILTY OF ASSAULT WITH A DEADLY WEAPON (F). Jury was polled by Clerk at request of defense counsel. CONFERENCE AT BENCH. Court admonished and excused the Jury from the courtroom, to return to the deliberation room and wait for further instructions by the Court. OUTSIDE PRESENCE OF JURY: At request of parties, Court cleared the Courtroom, and TRAILED the matter to allow both sides to discuss a possible stipulation, and for defense to speak with Deft. further. CASE RECALLED. Both parties stipulated to waive a penalty hearing. Counsel stated based upon the Jury's findings, all parties agreed to a sentence of life with possibility of parole after twenty years being imposed on the first degree murder charge, and parties further agreed to have the trial judge sentence Deft. on all remaining counts. Court canvassed Deft. on the written waiver. Upon Court's inquiry, Deft. acknowledged; and confirmed he understood the waiver, including the sentencing agreement on the first degree murder offense, the penalty hearing being waived, and sentencing being up to the Court on remaining counts. SO NOTED. Stipulation And Waiver Of Penalty Hearing FILED IN OPEN COURT. JURY PRESENT: Court advised the Jury on parties stipulating to waiving the penalty hearing; and further stated the jurors will not be proceeding forward. Court extended thanks and gratitude to the Jury for their willingness to be here and serve as jurors. Thereafter, Court DISCHARGED and EXCUSED the Jury from trial proceedings. OUTSIDE PRESENCE OF JURY: COURT ORDERED, matter REFERRED to the Division of Parole and Probation (P&P), and SET for sentencing. Mr. Giordani requested Deft. be remanded without bail, based on the Verdict returned from the Jury. Deft. stated he is in prison already. Defense submitted. COURT FURTHER ORDERED, Deft. REMANDED INTO CUSTODY without bail, pending sentencing. Deft. to be transported back to his housing in the Nevada Department of Corrections (NDC), pending sentencing date. Court adjourned. TRIAL ENDS. CUSTODY 12/05/18 8:30 A.M. SENTENCING (JURY VERDICT);

MINUTES

Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;

Jury Deliberating;
Verdict;

Journal Entry Details:

OUTSIDE PRESENCE OF JURY: Court advised both sides there were problems with the conspiracy instruction in the finalized jury instructions, and the parties need to settle the instructions again with the Court before proceeding. Court TRAILED and RECALLED matter for the instructions and copies of instructions to be corrected. JURY INSTRUCTIONS 1-43 SETTLED. VERDICT FORM APPROVED. State made no objections. Mr. Tanasi objected to Instruction No. 27 being given. Mr. Giordani argued in support of the instruction; and further argued as to Walker and Palmer case law. Court OVERRULED defense counsel's objection. Mr. Tanasi informed the Court he confirmed with Ms. Gilchrist about testifying, and if she is unavailable due to child care issues, defense would request the witness be allowed to testify on the same substance that was discussed earlier, as to her testimony, and to allow the witness to testify by phone. Discussion as to defense being aware of the notice issue. Arguments by counsel as to NRS 51.115 and NRS 51.345, and the testimony not being hearsay. Mr. Giordani objected; and argued as to no alibi notice having been given to State, notice being required, and there being a whole slew of issues surrounding the alleged statement. Further arguments by counsel. Mr. Giordani argued the statement is hearsay and Deft. can testify on where he went that evening. Court SUSTAINED State's objection on defense having the out-of-state witness appear to testify, due to lack of notice. Court reminded Deft. regarding his right to testify and not testify. Deft. requested time to speak to his attorneys; and COURT SO ORDERED. Deft. conversed with his attorneys privately in open Court. Thereafter, Deft. finished speaking with counsel; and confirmed to Court he will not be testifying. SO NOTED. JURY PRESENT: Defense rested. State rested. Court instructed the Jury on the law. Closing arguments by Ms. Botelho and Mr. Leventhal. Court admonished and excused the Jury for a lunch recess. OUTSIDE PRESENCE OF JURY: CONFERENCE AT BENCH. Due to typographical error discovered by Court on Instruction No. 3 of the Jury Instructions, both sides made no objections to Court amending Instruction No. 3, to include the correct year of the alleged offense, as being 2006 and not 2016. Lunch recess. OUTSIDE PRESENCE OF JURY: Mr. Tanasi informed the Court Deft. brought to his attention that during closing arguments, some of the family members of the decedent, were making noises and comments, and he just wanted to let the Court know. The Marshal stated the noises and comments were coming from both sides of the courtroom earlier. Mr. Giordani stated the witness advocate from his office has been here and had overheard the Deft. having concerns, the victim advocate confirmed to the State that the victim's family was holding back tears. JURY PRESENT: Rebuttal arguments by Mr. Giordani. Marshal and Matron were SWORN by Clerk to take

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charge of the Jury. Alternate jurors were identified and further instructed by Court. At the hour of 4:01 P.M., the Jury retired to deliberate. Jury deliberating. Evening recess. TRIAL CONTINUES. CUSTODY 10/03/18 8:30 A.M. TRIAL BY JURY;

MINUTES

Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Jury Deliberating;
Verdict;

Journal Entry Details:

OUTSIDE PRESENCE OF JURY: Mr. Leventhal informed the Court he had notified Deft's mother over the weekend, to ask her whether she had remembered what happened during the alleged incident, she had told him Deft. was living with a sister and his prior girlfriend Jomeesha Gilchrist around that time frame, Deft's child's mother had a temporary protective order (TPO) against Deft, further noting defense located Ms. Gilchrist who moved out of state, defense spoke to the sister and spoke to Ms. Gilchrist last night, she said when she saw Deft. for the last time, he was on his way over to see his baby and the baby's mother, Ms. Gilchrist did not remember whether there was a TPO violation, and she did not remember what Deft. wore that night, however, she did remember Deft. saying he was going to see his baby. Mr. Leventhal added Ms. Gilchrist is in California, she just had a baby and cannot appear to testify at trial in person due to breastfeeding, however, defense can facilitate something to have her testify, now defense is trying to locate the Deft's baby's mother, the investigator could not locate her, and since defense had found Deft's prior girlfriend, the defense sent two text messages to her, with no response, and defense does not know how willing Ms. Gilchrist is to be here. Mr. Leventhal stated if he does get a hold of Ms. Gilchrist, defense can be heard further on this issue. Mr. Giordani informed the Court State provided the proposed jury instructions to the Court, State will be resting after their last witness testifies this morning, and defense has an expert scheduled to testify this afternoon or close to tomorrow. Mr. Leventhal stated defense has a gunshot residue expert today and possibly the prior girlfriend from California, if defense does get a hold of her again. Colloquy as to trial schedule for today and tomorrow, and jury instructions to be discussed and finalized. Mr. Giordani advised their last witness was admonished about the Court's order, on the prior incident in the neighborhood and gang affiliation retaliation allegation. **JURY PRESENT:** Testimony and Exhibits presented (See Worksheets.). State's Exhibit No. 13 was PUBLISHED to the Jury in open Court. **OUTSIDE PRESENCE OF JURY:** Mr. Giordani reminded the Court the Carter instruction was included in State's proposed instructions to the Court. Deft. was admonished by Court on his rights to testify and not testify. Upon Court's inquiry, Deft. acknowledged; and confirmed he will not be testifying. Court advised Deft. to let the Court know if he changes his mind about not testifying, as there is an additional witness that will be called. Mr. Leventhal stated he spoke with the State about defense's possible witness from California. the State believes the statement by witness would be hearsay; and defense believes the statement can come in with the hearsay exception, if the witness does come and testify. Arguments by parties as to relevancy, NRS 51.345, proper notice not having been given to the State, this being unfair to the State as to defense dropping the witness on the State's lap on sixth day of trial, hearsay rules, and the State not having any idea when the statement was made or when Deft. was going to his baby's mother's house. Mr. Giordani argued this is a trial by ambush, State has an issue with the statement itself and sudden recollection, and State will leave it up to the Court at this point. Court stated it does not know if it is being asked to do anything, the Court does not have the witness here, and the Court does not know if defense is seeking any relief from the Court. Mr. Leventhal clarified the Court is right, as defense has not asked the Court for anything, and he will just let the Court know whether he hears back from the out-of-state witness. Mr. Tanasi requested a written stipulation about the TPO be read to the Jury on the record, during Deft's case in chief. **COURT SO ORDERED.** Thereafter, parties stipulated to admitting Deft's Exhibits E and F, and having Exhibits A through D withdrawn. **COURT SO ORDERED. JURY PRESENT:** State rested. Testimony and Exhibits presented (See Worksheets.). **CONFERENCE AT BENCH.** Defense read stipulation regarding the TPO order from 2006 to the Jury on the record. Jury was admonished and excused by Court for the evening, to return tomorrow morning, at 10:30 a.m. **OUTSIDE PRESENCE OF JURY:** Discussions as to defense seeking to have the out-of-state witness testify tomorrow, if or when the witness arrives. Mr. Leventhal advised the witness told him last night she was unable to come and testify today, due to breastfeeding her new baby, however, maybe on Tuesday, October 2, 2018, or Wednesday, October 3, 2018 she may. Mr. Leventhal added he asked the witness to call him back and confirm, and received no response, and this is where defense is at. Discussions as to proposed jury instructions from defense having been provided to the State, and not to the Court. Both sides exited the Courtroom to discuss jury instructions with the Court in Chambers. **MATTER TRAILED. CASE RECALLED. JURY INSTRUCTIONS SETTLED, and VERDICT FORM APPROVED.** No further instructions were proposed, and parties had no objections for the Court regarding the settled instructions. Court asked defense counsel to provide an update about the out-of-state witness tomorrow, and the Court will instruct the Jury after defense rests. Evening recess. TRIAL CONTINUES. CUSTODY 10/02/18 10:30 A.M. TRIAL BY JURY ;

MINUTES

Trial Continues;
Trial Continues;

CASE SUMMARY

CASE NO. 06C228460-2

Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Jury Deliberating;
Verdict;

Journal Entry Details:

JURY PRESENT: Court advised the Jury defense is calling one of their witnesses out of order, and after the witness testifies, the State will go back to their case and present their witnesses. Testimony and Exhibits presented (See Worksheets.). OUTSIDE PRESENCE OF JURY: Both sides stipulated to replacing two photos of maps in the exhibits with clearer photos; and COURT SO ORDERED. JURY PRESENT: Further testimony an Exhibits presented (See Worksheets.). Deputy District Attorney K. Nick Portz, Esq., was present and sworn by Clerk. The deposition of James Krylo was read into the record by Mr. Portz, Esq. Court admonished and excused the Jury for the weekend, to return Monday, October 1, 2018 at 11:00 a.m. OUTSIDE PRESENCE OF JURY: Parties stipulated to additional exhibits, and State's Exhibit No.'s 459 and 460 being withdrawn and returned to counsel. COURT SO ORDERED. Evening recess. TRIAL CONTINUES. CUSTODY 10/01/18 11:00 A.M. TRIAL BY JURY;

MINUTES

Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Jury Deliberating;
Verdict;

Journal Entry Details:

OUTSIDE PRESENCE OF JURY: Mr. Giordani advised news cameras were present in Court during opening statements; and State has concerns due to seeing something on the news last night, there were two printed articles about this case that was broadcast on the news, which infer a wrongful conviction and innocence claims, the State cannot control what the news does, however, the Jury may have seen the "wrongful conviction" flash on the camera in the Courtroom, for the broadcast yesterday. Mr. Giordani inquired if the Court can give an admonishment, or inquire whether the jurors have seen anything from the news broadcast. Court stated it has done trials with media present before, and the jurors can notify the Court on something; the Court is not comfortable asking the jurors here about the broadcast, as the Court does not want to draw more attention to jurors about the media coverage. Colloquy. Ms. Botelho advised the media went into more detail about the prior trial. Mr. Leventhal advised he was in a federal trial recently with a lot of media coverage being there. Mr. Giordani inquired whether the Court can tell the jury to report things to the Court if they see or hear something. Further colloquy as to Court's admonishments to the Jury, and the articles from the Las Vegas Review Journal. Mr. Giordani noted this is a unique situation. Court stated the jurors can see the cameras in the courtroom, and the jury knows the media is covering the trial. Discussions as to trial schedule for the week, status of jury instructions, and witness line up. JURY PRESENT: Testimony and Exhibits presented (See Worksheets.). Evening recess. TRIAL CONTINUES. CUSTODY 9/28/18 11:00 A.M. TRIAL BY JURY;

MINUTES

Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Jury Deliberating;
Verdict;

Journal Entry Details:

OUTSIDE PRESENCE OF JURY: Discussions regarding technical issues in the courtroom. JURY PRESENT and SWORN by Clerk. Court instructed the Jury. Clerk read Amended Information; and stated the plea thereof. Further instructions were provided to Jury by Court. Opening statements by Ms. Botelho and Mr. Tanasi. OUTSIDE PRESENCE OF JURY: Parties stipulated to admitting State's proposed Exhibit No.'s 1 through 451. COURT SO ORDERED. Mr. Giordani informed the Court State's witnesses were reminded earlier about the Court's ruling on not referencing on the gang affiliation and unrelated incident when testifying; and noted the defense needs to be careful not to reference any of this as well, on cross examination of those witnesses. Court reminded both sides to use "prior proceedings" when referencing anything from the first trial. Upon inquiry by Mr. Leventhal, Court advised parties they are permitted to reference the Preliminary Hearing proceedings, when referencing about the transcript, however, the Court will have a problem if the prior trial is referenced in those words. Further colloquy regarding Court's ruling and when State references Maurice being the intended target, without getting into gang affiliation or retaliation; and

CASE SUMMARY

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further colloquy regarding defense seeking to ask one of State's witness about height comparison. Mr. Tanasi advised he is trying to keep the witness and Deft. as far as possible; and defense would request Deft. be allowed to stand up during testimony, when defense needs to have the height established on cross examination. Court stated it will not allow the Deft. and the witness to be close to each other, however, it would not have a problem with the witness telling the jury how tall she is. Mr. Tanasi requested Deft. be permitted to stand back to back with the witness. Court advised defense counsel Deft. can stand and the jury can observe, when the witness is coming and out of the courtroom, while Deft. is standing up; and defense can ask the witness how tall she is during cross, without putting Deft. up there by the witness, the Court is not comfortable with the witness and Deft. being near each other, and the Court does not want the witness to feel uncomfortable or intimidated. Mr. Tanasi asked whether Deft. can stand up after the witness testifies. Court stated defense can have Deft. stand up during testimony. Upon Court's inquiry, Mr. Giordani confirmed State provided the witness line up for today to defense. JURY PRESENT: Testimony and Exhibits presented (See Worksheets.). During testimony, State's Exhibit 452 was published to the Jury in open Court, and the Exhibit No. was referenced incorrectly. OUTSIDE PRESENCE OF JURY: Court stated the Clerk notified the Court about a problem with the exhibits; and reminded both sides not to reference prior exhibit numbers listed on the exhibits, from the first trial. Clerk clarified the correct number is State's Exhibit No. 452, and not 97. Ms. Botelho apologized to the Court and Clerk. JURY PRESENT: Further testimony and Exhibits presented (See Worksheets.). Evening recess. TRIAL CONTINUES. CUSTODY 9/27/18 10:30 A.M. TRIAL BY JURY ;

MINUTES

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Jury Deliberating;

Verdict;

Journal Entry Details:

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Court advised both sides Juror with Badge No. 0357 notified the Court earlier about medical issues, and Court made the decision to have the juror excused, to allow the juror to seek medical attention. Court stated it will replace this juror and the juror excused yesterday; and provided the names of the new jurors replacing those seats. Parties made no objection. Mr. Tanasi advised the parties have to re-address the challenges. Colloquy regarding Juror No. 0356, and Court seeking to give the jury an instruction about the passage of time issue. Mr. Giordani advised there were some jurors saying hello to the State earlier, outside the courtroom. Court stated it will remind the jurors about the no communication rule. PROSPECTIVE JURY PANEL PRESENT: Court reminded the Jury about the parties and the Court not being permitted to communicate with the Jury outside the courtroom, due to the parties and the Court needing to maintain ethical obligations and the jury system. Court also instructed the jury about the lapse of time and when the event took place; and stated the Jury will be able to consider the passage of time, if selected for trial. Voir dire commenced. CONFERENCE AT BENCH. State made challenges for cause during the Bench conference. Follow up was done by defense. Voir Dire commenced further. Lunch recess. PROSPECTIVE JURY PANEL PRESENT: Voir dire commenced further. Both sides exercised peremptory challenges. During peremptory challenges, defense made a Batson challenge due to make up on the number of African Americans on the panel of 32. Following arguments by parties, Court OVERRULED defense counsel's objections. Court Exhibit ADMITTED (See Worksheets.). Parties exercised peremptory challenges. JURY SELECTED. Court thanked and excused the remaining prospective jury panel members. Court admonished and excused the Jury for the evening, to return tomorrow morning at 10:00 a.m. Evening recess. TRIAL CONTINUES. CUSTODY 9/26/18 10:00 A.M. TRIAL BY JURY;

MINUTES

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Jury Deliberating;

Verdict;

Journal Entry Details:

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Mr. Leventhal informed the Court defense has an expert witness being Dr. Mark Chambers, who is out of town and also in another trial planning to testify there; and defense would request Court to allow the expert to testify in this trial Friday, September 28, 2018. State made no objection. COURT SO ORDERED. Mr. Leventhal apologized to the Court, for what happened during a courtroom incident having occurred at time of Calendar Call, between Court Services and himself. PROSPECTIVE JURY PANEL PRESENT: Introductory statements by Court and by counsel. Clerk called roll. PROSPECTIVE JURY PANEL SWORN. Voir Dire commenced. Lunch recess. OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Mr.

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Giordani informed the Court this case went to trial back in 2007, the case was reversed many years later, and parties cannot reference in any way about the other trial. Court stated it will not allow counsel to make any reference about the other trial, and the prior trial would be called "prior proceedings". Mr. Giordani advised there were officers in the area of the murder, as there was a murder the night before that was gang related, discovery on this was provided to defense, and the State is staying away from referencing about the prior murder and gang affiliation. Mr. Leventhal argued as to relevancy on why the police were there in the area. Discussions as to police having been there in plain clothes, and there having been gang retaliation in the neighborhood. Mr. Giordani argued State would have to explain *res gestae*, and why the police were there. Court stated police can be there, they were doing their jobs, Court is not sure why State would have to explain why the police were there, the State can explain in general terms, and parties do not want the jury to think the police being at the area working on another event, was related to this case. Thereafter, Court asked why the jury has to be told about the specific reason why the police were there. Mr. Leventhal noted he is not sure how relevant this is, or how State would get into Co-Def't. and appeal status of Co-Def't's case, about the relief having been denied, and this should not be there. Mr. Giordani argued Def't. and Co-Def't. committed the crime together, and State is not going further on this, other than the police being there on another incident. Mr. Leventhal argued as to the question by State going into the previous trial, and relevancy of Co-Def't. having gotten caught. Following discussions, Court stated none of the information about why the Co-Def't. is not here, is relevant, parties can talk about the facts, just not the reason why the Co-Def't. is not here, or where the Co-Def't. is currently at; whether the Co-Def't. got relief or not from the appellate court is not relevant, and what the Co-Def't. may have done at time of incident is relevant. **PROSPECTIVE JURY PANEL PRESENT:** Voir Dire commenced further. **OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL:** Mr. Tanasi inquired if defense can voir dire the jury panel about the penalty portion; and Court stated yes. Discussions as to Juror with Badge No. 0414 having commented during Voir Dire about his heart rate and medical condition, Juror with Badge No. 0356 not understanding proceedings due to possible language barrier, and defense counsel's concerns. Court advised counsel if parties want to stipulate to having the juror removed, that is fine, or if counsel wants to further voir dire jurors, that is fine too. Mr. Giordani advised State does not believe it matters as to Juror No. 0356, and State agrees with the Court as to the other juror, being Badge No. 0414. Court stated Badge No. 0414 wanted to stay, and parties can revisit later on this. Mr. Tanasi advised defense is going to split the voir dire up. **SO NOTED. PROSPECTIVE JURY PANEL PRESENT:** Voir dire commenced further. Court admonished and excused the Jury for a break; and Court asked Juror with Badge No. 0370 to remain in the courtroom. **OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL:** Juror with Badge No. 0370 is present. Court canvassed the juror regarding comments this juror made earlier about having concerns due to the case having been opened in 2006, and the lapse of time on the case now going to trial. The juror stated he did not feel comfortable about the lapse of time or making a decision on a case from 2006 regardless of what the evidence is, based on the passage of time. The Marshal informed the Court there is another juror who made the same comment earlier. Court advised the juror he would be permitted to take into consideration on the lapse of time. Following further colloquy, **COURT ORDERED**, Badge No. 0370 **EXCUSED** by Court for cause. Juror exited the Courtroom. Additional juror is present; and told the Court about the same concerns on absence of time; and stated however, the case coming to trial now is not a concern. Following colloquy between the juror and the Court, the juror made a comment about being able to be a fair and an impartial juror for this trial. Court thanked the juror for being here; and reminded the juror not to discuss this courtroom conversation with the fellow jurors. Juror acknowledged; and exited the Courtroom to wait outside with the panel for further instructions. Ms. Botelho made a challenge for cause for Juror with Badge No. 0376. Court stated it would like the parties to make the challenges to the Court, when they have such challenges during Voir Dire, and defense has had no chance to do Voir Dire yet, or do follow up. Thereafter, Court stated it will question the juror further, and have the remaining jury panel return tomorrow morning. Juror with Badge No. 0376 is present; and stated he has a question about the case being from 2006 and asked how somebody can believe some one today on something that happened 12 years ago. Colloquy between the juror and the Court. Court told the Juror he would be able to consider that the case was long ago. Juror was satisfied with this; and was not excused for cause. Court directed the juror to wait outside with the fellow jurors; and reminded the juror not to discuss the courtroom conversation with the fellow jurors. Juror with Badge No. 0376 not present. Mr. Giordani advised State has three additional challenges for cause to make. Mr. Leventhal requested Court to give a curative instruction to the Jury about the lapse of time, due to the State's question to the jurors earlier possibly causing confusion. Colloquy. Court stated it can tell the Jury tomorrow about the case having been filed in 2006, and State can follow up and make any challenges for cause at that time. Court directed the Marshal to excuse the jury panel, to return tomorrow morning. Mr. Giordani advised he has four cases in Department 3 he needs to handle tomorrow, the criminal calendar there is starting at 10:30 a.m.; and he would request trial here to start tomorrow at 11:00 a.m. **COURT SO ORDERED.** Court directed the Marshal to have all of the jurors return tomorrow morning at 11:00 a.m. Evening recess. **TRIAL CONTINUES. CUSTODY 9/25/18 8:30 A.M. TRIAL BY JURY;**

12/05/2018



Sentencing (8:30 AM) (Judicial Officer: Leavitt, Michelle)
Sentencing (Jury Verdict)

MINUTES

Defendant Sentenced;
Journal Entry Details:

Def't. present in custody. Mr. Leventhal apologized to the Court; and stated defense filed a lengthy Sentencing Memorandum last night, and defense is ready to proceed with sentencing, further noting defense also spoke with State about whether the Court will continue the matter, if the Court has not had ample time to review the Sentencing

CASE SUMMARY

CASE NO. 06C228460-2

Memorandum, and if that is the case, parties would agree to a continuance. Court stated it did have an opportunity to review the Sentencing Memorandum, and is ready to proceed with sentencing. By virtue of Jury Verdict returned in this matter, DEFT. JEMAR D. MATTHEWS ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F); COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 4 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 6 - POSSESSION OF SHORT BARRELED RIFLE (F); COUNT 7 - CONSPIRACY TO COMMIT ROBBERY (F); COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT 9 - ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT 10 - ASSAULT WITH A DEADLY WEAPON (F); AND COUNT 11 - ASSAULT WITH A DEADLY WEAPON (F). Arguments by Mr. Giordani. Mr. Giordani requested the victim speakers to address the Court last. Deft. made statements to the victims seated in the gallery, and additional statements to the Court. Mr. Leventhal argued regarding NRS 193.165 and information contained in the Sentencing Memorandum. Mr. Tanasi also made arguments to the Court on Deft's behalf. Two Victim Speakers provided sworn testimony. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED as follows: COUNT 1 - to a MINIMUM of TWENTY SIX (26) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC); COUNT 2 - LIFE with the possibility of parole after a MINIMUM of TWENTY (20) YEARS is served in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of LIFE with the possibility of parole after a MINIMUM of TWENTY (20) YEARS is served in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 2 to run CONCURRENT to COUNT 1; COUNT 3 - a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 3 to run CONCURRENT to COUNT 2; COUNT 4 - a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 4 to run CONCURRENT to COUNT 3; COUNT 5 - a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 5 to run CONCURRENT to COUNT 4; COUNT 6 - a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC); COUNT 6 to run CONCURRENT to COUNT 5; COUNT 7 - a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS in the Nevada Department of Corrections (NDC); COUNT 7 to run CONCURRENT to COUNT 6; COUNT 8 - a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 8 to run CONCURRENT to COUNT 7; COUNT 9 - a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 9 to run CONCURRENT to COUNT 8; COUNT 10 - a MINIMUM of SIXTEEN (16) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS in the Nevada Department of Corrections (NDC); COUNT 10 to run CONCURRENT to COUNT 9; and, COUNT 11 - a MINIMUM of SIXTEEN (16) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS in the Nevada Department of Corrections (NDC); COUNT 11 to run CONCURRENT to COUNT 10, with FOUR THOUSAND FOUR HUNDRED FIFTY (4,450) DAYS CREDIT FOR TIME SERVED. All Counts to run CONCURRENT to COUNT 2. TOTAL AGGREGATE SENTENCE is FORTY (40) YEARS to LIFE in the Nevada Department of Corrections (NDC). BOND, if any, EXONERATED. NDC ;

DATE

FINANCIAL INFORMATION

Defendant Matthews, Jemar

Total Charges

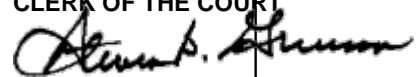
353.00

Total Payments and Credits

0.00

Balance Due as of 12/21/2018

353.00



JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JEMAR MATTHEWS, aka
Jemar Demon Matthews
#1956579

Defendant

CASE NO. 06C228460-2

DEPT. NO. XII

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – CONSPIRACY TO COMMIT MURDER (Category B Felony) in violation of NRS 200.010, 200.030, 199.480; COUNT 2 – FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010, 200.030, 193.165; COUNT 3 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 4 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 5 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 6 – POSSESSION OF A SHORT BARRELED RIFLE (Category D Felony) in violation of NRS 202.275; COUNT 7 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; COUNT 8 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in

RECEIVED

DEPT 12

1 violation of NRS 200.380, 193.165; COUNT 9 – ROBBERY WITH USE OF A DEADLY
2 WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 10 –
3 ASSAULT WITH A DEADLY WEAPON (Category B Felony) in violation of NRS
4 200.471; and COUNT 11 – ASSAULT WITH A DEADLY WEAPON (Category B Felony)
5 in violation of NRS 200.471, and the matter having been **tried before a jury**, and the
6 Defendant having been found guilty of the crimes of COUNT 1 – CONSPIRACY TO
7 COMMIT MURDER (Category B Felony) in violation of NRS 200.010, 200.030,
8 199.480; COUNT 2 – FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
9 (Category A Felony) in violation of NRS 200.010, 200.030, 193.165; COUNT 3 –
10 ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in
11 violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 4 – ATTEMPT MURDER
12 WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010,
13 200.030, 193.330, 193.165; COUNT 5 – ATTEMPT MURDER WITH USE OF A
14 DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330,
15 193.165; COUNT 6 – POSSESSION OF A SHORT BARRELED RIFLE (Category D
16 Felony) in violation of NRS 202.275; COUNT 7 – CONSPIRACY TO COMMIT
17 ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; COUNT 8 –
18 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of
19 NRS 200.380, 193.165; COUNT 9 – ROBBERY WITH USE OF A DEADLY WEAPON
20 (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 10 – ASSAULT
21 WITH A DEADLY WEAPON (Category B Felony) in violation of NRS 200.471; and
22 COUNT 11 – ASSAULT WITH A DEADLY WEAPON (Category B Felony) in violation
23 of NRS 200.471; thereafter, on the 5th day of December, 2018, the Defendant was
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present in court for **sentencing** with counsel TODD LEVENTHAL, ESQ. and RICHARD TANASI, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment Fee, \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows:

COUNT 1 – a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of TWENTY-SIX (26) MONTHS; **COUNT 2** – LIFE with the eligibility of parole after serving a MINIMUM of TWENTY (20) YEARS, plus a CONSECUTIVE term of LIFE with the eligibility of parole after serving a MINIMUM of TWENTY (20) YEARS for the Use of a Deadly Weapon, CONCURRENT with **COUNT 1**; **COUNT 3** – a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon; CONCURRENT with **COUNT 2**; **COUNT 4** - a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon, CONCURRENT with **COUNT 3**; **COUNT 5** – a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS, plus a CONSECUTIVE term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS for the Use of a Deadly Weapon, CONCURRENT with **COUNT 4**; **COUNT 6** - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM

1 parole eligibility of TWELVE (12) MONTHS, CONCURRENT with COUNT 5; **COUNT 7**
2 – a MAXIMUM of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of
3 TWELVE (12) MONTHS, CONCURRENT with COUNT 6; **COUNT 8** - a MAXIMUM of
4 ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY
5 (40) MONTHS, plus a CONSECUTIVE term of ONE HUNDRED EIGHTY (180)
6 MONTHS with a MINIMUM parole eligibility of FORTY (40) MONTHS for the Use of a
7 Deadly Weapon, CONCURRENT with COUNT 7; **COUNT 9** – a MAXIMUM of ONE
8 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of FORTY (40)
9 MONTHS, plus a CONSECUTIVE term of ONE HUNDRED EIGHTY (180) MONTHS
10 with a MINIMUM parole eligibility of FORTY (40) MONTHS for the Use of a Deadly
11 Weapon, CONCURRENT with COUNT 8; **COUNT 10** - a MAXIMUM of SEVENTY-
12 TWO (72) MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS,
13 CONCURRENT with COUNT 9; and **COUNT 11** - a MAXIMUM of SEVENTY-TWO (72)
14 MONTHS with a MINIMUM parole eligibility of SIXTEEN (16) MONTHS,
15 CONCURRENT with COUNT 10; ALL COUNTS to run CONCURRENT with COUNT 2;
16 with FOUR THOUSAND, FOUR HUNDRED FIFTY (4,450) DAYS credit for time served.
17 The AGGREGATE TOTAL sentence is LIFE with the eligibility of parole after serving a
18 MINIMUM OF FORTY (40) YEARS.
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23 DATED this 6 day of December, 2018.

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26 MICHELLE LEAMITT
DISTRICT COURT JUDGE

SB

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 11, 2006**

06C228460-2

The State of Nevada vs Jemar D Matthews

December 11, 2006**10:30 AM****Initial Arraignment**

**INITIAL
ARRAIGNMENT
Court Clerk: Sandra
Anderson Relief
Clerk: Phyllis Irby/pi
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bawa, Ravindar N.

Attorney

Bunin, Daniel M.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- AS TO DEFT. JOSHLIN: DEFT. JOSHLIN ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial.

AS TO DEFT. MATTHEWS: DEFT. MATTHEWS ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial.

CUSTODY (BOTH)

2-07-07 9:00 AM CALENDAR CALL (DEPT. XVIII)(BOTH)

2-12-07 1:30 PM JURY TRIAL (DEPT. XVIII) (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 07, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

February 07, 2007**9:00 AM****Calendar Call****CALENDAR CALL****Court Clerk:****Katherine Streuber****Reporter/Recorder:****Richard Kangas****Heard By: Elizabeth****Halverson****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- Ms. Lewis advised they had not received Preliminary Hearing transcript and requested a continuance of trial. COURT ORDERED, trial date VACATED and RESET.

CUSTODY (BOTH)

05-02-07 8:30 AM CALENDAR CALL (BOTH)

05-07-07 10:30 AM TRIAL BY JURY (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 16, 2007

06C228460-2

The State of Nevada vs Jemar D Matthews

April 16, 2007

8:30 AM

Motion to Compel

STATE'S MTN TO
COMPEL BUCCAL
SWABS/6 Court
Clerk: Pamela
Humphrey
Reporter/Recorder:
Richard Kangas
Heard By: Halverson,
Elizabeth

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- Mr. Figler advised Mr. Singer is supposed to be Mr. Joshlin's counsel of record, however, counsel advised Mr. Singer informed him he withdrew from this matter. Court noted and stated no order has been submitted. Mr. Figler further made representation as to there being a PD conflict if appointed. Deft. Matthews made representation and Mr. Figler stated he still needs a copy of the preliminary transcript. There being no appearance by Mr. Singer, COURT ORDERED, matter CONTINUED for Mr. Singer to appear; Motion and Trial STAND.
CUSTODY (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 18, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

April 18, 2007**8:30 AM****Motion to Compel**

**STATE'S MTN TO
COMPEL BUCCAL
SWABS/6 Court
Clerk: Pamela
Humphrey
Reporter/Recorder:
Denice Lopez Heard
By: Halverson,
Elizabeth**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- Mr. Singer advised he has been in contact with the Public Defender's office and the deft's family and was advised deft. and his family want the matter to be reassigned to PD's office as there is no conflict. Further, counsel stated Mr. Reed was on the matter and have discovery. Mr. Imlay stated he was advised there was a conflict with the PD's office because of a witness and stated he will request Mr. Reed appear next date to advise Court of conflict.

Mr. Figler stated there are some genetic materials recovered that can be connected to Mr. Joshlin and there is a red knit glove found in the pathway of the person who fled. There was no genetic material found on this glove. State opposed and stated the glove has been tested and DNA was found. State lodged with Court a report as to the DNA genetic material found on the glove. Following arguments, COURT ORDERED, matter CONTINUED and Mr. Reed to APPEAR next date. COURT FURTHER

ORDERED, Motion STAYED and Trial STANDS. FURTHER, COURT ADMONISHED, Mr. Figler to get expedited transcript as to preliminary hearing to Court IMMEDIATELY.
CUSTODY (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 20, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

April 20, 2007**8:30 AM****Motion to Compel**

**STATE'S MTN TO
COMPEL BUCCAL
SWABS/6 Court
Clerk: Pamela
Humphrey
Reporter/Recorder:
Pamela Humphrey
Heard By: Elizabeth
Halverson**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Norman Reed, Clark County Homicide Team, also present. Mr. Reed advised the Court his office checked and learned there is a conflict and, therefore, can't take this case. COURT SO NOTED, and ORDERED, Mr. Singer APPOINTED. Mr. Figler argued as to the buccal swabs stating any testing done on the red glove should be limited. Mr. Figler further stated the results of the testing will be entered into a data base which will be used to search for other crime matches. Mr. Figler stated if State finds other crimes, counsel doesn't want other crimes brought into this case and that the search should be limited to determining the DNA profile as to the red glove. Ms. Lewis argued the type of testing that will be done is standard and the results of the testing has to be entered into the database accordingly. Further, Ms. Lewis noted the red glove have DNA profile and State is trying to see if it matches the deft. Mr. Figler stated deft. wants the transcripts and want

21 days to file writ and to invoke speedy trial. Following arguments, COURT ORDERED, Motion GRANTED and if results are entered into database, NO EVIDENCE from other crimes can be brought into this case, and TRIAL STANDS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 02, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

May 02, 2007**8:30 AM****Calendar Call**

**CALENDAR CALL
CONTINUED Court
Clerk: Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David**

HEARD BY:**COURTROOM:****COURT CLERK:** Sharon Chun**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES**- CALENDAR CALL: JOSLIN & MATTHEWS**

Both Mr. Singer and Mr. Figler stated they were prepared to start trial on 5/7/07 and want to go forward.

Ms. Lewis stated that on 4/20/07 Judge Halverson Granted the State's Motion To Compel Buccal Swabs. She had submitted the Order to Judge Halverson, but, has not yet received the signed Order. She inquired if this Court will sign a new Order for preparation of the buccal swab, because this evidence is of an urgent matter and the results could take up to a couple of weeks. COURT SIGNED the State's Order, it was conformed and FILED IN OPEN COURT.

COURT NOTED this case is eighteen months old, both Defts are in custody, and both have Invoked, so this case has a priority trial status. Mr. Figler stated he thinks that both defense counsel may be able to "work out some type of stipulation" with Ms. Lewis.

COURT ORDERED, CALENDAR CALL CONTINUED to Friday. All counsel acknowledged they

will be present at that time.
CUSTODY (BOTH)
CONTINUED TO 5/4/07 8:30 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 04, 2007

06C228460-2

The State of Nevada vs Jemar D Matthews

May 04, 2007

8:30 AM

Calendar Call

**CALENDAR CALL
CONTINUED Court
Clerk: Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bateman, Samuel G.

Attorney

Bunin, Daniel M.

Attorney

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- COURT ADVISED that jury selection will begin at 1:00 PM on Monday, May 7, 2007. Both parties confirmed they expected the trial to complete in five days, and, there may not be a penalty phase, that is still being discussed. Ms. Lewis noted the State has twenty witnesses with one from Texas. Mr. Figler moved to strike any expert witnesses disclosed within twenty-one days of this trial. Arguments ensued by Ms. Lewis and Mr. Figler; Ms. Lewis reiterated that she could not disclose the experts until she did because of continuances delays by Defense for the buccal swabs. She also noted she had filed the State's Notice of Witnesses on 4/25/07 and the Supplemental Notice of Witnesses filed on 5/2/07. Ms. Lewis reiterated that she needed the buccal swabs before the DNA testing could be performed and the DNA expert is coming in on Saturday to share the results. COURT STATED that issue of late disclosure of witnesses will be determined on a case-by-case basis at trial.

Mr. Figler renewed his argument that the DNA evidence is too late. COURT STATED it agrees with the State that the evidence can come in, but, ORDERED, it may not come in during the State's Case-In-Chief, it was not properly noticed.

Ms. Lewis stated she may need a couple of extra days before trial start so the Report can be prepared. She also requested any Motions in Limine to be submitted in writing, so as not to discuss the issues during trial. COURT STATED it will not limit Defendants. COURT ORDERED, trial to go forward as scheduled on Monday with a 1:00 P.M. start.

Mr. Figler noted that this case was transferred from Dept XXIII to this Department, but, Defense never received a formal findings or reasons why the case was transferred from one to the other. He also noted that this Judge was employed by the District Attorney's Office and he respectfully requests this Judge if he knows of any conflicts to disclose. COURT ADVISED that it reviewed every criminal file and has been recusing if there is a possible conflict. COURT STATED there is no potential conflict and this Court has no memory of this case, it was never on his "track". COURT ADVISED that Judge Bell is willing to try this case if counsel have any doubt as to potential conflicts. Mr. Figler stated he just wanted to make a record. COURT INQUIRED if either counsel had any information that this Judge was conferenced in this case.

Ms. Lewis interjected that she has been directly assigned this case and that the only one to help her was Mr. Bateman, and when this case was reassigned, and this Judge was never involved in this case. COURT DIRECTED counsel to advise the Court if they wanted to send this trial to Overflow, Judge Bell. Mr. Figler stated he will do so.

COURT REITERATED, TRIAL BEGINS Monday, 5/7/07 at 1:00 P.M.

CUSTODY (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 07, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

May 07, 2007**1:00 PM****Jury Trial****TRIAL BY JURY**
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bateman, Samuel G.

Attorney

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- TRIAL CONVENED before Jury Panel was seated.

Ms. Lewis stated that the Information should include Deft Jemar Matthews' name on page 1, Line 21, but, due to a clerical error it was not included. COURT ORDERED the INFORMATION INTERLINEATED to insert Jemar Matthews and the AMENDED INFORMATION was FILED IN OPEN COURT.

COURT NOTED there appeared to be issues re witnesses. Ms. Lewis explained that three or four names have been added to the State's Witnesses and Mr. Figler was given the names. Mr. Figler objected to any DNA evidence based on Notice requirements; no reports were submitted to Defense. Mr. Bateman noted the buccal swabs were tested and the State wants to include that information. COURT EXPRESSED concern re the Brady issue. Mr. Figler argued that any exculpatory evidence must be turned over by the State and inquired if there was a formalized document regarding the

Offer of Proof if it were to be admissible. No ruling yet made by the Court.

COURT INQUIRED of Mr. Figler about his concern that this Judge was with the District Attorney's Office prior to being appointed to the Bench and any possibility of conflict. Mr. Figler noted that Defense only received notice of the case transfer from Dept XXIII to this Department on the Friday prior to Calendar Call, and, there was no explanation given as to why Judge Halverson was not still on this case. He also stated that since he had an initial concern that this Judge was with the District Attorney's he made an Oral Motion for this Court to reveal any conflicts and a record made that this Court was not involved with this case. Mr. Figler stated that this Court has satisfied the requirements by Defense and there is no conflict; Defense is ready to proceed to trial. COURT REITERATED that it has no memory or knowledge of this case. Mr. Bateman interjected that all of Judge Halverson's criminal cases were transferred to this Court, not just this case.

COURT STATED that neither the location for the trial, nor the schedule is yet firm, but, counsel will be apprised on a day-to-day basis.

Discussion held regarding jury selection and alternates. COURT ADVISED that the SECRET ALTERNATES will be seated in Seat 13 & 14. COURT ALSO ORDERED, re the Peremptory Challenges for Alternates, the State will be allowed one challenge and the Defense will be allowed two between them.

Discussion held regarding potential penalty phase. Ms. Lewis stated that the State will waive the penalty phase and the Court may sentence Deft. Mr. Figler and Mr. Singer both stated they will also waive the penalty phase of the trial.

Mr. Figler requested that the State does not disclose statements as to gunshot discharging too soon. COURT ORDERED, that issue must wait for proper foundation.

JURY PANEL SEATED AT 2:00 P.M., the first fourteen members being seated in the jury box.

COURT PRESENTED opening remarks and made introductions of the court staff and all counsel.

Introductions made by Mr. Bateman, Mr. Figler, and Mr. Singer. ROLL CALL conducted by the Clerk. Following additional remarks by the Court, Jury Panel was administered the voir dire oath.

General voir dire conducted by the Court with the COURT THANKING and EXCUSING Jury Panel members for cause. Individual panel members were further voir dired by counsel. Peremptory Challenges were conducted. COURT THANKED and EXCUSED additional Panel members for cause during the Challenges.

OUTSIDE PRESENCE OF JURORS: Stipulation and Order regarding the Penalty Hearing, FILED IN OPEN COURT. PANEL SEATED, all present per stipulation of counsel. Peremptory challenges concluded. COURT THANKED and EXCUSED those Panel Members not selected as final Jurors. FOURTEEN JURORS WERE PLACED UNDER OATH and SEATED.

COURT ADMONISHED JURORS and ORDERED them RECESSED until 10:00 A.M. tomorrow.

There being nothing to come before the Court at this time, COURT ORDERED, EVENING RECESS; TRIAL CONTINUED TO 10:00 A.M. on 5/8/07.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 08, 2007

06C228460-2

The State of Nevada vs Jemar D Matthews

May 08, 2007

10:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Sharon Chun
Reporter/Recorder: Richard Kangas
Heard By: Barker, David

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bateman, Samuel G.
 Figler, Dayvid J.
 Lewis, Linda Y.
 Matthews, Jemar D

Attorney
 Attorney
 Attorney
 Defendant

JOURNAL ENTRIES

- JURY TRIAL - DAY 2

OUTSIDE PRESENCE OF JURY: Both Mr. Singer and Mr. Figler mentioned that members of the jury had spoken to them outside the courtroom, and, although counsel told them they weren't allowed to speak to them, they suggested the Court give jurors the admonishment re conversations with officers of the Court. **COURT STATED** it will do so again this morning. All parties agreed that there was no other resolutions needed.

FILED IN OPEN COURT: Deft Jamar Matthews, **BENCH BRIEF.** Court **REVIEWED** and inquired if Mr. Figler were raising Motions in Limine at this late time? He responded that he is reiterating past issues of concern. Mr. Bateman confirmed the State will "do our best to avoid any references to gangs."

Mr. Figler again raised the question of foundation for the gunshot residue test and argued that no

discovery has been presented by the State per date and cited "notice violation." Ms. Lewis argued that the State is not required to provide discovery re an impound report and noted she had given Defense the names of every single person who will testify. However, when questioned who will testify as to the gunshot residue, she stated she was not sure, but, thought his name was Mr. McPhail. COURT DIRECTED Ms. Lewis to give a copy of any reports to Defense and ORDERED that Mr. McPhail is to be made available to Defense before he takes the stand to testify. Mr. Figler reiterated that the evidence was tested without a report and without impounding it, and, Mr. McPhail does not show up on the Pltf's Witness List. He also reiterated that the Notice was faxed to his office yesterday at 11:24 A.M. COURT STATED IT WILL RESERVE RULING on foundation, it goes to weight of admissibility and is okay for Pltf to use in their Opening. Ms. Lewis confirmed that Mr. McPhail was not referred to in other reports. Mr. Figler renewed his objection, citing a Discovery Rule Violation, further testing needs to be done before admission, there is no time frame, there is a transference issue re the gunshot residue, there is an absence of reports, and it is prejudicial to Defense. Plaintiff should not be allowed to reference the gunshot residue test in their opening. Ms. Lewis argued that the Pltf is now required to provide a report. COURT ORDERED, Plaintiff allowed to proceed with foundation, and is to provide to Deft any exhibits for examination. Mr. Figler cited "notice violation". COURT STATED there is sufficient information and notice for Deft to proceed. Mr. Singer stated he joins in Mr. Figler's objection. Mr. Figler inquired of Ms. Lewis if that was all the added witnesses; Ms. Lewis responded, yes.

JURORS SEATED AT 10:27 A.M. and all counsel stipulated to presence of all. COURT PRESENTED comments and admonishment to Jurors and the Information was read by the Clerk. COURT ADVISED JURORS re evidence and directed them as to any Juror questions.

During the Opening Statements made by Ms. Lewis, objections were raised by either Mr. Figler or Mr. Singer. COURT ORDERED, OBJECTIONS OVER-RULED. Mr. Figler presented his opening statement, followed by Mr. Singer.

State's first witness called forth, was sworn, and testified; exhibits presented. (Please see Witness List and Exhibit Lists.)

OUTSIDE PRESENCE OF JURORS a record was made of Defense's objections to photo(s) shown during the State's opening remarks. Mr. Figler stated the photos were prejudicial; Mr. Singer noted his client was shown in "shackles" and that Ms. Lewis misrepresented the charges. COURT STATED that Defense can raise those questions during closing arguments. Ms. Lewis stated there was no purposeful design, she only showed the photo because that's the only one available. Following a brief recess, Mr. Figler noted that he has the Report and Declaration now. COURT SO NOTED. JURORS SEATED, all present per stipulation of all counsel. Bench Conference held, wherein the Bailiff advised the Court that Juror #13's Juror Notebook could not be found after lunch. Another was provided temporarily. Later it was returned to Juror, the COURT EXPLAINED that during the lunch recess there was a meeting in the courtroom and one of the attendees had inadvertently picked it up and carried it off with him/her. Jurors confirmed everything in the notebook was as it was before.

State continued with additional witnesses and exhibits. Witnesses identified Deft(s) at various times during testimonies. Mr. Figler and Mr. Singer noted for the record that the witnesses identified the Defendants who were sitting next to their counsel during the trial.

COURT ORDERED, JURORS RECESSED at 5:14 P.M. and TRIAL NOTED TO CONTINUE

TOMORROW at 10:30 A.M. in Courtroom 15-B.

OUTSIDE JURORS: COURT DIRECTED counsel to confer about Jury Instructions so they can be addressed. Counsel so confirmed. Mr. Figler noted that one of the jurors, #2, was nodding off during trial.

Mr. Figler made an Oral Motion for Mistrial because Mr. Bateman's reference to Deft's "SCOPE" and that it was waived before the face of a witness as though an official document, and a witness could have seen it. He also stated that no cautionary instruction can remedy that. Mr. Bateman argued that "we can all have a SCOPE" and that it was not prejudicial. COURT ORDERED, UNDER ADVISEMENT, a ruling will be made tomorrow on this issue. COURT ORDERED, EVENING RECESS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 09, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

May 09, 2007**9:30 AM****Jury Trial**

TRIAL BY JURY
Relief Clerk: Chanel
West (1:05PM -
2:05PM)
Reporter/Recorder:
Richard
Kangas/Francesca
Haak Heard By:
Barker, David

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bateman, Samuel G.
 Bunin, Daniel M.
 Figler, Dayvid J.
 Lewis, Linda Y.
 Matthews, Jemar D

Attorney
 Attorney
 Attorney
 Attorney
 Defendant

JOURNAL ENTRIES**- DAY 3 OF TRIAL**

TRIAL RECONVENED, OUTSIDE PRESENCE OF JURORS. COURT ADDRESSED the Defts' Motions for Mistrial. COURT STATED it had researched the matter and DETERMINES that "SCOPE" is a neutral term and that is had minimum impact to jurors. COURT NOTED that the Deft does not want to have a curative instruction presented to jurors. COURT ORDERED, Motion For Mistrial, DENIED.

Mr. Figler renewed his argument that Defense had not received notice that a gunshot residue test had been performed until the day of trial and had not received the Evidence Impound Report until last

night. He argued that the results of the gunshot residue test failed to reveal the mix of three elements, and because only two were found and that admissibility is disallowed across the country. He requested he be allowed to voir dire Mr. McPhail and that the State is penalized by not allowing testing notice, "the Defense was sandbagged". Ms. Lewis argued that they noticed witnesses. COURT INQUIRED if the third person is an exculpatory witness? Ms. Lewis responded, no. COURT STATED IT DOES NOT FIND A BRADY VIOLATION. COURT FURTHER noted that this can be taken up further outside the jury during examination of Mr. McPhail.

JURORS SEATED, all present per stipulation of all counsel. Plaintiff called forth additional witnesses with testimonies under oath; exhibit presented. (Please see Witness and Exhibit Lists.) During identification of Deft by witness, Mr. Figler noted that both Defts are seated by their respective counsel.

JURY PRESENT: (CHANEL WEST-RELIEF CLERK at 1:05 P.M.) Testimony and exhibits presented (See worksheet.) Court excused the Jury for an afternoon recess.

OUTSIDE THE PRESENCE: Upon Court's inquiry, State advised the Court of the number of remaining witnesses and indicated they intend to rest tomorrow. Court requested Jury Instructions from counsel and Mr. Figler advised counsel is currently working on them. Court made reference to evidence previously not admitted in front of the Jury and STATED FINDINGS pursuant to statute that could possibly allow it's admission. Mr. Figler submitted objection. Ms. Lewis made request to re-move for it's submission in front of the Jury and COURT SO ORDERED. Further, COURT ADVISED, it is limiting this ruling. Colloquy regarding evidence. COURT STATED FURTHER FINDINGS and ADVISED it would reserve the ruling as to this evidence. Court noted the issue of the gun-shot residue and noted it's receipt of Points and Authorities and the State's opposition as to Motions in Limine. Mr. Phillips moved for Joinder to Motions in Limine. Testimony and exhibits continued (See worksheet.) Mr. Figler, Mr. Bunin, and Mr. Singer submitted an objection that they have never received a curriculum vitae and Mr. Figler requested the State provide a copy. Argument submitted by Mr. Bateman. Mr. Figler agreed to proceed with the trial and advised he would follow-up to ensure he receives the copies. Mr. Figler and Mr. Bunin submitted further objections that they have not received a full copy of the reports. Upon Court's inquiry, State advised they didn't have that information today. Court advised testimony would continue. During testimony, Mr. Figler submitted an objection as to the testimony and record referenced to by the witness.

(CLERK PRESENT at 2:25 P.M.) STILL OUTSIDE PRESENCE OF JURORS, voir dire of Crystina Vachon continued. When she was excused from the witness stand, Mr. Figler argued that Ms. Vachon is not an authority, has no scholarly works, and he could have brought in Ph.D. experts and scholars to testify had he known about this test. He reiterated that the documents were not provided to Defense before yesterday. And, he argued Mr. McPhail can provide no guarantees on non-contamination. Mr. Figler again requested a dismissal of the case because the evidence has major prejudicial impact. Or, in the alternative, Mr. Figler requested a trial continuance to "get our experts for the gunshot residue "experts".

COURT ORDERED, Mr. Figler's Motion for Dismissal of Trial With Prejudice, DENIED. COURT INQUIRED if Deft now wants to continue the trial two weeks? Mr. Figler stated he needs a continuance or he'll be ineffective because he didn't know that the gunshot residue test was done. Mr. Bateman argued that Defense is not prejudiced because "they didn't do their work, as of May 3 they had the results." He noted he has proof of the transmittal. Mr. Singer argued that a fax was sent

yesterday to their office, but, of course was not received because he was here in court yesterday. Mr. Singer also argued that he could have scheduled experts, had he known and argued that even Mr. McPhail stated that the original report was not found and the print-out was only received yesterday. Following additional arguments and colloquy, Mr. Figler referred the Court to the Plaintiff's reference to "firearms analysis", there was no mention of gunshot residue tests. All counsel noted a two week continuance would be possible. COURT STATED that a two-week continuance is appropriate. Mr. Figler stated that neither Deft has waived his right to a speedy trial. Following a brief recess. Ms. Lewis stated there is a stipulation that the State can proceed with mention of a residue examination of the black and red gloves, but, will make no mention of the hands being examined for residue. Mr. Figler confirmed there is to be no evidence re gunshot residue, only testimony about the gloves, and with that stipulation he withdraws his motion for continuance of the trial. Ms. Lewis stated she wants Mr. Figler to state that he is ready to cross-examine this witness based upon the agreement of gloves, and she reiterated that the State never saw the 180 page report until Ms. Vachon noted it. COURT ORDERED RECESS.

TRIAL RECONVENED, STILL OUTSIDE PRESENCE OF JURORS. Mr. Bateman stated that the State will not introduce the gunshot residue test on the hands of co-defendants, but, only will bring in the red and two black gloves, so Mr. McPhail will not need to testify. Mr. Figler confirmed he withdraws his motion to continue trial. Mr. Singer inquired if Defense can argue about the gloves. COURT RESPONDED, "yes."

JURORS SEATED, all present per stipulation of all counsel. State's next witnesses were placed under oath and testified; exhibits presented.

COURT ORDERED, EVENING RECESS; TRIAL CONTINUED tomorrow at 9:30 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 10, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

May 10, 2007**9:30 AM****Jury Trial**

TRIAL BY JURY
Court Clerk: Sharon Chun
Reporter/Recorder: Richard Kangas
Heard By: Barker, David

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bateman, Samuel G.

Attorney

Bunin, Daniel M.

Attorney

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- DAY 4 OF TRIAL

COURT RECONVENED OUTSIDE PRESENCE OF JURORS. COURT NOTED there is a stipulation regarding the evidence chain-of-custody from the victim to Det. Krylo, Exhibit #165. Also, State's Consolidated Opposition to Defendant's Motions In Limine, FILED IN OPEN COURT.

JURORS SEATED at 10:03 A.M., all present per stipulation of all counsel. The State called forth its next witness, designated as an expert. Mr. Singer objected to testimony regarding microscopic analysis; COURT NOTED he can cross-examine regarding that issue. The Questions from Jurors were brought to the attention of the Bench, counsel approached to discuss, and the Juror Questions were marked as Court's Exhibits. (Please see Court's Exhibit List.) Fred Boyd designated as expert witness and testified as to microscopic examination of the bullets.

OUTSIDE PRESENCE OF JURORS: Regarding Juror Question, marked as Court's Exhibit #2, Mr. Singer requested the Court to ask the Juror Question in a different manner than it was written. The Court presented the alternative which was approved by Mr. Singer before being asked of the witness. COURT CANVASSED DEFT MATTHEWS re his Fifth Amendment Rights. Deft Matthews stated he will not take the stand to testify. Mr. Figler requested a Jury Instruction given regarding fact that the Deft is not compelled to testify.

COURT ALSO CANVASSED DEFT JOSHLIN as to his Fifth Amendment Rights. Deft Joshlin stated he will not take the stand to testify. Mr. Singer also requested a Jury Instruction regarding the fact that the Deft is not compelled to testify.

Following a full recess, OUTSIDE PRESENCE OF JURY, Mr. Figler stated that several parties were present in the courtroom during the trial, and as they were leaving the court room they said, "they killed my baby." He requested the Court to admonish all present about comments made. COURT STATED it didn't hear the comments. At request of Plaintiff, Court's Exhibit #3 was marked.

JURORS SEATED, all present as before per stipulation of all counsel. THE STATE ANNOUNCED IT RESTED ITS CASE at 12:31 P.M. COURT ORDERED, Jurors recessed for lunch.

OUTSIDE PRESENCE OF JURORS, Mr. Singer made an Oral Motion to Dismiss Count 5 against Deft Joshlin, stating his argument on the record. The State argued in opposition. COURT ORDERED, DEFT JOSHLIN'S MOTION TO DISMISS COUNT 5, DENIED. Arguments re final Jury Instructions continued. Deft's Proposed Jury Instructions Not Used At Trial, FILED IN OPEN COURT.

JURORS SEATED at 1:24 P.M., all present per stipulation of all counsel. Mr. Figler presented the first Defense witness, who was sworn and testified; exhibits presented. (Please see Witness and Exhibit Lists.) COURT ORDERED, JURORS RECESSED at 6:00 P.M. and ORDERED to return tomorrow at 9:30 A.M.

OUTSIDE PRESENCE OF JURORS, discussion held regarding tomorrow's schedule. COURT ORDERED, EVENING RECESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 11, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

May 11, 2007**9:30 AM****Jury Trial**

TRIAL BY JURY
Court Clerk: Sharon Chun
Reporter/Recorder: Richard Kangas
Heard By: David Barker

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bateman, Samuel G.

Attorney

Bunin, Daniel M.

Attorney

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- DAY 5 OF TRIAL

TRIAL RECONVENED OUTSIDE PRESENCE OF JURORS. Arguments re Jury Instructions continued on the record. Final Jury Instructions accepted and numbered by the Court. Deft's Jury Instructions Offered But Not Used, FILED IN OPEN COURT. All counsel stipulated to the reading of the Jury Instructions prior to closing arguments. The State confirmed it will call no rebuttal witnesses; Defense stated no sur-rebuttal witnesses will be called.

JURORS SEATED, all present per stipulation of all counsel. COURT READ Jury Instructions and Verdict forms to the Jurors, each provided their own copy.

Closing arguments made by all counsel. COURT ANNOUNCED the Alternate Jurors to be Jurors

#13 and #14. The Bailiff and Judicial Executive Assistant were sworn to take charge of the Jurors and Alternates. COURT ORDERED JURORS TO DELIBERATION AT 2:24 p.m.

VERDICT REACHED AT APPROXIMATELY 6:10 P.M.

TRIAL RECONVENED at 6:35 P.M. with all twelve jurors present per stipulation of all counsel.

FOREPERSON was announced to be Juror #8. At direction of the Court the Clerk announced the Verdicts, as follows:

VERDICT FOR DEFT PIERRE JOSHLIN: GUILTY OF COUNT 1 - CONSPIRACY TO COMMIT MURDER; COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON; COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MYNIECE COOK); COURT 4 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MICHEL-LE TOLEFREE); COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MAURICE HICKMAN); COUNT 7 - CONSPIRACY TO COMMIT ROBBERY; COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON (GEISHE M. ORDUNO); and COUNT 9 - ROBBERY WITH USE OF A DEADLY WEAPON (MELVIN BOLDEN).

VERDICT RE DEFT JEMAR MATTHEWS GUILTY OF: COUNT 1 - CONSPIRACY TO COMMIT MURDER; COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON; COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MYNIECE COOK); COUNT 4 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MICHEL-LE TOLEFREE); COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (MAURICE HICKMAN); COUNT 6 - POSSESSION OF SHORT BARRELED RIFLE; COUNT 7 - CONSPIRACY TO COMMIT ROBBERY; COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON (GEISHE M. ORDUNO); COUNT 9 - ROBBERY WITH USE OF A DEADLY WEAPON (MELVIN BOLDEN); COUNT 10- ASSAULT WITH USE OF A DEADLY WEAPON (BRADLEY CUPP); and COUNT 11- ASSAULT WITH USE OF A DEADLY WEAPON (BRIAN WALTERS)

At request of Defense counsel, COURT ORDERED, JURORS POLLED as to if those were their verdicts as read. All twelve Jurors answer in the affirmative.

COURT THANKED AND EXCUSED JURORS.

OUTSIDE PRESENCE OF JURORS, COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) for both defendants, and set for sentencing.

Mr. Figler made an Oral Motion for A New Trial Based On Cumulative Prosecutorial Misconduct.

COURT ORDERED, DENIED.

FILED IN OPEN COURT: Verdicts and Jury Instructions.

COURT ORDERED, JURY TRIAL ADJOURNED.

CUSTODY (BOTH)

6/18/07 8:30 AM SENTENCING (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 04, 2007**

06C228460-2

The State of Nevada vs Jemar D Matthews

June 04, 2007**8:30 AM****Motion for New Trial**

**DEFT'S MTN FOR
NEW TRIAL /9 Court
Clerk: Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David**

HEARD BY:**COURTROOM:****COURT CLERK:** Sharon Chun**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

Bawa, Ravindar N.

Attorney

Figler, Dayvid J.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- Upon stipulation of both counsel, COURT ORDERED, Motion CONTINUED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 08, 2007

06C228460-2

The State of Nevada vs Jemar D Matthews

June 08, 2007

8:15 AM

Motion for New Trial

DEFT'S MTN FOR
NEW TRIAL /9 Court
Clerk: Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- COURT STATED it read the Motion and reviewed the video-tape, but, requires more time to review in detail. COURT ORDERED, MOTION CONTINUED TO 7/2/07.

Mr. Figler requested additional transcripts prepared, including Bunin's closing and the rebuttal. Mr. Kangas advised they may possibly be back in a week, once ordered. COURT ORDERED, TRANSCRIPT TO BE PREPARED ON EXPEDITED BASIS.

COURT FURTHER ORDERED, the 6/18/07 Sentencing of both Joshlin & Matthews, CONTINUED to 7/2/07 as well.

CUSTODY

7/2/07 8:15 AM SENTENCING (JOSHLIN & MATTHEWS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 09, 2007

06C228460-2

The State of Nevada vs Jemar D Matthews

July 09, 2007

8:15 AM

All Pending Motions

**ALL PENDING
MOTIONS (07-09-07)**
**Relief Clerk: Carol
Donahoo**
**Reporter/Recorder:
Richard Kangas**
**Heard By: David
Barker**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Bunin, Daniel M.

Attorney

Figler, Dayvid J.

Attorney

Lewis, Linda Y.

Attorney

Matthews, Jemar D

Defendant

JOURNAL ENTRIES

- DEFT.'S MOTION FOR NEW TRIAL (MATTHEWS)...SENTENCING (JOSHLIN)...SENTENCING (MATTHEWS)

Deft.'s Reply to State's Opposition to Motion for New Trial FILED IN OPEN COURT. Court noted it reviewed the video tape of the trial. Arguments by counsel. Court stated its findings and ORDERED, Motion DENIED.

PIERRE JOSHLIN: Pursuant to the Jury's verdict, DEFT. JOSHLIN ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F), COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), COUNTS 3, 4, 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 7 - CONSPIRACY TO COMMIT ROBBERY (F), and COUNTS 8, 9 - ROBBERY WITH USE OF A DEADLY WEAPON (F). Sworn statement by victim's mother, Cora Williams, and

victim's sister, Danielle Matison. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and the \$150.00 DNA Analysis fee including testing to determine genetic markers and \$418.85 Restitution, as to COUNT 1, Deft. SENTENCED to a MINIMUM of TWENTY-SIX (26) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 2, Deft. SENTENCED to LIFE WITH the possibility of parole after TWENTY (20) YEARS, plus an equal and CONSECUTIVE term for use of a deadly weapon; as to COUNT 3, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 4, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 5, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 7, Deft. SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 8, Deft. SENTENCED to a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon; as to COUNT 9, Deft. SENTENCED to a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon; all COUNTS to run CONCURRENT with each other, with THREE HUNDRED (300) DAYS credit for time served; BOND, if any, EXONERATED.

JEMAR D. MATTHEWS: Pursuant to the Jury's verdict, DEFT. MATTHEWS ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F), COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), COUNTS 3, 4, 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 6 - POSSESSION OF SHORT BARRELED RIFLE (F), COUNT 7 - CONSPIRACY TO COMMIT ROBBERY (F), COUNTS 8, 9 - ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNTS 10, 11 - ASSAULT WITH USE OF A DEADLY WEAPON (F). Sworn statement by victim's mother, Cora Williams, and victim's sister, Danielle Matison. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and the \$150.00 DNA Analysis fee including testing to determine genetic markers, as to COUNT 1, Deft. SENTENCED to a MINIMUM of TWENTY-SIX (26) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 2, Deft. SENTENCED to LIFE WITH the possibility of parole after TWENTY (20) YEARS, plus an equal and CONSECUTIVE term for use of a deadly weapon; as to COUNT 3, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada

Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 4, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 5, Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM OF FORTY-EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS for use of a deadly weapon; as to COUNT 6, Deft. SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 7, Deft. SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 8, Deft. SENTENCED to a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon; as to COUNT 9, Deft. SENTENCED to a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus an equal and CONSECUTIVE MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS for use of a deadly weapon; as to COUNT 10, Deft. SENTENCED to a MINIMUM of SIXTEEN (16) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); as to COUNT 11, Deft. SENTENCED to a MINIMUM of SIXTEEN (16) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); all COUNTS to run CONCURRENT with each other, with THREE HUNDRED (300) DAYS credit for time served; BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 28, 2008**

06C228460-2

The State of Nevada vs Jemar D Matthews

January 28, 2008**8:15 AM****Request**

**DEFT'S REQUEST
STATUS CHECK:
CUSTODY Relief
Clerk: Tia Everett/te
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Clowers, Shanon
Figler, Dayvid J.
Matthews, Jemar D

Attorney
Attorney
Defendant

JOURNAL ENTRIES

- Mr. Figler advised the Defendant has been sentenced in this case and a Judgment of Conviction has been signed by the Court; however, he has yet to be transported to the Nevada Department of Corrections. Court Directed State to look into this matter and COURT ORDERED, matter CONTINUED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 01, 2008**

06C228460-2

The State of Nevada vs Jemar D Matthews

February 01, 2008**8:15 AM****Request****DEFT'S REQUEST
STATUS CHECK:
CUSTODY Relief
Clerk: Tia Everett/te
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Bateman, Samuel G.
Matthews, Jemar DAttorney
Defendant**JOURNAL ENTRIES**

- Court noted, he has spoken with the Clark County Detention Center (CCDC) who has advised the Defendant has been placed on the correct list in order for him to be transported to Nevada Department of Corrections. COURT ORDERED, MATTER OFF CALENDAR.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 26, 2008**

06C228460-2

The State of Nevada vs Jemar D Matthews

March 26, 2008**8:15 AM****Request of Court****AT REQ OF
SUPREME COURT:
APPOINTMENT OF
COUNSEL/14 Court
Clerk: Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Clowers, Shanon

Attorney

JOURNAL ENTRIES

- Deft incarcerated in NDC and not present. Mr. Singer appeared and stated he has not been appointed as counsel in this matter. COURT ORDERED, JOHN PARRIS APPOINTED as counsel and matter SET for status check on Friday. Deft so agreed.

NDC

3/28/08 8:15 AM STATUS CHECK: FURTHER PROCEEDINGS...STATUS CHECK:
CONFIRMATION OF COUNSEL (JOHN PARRIS)

CLERK'S NOTE: Mr. Parris has been notified of the appointment via email this date.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 28, 2008**

06C228460-2

The State of Nevada vs Jemar D Matthews

March 28, 2008**8:00 AM****All Pending Motions****ALL PENDING
MOTIONS 03-28-08
Court Clerk: Sandra
Anderson
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker****HEARD BY:****COURTROOM:****COURT CLERK:** Sharon Chun**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:** Krusey, Amanda K. Attorney**JOURNAL ENTRIES**

- STATUS CHECK: FURTHER PROCEEDINGS...STATUS CHECK: CONFIRMATION OF COUNSEL COURT ORDERED, Mr. Parris confirmed as attorney of record. Mr. Parris advised the Court he would contact Mr. Singer for Discovery.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 24, 2008**

06C228460-2

The State of Nevada vs Jemar D Matthews

September 24, 2008**8:15 AM****Request of Court****SUPREME COURT
REMAND: APPOINT
NEW APPELLET
COUNSEL/18 Court
Clerk: Sharon Chun
Relief Clerk: Carol
Donahoo/cd
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Nance, Aaron M.

Attorney

JOURNAL ENTRIES

- Defendant/ Appellant Joshlin incarcerated in the Nevada Department of Corrections (NDC) and not present.

Court noted this matter has been remanded to District Court by the Supreme Court for the limited purpose of securing counsel for Appellant. Ms. Roys CONFIRMED as counsel of record on behalf of Karen Connolly, Esq.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 27, 2009

06C228460-2

The State of Nevada vs Jemar D Matthews

July 27, 2009

8:15 AM

Request

**DEFT'S PRO PER
REQUEST FOR
RECORDS/COURTC
ASE/19 Relief Clerk:
Tia Everett/te
Reporter/Recorder:
Richard Kangas
Heard By: Barker,
David**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Figler, Dayvid J.

Attorney

Matthews, Jemar D

Defendant

Ponticello, Frank M.

Attorney

JOURNAL ENTRIES

- Mr. Figler informed the Court although the Nevada Supreme Court has affirmed the prior conviction, counsel has filed a petition for re-hearing; however, should the motion be denied counsel will file for enbanc consideration and should all requests be denied then the Defendant will be in need of his file. Further, Mr. Figler requested the request be continued while counsel exhaust all of his options. COURT ORDERED, matter CONTINUED based on the state of appeal.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 30, 2009

06C228460-2

The State of Nevada vs Jemar D Matthews

November 30, 2009

8:15 AM

Request

**DEFT'S PRO PER
REQUEST FOR
RECORDS/COURTC
ASE/19 Court Clerk:
Sharon Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:**COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Figler, Dayvid J.
Small, Shelly L.

Attorney
Attorney

JOURNAL ENTRIES

- COURT NOTED THAT Deft is in custody at the Nevada Department of Corrections. Mr. Figler stated the final denial of appeal has been received and the Court should receive the Remittent any day now. Mr. Figler noted that he had sent two banker's boxes of records to Deft at NSP and all the Court Transcripts were sent to him also. Mr. Figler requested to be retained for any post-conviction relief and thinks there should be a stay until the remittitur.

COURT NOTED that Mr. Figler has confirmed that the full records have been sent to Deft; therefore, Deft's Request is MOOT. COURT IS WAITING for the Supreme Court Remittitur before further consideration of Mr. Figler's withdrawal.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 06, 2010

06C228460-2

The State of Nevada vs Jemar D Matthews

January 06, 2010

8:15 AM

All Pending Motions

**ALL PENDING
MOTIONS OF 1/6/10
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Botelho, Agnes M.
Figler, Dayvid J.
Kochevar, Brian J.

Attorney
Attorney
Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR THE APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING...DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

COURT NOTED Deft is in custody at NDC and Deft needs to articulate the grounds for an appointment of counsel. Mr. Figler stated he received a copy of the NV Supreme Court's remittitur and Deft's issue is ineffective assistance of counsel, therefore, withdrawal would seem appropriate. COURT STATED that appointment of counsel will have to be assigned through Drew Christensen and SET status check for confirmation of counsel.

FOLLOWING CALENDAR, COURT ORDERED BOTH DEFT'S MOTIONS CONTINUED TO 1/15/10 as well.

NDC

1/15/10 8:15 AM STATUS CHECK: CONFIRMATION OF COUNSEL...DEFT'S PRO PER MOTION
FOR THE APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING...DEFT'S
PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

cc: D. Figler, Esq.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 15, 2010

06C228460-2

The State of Nevada vs Jemar D Matthews

January 15, 2010

8:15 AM

All Pending Motions

**ALL PENDING
MOTIONS Relief**
**Clerk: Shelly
Landwehr/sl**
**Reporter/Recorder:
Richard Kangas**
**Heard By: David
Barker**

HEARD BY:**COURTROOM:****COURT CLERK:** Sharon Chun**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

Ford, Christopher
 Matthews, Jemar D
 Thomas, Michelle L.

Attorney
 Defendant
 Attorney

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION FOR THE APPOINTMENT OF COUNSEL AND REQUEST FOR EVIDENTIARY HEARING...DEFT'S PRO PER MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS...STATUS CHECK: CONFIRMATION OF APPOINTED COUNSEL

Chris Ford present on behalf of Luke Ciciliano. Colloquy regarding appointment of counsel to represent Deft. in these proceedings. Mr. Ford CONFIRMED as counsel. Colloquy regarding Deft's motions. COURT NOTED, Mr. Figler made a good record. Matter OFF CALENDAR.
 NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 12, 2010**

06C228460-2

The State of Nevada vs Jemar D Matthews

May 12, 2010**8:15 AM****Motion**

**DEFT'S PRO PER
MTN FOR
APPOINTMENT OF
COUNSEL AND
REQUEST FOR
EVIDENTIARY HRG
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:**COURTROOM:****COURT CLERK:** Sharon Chun**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:** Kochevar, Brian J.

Attorney

JOURNAL ENTRIES

- Mr. Vitale appeared on behalf of K. Connolly, Esq. and stated his office represented Deft Joshlin through Appeal, but, new counsel needs to be appointed for him for this post-conviction request for relief. COURT NOTED that the Supreme Court gave direction that counsel should be appointed for claims of ineffective assistance of counsel, and, ORDERED. COUNSEL TO BE APPOINTED through Drew Christensen's Office. COURT FURTHER ORDERED, MATTER SET FOR STATUS CHECK RE CONFIRMATION.

NDC

5/28/10 8:15 AM STATUS CHECK: CONFIRMATION OF COUNSEL (THROUGH D. CHRISTENSEN'S OFFICE)...STATUS CHECK: SET EVID HEARING RE INEFFECTIVE

ASSISTANCE OF COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 28, 2010

06C228460-2

The State of Nevada vs Jemar D Matthews

May 28, 2010

8:15 AM

All Pending Motions

**ALL PENDING
MOTIONS 5/28/10
Court Clerk: Sharon
Chun
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Graham, Stephanie

Attorney

JOURNAL ENTRIES

- STATUS CHECK: CONFIRMATION OF COUNSEL...STATUS CHECK: SET EVIDENTIARY
HEARING RE INEFFECTIVE ASSISTANCE OF COUNSEL

COURT ADVISED that Michael Schwarz, Esq. was appointed counsel through Drew Christensen's
Office, and ORDERED, STATUS CHECK CONTINUED re setting of the Post-Conviction claim of
ineffective assistance of counsel. COURT NOTED that a Transport Order will be required for Deft's
presence at that time.

NDC

7/16/10 8:15 AM STATUS CHECK: SET EVIDENTIARY HEARING RE INEFFECTIVE ASSISTANCE
OF COUNSEL

CLERK'S NOTE: A copy of this minute order has been provided to Mr. Schwarz.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 16, 2010

06C228460-2

The State of Nevada vs Jemar D Matthews

July 16, 2010

8:15 AM

Status Check

**STATUS CK: SET
EVID HRG RE
DEFT'S POST-
CONV CLAIM OF
INEFFECTIVE ASSIS
COUNSEL Relief
Clerk: Billie Jo Craig
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker**

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Iskan, Ercan E
Roger, David J.

Attorney
Attorney

JOURNAL ENTRIES

- Court noted defendant had been transported and Mr. Schwarz was not present. Mr. Schwarz was to advise the Court if supplemental briefing was necessary. Court noted Mr. Schwarz not present. Court stated its findings, and ORDERED, matter CONTINUED for counsel to be present. Court advised defendant need not be present at the next Court date and a copy of the Minutes from the next Court date to be provided to the defendant.

NDC

CONTINUED TO: 7/21/10 8:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 21, 2010

06C228460-2

The State of Nevada vs Jemar D Matthews

July 21, 2010

8:15 AM

Status Check

STATUS CHECK:
SET EVID HRG RE
DEFT'S POST-
CONV CLAIM
(FROM 7/16/10)
Court Clerk: Sharon
Chun Relief Clerk:
Billie Jo Craig/bjc
Reporter/Recorder:
Richard Kangas
Heard By: David
Barker

HEARD BY:

COURTROOM:

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Graham, Stephanie
 Roger, David J.

Attorney
 Attorney

JOURNAL ENTRIES

- Colloquy regarding status of case. COURT ORDERED, a briefing schedule set as follows:
 Defendant's Motion Due: 11/24/10 State's Response Due: 2/23/11 Defendant's Reply Due: 3/9/11
 EVIDENTIARY HEARING: 3/23/10 10:00 AM
 COURT ORDERED, matter SET for Evidentiary Hearing.
 NDC
 3/23/11 10:00 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 23, 2012

06C228460-2

The State of Nevada vs Jemar D Matthews

January 23, 2012

8:15 AM

Motion

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: April Watkins

RECORDER: Cheryl Carpenter

REPORTER:

PARTIES

PRESENT:

Lavell, Maria
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Court noted conviction affirmed by Supreme Court, Mr. Ciciliano appointed to assist in any post conviction efforts, Mr. Ciciliano has indicated he cannot continue, Mr. Christensen contacted to no avail and COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 2/6/12 8:15 AM

CLERK'S NOTE: Mr. Christensen e-mailed and advised of the Court's order. 1/23/12 aw

CLERK'S NOTE: The above minute order has been distributed to: Jemar Matthews #1014654, WSCC, P.O. Box 7007, Carson City, NV 89702.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 06, 2012**

06C228460-2

The State of Nevada vs Jemar D Matthews

February 06, 2012**8:15 AM****Motion****Deft's Pro Per Motion
for Appointment of
Counsel Pursuant to
NRS 34.750****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**Botelho, Agnes M.
Colucci, Carmine J.
State of NevadaAttorney
Attorney
Plaintiff**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Colucci advised he will accept appointment. COURT ORDERED, motion GRANTED. Further, Mr. Colucci advised he has sent letter to previous counsel requesting discovery and requested a 120 day status check. FURTHER ORDERED, matter SET for status check.

NDC

6/11/12 8:15 AM STATUS CHECK: BRIEFING SCHEDULE

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 11, 2012**

06C228460-2

The State of Nevada vs Jemar D Matthews

June 11, 2012**8:15 AM****Status Check****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

Colucci, Carmine J.

Attorney

Lavell, Maria

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Colucci stated he has reviewed entire file, will be filing supplemental to the petition and requested a briefing schedule be set. COURT ORDERED, the following briefing schedule: Deft's Supplemental brief due by July 9, 2012, State's Opposition due by September 10, 2012, Deft's Reply due by September 24, 2012, and matter SET thereafter for hearing.

NDC

10/12/12 9:00 AM HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 12, 2012**

06C228460-2

The State of Nevada vs Jemar D Matthews

October 12, 2012**9:00 AM****Hearing****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

Bateman, Samuel G.

Attorney

Colucci, Carmine J.

Attorney

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Mr. Bateman stated just for clarification, Deft. argued motion to sever should of been filed, included legal reasons for a severance and the State believes this is a legal matter for the Court. The Court needs to decide legal reasons for severance motion, believes it is a matter of law and no need for hearing. Mr. Colucci stated there is a lot of other factors involved. Further, earlier in case, Mr. Figler filed bench brief indicating there may be Bruton issues and the purpose of closing arguments was to connect this Deft. with the other Deft. Additionally, State argued both Defts' acted in concert, not charged with conspiracy and wants to know if it was a strategic decision. Court noted on Order of Affirmance, there was a conspiracy charge. Mr. Colucci stated even with conspiracy issue, argued no evidence there was a conspiracy to commit murder.

Dayvid Figler, sworn and testified.

Mr. Colucci argued evidence against Deft. was not as strong as it was against the Co-Deft. Further, rebuttal argument was both Defts' together and by repeating the words "they and them", State lumped together with no distinction between the charges. Additionally, the spill over effect was huge, Deft's counsel knew both Defts' would be linked together, possible Bruton issues and motion to sever should of been filed. Mr. Bateman argued no red flag during trial in regards to Mr. Singer's

issues and actions. Further, no law presented that deficient performance by Co-Deft's counsel would be basis for severance. Additionally, Mr. Bateman argued evidence was sufficient, at no time was it brought up there was insufficient evidence against this Deft., no specific trial right precluded shown here, does not believe Deft's trial counsel fell to such a level to be deficient, prejudice prong not met and ineffective assistance of counsel not shown. Further argument by Mr. Colucci. Court stated issue addresses whether or not trial conduct of Deft's counsel was deficient. Further, Court FINDS issue of severance is a matter of law, if brought pre trial, it would of been denied based on theories presented. Additionally, the Court does not question Mr. Figler's efforts even with the spill over argument were met. Based upon that fact, anything seen, heard or briefed on would indicate his efforts were factually or legally deficient and ORDERED, petition DENIED. State to prepare findings of fact and conclusions of law.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 19, 2012**

06C228460-2

The State of Nevada vs Jemar D Matthews

November 19, 2012 8:15 AM**Motion****Deft's Motion to
Place on Calendar Re:
Appointment of
Appellant Counsel****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES**

PRESENT:	Burns, J Patrick	Attorney
	Colucci, Carmine J.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted there seems to be some conflict as to the findings of facts and conclusions of law. Mr. Colucci advised all that has been worked out with the State. Further, Mr. Colucci stated Deft. needs new counsel and not him. Court further noted this is the third level of post conviction, needs reason and factual basis stated, Deft. does not have right to counsel and ORDERED, motion DENIED. Mr. Colucci requested to withdraw as counsel without prejudice. COURT SO ORDERED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 16, 2013**

06C228460-2

The State of Nevada vs Jemar D Matthews

January 16, 2013**8:15 AM****Appointment of Counsel****Appointment of
Counsel per Supreme
Court Remand****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**State of Nevada
Trippiedi, HagarPlaintiff
Attorney**JOURNAL ENTRIES**

- Court noted per Mr. Christensen, Mr. Gamage will be appointed as counsel but could not be present today. Colloquy. COURT ORDERED, William Gamage, Esq., APPOINTED as COUNSEL and matter SET for status check.

NDC

2/13/13 8:15 AM STATUS CHECK: SETTING OF BRIEFING SCHEDULE

CLERK'S NOTE: Logan with Mr. Gamage's office advised of appointment and status check date. aw
1/16/13

CLERK'S NOTE: The above minute order has been distributed to: Jemar Matthews #1014654, P.O.
Box 650, Indian Springs, NV 89070. aw

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 13, 2013

06C228460-2

The State of Nevada vs Jemar D Matthews

February 13, 2013

8:15 AM

Status Check

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK:

April Watkins

RECORDER: Cheryl Carpenter

REPORTER:

PARTIES

PRESENT:

Gamage, William H.
State of Nevada
Trippiedi, Hagar

Attorney
Plaintiff
Attorney

JOURNAL ENTRIES

- Mr. Gamage requested matter be continued sixty days, advised he just received a lot of records and he will be submitting ex parte request for investigator. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 4/17/13 8:15 AM

CLERK'S NOTE: This matter remanded for the limited purpose of securing appellate counsel and April 17, 2013, date VACATED. aw 3/5/13

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 25, 2014**

06C228460-2

The State of Nevada vs Jemar D Matthews

August 25, 2014**8:15 AM****All Pending Motions****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**Jobe, Michelle Y.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)... STATE'S RESPONSE AND MOTION TO DISMISS DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)

Court noted long procedurally history of case. Judgment of Conviction (JOC) filed as a function of jury verdict convicting Deft. of 11 Counts including assault, attempt murder, first degree murder with use of a deadly weapon and conspiracy. A direct appeal was taken as a function of that verdict on the JOC and the Supreme Court sustained the conviction and granted remittitur in 2009. First step in the post-conviction began on or about November or December 2009. Mr. Colucci represented Deft. in first post-conviction habeas was heard and denied in October 12, 2012. Deft. filed pro per notice of appeal of that decision and requested counsel which was denied. There was a limited remand by the Nevada Supreme Court to appoint appellate counsel and Mr. Gamage was appointed to do that. On February 10, 2014, remittitur was issued by the Supreme Court affirming the denial of Deft's post-conviction petition. Court FINDS this is a successive petition. Further, the Court notes State stands in opposition in response to this new petition and filed a motion indicating this petition is time barred under NRS 34.726, over one year has passed, no allegations of good cause sufficient to overcome that procedural bar and ORDERED, Deft's petition DENIED on procedural grounds. FURTHER ORDERED, State's Motion GRANTED also on those grounds. State to prepare findings of fact and conclusion of law.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Jemar Matthews, aka Jemar Demon Matthews #1014654, High Desert State Prison, P.O. Box 650, Indian Springs, NV 89018. aw

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 12, 2017

06C228460-2

The State of Nevada vs Jemar D Matthews

June 12, 2017

8:30 AM

Motion

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 03E

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES**PRESENT:**

Gamage, William H.

Attorney

Giordani, John

Attorney

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Mr. Giordani advised this case was reversed approximately ten (10) years after trial and the State intends to precede with trial. Mt. Gamage advised Defendant is requesting to invoke his right to a speedy trial. COURT ORDERED, matter SET for trial within 60 days; although, based on the Court's scheduling the date will be approximately three (3) weeks outside the 60 day date. Mr. Giordani objected and stated the Defendant is no longer entitled to a speedy trial and requested a date in ordinary course.

NDC

8/02/2017 8:30 AM PRE TRIAL CONFERENCE

8/30/2017 8:30 AM CALENDAR CALL

9/05/2017 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 21, 2017

06C228460-2

The State of Nevada vs Jemar D Matthews

July 21, 2017

9:00 AM

Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES**PRESENT:**

Giordani, John

Attorney

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

JOURNAL ENTRIES

- Defendant not present, in custody with the Nevada Department of Corrections. Upon Court's inquiry, Mr. Giordani stated defendant invoked his right to speedy trial in front of Judge Kephart, noting he believes defendant previously waived. Court stated case was reversed at the Federal level, noting Todd Leventhal and Richard Tanasi were appointed upon remand to state court. Mr. Giordani stated that Mr. Leventhal indicated that he will be in another trial for the next eight weeks, therefore, will not be ready for trial on September 5, 2017. Court stated defendant originally invoked, however, trial was continued which would have caused the defendant to waive. Discussion regarding caseload transfer. Counsel to speak with defendant regarding trial dates. COURT ORDERED, Pre-Trial Conference and Trial VACATED, matter SET for Status Check to discuss trial setting. Matter RECALLED. Same parties present. Mr. Giordani noted a concern that defendant may have been released. Court stated he is still in custody with Nevada Department of Corrections. COURT FURTHER ORDERED, Defendant REMANDED TO CCDC WITHOUT BAIL. State to prepare an order to transport. Court stated matter will remain in this department for now.

NDC

8/22/17 9:00 AM STATUS CHECK: TRIAL SETTING/ CASE REASSIGNMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 22, 2017**

06C228460-2

The State of Nevada vs Jemar D Matthews

August 22, 2017**9:00 AM****Status Check****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Deborah Miller**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**

Giordani, John

Attorney

Kochevar, Brian J.

Attorney

Leventhal, Todd M.

Attorney

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

JOURNAL ENTRIES

- Court stated matter was previously on calendar for trial setting, however, Mr. Leventhal was in trial. Parties indicated they are ready to set a trial date. Pursuant to EDCR 1.30 and 1.31 this court ORDERS the case REASSIGNED to Department 20, matter SET for Status Check. Mr. Leventhal stated defendant is still being held in Nevada Department of Corrections. Court stated defendant will be remanded to the Clark County Detention Center since he is no longer under imprisonment. Matter RECALLED. Mr. Kochevar now present. Mr. Leventhal advised he spoke to Mr. Giordani who does not have an issue if the defendant returns to Nevada Department of Corrections. Upon Court's inquiry, Mr. Leventhal stated case was reversed at the federal level four months ago. Court stated the prison will wait until they receive an order reversing the conviction and the District Court remands the defendant to the Clark County Detention Center. Mr. Leventhal requested defendant be allowed to return to prison prior to being remanded to the detention center. Court stated he will not remand the defendant at this time, however, parties need to discuss with Department 20 at the next hearing. State to prepare an order to transport for the defendant for the next hearing.

CUSTODY

PRINT DATE: 12/21/2018

Page 56 of 89

Minutes Date: December 11, 2006

9/05/17 8:30 AM STATUS CHECK: TRIAL SETTING (DEPT. 20)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 05, 2017**

06C228460-2

The State of Nevada vs Jemar D Matthews

September 05, 2017 8:30 AM**Status Check: Trial Setting****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**Giordani, John
Leventhal, Todd M.
Matthews, Jemar D
State of Nevada
Tanasi, Richard E.Attorney
Attorney
Defendant
Plaintiff
Attorney**JOURNAL ENTRIES**

- Mr. Leventhall advised this is a 10 year old case and requested a trial date in April. Upon Court's inquiry, Mr. Leventhall advised there are no discovery issues at this time. Following colloquy, COURT ORDERED, trial SET in April with a status check in November.

CUSTODY

11/2/17 8:30 AM STATUS CHECK: HOMICIDE TRIAL

4/24/18 8:30 AM CALENDAR CALL

4/30/18 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 02, 2017**

06C228460-2

The State of Nevada vs Jemar D Matthews

November 02, 2017 8:30 AM Status Check**HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**Giordani, John
Matthews, Jemar D
State of Nevada
Tanasi, Richard E.Attorney
Defendant
Plaintiff
Attorney**JOURNAL ENTRIES**

- Mr. Tanasi appeared for Mr. Leventhal. Upon Court's inquiry, counsel advised there are no discovery issues and they are on track for trial in April. Mr. Giordani advised this is a re-trial and they have everything they need. Following colloquy, COURT ORDERED, matter CONTINUED to February status checks.

CUSTODY

... CONTINUED 2/1/18 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 01, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

February 01, 2018**8:30 AM****Status Check****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

Thomson, Megan

Attorney

JOURNAL ENTRIES

- Mr. Tanasi appeared for Mr. Leventhal. Upon Court's inquiry, Mr. Tanasi advised an offer has been extended that they need to discuss with Defendant and that there are no issues as to discovery. Following colloquy, COURT ORDERED, matter CONTINUED to March.

CUSTODY (COC-NDC)

... CONTINUED 3/20/18 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 20, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

March 20, 2018**8:30 AM****Status Check****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Patti Slattery**REPORTER:****PARTIES****PRESENT:**

Leventhal, Todd M.

Attorney

Matthews, Jemar D

Defendant

Merback, William J.

Attorney

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

JOURNAL ENTRIES

- Mr. Leventhal advised they are going to be asking for a continuance of the trial, however, requested this matter be continued one week as Mr. Giordani is not present today. Mr. Merback concurred. Mr. Leventhal stated the reason for the continuance is his experts need to review the file and the mitigation experts have just started. Mr. Merback concurred. COURT ORDERED, matter CONTINUED ONE (1) WEEK.

CUSTODY (COC-NDC)

... CONTINUED 3/27/18 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 27, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

March 27, 2018**8:30 AM****Status Check****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

Giordani, John
Leventhal, Todd M.
Matthews, Jemar D
State of Nevada
Tanasi, Richard E.

Attorney
Attorney
Defendant
Plaintiff
Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Leventhal advised they have identified their experts and they are on board but, we need a little more time and requested the trial be reset to August. Mr. Giordani concurred and had no objection. At this point, Mr. Leventhal advised there are no discovery issues. COURT ORDERED, trial date VACATED and RESET with a status check in June.

As to the Motions set on 4/5, Mr. Leventhal advised these are for CPS records. Upon Court's inquiry, Mr. Giordani advised the State is not taking a position. There being no opposition, COURT ORDERED, Defendant's Motion for CPS records, etc is GRANTED and taken OFF CALENDAR. Mr. Tanasi advised there were proposed Orders attached to the Motion set for 4/5. Mr. Giordani to review the Orders, notify chambers if there a problem by Thursday and if there are no problems, Court will sign the Orders.

CUSTODY (COC-NDC)

6/7/18 8:30 AM STATUS CHECK: HOMICIDE TRIAL

06C228460-2

7/24/18 8:30 AM CALENDAR CALL

8/6/18 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 07, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

June 07, 2018**8:30 AM****Status Check****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**Giordani, John
Matthews, Jemar D
State of Nevada
Tanasi, Richard E.Attorney
Defendant
Plaintiff
Attorney**JOURNAL ENTRIES**

- Mr. Tanasi advised Mr. Leventhal is in Federal Court this morning. Upon Court's inquiry, Mr. Tanasi advised there are no discovery issues. Mr. Giordani advised he has conveyed an amended offer that contemplates they can argue for a minimum of twenty (20) years and advised the offer is only open until next status check. COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC)

... CONTINUED 6/28/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 28, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

June 28, 2018**9:00 AM****Status Check****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

Giordani, John
Leventhal, Todd M.
Matthews, Jemar D
State of Nevada

Attorney
Attorney
Defendant
Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Leventhal advised he has no issues as to discovery and is ready for trial. Mr. Giordani advised he does not have the CPS records. Mr. Leventhal stated they would not be used in their case-in-chief but in penalty. Mr. Giordani explained the offer that was extended as First Degree Murder no use, pleading to the rest of the charges, State retaining the right to argue consecutive or concurrent. However, that offer is now off the table as Defendant rejected it. Mr. Leventhal advised they had a counter offer that was not accepted and is now withdrawn as well. There being no issues and calendar call around the next status check date, COURT ORDERED, matter OFF CALENDAR as no further date is necessary.

CUSTODY (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 04, 2018

06C228460-2

The State of Nevada vs Jemar D Matthews

September 04, 2018 8:30 AM

Motion

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:

Leventhal, Todd M.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Deft. not present; was not transported from Nevada Department of Corrections (NDC).

Chief Deputy District Attorney Agnes Lexis, Esq., is present on behalf of State of Nevada.

Mr. Leventhal informed the Court defense takes no position on having the transcript admitted, if the witness is not available. COURT ORDERED, Motion GRANTED. State to prepare the order.

CUSTODY (COC-NDC)

9/18/18 8:30 A.M. CALENDAR CALL

9/25/18 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 18, 2018

06C228460-2

The State of Nevada vs Jemar D Matthews

September 18, 2018 8:30 AM Motion

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Alice Jacobson

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:

Botelho, Agnes M.

Attorney

Attorney

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED motion GRANTED.

Counsel announced ready for trial, estimated 7 days with 26 witnesses. Trial date set 9/24/18 10:30am. COURT ORDERED, Defendant to be remanded into custody for the trial.

CUSTODY (COC NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 18, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

September 18, 2018 8:30 AM**All Pending Motions****HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Alice Jacobson**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**

Botelho, Agnes M.

Attorney

Attorney

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

JOURNAL ENTRIES

- State's Notice of Motion and Motion to Admit Transcript of Prior Jury Trial Testimony of Victim Myniece Cook

Calendar Call

There being no opposition, COURT ORDERED motion GRANTED.

Counsel announced ready for trial, estimated 7 days with 26 witnesses. Trial date set 9/24/18 10:30am. COURT ORDERED, Defendant to be remanded into custody for the trial.

CUSTODY (COC NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 24, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

September 24, 2018 10:30 AM Jury Trial**HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Botelho, Agnes M.	Attorney
		Attorney
	Giordani, John	Attorney
	Leventhal, Todd M.	Attorney
	Matthews, Jemar D	Defendant
	State of Nevada	Plaintiff
	Tanasi, Richard E.	Attorney

JOURNAL ENTRIES

- OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Mr. Leventhal informed the Court defense has an expert witness being Dr. Mark Chambers, who is out of town and also in another trial planning to testify there; and defense would request Court to allow the expert to testify in this trial Friday, September 28, 2018. State made no objection. COURT SO ORDERED. Mr. Leventhal apologized to the Court, for what happened during a courtroom incident having occurred at time of Calendar Call, between Court Services and himself.

PROSPECTIVE JURY PANEL PRESENT: Introductory statements by Court and by counsel. Clerk called roll. PROSPECTIVE JURY PANEL SWORN. Voir Dire commenced.

Lunch recess.

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Mr. Giordani informed the Court this case went to trial back in 2007, the case was reversed many years later, and parties cannot reference in any

way about the other trial. Court stated it will not allow counsel to make any reference about the other trial, and the prior trial would be called "prior proceedings". Mr. Giordani advised there were officers in the area of the murder, as there was a murder the night before that was gang related, discovery on this was provided to defense, and the State is staying away from referencing about the prior murder and gang affiliation. Mr. Leventhal argued as to relevancy on why the police were there in the area. Discussions as to police having been there in plain clothes, and there having been gang retaliation in the neighborhood. Mr. Giordani argued State would have to explain *res gestae*, and why the police were there. Court stated police can be there, they were doing their jobs, Court is not sure why State would have to explain why the police were there, the State can explain in general terms, and parties do not want the jury to think the police being at the area working on another event, was related to this case. Thereafter, Court asked why the jury has to be told about the specific reason why the police were there. Mr. Leventhal noted he is not sure how relevant this is, or how State would get into Co-Deft. and appeal status of Co-Deft's case, about the relief having been denied, and this should not be there. Mr. Giordani argued Deft. and Co-Deft. committed the crime together, and State is not going further on this, other than the police being there on another incident. Mr. Leventhal argued as to the question by State going into the previous trial, and relevancy of Co-Deft. having gotten caught. Following discussions, Court stated none of the information about why the Co-Deft. is not here, is relevant, parties can talk about the facts, just not the reason why the Co-Deft. is not here, or where the Co-Deft. is currently at; whether the Co-Deft. got relief or not from the appellate court is not relevant, and what the Co-Deft. may have done at time of incident is relevant.

PROSPECTIVE JURY PANEL PRESENT: Voir Dire commenced further.

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Mr. Tanasi inquired if defense can voir dire the jury panel about the penalty portion; and Court stated yes. Discussions as to Juror with Badge No. 0414 having commented during Voir Dire about his heart rate and medical condition, Juror with Badge No. 0356 not understanding proceedings due to possible language barrier, and defense counsel's concerns. Court advised counsel if parties want to stipulate to having the juror removed, that is fine, or if counsel wants to further voir dire jurors, that is fine too. Mr. Giordani advised State does not believe it matters as to Juror No. 0356, and State agrees with the Court as to the other juror, being Badge No. 0414. Court stated Badge No. 0414 wanted to stay, and parties can revisit later on this. Mr. Tanasi advised defense is going to split the voir dire up. SO NOTED.

PROSPECTIVE JURY PANEL PRESENT: Voir dire commenced further. Court admonished and excused the Jury for a break; and Court asked Juror with Badge No. 0370 to remain in the courtroom.

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Juror with Badge No. 0370 is present. Court canvassed the juror regarding comments this juror made earlier about having concerns due to the case having been opened in 2006, and the lapse of time on the case now going to trial. The juror stated he did not feel comfortable about the lapse of time or making a decision on a case from 2006 regardless of what the evidence is, based on the passage of time. The Marshal informed the Court there is another juror who made the same comment earlier. Court advised the juror he would be permitted to take into consideration on the lapse of time. Following further colloquy, COURT

ORDERED, Badge No. 0370 EXCUSED by Court for cause. Juror exited the Courtroom. Additional juror is present; and told the Court about the same concerns on absence of time; and stated however, the case coming to trial now is not a concern. Following colloquy between the juror and Court, the juror made a comment about being able to be a fair and an impartial juror for this trial. Court thanked the juror for being here; and reminded the juror not to discuss this courtroom conversation with the fellow jurors. Juror acknowledged; and exited the Courtroom to wait outside with the panel for further instructions.

Ms. Botelho made a challenge for cause for Juror with Badge No. 0376. Court stated it would like the parties to make the challenges to the Court, when they have such challenges during Voir Dire, and defense has had no chance to do Voir Dire yet, or do follow up. Thereafter, Court stated it will question the juror further, and have the remaining jury panel return tomorrow morning. Juror with Badge No. 0376 is present; and stated he has a question about the case being from 2006 and asked how somebody can believe some one today on something that happened 12 years ago. Colloquy between the juror and the Court. Court told the Juror he would be able to consider that the case was long ago. Juror was satisfied with this; and was not excused for cause. Court directed the juror to wait outside with the fellow jurors; and reminded the juror not to discuss the courtroom conversation with the fellow jurors. Juror with Badge No. 0376 not present.

Mr. Giordani advised State has three additional challenges for cause to make. Mr. Leventhal requested Court to give a curative instruction to the Jury about the lapse of time, due to the State's question to the jurors earlier possibly causing confusion. Colloquy. Court stated it can tell the Jury tomorrow about the case having been filed in 2006, and State can follow up and make any challenges for cause at that time. Court directed the Marshal to excuse the jury panel, to return tomorrow morning. Mr. Giordani advised he has four cases in Department 3 he needs to handle tomorrow, the criminal calendar there is starting at 10:30 a.m.; and he would request trial here to start tomorrow at 11:00 a.m. COURT SO ORDERED. Court directed the Marshal to have all of the jurors return tomorrow morning at 11:00 a.m.

Evening recess. TRIAL CONTINUES.

CUSTODY

9/25/18 8:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 25, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

September 25, 2018 11:00 AM Jury Trial**HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Botelho, Agnes M.	Attorney
		Attorney
	Giordani, John	Attorney
	Leventhal, Todd M.	Attorney
	Matthews, Jemar D	Defendant
	State of Nevada	Plaintiff
	Tanasi, Richard E.	Attorney

JOURNAL ENTRIES

- OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Court advised both sides Juror with Badge No. 0357 notified the Court earlier about medical issues, and Court made the decision to have the juror excused, to allow the juror to seek medical attention. Court stated it will replace this juror and the juror excused yesterday; and provided the names of the new jurors replacing those seats. Parties made no objection. Mr. Tanasi advised the parties have to re-address the challenges. Colloquy regarding Juror No. 0356, and Court seeking to give the jury an instruction about the passage of time issue. Mr. Giordani advised there were some jurors saying hello to the State earlier, outside the courtroom. Court stated it will remind the jurors about the no communication rule.

PROSPECTIVE JURY PANEL PRESENT: Court reminded the Jury about the parties and the Court not being permitted to communicate with the Jury outside the courtroom, due to the parties and the Court needing to maintain ethical obligations and the jury system. Court also instructed the jury about the lapse of time and when the event took place; and stated the Jury will be able to consider the passage of time, if selected for trial. Voir dire commenced. CONFERENCE AT BENCH. State

made challenges for cause during the Bench conference. Follow up was done by defense. Voir Dire commenced further.

Lunch recess.

PROSPECTIVE JURY PANEL PRESENT: Voir dire commenced further. Both sides exercised peremptory challenges. During peremptory challenges, defense made a Batson challenge due to make up on the number of African Americans on the panel of 32. Following arguments by parties, Court OVERRULED defense counsel's objections. Court Exhibit ADMITTED (See Worksheets.). Parties exercised peremptory challenges. JURY SELECTED. Court thanked and excused the remaining prospective jury panel members. Court admonished and excused the Jury for the evening, to return tomorrow morning at 10:00 a.m.

Evening recess. TRIAL CONTINUES.

CUSTODY

9/26/18 10:00 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 26, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

September 26, 2018 10:00 AM Jury Trial**HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Botelho, Agnes M.	Attorney
		Attorney
	Giordani, John	Attorney
	Leventhal, Todd M.	Attorney
	Matthews, Jemar D	Defendant
	State of Nevada	Plaintiff
	Tanasi, Richard E.	Attorney

JOURNAL ENTRIES

- OUTSIDE PRESENCE OF JURY: Discussions regarding technical issues in the courtroom.

JURY PRESENT and SWORN by Clerk. Court instructed the Jury. Clerk read Amended Information; and stated the plea thereof. Further instructions were provided to Jury by Court. Opening statements by Ms. Botelho and Mr. Tanasi.

OUTSIDE PRESENCE OF JURY: Parties stipulated to admitting State's proposed Exhibit No.'s 1 through 451. COURT SO ORDERED. Mr. Giordani informed the Court State's witnesses were reminded earlier about the Court's ruling on not referencing on the gang affiliation and unrelated incident when testifying; and noted the defense needs to be careful not to reference any of this as well, on cross examination of those witnesses. Court reminded both sides to use "prior proceedings" when referencing anything from the first trial. Upon inquiry by Mr. Leventhal, Court advised parties they are permitted to reference the Preliminary Hearing proceedings, when referencing about the transcript, however, the Court will have a problem if the prior trial is referenced in those words.

Further colloquy regarding Court's ruling and when State references Maurice being the intended target, without getting into gang affiliation or retaliation; and further colloquy regarding defense seeking to ask one of State's witness about height comparison. Mr. Tanasi advised he is trying to keep the witness and Deft. as far as possible; and defense would request Deft. be allowed to stand up during testimony, when defense needs to have the height established on cross examination. Court stated it will not allow the Deft. and the witness to be close to each other, however, it would not have a problem with the witness telling the jury how tall she is. Mr. Tanasi requested Deft. be permitted to stand back to back with the witness. Court advised defense counsel Deft. can stand and the jury can observe, when the witness is coming and out of the courtroom, while Deft. is standing up; and defense can ask the witness how tall she is during cross, without putting Deft. up there by the witness, the Court is not comfortable with the witness and Deft. being near each other, and the Court does not want the witness to feel uncomfortable or intimidated. Mr. Tanasi asked whether Deft. can stand up after the witness testifies. Court stated defense can have Deft. stand up during testimony. Upon Court's inquiry, Mr. Giordani confirmed State provided the witness line up for today to defense.

JURY PRESENT: Testimony and Exhibits presented (See Worksheets.). During testimony, State's Exhibit 452 was published to the Jury in open Court, and the Exhibit No. was referenced incorrectly.

OUTSIDE PRESENCE OF JURY: Court stated the Clerk notified the Court about a problem with the exhibits; and reminded both sides not to reference prior exhibit numbers listed on the exhibits, from the first trial. Clerk clarified the correct number is State's Exhibit No. 452, and not 97. Ms. Botelho apologized to the Court and Clerk.

JURY PRESENT: Further testimony and Exhibits presented (See Worksheets.).

Evening recess. TRIAL CONTINUES.

CUSTODY

9/27/18 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 27, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

September 27, 2018 10:30 AM Jury Trial**HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Botelho, Agnes M.	Attorney
		Attorney
	Giordani, John	Attorney
	Leventhal, Todd M.	Attorney
	Matthews, Jemar D	Defendant
	State of Nevada	Plaintiff
	Tanasi, Richard E.	Attorney

JOURNAL ENTRIES

- OUTSIDE PRESENCE OF JURY: Mr. Giordani advised news cameras were present in Court during opening statements; and State has concerns due to seeing something on the news last night, there were two printed articles about this case that was broadcast on the news, which infer a wrongful conviction and innocence claims, the State cannot control what the news does, however, the Jury may have seen the "wrongful conviction" flash on the camera in the Courtroom, for the broadcast yesterday. Mr. Giordani inquired if the Court can give an admonishment, or inquire whether the jurors have seen anything from the news broadcast. Court stated it has done trials with media present before, and the jurors can notify the Court on something; the Court is not comfortable asking the jurors here about the broadcast, as the Court does not want to draw more attention to jurors about the media coverage. Colloquy. Ms. Botelho advised the media went into more detail about the prior trial. Mr. Leventhal advised he was in a federal trial recently with a lot of media coverage being there. Mr. Giordani inquired whether the Court can tell the jury to report things to the Court if they see or hear something. Further colloquy as to Court's admonishments to the Jury, and the articles from the Las Vegas Review Journal. Mr. Giordani noted this is a unique situation. Court

stated the jurors can see the cameras in the courtroom, and the jury knows the media is covering the trial. Discussions as to trial schedule for the week, status of jury instructions, and witness line up.

JURY PRESENT: Testimony and Exhibits presented (See Worksheets.).

Evening recess. TRIAL CONTINUES.

CUSTODY

9/28/18 11:00 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 28, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

September 28, 2018 11:00 AM Jury Trial**HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Botelho, Agnes M.	Attorney
		Attorney
	Giordani, John	Attorney
	Leventhal, Todd M.	Attorney
	Matthews, Jemar D	Defendant
	State of Nevada	Plaintiff
	Tanasi, Richard E.	Attorney

JOURNAL ENTRIES

- JURY PRESENT: Court advised the Jury defense is calling one of their witnesses out of order, and after the witness testifies, the State will go back to their case and present their witnesses. Testimony and Exhibits presented (See Worksheets.).

OUTSIDE PRESENCE OF JURY: Both sides stipulated to replacing two photos of maps in the exhibits with clearer photos; and COURT SO ORDERED.

JURY PRESENT: Further testimony an Exhibits presented (See Worksheets.). Deputy District Attorney K. Nick Portz, Esq., was present and sworn by Clerk. The deposition of James Krylo was read into the record by Mr. Portz, Esq. Court admonished and excused the Jury for the weekend, to return Monday, October 1, 2018 at 11:00 a.m.

OUTSIDE PRESENCE OF JURY: Parties stipulated to additional exhibits, and State's Exhibit No.'s 459 and 460 being withdrawn and returned to counsel. COURT SO ORDERED.

Evening recess. TRIAL CONTINUES.

CUSTODY

10/01/18 11:00 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 01, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

October 01, 2018**11:00 AM****Jury Trial****HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**

Botelho, Agnes M.

Attorney

Attorney

Giordani, John

Attorney

Leventhal, Todd M.

Attorney

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

JOURNAL ENTRIES

- OUTSIDE PRESENCE OF JURY: Mr. Leventhal informed the Court he had notified Deft's mother over the weekend, to ask her whether she had remembered what happened during the alleged incident, she had told him Deft. was living with a sister and his prior girlfriend Jomeesha Gilchrist around that time frame, Deft's child's mother had a temporary protective order (TPO) against Deft, further noting defense located Ms. Gilchrist who moved out of state, defense spoke to the sister and spoke to Ms. Gilchrist last night, she said when she saw Deft. for the last time, he was on his way over to see his baby and the baby's mother, Ms. Gilchrist did not remember whether there was a TPO violation, and she did not remember what Deft. wore that night, however, she did remember Deft. saying he was going to see his baby. Mr. Leventhal added Ms. Gilchrist is in California, she just had a baby and cannot appear to testify at trial in person due to breastfeeding, however, defense can facilitate something to have her testify, now defense is trying to locate the Deft's baby's mother, the investigator could not locate her, and since defense had found Deft's prior girlfriend, the defense sent two text messages to her, with no response, and defense does not know how willing Ms. Gilchrist is to be here. Mr. Leventhal stated if he does get a hold of Ms. Gilchrist, defense can be heard further

on this issue. Mr. Giordani informed the Court State provided the proposed jury instructions to the Court, State will be resting after their last witness testifies this morning, and defense has an expert scheduled to testify this afternoon or close to tomorrow. Mr. Leventhal stated defense has a gunshot residue expert today and possibly the prior girlfriend from California, if defense does get a hold of her again. Colloquy as to trial schedule for today and tomorrow, and jury instructions to be discussed and finalized. Mr. Giordani advised their last witness was admonished about the Court's order, on the prior incident in the neighborhood and gang affiliation retaliation allegation.

JURY PRESENT: Testimony and Exhibits presented (See Worksheets.). State's Exhibit No. 13 was PUBLISHED to the Jury in open Court.

OUTSIDE PRESENCE OF JURY: Mr. Giordani reminded the Court the Carter instruction was included in State's proposed instructions to the Court. Deft. was admonished by Court on his rights to testify and not testify. Upon Court's inquiry, Deft. acknowledged; and confirmed he will not be testifying. Court advised Deft. to let the Court know if he changes his mind about not testifying, as there is an additional witness that will be called. Mr. Leventhal stated he spoke with the State about defense's possible witness from California. the State believes the statement by witness would be hearsay; and defense believes the statement can come in with the hearsay exception, if the witness does come and testify. Arguments by parties as to relevancy, NRS 51.345, proper notice not having been given to the State, this being unfair to the State as to defense dropping the witness on the State's lap on sixth day of trial, hearsay rules, and the State not having any idea when the statement was made or when Deft. was going to his baby's mother's house. Mr. Giordani argued this is a trial by ambush, State has an issue with the statement itself and sudden recollection, and State will leave it up to the Court at this point. Court stated it does not know if it is being asked to do anything, the Court does not have the witness here, and the Court does not know if defense is seeking any relief from the Court. Mr. Leventhal clarified the Court is right, as defense has not asked the Court for anything, and he will just let the Court know whether he hears back from the out-of-state witness. Mr. Tanasi requested a written stipulation about the TPO be read to the Jury on the record, during Deft's case in chief. COURT SO ORDERED. Thereafter, parties stipulated to admitting Deft's Exhibits E and F, and having Exhibits A through D withdrawn. COURT SO ORDERED.

JURY PRESENT: State rested. Testimony and Exhibits presented (See Worksheets.).
CONFERENCE AT BENCH. Defense read stipulation regarding the TPO order from 2006 to the Jury on the record. Jury was admonished and excused by Court for the evening, to return tomorrow morning, at 10:30 a.m.

OUTSIDE PRESENCE OF JURY: Discussions as to defense seeking to have the out-of-state witness testify tomorrow, if or when the witness arrives. Mr. Leventhal advised the witness told him last night she was unable to come and testify today, due to breastfeeding her new baby, however, maybe on Tuesday, October 2, 2018, or Wednesday, October 3, 2018 she may. Mr. Leventhal added he asked the witness to call him back and confirm, and received no response, and this is where defense is at. Discussions as to proposed jury instructions from defense having been provided to the State, and not to the Court. Both sides exited the Courtroom to discuss jury instructions with the Court in

Chambers. MATTER TRAILED.

CASE RECALLED. JURY INSTRUCTIONS SETTLED, and VERDICT FORM APPROVED. No further instructions were proposed, and parties had no objections for the Court regarding the settled instructions. Court asked defense counsel to provide an update about the out-of-state witness tomorrow, and the Court will instruct the Jury after defense rests.

Evening recess. TRIAL CONTINUES.

CUSTODY

10/02/18 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 02, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

October 02, 2018**10:30 AM****Jury Trial****HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**

Botelho, Agnes M.

Attorney

Attorney

Giordani, John

Attorney

Leventhal, Todd M.

Attorney

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

JOURNAL ENTRIES

- OUTSIDE PRESENCE OF JURY: Court advised both sides there were problems with the conspiracy instruction in the finalized jury instructions, and the parties need to settle the instructions again with the Court before proceeding. Court TRAILED and RECALLED matter for the instructions and copies of instructions to be corrected.

JURY INSTRUCTIONS 1-43 SETTLED. VERDICT FORM APPROVED. State made no objections. Mr. Tanasi objected to Instruction No. 27 being given. Mr. Giordani argued in support of the instruction; and further argued as to Walker and Palmer case law. Court OVERRULED defense counsel's objection. Mr. Tanasi informed the Court he confirmed with Ms. Gilchrist about testifying, and if she is unavailable due to child care issues, defense would request the witness be allowed to testify on the same substance that was discussed earlier, as to her testimony, and to allow the witness to testify by phone. Discussion as to defense being aware of the notice issue. Arguments by counsel as to NRS 51.115 and NRS 51.345, and the testimony not being hearsay. Mr. Giordani objected; and argued as to no alibi notice having been given to State, notice being required,

and there being a whole slew of issues surrounding the alleged statement. Further arguments by counsel. Mr. Giordani argued the statement is hearsay and Deft. can testify on where he went that evening. Court SUSTAINED State's objection on defense having the out-of-state witness appear to testify, due to lack of notice. Court reminded Deft. regarding his right to testify and not testify. Deft. requested time to speak to his attorneys; and COURT SO ORDERED. Deft. conversed with his attorneys privately in open Court. Thereafter, Deft. finished speaking with counsel; and confirmed to Court he will not be testifying. SO NOTED.

JURY PRESENT: Defense rested. State rested. Court instructed the Jury on the law. Closing arguments by Ms. Botelho and Mr. Leventhal. Court admonished and excused the Jury for a lunch recess.

OUTSIDE PRESENCE OF JURY: CONFERENCE AT BENCH. Due to typographical error discovered by Court on Instruction No. 3 of the Jury Instructions, both sides made no objections to Court amending Instruction No. 3, to include the correct year of the alleged offense, as being 2006 and not 2016.

Lunch recess.

OUTSIDE PRESENCE OF JURY: Mr. Tanasi informed the Court Deft. brought to his attention that during closing arguments, some of the family members of the decedent, were making noises and comments, and he just wanted to let the Court know. The Marshal stated the noises and comments were coming from both sides of the courtroom earlier. Mr. Giordani stated the witness advocate from his office has been here and had overheard the Deft. having concerns, the victim advocate confirmed to the State that the victim's family was holding back tears.

JURY PRESENT: Rebuttal arguments by Mr. Giordani. Marshal and Matron were SWORN by Clerk to take charge of the Jury. Alternate jurors were identified and further instructed by Court. At the hour of 4:01 P.M., the Jury retired to deliberate.

Jury deliberating.

Evening recess. TRIAL CONTINUES.

CUSTODY

10/03/18 8:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 03, 2018**

06C228460-2

The State of Nevada vs Jemar D Matthews

October 03, 2018**8:30 AM****Jury Trial****HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**

Botelho, Agnes M.

Attorney

Attorney

Giordani, John

Attorney

Leventhal, Todd M.

Attorney

Matthews, Jemar D

Defendant

State of Nevada

Plaintiff

Tanasi, Richard E.

Attorney

JOURNAL ENTRIES

- Jury deliberating.

10:27 A.M. -- Court reconvened with all parties present from before. JURY RETURNED VERDICTS AS FOLLOWS:

COUNT 1 - GUILTY OF CONSPIRACY TO COMMIT MURDER (F);

COUNT 2 - GUILTY OF FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F);

COUNT 3 - GUILTY OF ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F);

COUNT 4 - GUILTY OF ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F);

COUNT 5 - GUILTY OF ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F);

COUNT 6 - GUILTY OF POSSESSION OF SHORT BARRELED RIFLE (F);

COUNT 7 - GUILTY OF CONSPIRACY TO COMMIT ROBBERY (F);

COUNT 8 - GUILTY OF ROBBERY WITH USE OF A DEADLY WEAPON (F);

COUNT 9 - GUILTY OF ROBBERY WITH USE OF A DEADLY WEAPON (F);

COUNT 10 - GUILTY OF ASSAULT WITH A DEADLY WEAPON (F); and,
COUNT 11 - GUILTY OF ASSAULT WITH A DEADLY WEAPON (F).

Jury was polled by Clerk at request of defense counsel. CONFERENCE AT BENCH. Court admonished and excused the Jury from the courtroom, to return to the deliberation room and wait for further instructions by the Court.

OUTSIDE PRESENCE OF JURY: At request of parties, Court cleared the Courtroom, and TRAILED the matter to allow both sides to discuss a possible stipulation, and for defense to speak with Deft. further.

CASE RECALLED. Both parties stipulated to waive a penalty hearing. Counsel stated based upon the Jury's findings, all parties agreed to a sentence of life with possibility of parole after twenty years being imposed on the first degree murder charge, and parties further agreed to have the trial judge sentence Deft. on all remaining counts. Court canvassed Deft. on the written waiver. Upon Court's inquiry, Deft. acknowledged; and confirmed he understood the waiver, including the sentencing agreement on the first degree murder offense, the penalty hearing being waived, and sentencing being up to the Court on remaining counts. SO NOTED.

Stipulation And Waiver Of Penalty Hearing FILED IN OPEN COURT.

JURY PRESENT: Court advised the Jury on parties stipulating to waiving the penalty hearing; and further stated the jurors will not be proceeding forward. Court extended thanks and gratitude to the Jury for their willingness to be here and serve as jurors. Thereafter, Court DISCHARGED and EXCUSED the Jury from trial proceedings.

OUTSIDE PRESENCE OF JURY: COURT ORDERED, matter REFERRED to the Division of Parole and Probation (P&P), and SET for sentencing. Mr. Giordani requested Deft. be remanded without bail, based on the Verdict returned from the Jury. Deft. stated he is in prison already. Defense submitted. COURT FURTHER ORDERED, Deft. REMANDED INTO CUSTODY without bail, pending sentencing. Deft. to be transported back to his housing in the Nevada Department of Corrections (NDC), pending sentencing date.

Court adjourned. TRIAL ENDS.

CUSTODY

12/05/18 8:30 A.M. SENTENCING (JURY VERDICT)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

06C228460-2

The State of Nevada vs Jemar D Matthews

December 05, 2018 8:30 AM Sentencing**HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Botelho, Agnes M.	Attorney
		Attorney
	Giordani, John	Attorney
	Leventhal, Todd M.	Attorney
	Matthews, Jemar D	Defendant
	State of Nevada	Plaintiff
	Tanasi, Richard E.	Attorney

JOURNAL ENTRIES

- Deft. present in custody. Mr. Leventhal apologized to the Court; and stated defense filed a lengthy Sentencing Memorandum last night, and defense is ready to proceed with sentencing, further noting defense also spoke with State about whether the Court will continue the matter, if the Court has not had ample time to review the Sentencing Memorandum, and if that is the case, parties would agree to a continuance. Court stated it did have an opportunity to review the Sentencing Memorandum, and is ready to proceed with sentencing.

By virtue of Jury Verdict returned in this matter, DEFT. JEMAR D. MATTHEWS ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO COMMIT MURDER (F); COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 3 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 4 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 5 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F); COUNT 6 - POSSESSION OF SHORT BARRELED RIFLE (F); COUNT 7 - CONSPIRACY TO COMMIT ROBBERY (F); COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT 9 -

ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT 10 - ASSAULT WITH A DEADLY WEAPON (F); AND COUNT 11 - ASSAULT WITH A DEADLY WEAPON (F). Arguments by Mr. Giordani. Mr. Giordani requested the victim speakers to address the Court last. Deft. made statements to the victims seated in the gallery, and additional statements to the Court. Mr. Leventhal argued regarding NRS 193.165 and information contained in the Sentencing Memorandum. Mr. Tanasi also made arguments to the Court on Deft's behalf. Two Victim Speakers provided sworn testimony.

COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED as follows:

COUNT 1 - to a MINIMUM of TWENTY SIX (26) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC);

COUNT 2 - LIFE with the possibility of parole after a MINIMUM of TWENTY (20) YEARS is served in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of LIFE with the possibility of parole after a MINIMUM of TWENTY (20) YEARS is served in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 2 to run CONCURRENT to COUNT 1;

COUNT 3 - a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 3 to run CONCURRENT to COUNT 2;

COUNT 4 - a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 4 to run CONCURRENT to COUNT 3;

COUNT 5 - a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 5 to run CONCURRENT to COUNT 4;

COUNT 6 - a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC); COUNT 6 to run CONCURRENT to COUNT 5;

COUNT 7 - a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of SEVENTY TWO (72)

MONTHS in the Nevada Department of Corrections (NDC); COUNT 7 to run CONCURRENT to COUNT 6;

COUNT 8 - a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 8 to run CONCURRENT to COUNT 7;

COUNT 9 - a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE term of a MINIMUM of FORTY (40) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), for use of the deadly weapon; COUNT 9 to run CONCURRENT to COUNT 8;

COUNT 10 - a MINIMUM of SIXTEEN (16) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS in the Nevada Department of Corrections (NDC); COUNT 10 to run CONCURRENT to COUNT 9; and,

COUNT 11 - a MINIMUM of SIXTEEN (16) MONTHS and a MAXIMUM of SEVENTY TWO (72) MONTHS in the Nevada Department of Corrections (NDC); COUNT 11 to run CONCURRENT to COUNT 10, with FOUR THOUSAND FOUR HUNDRED FIFTY (4,450) DAYS CREDIT FOR TIME SERVED.

All Counts to run CONCURRENT to COUNT 2.

TOTAL AGGREGATE SENTENCE is FORTY (40) YEARS to LIFE in the Nevada Department of Corrections (NDC).

BOND, if any, EXONERATED.

NDC

State of Nevada v. Pierre Joshlin & Jemar Matthews
C228460 Department 18

#	Description of the Exhibit	Offered	Admitted
1	Package 5223-1 (.45 cartridges in package)	5-8-07 No	5-8-07
1a	9mm casings - Item 1&2	5-10-07 No	5-10-07
1b	.45 casing - Item 3 (Too badly damaged for comparison)	5-10-07 No	5-10-07
1c	.45 casings - Items 4-13 (Match to Glock)	5-10-07 No	5-10-07
1d	.45 casings - Items 14-15 (Live bullets)	5-10-07 No	5-10-07
2	Package 5223-2 (.22 casings in package)	5-8-07 No	5-8-07
2a	.22 casings - Items 16-29	5-10-07 No	5-10-07
3	Package 5223-3 (.22 casings in package)	5-8-07 No	5-8-07
3a	.22 casings - Items 30-40	5-10-07 No	5-10-07
3b	.45 casing - Item 41	5-10-07 No	5-10-07
3c	Bullets and bullet fragments - Item 42 & 44 (damaged)	5-10-07 No	5-10-07
3d	Bullets and bullet fragments - Item 43, 45 & 47 (matched .22)	5-10-07 No	5-10-07
4	Package 6650-1 (Speer .45 casings)	5-9-07 No	5-9-07
4a	Speer .45 casings - Items 1-3		
5	Package 6650-2 - Box with .22 Ruger	5-9-07 No	5-9-07
5a	.22 Ruger Rifle - Item 4	5-10-07 No	5-10-07
6	Package 6650-3 (Magazine and cartridge)	5-9-07 No	5-9-07
6a	Magazine from .22 Ruger Rifle - Item 5	5-10-07 No	5-10-07
6b	Cartridge from chamber of .22 Ruger Rifle	5-10-07 No	5-10-07
7	Package 6650-5 (red glove from 1200 Eleanor) <i>T, A, B</i>	5-9-07 No	5-9-07 ALL
7a	Red glove	5-9-07 No	5-9-07
8	Package 6650-6 - Box with .45 Colt from floorboard	5-9-07 No	5-9-07
8a	.45 Colt	5-10-07 No	5-10-07
9	Package 6650-7 (.45 Colt magazine and cartridge)	5-9-07 No	5-9-07
9a	.45 cartridge jammed in gun - Item 10	5-10-07 No	5-10-07
9b	Magazine from .45 Colt	5-10-07 No	5-10-07
9c	.45 cartridges from magazine	5-10-07 No	5-10-07
10	Package 6650-8 - Box with Glock from dumpster	5-9-07	5-9-07
10a	Glock	5-10-07	5-10-07
11	Package 6650-9 - Contents of Glock <i>A-B-C (all admitted)</i>	5-9-07 No	5-9-07
11a	Cartridge from chamber of Glock - Item 14	5-10-07 No	5-10-07
11b	Magazine from Glock - Item 15	5-10-07 No	5-10-07
11c	Cartridges from magazine - Item 16	5-10-07 No	5-10-07
12	Package 6650-10 (Black Nike gloves from dumpster) <i>12, 12A, B, C</i>	5-9-07 No	5-9-07 ALL
12a	Black gloves + A, B, C	5-9-07	5-9-07 ALL
13	Diagram of Bldg. + Surrounding area	5-8-07 No	5-8-07
14	Photographs	5-8-07 No	5-8-07
15			5-8-07
16			5-8-07
17			5-8-07
18			5-8-07
19			5-8-07
20			5-8-07
21			5-8-07

* 12-A gloves
 12-B
 12-C
 ADMITTED 5/9/07
 5-7-07 Juel Start

ORIGINAL

MAY - 8 2007

State of Nevada v. Pierre Joshlin & Jemar Matthews

C228460 Department 18

Offered 5-8-07 No Admitted 5-8-07

22	Photograph		
23			
24			
25			
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60			
61			
62			
63		5/8	Noisy 5-8-07
64	Photograph	5/8 (Noisy)	5-8-07
65		5/8	5-8-07
66		5/8	5-8-07

State of Nevada v. Pierre Joshlin & Jemar Matthews

C228460 Department 18

	Offered	No	Adm.
67 Photograph	5-8-07	Yes	5-8-07
68			5-8-07
69		"	5-8-07
70		"	5-8-07
71		"	5-8-07
72		"	5-8-07
73		"	5-8-07
74		"	5-8-07
75		"	5-8-07
76		"	5-8-07
77		"	5-8-07
78		"	5-8-07
79		"	5-8-07
80		"	5-8-07
81		"	5-8-07
82		"	5-8-07
83		"	5-8-07
84		"	5-8-07
85		"	5-8-07
86		"	5-8-07
87		"	5-8-07
88		"	5-8-07
89		"	5-8-07
90		"	5-8-07
91		"	5-8-07
92	5-8-07	No	5-8-07
93			
94 Photograph	5-8	No	5-8-07
95	5-8	No	5-8-07
96 Photo -	5-8	No	5-8-07
97 Photo	5-8	No	5-8-07
98 Photo - Coroner's Tag	5-10-07	No	5-10-07
99 Photo			
100			
101			
102	5-10-07	No	5-10-07
103			
104			
105			
106 Photo	5-9	No	5-9-07
107	5-9	No	5-9-07
108	5-9	No	5-9-07
109	5-9	No	5-9-07
110	5-9	No	5-9-07
111	5-9	No	5-9-07

State of Nevada v. Pierre Joshlin & Jemar Matthews
C228460 Department 18

112	Photos	5-9-07	No	5-9-07	Schmitter
113					
114					
115					
116					
117					Schmitter
118					
119	Photos	5/8/07	N/O	5-8-07	
120		5/8/07	N/O	5-8-07	
121		5/8/07	N/O	5-8-07	
122		5/8/07	N/O	5-8-07	Schmitter
123		5/8/07	N/O	5-8-07	
124		5/8/07	N/O	5-8-07	
125		5/8/07	N/O	5-8-07	
126		5/8/07	N/O	5-8-07	
127		5/8	N/O	5-8-07	Schmitter
128		5/8	N/O	5-8-07	
129		5/8/07	N/O	5-8-07	
130		5/8/07	N/O	5-8-07	
131		5/8/07	N/O	5-8-07	
132		5/9/07	N/O	5-9-07	Schmitter
133	Photo	5/9/07	N/O	5-9-07	
134		5/9/07	N/O	5-9-07	
135		5/9/07	N/O	5-9-07	
136		5/9/07	N/O	5-9-07	
137		5/9/07	N/O	5-9-07	Schmitter
138		5/9/07	N/O	5-9-07	
139		5/9/07	N/O	5-9-07	
140		5/9/07	N/O	5-9-07	
141		5/9/07	N/O	5-9-07	
142		5/9/07	N/O	5-9-07	Schmitter
143		5/8/07	N/O	5-8-07	
144		5/8/07	N/O	5-8-07	
145		5/8/07	N/O	5-8-07	
146		5/8/07	N/O	5-8-07	
147		5/8/07	N/O	5-8-07	Schmitter
148		5/8/07	N/O	5-8-07	
149		5/9/07	N/O	5-9-07	
150		5/8/07	N/O	5-8-07	
151		5/8/07	N/O	5-8-07	
152		5/8	N/O	5-8-07	Schmitter
153		5/8	N/O	5-8-07	
154	Aerial View	5/8/07	N/O	5-8-07	
155	Aerial View	5/8/07	N/O	5-8-07	
156	Photo gun	5-10-07	N/O	5-10-07	

Arm + Hand in handcuff

State of Nevada v. Pierre Joshlin & Jemar Matthews
C228460 Department 18

157	Photo	5/8/07	5/8/07
158	"	5/8/07	5/8/07
159	Photo - legs	5/8	5-8-07
160	Photo	5/8	5-8-07
161	Photo - chamber of gun enlarged		
162	Aerial View	5/8/07	No 5-8-07
163	Certified Document - Event Search	5/9/07	OBT
164	Bag	5/9/07	
	a) Gunshot residue kit from Δ Joshlin	5/9/07	
	b) Gunshot residue kit from Δ Matthews	5/9/07	
	c) Gunshot residue kit from Trevin Jones	5/9/07	
165	Envelope w/Content	5-10	No 5-10-07 ✓
165	Bullet fragments	5-10	No 5-10-07
166	Photo - microscopic comparison of bullets	5-10-07	No 5-10-07
167	Plastic Bag with Varnish 2 exhibits (To be identified @ later date. (pc))		

EXHIBITS

CASE NO.

OFFERED	ADMITTED
DATE	OBJ DATE

EXHIBIT(S) LIST

Trial By Jury

Case No.: 16C228460-2

Date: 9-24-18

Dept. No.: XII

Judge: Michelle Leavitt

Plaintiff: State of Nevada

Court Clerk: Susan Botzenhart

Recorder: Kristine Santi

Counsel for Plaintiff: Agnes Lexis

vs.

Defendant: Jemar D. Matthews

John Giordani

Counsel for Defendant: Todd Leventhal
Richard Tanasi

Jury Trial BEFORE THE COURT
State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
1.	Package	9-26-18	Stip	9-26-18	BS
1a.	Casings (two of them)	9-26-18	Stip	9-26-18	BS
1b.	Casings (one)	9-26-18	Stip	9-26-18	BS
1c.	Casings (ten)	9-26-18	Stip	9-26-18	BS
1d.	Casings (two)	9-26-18	Stip	9-26-18	BS
2.	Package	9-26-18	Stip	9-26-18	BS
2a.	Casings (Fourteen)	9-26-18	Stip	9-26-18	BS
3.	Package	9-26-18	Stip	9-26-18	BS
3a.	Casings (Eleven of them)	9-26-18	Stip	9-26-18	BS
3b.	Casing (one)	9-26-18	Stip	9-26-18	BS
3c.	Bullets and bullet fragments (two)	9-26-18	Stip	9-26-18	BS
3d.	Bullets and bullet fragments (four)	9-26-18	Stip	9-26-18	BS
4.	Package	9-26-18	Stip	9-26-18	BS
4a.	Speer .45 Casings (three of them)	9-26-18	Stip	9-26-18	BS
5.	package - box	9-26-18	Stip	9-26-18	BS
5a.	.22 Ruger Rifle	9-26-18	Stip	9-26-18	BS
6.	Package	9-26-18	Stip	9-26-18	BS

EXHIBIT(S) LIST

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Case No.: 06C228460-2

State of Nevada vs. Jemar D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
6a.	Magazine in Bag	9-26-18	Stip	9-26-18	BS
6b.	Cartridge in Bag	9-26-18	Stip	9-26-18	BS
7.	Package	9-26-18	Stip	9-26-18	BS
7a.	Red Glove and envelope	9-26-18	Stip	9-26-18	BS
7b.	Envelope of Samples	9-26-18	Stip	9-26-18	BS
8.	Package - box	9-26-18	Stip	9-26-18	BS
8a.	.45 Colt	9-26-18	Stip	9-26-18	BS
9.	Package	9-26-18	Stip	9-26-18	BS
9a.	.45 cartridge jammed in gun	9-26-18	Stip	9-26-18	BS
9b.	magazine from .45 colt	9-26-18	Stip	9-26-18	BS
9c.	.45 cartridges from magazine	9-26-18	Stip	9-26-18	BS
10.	Package - box	9-26-18	Stip	9-26-18	BS
10a.	Glock	9-26-18	Stip	9-26-18	BS
11.	Package	9-26-18	Stip	9-26-18	BS
11a.	Cartridge from Chamber	9-26-18	Stip	9-26-18	BS
11b.	Magazine from Glock	9-26-18	Stip	9-26-18	BS
11c.	Cartridges from magazine (Fifteen)	9-26-18	Stip	9-26-18	BS
12.	Package	9-26-18	Stip	9-26-18	BS
12a.	Black Gloves in Bag	9-26-18	Stip	9-26-18	BS
12b.	Left Black Glove Area in envelope	9-26-18	Stip	9-26-18	BS
12c.	Envelope of Black Glove Samples	9-26-18	Stip	9-26-18	BS
13.	CD-video	9-26-18	Stip	9-26-18	BS
14.	Bag	9-26-18	Stip	9-26-18	BS
14a.	Gunshot Residue Kit	9-26-18	Stip	9-26-18	BS
14b.	Gunshot Residue Kit	9-26-18	Stip	9-26-18	BS

EXHIBIT(S) LIST

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Case No.: 00C228460-2

State of Nevada

vs.

Jemar D. MatthewsState's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
14C.	Ganshot residue kit	9-26-18	Stip	9-26-18	AS
15.	Envelope	9-26-18	Stip	9-26-18	AS
15a.	Bullet fragments	9-26-18	Stip	9-26-18	AS
16.	photo	9-26-18	Stip	9-26-18	AS
17.	photo	9-26-18	Stip	9-26-18	AS
18.	Diagram	9-26-18	Stip	9-26-18	AS
19.	Diagram	9-26-18	Stip	9-26-18	AS
20.	Diagram	9-26-18	Stip	9-26-18	AS
21.	map	9-26-18	Stip	9-26-18	AS
22.	map	9-26-18	Stip	9-26-18	AS
23.	map	9-26-18	Stip	9-26-18	AS
24.	map	9-26-18	Stip	9-26-18	AS
25.	map	9-26-18	Stip	9-26-18	AS
26.	map	9-26-18	Stip	9-26-18	AS
27.	photo	9-26-18	Stip	9-26-18	AS
28.	photo	9-26-18	Stip	9-26-18	AS
29.	photo	9-26-18	Stip	9-26-18	AS
30.	photo	9-26-18	Stip	9-26-18	AS
31.	photo	9-26-18	Stip	9-26-18	AS
32.	photo	9-26-18	Stip	9-26-18	AS
33.	photo	9-26-18	Stip	9-26-18	AS
34.	photo	9-26-18	Stip	9-26-18	AS
35.	photo	9-26-18	Stip	9-26-18	AS
36.	photo	9-26-18	Stip	9-26-18	AS
37.	photo	9-26-18	Stip	9-26-18	AS

EXHIBIT(S) LIST

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Case No.: 06C228460-2

State of Nevada

vs.

Jemarr D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
38.	photo	9-26-18	Stip	9-26-18	MS
39.	photo	9-26-18	Stip	9-26-18	MS
40.	photo	9-26-18	Stip	9-26-18	MS
41.	photo	9-26-18	Stip	9-26-18	MS
42.	photo	9-26-18	Stip	9-26-18	MS
43.	photo	9-26-18	Stip	9-26-18	MS
44.	photo	9-26-18	Stip	9-26-18	MS
45.	photo	9-26-18	Stip	9-26-18	MS
46.	photo	9-26-18	Stip	9-26-18	MS
47.	photo	9-26-18	Stip	9-26-18	MS
48.	photo	9-26-18	Stip	9-26-18	MS
49.	photo	9-26-18	Stip	9-26-18	MS
50.	photo	9-26-18	Stip	9-26-18	MS
51.	photo	9-26-18	Stip	9-26-18	MS
52.	photo	9-26-18	Stip	9-26-18	MS
53.	photo	9-26-18	Stip	9-26-18	MS
54.	photo	9-26-18	Stip	9-26-18	MS
55.	photo	9-26-18	Stip	9-26-18	MS
56.	photo	9-26-18	Stip	9-26-18	MS
57.	photo	9-26-18	Stip	9-26-18	MS
58.	photo	9-26-18	Stip	9-26-18	MS
59.	photo	9-26-18	Stip	9-26-18	MS
60.	photo	9-26-18	Stip	9-26-18	MS
61.	photo	9-26-18	Stip	9-26-18	MS
62.	photo	9-26-18	Stip	9-26-18	MS

EXHIBIT(S) LIST

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Case No.: 06C228460-2

State of Nevada

vs.

Jemar D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
63.	photo	9-26-18	Stip	9-26-18	MS
64.	photo	9-26-18	Stip	9-26-18	MS
65.	photo	9-26-18	Stip	9-26-18	MS
66.	photo	9-26-18	Stip	9-26-18	MS
67.	photo	9-26-18	Stip	9-26-18	MS
68.	photo	9-26-18	Stip	9-26-18	MS
69.	photo	9-26-18	Stip	9-26-18	MS
70.	photo	9-26-18	Stip	9-26-18	MS
71.	photo	9-26-18	Stip	9-26-18	MS
72.	photo	9-26-18	Stip	9-26-18	MS
73.	photo	9-26-18	Stip	9-26-18	MS
74.	photo	9-26-18	Stip	9-26-18	MS
75.	photo	9-26-18	Stip	9-26-18	MS
76.	photo	9-26-18	Stip	9-26-18	MS
77.	photo	9-26-18	Stip	9-26-18	MS
78.	photo	9-26-18	Stip	9-26-18	MS
79.	photo	9-26-18	Stip	9-26-18	MS
80.	photo	9-26-18	Stip	9-26-18	MS
81.	photo	9-26-18	Stip	9-26-18	MS
82.	photo	9-26-18	Stip	9-26-18	MS
83.	photo	9-26-18	Stip	9-26-18	MS
84.	photo	9-26-18	Stip	9-26-18	MS
85.	photo	9-26-18	Stip	9-26-18	MS
86.	photo	9-26-18	Stip	9-26-18	MS
87.	photo	9-26-18	Stip	9-26-18	MS

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Case No.:

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State of Nevada

vs.

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State's

EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
88.	photo	9-26-18	Stip	9-26-18	MS
89.	photo	9-26-18	Stip	9-26-18	MS
90.	photo	9-26-18	Stip	9-26-18	MS
91.	photo	9-26-18	Stip	9-26-18	MS
92.	photo	9-26-18	Stip	9-26-18	MS
93.	photo	9-26-18	Stip	9-26-18	MS
94.	photo	9-26-18	Stip	9-26-18	MS
95.	photo	9-26-18	Stip	9-26-18	MS
96.	photo	9-26-18	Stip	9-26-18	MS
97.	photo	9-26-18	Stip	9-26-18	MS
98.	photo	9-26-18	Stip	9-26-18	MS
99.	photo	9-26-18	Stip	9-26-18	MS
100.	photo	9-26-18	Stip	9-26-18	MS
101.	photo	9-26-18	Stip	9-26-18	MS
102.	photo	9-26-18	Stip	9-26-18	MS
103.	photo	9-26-18	Stip	9-26-18	MS
104.	photo	9-26-18	Stip	9-26-18	MS
105.	photo	9-26-18	Stip	9-26-18	MS
106.	photo	9-26-18	Stip	9-26-18	MS
107.	photo	9-26-18	Stip	9-26-18	MS
108.	photo	9-26-18	Stip	9-26-18	MS
109.	photo	9-26-18	Stip	9-26-18	MS
110.	photo	9-26-18	Stip	9-26-18	MS
111.	photo	9-26-18	Stip	9-26-18	MS
112.	photo	9-26-18	Stip	9-26-18	MS

EXHIBIT(S) LIST

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Case No.: 06C228460-2

State of Nevada

vs.

Jemar D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
113.	photo	9-26-18	Stip	9-26-18	MS
114.	photo	9-26-18	Stip	9-26-18	MS
115.	photo	9-26-18	Stip	9-26-18	MS
116.	photo	9-26-18	Stip	9-26-18	MS
117.	photo	9-26-18	Stip	9-26-18	MS
118.	photo	9-26-18	Stip	9-26-18	MS
119.	photo	9-26-18	Stip	9-26-18	MS
120.	photo	9-26-18	Stip	9-26-18	MS
121.	photo	9-26-18	Stip	9-26-18	MS
122.	photo	9-26-18	Stip	9-26-18	MS
123.	photo	9-26-18	Stip	9-26-18	MS
124.	photo	9-26-18	Stip	9-26-18	MS
125.	photo	9-26-18	Stip	9-26-18	MS
126.	photo	9-26-18	Stip	9-26-18	MS
127.	photo	9-26-18	Stip	9-26-18	MS
128.	photo	9-26-18	Stip	9-26-18	MS
129.	photo	9-26-18	Stip	9-26-18	MS
130.	photo	9-26-18	Stip	9-26-18	MS
131.	photo	9-26-18	Stip	9-26-18	MS
132.	photo	9-26-18	Stip	9-26-18	MS
133.	photo	9-26-18	Stip	9-26-18	MS
134.	photo	9-26-18	Stip	9-26-18	MS
135.	photo	9-26-18	Stip	9-26-18	MS
136.	photo	9-26-18	Stip	9-26-18	MS
137.	photo	9-26-18	Stip	9-26-18	MS

EXHIBIT(S) LIST

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Case No.: 06C228460-2

State of Nevada

vs.

Jemar D. Matthews

State's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
138.	photo	9-26-18	Stip	9-26-18	MS
139.	photo	9-26-18	Stip	9-26-18	MS
140.	photo	9-26-18	Stip	9-26-18	MS
141.	photo	9-26-18	Stip	9-26-18	MS
142.	photo	9-26-18	Stip	9-26-18	MS
143.	photo	9-26-18	Stip	9-26-18	MS
144.	photo	9-26-18	Stip	9-26-18	MS
145.	photo	9-26-18	Stip	9-26-18	MS
146.	photo	9-26-18	Stip	9-26-18	MS
147.	photo	9-26-18	Stip	9-26-18	MS
148.	photo	9-26-18	Stip	9-26-18	MS
149.	photo	9-26-18	Stip	9-26-18	MS
150.	photo	9-26-18	Stip	9-26-18	MS
151.	photo	9-26-18	Stip	9-26-18	MS
152.	photo	9-26-18	Stip	9-26-18	MS
153.	photo	9-26-18	Stip	9-26-18	MS
154.	photo	9-26-18	Stip	9-26-18	MS
155.	photo	9-26-18	Stip	9-26-18	MS
156.	photo	9-26-18	Stip	9-26-18	MS
157.	photo	9-26-18	Stip	9-26-18	MS
158.	photo	9-26-18	Stip	9-26-18	MS
159.	photo	9-26-18	Stip	9-26-18	MS
160.	photo	9-26-18	Stip	9-26-18	MS
161.	photo	9-26-18	Stip	9-26-18	MS
162.	photo	9-26-18	Stip	9-26-18	MS

EXHIBIT(S) LIST

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Case No.:

06C228460-2

State of Nevada

vs.

Jemar D. Matthews

state's EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
163.	photo	9-26-18	Stip	9-26-18	MS
164.	photo	9-26-18	Stip	9-26-18	MS
165.	photo	9-26-18	Stip	9-26-18	MS
166.	photo	9-26-18	Stip	9-26-18	MS
167.	photo	9-26-18	Stip	9-26-18	MS
168.	photo	9-26-18	Stip	9-26-18	MS
169.	photo	9-26-18	Stip	9-26-18	MS
170.	photo	9-26-18	Stip	9-26-18	MS
171.	photo	9-26-18	Stip	9-26-18	MS
172.	photo	9-26-18	Stip	9-26-18	MS
173.	photo	9-26-18	Stip	9-26-18	MS
174.	photo	9-26-18	Stip	9-26-18	MS
175.	photo	9-26-18	Stip	9-26-18	MS
176.	photo	9-26-18	Stip	9-26-18	MS
177.	photo	9-26-18	Stip	9-26-18	MS
178.	photo	9-26-18	Stip	9-26-18	MS
179.	photo	9-26-18	Stip	9-26-18	MS
180.	photo	9-26-18	Stip	9-26-18	MS
181.	photo	9-26-18	Stip	9-26-18	MS
182.	photo	9-26-18	Stip	9-26-18	MS
183.	photo	9-26-18	Stip	9-26-18	MS
184.	photo	9-26-18	Stip	9-26-18	MS
185.	photo	9-26-18	Stip	9-26-18	MS
186.	photo	9-26-18	Stip	9-26-18	MS
187.	photo	9-26-18	Stip	9-26-18	MS

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188.	photo-	9-26-18	Stip	9-26-18	21
189.	photo	9-26-18	Stip	9-26-18	22
190.	photo	9-26-18	Stip	9-26-18	23
191.	photo	9-26-18	Stip	9-26-18	24
192.	photo	9-26-18	Stip	9-26-18	25
193.	photo	9-26-18	Stip	9-26-18	26
194.	photo	9-26-18	Stip	9-26-18	27
195.	photo	9-26-18	Stip	9-26-18	28
196.	photo	9-26-18	Stip	9-26-18	29
197.	photo	9-26-18	Stip	9-26-18	30
198.	photo	9-26-18	Stip	9-26-18	31
199.	photo	9-26-18	Stip	9-26-18	32
200.	photo	9-26-18	Stip	9-26-18	33
201.	photo	9-26-18	Stip	9-26-18	34
202.	photo	9-26-18	Stip	9-26-18	35
203.	photo	9-26-18	Stip	9-26-18	36
204.	photo	9-26-18	Stip	9-26-18	37
205.	photo	9-26-18	Stip	9-26-18	38
206.	photo	9-26-18	Stip	9-26-18	39
207.	photo	9-26-18	Stip	9-26-18	40
208.	photo	9-26-18	Stip	9-26-18	41
209.	photo	9-26-18	Stip	9-26-18	42
210.	photo	9-26-18	Stip	9-26-18	43
211.	photo	9-26-18	Stip	9-26-18	44
212.	photo	9-26-18	Stip	9-26-18	45

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213.	photo	9-26-18	Stip	9-26-18	ms
214.	photo	9-26-18	Stip	9-26-18	ms
215.	photo	9-26-18	Stip	9-26-18	ms
216.	photo	9-26-18	Stip	9-26-18	ms
217.	photo	9-26-18	Stip	9-26-18	ms
218.	photo	9-26-18	Stip	9-26-18	ms
219.	photo	9-26-18	Stip	9-26-18	ms
220.	photo	9-26-18	Stip	9-26-18	ms
221.	photo	9-26-18	Stip	9-26-18	ms
222.	photo	9-26-18	Stip	9-26-18	ms
223.	photo	9-26-18	Stip	9-26-18	ms
224.	photo	9-26-18	Stip	9-26-18	ms
225.	photo	9-26-18	Stip	9-26-18	ms
226.	photo	9-26-18	Stip	9-26-18	ms
227.	photo	9-26-18	Stip	9-26-18	ms
228.	photo	9-26-18	Stip	9-26-18	ms
229.	photo	9-26-18	Stip	9-26-18	ms
230.	photo	9-26-18	Stip	9-26-18	ms
231.	photo	9-26-18	Stip	9-26-18	ms
232.	photo	9-26-18	Stip	9-26-18	ms
233.	photo	9-26-18	Stip	9-26-18	ms
234.	photo	9-26-18	Stip	9-26-18	ms
235.	photo	9-26-18	Stip	9-26-18	ms
236.	photo	9-26-18	Stip	9-26-18	ms
237.	photo	9-26-18	Stip	9-26-18	ms

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238.	photo	9-26-18	Stip	9-26-18	mg
239.	photo	9-26-18	Stip	9-26-18	mg
240.	photo	9-26-18	Stip	9-26-18	mg
241.	photo	9-26-18	Stip	9-26-18	mg
242.	photo	9-26-18	Stip	9-26-18	mg
243.	photo	9-26-18	Stip	9-26-18	mg
244.	photo	9-26-18	Stip	9-26-18	mg
245.	photo	9-26-18	Stip	9-26-18	mg
246.	photo	9-26-18	Stip	9-26-18	mg
247.	photo	9-26-18	Stip	9-26-18	mg
248.	photo	9-26-18	Stip	9-26-18	mg
249.	photo	9-26-18	Stip	9-26-18	mg
250.	photo	9-26-18	Stip	9-26-18	mg
251.	photo	9-26-18	Stip	9-26-18	mg
252.	photo	9-26-18	Stip	9-26-18	mg
253.	photo	9-26-18	Stip	9-26-18	mg
254.	photo	9-26-18	Stip	9-26-18	mg
255.	photo	9-26-18	Stip	9-26-18	mg
256.	photo	9-26-18	Stip	9-26-18	mg
257.	photo	9-26-18	Stip	9-26-18	mg
258.	photo	9-26-18	Stip	9-26-18	mg
259.	photo	9-26-18	Stip	9-26-18	mg
260.	photo	9-26-18	Stip	9-26-18	mg
261.	photo	9-26-18	Stip	9-26-18	mg
262.	photo	9-26-18	Stip	9-26-18	mg