

2515

RENE L. VALLADARES

Federal Public Defender

Nevada Bar No. 11479

RANDOLPH M. FIEDLER

Assistant Federal Public Defender

Nevada Bar No. 12577

Randolph_fiedler@fd.org

JOANNE L. DIAMOND

Assistant Federal Public Defender

Nevada Bar No. 14139C

Joanne_diamond@fd.org

SCOTT WISNIEWSKI

Assistant Federal Public Defender

Nevada Bar No. 14675C

Scott_wisniewski@fd.org

411 E. Bonneville, Ste. 250

Las Vegas, Nevada 89101

(702) 388-6577

(702) 388-5819 (Fax)

Attorneys for Petitioner

IN THE SECOND JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

SIAOSI VANISI,

Petitioner,

v.

WILLIAM GITTERE, Warden, et. al.,

Respondents.

Case No. CR96-0516

Dept. No. IV

(Death Penalty Habeas Corpus Case)

NOTICE OF APPEAL

1 Notice is hereby given that Siaosi Vanisi appeals to the Nevada Supreme Court
2 from the Order Granting Waiver of Evidentiary Hearing, Order Denying Relief, and
3 the Order Denying Motion for Leave to File Supplement. The Notice of Entry of Order
4 was filed on February 6, 2019; another Notice of Entry of Order was filed on February
5 22, 2019.

6
7 DATED this 25th day of February, 2019.

8 Respectfully submitted,
9 RENE L. VALLADARES
Federal Public Defender

10 Randolph M. Fiedler
11 Assistant Federal Public Defender

12 Joanne L. Diamond
13 Assistant Federal Public Defender

14 Scott Wisniewski
15 Assistant Federal Public Defender
16
17
18
19
20
21
22
23

AFFIRMATION PURSUANT TO NEV. REV. STAT. § 239B.030

The undersigned does hereby affirm that the preceding NOTICE OF APPEAL filed in the District Court Case No. CR96-0516 does not contain the social security number of any person.

DATED this 25th day of February, 2019.

Randolph M. Fiedler

Assistant Federal Public Defender
411 E. Bonnevill Ave., Suite 250
Las Vegas, NV 89101
Attorney for Respondent

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

Jennifer P. Noble
Appellate Deputy
Nevada Bar No. 9446
P.O. Box 11130
Reno, NV 89520-0027

/s/Jessica Pillsbury
An Employee of the Federal
Public Defender

1310
RENE L. VALLADARES
Federal Public Defender
Nevada Bar No. 11479
RANDOLPH M. FIEDLER
Assistant Federal Public Defender
Nevada Bar No. 12577
Randolph_fiedler@fd.org
JOANNE L. DIAMOND
Assistant Federal Public Defender
Nevada Bar No. 14139C
Joanne_diamond@fd.org
SCOTT WISNIEWSKI
Assistant Federal Public Defender
Nevada Bar No. 14675C
Scott_wisniewski@fd.org
411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
(702) 388-6577
(702) 388-5819 (Fax)

Attorneys for Petitioner

IN THE SECOND JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

SIAOSI VANISI,

Petitioner,

v.

WILLIAM GITTERE, Warden, et. al.,

Respondents.

Case No. CR96-0516

Dept. No. IV

(Death Penalty Habeas Corpus Case)

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

Siaosi Vanisi

2. Identify the judge issuing the decision, judgment, or order appeals from:

Hon. Connie Steinheimer

3. Identify each appellant and the name and address of counsel for each appellant:

Rene Valladares
Federal Public Defender

Randolph M. Fiedler
Joanne L. Diamond
Scott Wisniewski
Assistant Federal Public Defender
411 E. Bonnevill Ave., Suite 250
Las Vegas, Nevada 89101

Counsel for Appellant Siaosi Vanisi

4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent:

Chris Hicks
Washoe County District Attorney

Jennifer P. Noble
Chief Appellate Deputy
Joseph Plater
Appellate Deputy
P.O. Box 11130
Reno, Nevada 89520-0027

Counsel for Respondent William Gittere, Warden, Ely State Prison
Counsel for Respondent Aaron Ford, Attorney General

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):

1 All attorneys are licensed to practice in Nevada.

2 **6. Indicate whether appellant was represented by appointed or retained counsel**
3 **in the district court:**

4 The United States District Court for the District of Nevada appointed counsel
5 for Vanisi on August 5, 2010. *See Vanisi v. Filson*, No. 3:10-cv-00448-MMD-CBC,
6 Docket No. 5. Pursuant to our appointment in federal court, undersigned counsel
7 remained Vanisi's appointed counsel for these state proceedings.

8 **7. Indicate whether appellant is represented by appointed or retained counsel on**
9 **appeal:**

10 Appellant is represented by appointed counsel, the Federal Public Defender for
11 the District of Nevada.

12 **8. Indicate whether appellant was granted leave to proceed in forma pauperis,**
13 **and the date of entry of the district court order granting such leave:**

14 The United States District Court granted Vanisi leave to proceed in forma
15 pauperis on August 5, 2010.

16 **9. Indicate the date the proceedings commenced in the district court (e.g., date**
17 **complaint, indictment, information, or petition was filed):**

18 The Petition for Writ of Habeas Corpus (Post-Conviction) was filed on May 4,
19 2011.

20 **10. Provide a brief description of the nature of the action and result in the district**
21 **court, including the type of judgment or order being appealed and the relief**
22 **granted by the district court:**

23 Vanisi filed the instant petition, which the district court originally denied on
April 10, 2014; the Notice of Entry of Order was filed on April 25, 2014. The Nevada
Supreme Court reversed and remanded for the district court to conduct an
evidentiary hearing "concerning whether Vanisi was prejudiced by postconviction

1 counsel's failure to substantiate their claim of ineffective assistance of trial counsel
2 for failure to introduce mitigation evidence.”¹

3 On remand, after Vanisi indicated an interest in waiving his evidentiary
4 hearing, the district court conducted a competency hearing, found Vanisi competent,
5 and allowed him to waive his evidentiary hearing. The district court then denied
6 Vanisi's remaining claim on its merits.

7 Vanisi then moved to supplement his petition to consider a claim that he is
8 categorically ineligible for the death penalty. The district court denied this motion. A
9 Notice of Entry of Order was filed on February 6, 2019; a second Notice of Entry of
10 Order was filed on February 22, 2019.

11 **11. Indicate whether the case has previously been the subject of an appeal to or**
12 **original writ proceeding in the Supreme Court and, if so, the caption and**
Supreme Court docket number of the prior proceeding:

13 *Vanisi v. District Court*, No. 34771

14 *Vanisi v. State*, No. 35429

15 *Vanisi v. District Court*, No. 45061

16 *Vanisi v. State*, No. 50607

17 *Vanisi v. Warden*, No. 65774

18 **12. Indicate whether this appeal involves child custody or visitation:**

19 This appeal does not involve child custody or visitation.

20 **13. If this is a civil case, indicate whether this appeal involves the possibility of**
21 **settlement:**

22
23 ¹ *Vanisi v. Baker*, No. 6577, Order Affirming in Part, Reversing in Part, and
Remanding (Nev. Sept. 28, 2017)

1 This is not a civil case.

2
3 DATED this 25th day of February, 2019.

4 Respectfully submitted,
5 RENE L. VALLADARES
6 Federal Public Defender

7 *Randolph M. Fiedler*
8 Assistant Federal Public Defender

9 *Joanne L. Diamond*
10 Assistant Federal Public Defender

11 *Scott Wisniewski*
12 Assistant Federal Public Defender

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3

DATED this 25th day of February, 2019.

Assistant Federal Public Defender
411 E. Bonnevill Ave., Suite 250
Las Vegas, NV 89101
Attorney for Respondent

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

Jennifer Noble
Appellate Deputy
Nevada Bar No. 9446
P.O. Box 11130
Reno, NV 89520-0027

Joseph R. Platter
Appellate Deputy
Nevada Bar No. 2771
P.O. Box 11130
Reno, NV 89520-0027

12
13
14
15
16
17
18
19
20
21
22
23

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE**

Case History - CR98-0516

DEPT. D4

HON. CONNIE J. STEINHEIMER

Report Date & Time

2/25/2019

3:27:05PM

Case Description: STATE VS SIAOSI VANISI (D4)			
Case ID:	CR98-0516	Case Type:	CRIMINAL
		Initial Filing Date:	2/26/1998

Parties

PLTF	STATE OF NEVADA - STATE
DA	Jennifer P. Noble, Esq. - 9446
DA	Joseph R. Plater, III, Esq. - 2771
DEFT	SIAOSI VANISI - @104848
PD	Randolph Fiedler, Esq. - 12577
DATY	Scott Wisniewski, Esq. - @1324082
DATY	Joanne L. Diamond, Esq. - 14139C
DATY	Rene L. Valladares, ESq. - 11479

Charges

<i>Charge No.</i>	<i>Charge Code</i>	<i>Charge Date</i>		<i>Charge Description</i>
1	F720	2/26/1998	INF	MURDER IN THE FIRST DEGREE
2	F960	2/26/1998	INF	ROBBERY WITH THE USE OF A DEADLY WEAPON
3	F960	2/26/1998	INF	ROBBERY WITH THE USE OF A FIREARM
4	F960	2/26/1998	INF	ROBBERY WITH THE USE OF A FIREARM
5	F520	2/26/1998	INF	GRAND LARCENY

Plea Information

<i>Charge No.</i>	<i>Plea Code</i>	<i>Plea Date</i>	<i>Plea Description</i>
5	F520	3/10/1998	PLED NOT GUILTY
1	F720	3/10/1998	PLED NOT GUILTY
2	F960	3/10/1998	PLED NOT GUILTY
3	F960	3/10/1998	PLED NOT GUILTY
4	F960	3/10/1998	PLED NOT GUILTY

Sentences

<i>Date</i>	<i>Charge No.</i>	<i>Charge Desc</i>	<i>Time Served</i>	<i>Sentence Text</i>
11/22/1999	1 - Death		DEATH	
11/22/1999	2 - Nevada State Prison		NSP MAX 180 MOS, MIN PAROLE 72 MOS, W/CONSEC LIKE TERM FOR USE, CONSEC TO CT I + \$10,000 FINE + \$25 AAF + DNA TESTING	
11/22/1999	3 - Nevada State Prison		NSP MAX 180 MOS, MIN PAROLE 72 MOS W/CONSEC LIKE TERM FOR USE, CONSEC TO CTS I & II + \$750 ATTY FEE + \$250 DNA FEE	
11/22/1999	4 - Nevada State Prison		NSP MAX 180 MOS, MIN PAROLE 72 MOS, W/CONSEC LIKE TERM, CONSEC TO CTS I, II & III	
11/22/1999	5 - Nevada State Prison		NSP MAX 120 MOS, MIN PAROLE 48 MOS, CONSEC TO CTS I, II, III & IV	

Release Information

Custody Status

Hearings

Case Description: STATE VS SIAOSI VANISI (D4)

Case ID:	CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
1	D4	TRIAL - JURY		12/11/2001 11:00:00	12/11/2001
Event Extra Text:			Disposition: D895 12/11/2001 JURY TRIAL HELD SEPTEMBER 20, 1999 THROUGH OCTOBER 6 , 1999 IN D4 FOUND GUILTY BY JURY ON 9/27/99 ON ALL COUNTS		
2	D4	HEARING...		1/18/2002 13:15:00	1/18/2002
Event Extra Text: TO SET EXECUTION DATE			Disposition: D435 1/18/2002 COURT ENTERED EXECUTION DATE/MOTION FOR STAY PENDING POST CONVICTION MUST BE PLACED IN WRITING		
3	D4	HEARING...		9/2/2010 11:00:00	8/31/2010
Event Extra Text: ON REMITTITUR			Disposition: D870 8/31/2010 CASE STAYED PER USDC ORDER		
4	D4	EXHIBITS TO BE MARKED W/CLERK		12/5/2013 10:00:00	12/5/2013
Event Extra Text:			Disposition: D596 12/5/2013		
5	D4	EVIDENTIARY HEARING		12/5/2013 13:30:00	12/5/2013
Event Extra Text: ON PETITION FOR WRIT OF HABEAS CORPUS			Disposition: D498 12/5/2013		
6	D4	EVIDENTIARY HEARING		12/6/2013 09:00:00	12/5/2013
Event Extra Text: (ONGOING) ON PETITION FOR WRIT OF HABEAS CORPUS			Disposition: DUP 12/5/2013		
7	D4	HEARING ONGOING		12/6/2013 09:00:00	12/6/2013
Event Extra Text: - PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)			Disposition: D840 12/6/2013		
8	D4	Request for Submission		12/6/2013 12:00:00	2/7/2014
Event Extra Text: - PETITION FOR WRIT OF HABEAS CORPUS (ONGOIN G MOTION TO DISMISS) UNDER ADVISEMENT AFTER ORAL ARGUMENTS			Disposition: S200 2/7/2014		

Case Description: STATE VS SIAOSI VANISI (D4)

Case ID: CR98-0516 **Case Type:** CRIMINAL **Initial Filing Date:** 2/26/1998

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
9	D4	DECISION	3/4/2014	11:00:00	3/4/2014
		Event Extra Text: (TELEPHONIC)	Disposition: D425 3/4/2014 MOTION TO DISMISS GRANTED STATE TO PREPARE FINDINGS AND SUBMIT TO PETITIONER'S COUNSEL - PETITIONER'S COUNSEL HAS 10 DAYS THEREAFTER TO FILE OBJECTION		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
10	D4	Tickle Start Code	4/4/2014	07:00:00	4/4/2014
		Event Extra Text: - FINDINGS GRANTING MOTION TO DISMISS PETITION/SUPPLEMENTAL PETITION?	Disposition: T200 4/4/2014		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
11	D4	Tickle Start Code	1/8/2018	07:00:00	1/8/2018
		Event Extra Text: - HAS REMITTITUR ISSUED?	Disposition: T200 1/8/2018		
		- HAS REMITTITUR ISSUED? IF SO, SET EVIDENTIARY HEARING PURSUANT TO DECISION FROM SUPREME COURT?			
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
12	D4	Tickle Start Code	2/23/2018	07:00:00	2/23/2018
		Event Extra Text: - HAS EVIDENTIARY HEARING BEEN SET?	Disposition: T200 2/23/2018		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
13	D4	CONFERENCE CALL	3/7/2018	11:00:00	3/7/2018
		Event Extra Text: - TO SET POST-CONVICTION EVIDENTIARY HEARING ***ADMINISTRATIVE ONLY***	Disposition: D845 3/7/2018 EVIDENTIARY HEARING WAS ABLE TO BE SET THROUGH E-M AIL WITHOUT JUDGE ASSISTANCE		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
14	D4	Request for Submission	4/16/2018	16:09:00	5/10/2018
		Event Extra Text: MOTION FOR RECONSIDERATION AND OBJECTION TO PETITIONER'S WAIVER OF ATTENDANCE AT EVIDENTIARY HEARING (NO ORDER PROVIDED)	Disposition: S200 5/10/2018 MOTION TO RECONSIDER ORDER TO PRODUCE GRANTED - COURT SET HEARING FOR DEFENDANT TO BE PRODUCED TO PERSONALLY WAIVE HIS APPEARANCE AT THE 4-WEEK EVIDENTIARY HEARING AS WELL AS ANY OTHER HEARINGS SET IN THIS MATTER		
	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
15	D4	Tickle Start Code	4/24/2018	07:00:00	4/24/2018
		Event Extra Text: - HAS MOTION TO RECONSIDER ORDER TO PRODUCE PRISON BEEN SUBMITTED?	Disposition: T200 4/24/2018		

Case Description: STATE VS SIAOSI VANISI (D4)

Case ID: CR98-0516 **Case Type:** CRIMINAL **Initial Filing Date:** 2/26/1998

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
16	D4	Request for Submission	5/1/2018	16:51:00	5/10/2018
Event Extra Text: AMENDED MOTION FOR ORDER TO CONDUCT DISCOVERY (NO ORDER PROVIDED)			Disposition: S200 5/10/2018 ORAL ARGUMENTS SET		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
17	D4	CONFERENCE CALL	5/10/2018	13:45:00	5/10/2018
Event Extra Text: ADMINISTRATIVE MEETING ON THE MOTION FOR RECONSIDERATION OF THE ORDER TO PRODUCE PRISONER (TELEPHONIC)			Disposition: D435 5/10/2018 MOTION TO RECONSIDER ORDER TO PRODUCE GRANTED - COURT SET HEARING FOR DEFENDANT TO BE PRODUCED TO PERSONALLY WAIVE HIS APPEARANCE AT THE 4-WEEK EVIDENTIARY HEARING AS WELL AS ANY OTHER HEARINGS SET IN THIS MATTER MOTION FOR DISCOVERY/ISSUANCE OF SUBPOENAS SET FOR ORAL ARGUMENTS		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
18	D4	ORAL ARGUMENTS	5/30/2018	14:00:00	5/30/2018
Event Extra Text: ON MOTION FOR DISCOVERY AND ISSUANCE OF SUBPOENAS/WAIVER OF PETITIONER'S APPEARANCE AT EVIDENTIARY HEARING AND ANY OTHER HEARINGS SET IN THIS MATTER			Disposition: D435 5/30/2018 PETITIONER FORMALLY WAIVED RIGHT TO BE PRESENT AT ALL FUTURE HEARINGS PERTAINING TO THE CURRENT PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) MOTION FOR DISCOVERY/ISSUANCE OF SUBPOENA DUCES TECUMS GRANTED IN PART/DENIED IN PART COUNSEL MUST MEET AND CONFER PRIOR TO THE EVIDENTIARY HEARING IN OCTOBER TO DETERMINE WITNESS SCHEDULE STATUS HEARING SET TO REVIEW OUTCOME OF ANY SUBPOENA DUCES TECUMS AND THE SCHEDULE OF WITNESSES		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
19	D4	Request for Submission	6/22/2018	11:13:00	7/20/2018
Event Extra Text: MOTION TO SET DATE FOR TESTIMONY OF OUT OF STATE WITNESS			Disposition: S200 7/20/2018 ORDER GRANTING MOTION TO SET DATE FOR TESTIMONY OF OUT OF STATE WITNESS		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
20	D4	Tickle Start Code	7/9/2018	07:00:00	7/9/2018
Event Extra Text: - HAS A RESPONSE TO THE MOTION REGARDING OUT-OF-STATE WITNESS BEEN FILED?			Disposition: T200 7/9/2018 NO RESPONSE FILED		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
21	D4	Request for Submission	7/30/2018	08:30:00	8/21/2018
Event Extra Text: MOTION TO DISQUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE			Disposition: S200 8/21/2018 MOTION TO DISQUALIFY SET FOR ORAL ARGUMENTS		

Case Description: STATE VS SIAOSI VANISI (D4)								
Case ID:	CR98-0516		Case Type:	CRIMINAL		Initial Filing Date:	2/26/1998	
	Department		Event Description		Sched. Date & Time		Disposed Date	
22	D4	Request for Submission		7/30/2018 10:29:00		8/27/2018		
Event Extra Text: MOTION IN LIMINE TO ADMIT SCR 250 MEMORANDUM OF MICHAEL SPECCHIO (NO ORDER PROVIDED)				Disposition: S200 8/27/2018 MOTION GRANTED - STATE TO PREPARE ORDER				
	Department		Event Description		Sched. Date & Time		Disposed Date	
23	D4	Request for Submission		8/6/2018 15:19:00		8/27/2018		
Event Extra Text: SUGGESTION OF INCOMPETENCY AND MOTION FOR EVALUATION (NO ORDER PROVIDED)				Disposition: S200 8/27/2018 ORAL ARGUMENTS SET FOR 9/5/18				
	Department		Event Description		Sched. Date & Time		Disposed Date	
24	D4	Request for Submission		8/7/2018 12:57:00		8/27/2018		
Event Extra Text: MOTION TO SET HEARING REGARDING VANISI'S REQUEST TO WAIVE EVIDENTIARY HEARING				Disposition: S200 8/27/2018 ORAL ARGUMENTS SET				
	Department		Event Description		Sched. Date & Time		Disposed Date	
25	D4	Request for Submission		8/9/2018 16:04:00		8/21/2018		
Event Extra Text: APP FOR ISSUANCE OF A CERT OF ATTENDANCE OF AN OUT OF STATE WITNESS (DAVID KINIKINI) 8/09/18				Disposition: S200 8/21/2018				
	Department		Event Description		Sched. Date & Time		Disposed Date	
26	D4	Request for Submission		8/9/2018 16:53:00		8/21/2018		
Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)				Disposition: S200 8/21/2018				
	Department		Event Description		Sched. Date & Time		Disposed Date	
27	D4	Request for Submission		8/9/2018 16:51:00		8/21/2018		
Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)				Disposition: S200 8/21/2018				
	Department		Event Description		Sched. Date & Time		Disposed Date	
28	D4	Request for Submission		8/9/2018 16:51:00		8/21/2018		
Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)				Disposition: S200 8/21/2018				
	Department		Event Description		Sched. Date & Time		Disposed Date	
29	D4	Request for Submission		8/9/2018 16:49:00		8/21/2018		
Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)				Disposition: S200 8/21/2018				

Case Description: STATE VS SIAOSI VANISI (D4)						
Case ID:	CR98-0516		Case Type:	CRIMINAL		Initial Filing Date: 2/26/1998
	Department	Event Description	Sched. Date & Time		Disposed Date	
30	D4	Request for Submission	8/9/2018	16:49:00	8/21/2018	
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)		Disposition: S200 8/21/2018			
	Department	Event Description	Sched. Date & Time		Disposed Date	
31	D4	Request for Submission	8/9/2018	16:48:00	8/21/2018	
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)		Disposition: S200 8/21/2018			
	Department	Event Description	Sched. Date & Time		Disposed Date	
32	D4	Request for Submission	8/9/2018	16:47:00	8/21/2018	
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)		Disposition: S200 8/21/2018			
	Department	Event Description	Sched. Date & Time		Disposed Date	
33	D4	Request for Submission	8/9/2018	16:46:00	8/21/2018	
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)		Disposition: S200 8/21/2018			
	Department	Event Description	Sched. Date & Time		Disposed Date	
34	D4	Request for Submission	8/9/2018	16:30:00	8/21/2018	
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (MOLENI VANACEY)		Disposition: S200 8/21/2018			
	Department	Event Description	Sched. Date & Time		Disposed Date	
35	D4	Request for Submission	8/9/2018	16:26:00	8/21/2018	
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)		Disposition: S200 8/21/2018			
	Department	Event Description	Sched. Date & Time		Disposed Date	
36	D4	Request for Submission	8/9/2018	16:24:00	8/21/2018	
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (FORREST VANACEY)		Disposition: S200 8/21/2018			
	Department	Event Description	Sched. Date & Time		Disposed Date	
37	D4	Request for Submission	8/9/2018	16:23:00	8/21/2018	
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)		Disposition: S200 8/21/2018			

Case Description: STATE VS SIAOSI VANISI (D4)								
Case ID:	CR98-0516		Case Type:	CRIMINAL		Initial Filing Date:	2/26/1998	
	Department		Event Description		Sched. Date & Time		Disposed Date	
38	D4	Request for Submission			8/9/2018	16:23:00		8/21/2018
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)				Disposition: S200 8/21/2018			
	Department		Event Description		Sched. Date & Time		Disposed Date	
39	D4	Request for Submission			8/9/2018	16:22:00		8/21/2018
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)				Disposition: S200 8/21/2018			
	Department		Event Description		Sched. Date & Time		Disposed Date	
40	D4	Request for Submission			8/9/2018	16:21:00		8/21/2018
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)				Disposition: S200 8/21/2018			
	Department		Event Description		Sched. Date & Time		Disposed Date	
41	D4	Request for Submission			8/9/2018	16:20:00		8/21/2018
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (EDGAR DEBRUCE)				Disposition: S200 8/21/2018			
	Department		Event Description		Sched. Date & Time		Disposed Date	
42	D4	Request for Submission			8/9/2018	16:15:00		8/21/2018
	Event Extra Text: APP FOR ISSUANCE OF A CERT OF ATTENDANCE OF AN OUT OF STATE WITNESS (BISHOP NIFAI TONGA)				Disposition: S200 8/21/2018			
	Department		Event Description		Sched. Date & Time		Disposed Date	
43	D4	Request for Submission			8/9/2018	16:13:00		8/21/2018
	Event Extra Text: APP FOR ISSUANCE OF A CERT OF ATTENDANCE OF AN OUT OF STATE WITNESS (BISHOP DAVID HALES)				Disposition: S200 8/21/2018			
	Department		Event Description		Sched. Date & Time		Disposed Date	
44	D4	Request for Submission			8/9/2018	16:10:00		8/21/2018
	Event Extra Text: APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS (NO ORDER PROVIDED)				Disposition: S200 8/21/2018			
	Department		Event Description		Sched. Date & Time		Disposed Date	
45	D4	Tickle Start Code			8/20/2018	07:00:00		8/20/2018
	Event Extra Text: - HAS COUNSEL SELECTED A DATE IN OCTOBER TO CALL OUT-OF-STATE WITNESS				Disposition: T200 8/20/2018			

Case Description: STATE VS SIAOSI VANISI (D4)

Case ID:	CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
----------	-----------	------------	----------	----------------------	-----------

	Department	Event Description	Sched. Date & Time		Disposed Date
46	D4	CONFERENCE CALL	8/27/2018	10:00:00	8/27/2018
Event Extra Text: (ADMINISTRATIVE)			Disposition: D435 8/27/2018 SUGGESTION OF INCOMPETENCY AND MOTION FOR EVALUATION AND REQUEST FROM DEFENDANT TO WAIVE EVIDENTIARY HEARING SET FOR ORAL ARGUMENTS ON 9/5/18 AT 10:00 A.M. MOTION IN LIMINE TO ADMIT SCR 250 MEMORANDUM OF MICHAEL SPECCHIO GRANTED - STATE TO PREPARE ORDER MOTION FOR ORDER TO CONDUCT DISCOVERY GRANTED - FEDERAL PD TO PREPARE ORDER DIRECTING DOCUMENTS TO BE PRODUCED WITHIN 10 DAYS TO THE COURT COURT NOTED THE FILING OF MOTIONS TO CONTINUED DEPOSITIONS - COURT ADVISED COUNSEL THAT ALL EVIDENCE WILL PRESENTED DURING THE OCTOBER 4 WEEK HEARING - SHOULD COUNSEL NEED ORDERS TO CONDUCT VIDEO DEPOSITIONS WHEREIN ALL COUNSEL REMAIN IN THE STATES, COURT WILL ORDER SUCH IN ORDER TO HAVE THE DEPOSITIONS HELD PRIOR TO THE OCTOBER HEARING		

	Department	Event Description	Sched. Date & Time		Disposed Date
47	D4	STATUS CONFERENCE	9/5/2018	10:00:00	9/5/2018
Event Extra Text: - REVIEW OF WITNESS SCHEDULE AND OUTCOME OF SUBPOENA DUCES TECUMS/ORAL ARGUMENTS ON MOTION TO DISQUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE/ HEARING ON SUGGESTION OF INCOMPETENCY AND MOTION FOR EVALUATION AND REQUEST FOR DEFENDANT TO WAIVE EVIDENTIARY HEARING			Disposition: D435 9/5/2018 COURT ADDRESSED CONCERNS OF COUNSEL NOTED IN EACH OF THEIR TRIAL MEMORANDUMS COURT ADVISED PETITIONER'S COUNSEL THAT ANY TESTIMONY NEEDED FROM TONGA OR HAWAII CAN BE COMPLETED BY VIDEO DEPOSITION/REMOTE APPEARANCES DURING THE MONTH OF OCTOBER WITHOUT DELAY FOR DEPOSITIONS IN PETITIONER'S UNSUBMITTED MOTIONS TO CONTINUE DEPOSITIONS MOTION TO DISQUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE DENIED DISCUSSION ENSUED RE: WITNESS SCHEDULE NO SUBPOENAS RETURNED AT THIS TIME SUGGESTION OF INCOMPETENCY AND MOTION FOR EVALUATION GRANTED IN PART/DENIED IN PART - PETITIONER TO BE EVALUATION ONLY AS TO WHETHER HE IS COMPETENT TO WAIVE THE EVIDENTIARY HEARING AND THE CONSEQUENCES OF DOING SUCH - NOT AS TO WHETHER HE IS COMPETENT TO AID AND ASSIST COUNSEL REQUEST FOR DEFENDANT TO WAIVE EVIDENTIARY HEARING HELD IN ABEYANCE PENDING OUTCOME OF PSYCHIATRIC EVALUATIONS AS TO WHETHER OR NOT THE PETITIONER IS COMPETENT TO WAIVE EVIDENTIARY HEARING PETITIONER WITHDREW WAIVER OF APPEARANCE AT EVIDENTIARY HEARING AND REQUESTED SELF-REPRESENTATION - SHOULD HIS REQUEST TO WAIVED SUCH HEARING NOT BE GRANTED DISCUSSION ENSUED REGARDING THE LATE DISCLOSURE OF WITNESS AND EXPERT REPORTS		

	Department	Event Description	Sched. Date & Time		Disposed Date
48	D4	HEARING...	9/13/2018	09:00:00	9/13/2018
Event Extra Text: - RETURN OF SERVICE OF SUBPOENA DUCES TECUM (NDOC)			Disposition: D435 9/13/2018 RECORDS RECEIVED VIA FEDEX AND LODGED WITH THE EXHIBIT CUSTODIAN		

Case Description: STATE VS SIAOSI VANISI (D4)					
Case ID:	CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
Department		Event Description	Sched. Date & Time		Disposed Date
49	D4	CONFERENCE CALL	9/17/2018	14:00:00	9/17/2018
Event Extra Text: - SCHEDULING OF WITNESSES			Disposition: D435 9/17/2018 COURT DIRECTED THE FEDERAL PUBLIC DEFENDER TO PROVIDE THE COURT NO LATER THAN 9/28/18 WITH THE NAMES OF THE WITNESS TO BE CALL EACH DAY OF THE PROVIDED SCHEDULE - IF PETITIONER CALLS A WITNESS ALSO SUBPOENA'D BY THE STATE, THE STATE'S EXAMINATION SHALL OCCUR DURING PETITIONER'S CASE NO WITNESS ARE TO BE CALLED PRIOR TO 10/4/18 SHOULD RECORDS RECEIVED FROM NDOC NOT BE COMPLETE, PETITIONER MUST ADDRESS ISSUE NDOC'S ATTORNEY		
Department		Event Description	Sched. Date & Time		Disposed Date
50	D4	Request for Submission	9/18/2018	11:04:00	9/18/2018
Event Extra Text: MOTION FOR FURTHER DISCOVERY (NO ORDER PROVIDED)			Disposition: S200 9/18/2018 MOTION GRANTED		
Department		Event Description	Sched. Date & Time		Disposed Date
51	D4	REPORT PSYCHIATRIC EVALUATION	9/24/2018	10:00:00	9/24/2018
Event Extra Text: - COMPETENCY FOR PETITIONER TO WAIVE EVIDENTIARY HEARING			Disposition: D435 9/24/2018 DEFENDANT FOUND COMPETENT TO MAKE A KNOWING WAIVER OF HIS EVIDENTIARY HEARING COURT ALLOWED DEFENDANT TIME TO THINK ABOUT HIS REQUEST TO WAIVE THE EVIDENTIARY HEARING		
Department		Event Description	Sched. Date & Time		Disposed Date
52	D4	STATUS HEARING	9/25/2018	10:30:00	9/25/2018
Event Extra Text: - PETITIONER'S WAIVE OF HIS EVIDENTIARY HEARING			Disposition: D435 9/25/2018 PETITIONER'S WAIVER OF EVIDENTIARY HEARING ACCEPTED BY THE COURT - STATE PREPARED TO ORDER COURT RULED ON THE MERITS OF THE REMAINING AND WITHOUT ANY EVIDENCE BEING PRESENT, COURT DENIED REMAINING CLAIM - STATE TO PREPARE ORDER EVIDENTIARY HEARING AND EXHIBIT MARKING VACATED		
Department		Event Description	Sched. Date & Time		Disposed Date
53	D4	EXHIBITS TO BE MARKED W/CLERK	9/25/2018	13:30:00	9/25/2018
Event Extra Text:			Disposition: D845 9/25/2018 BASED ON PETITIONER'S WAIVER OF THE EVIDENTIARY HEARING		
Department		Event Description	Sched. Date & Time		Disposed Date
54	D4	PETITION FOR POST CONVICTION	10/1/2018	10:00:00	9/19/2018
Event Extra Text: (4 WEEKS)			Disposition: D844 9/19/2018 HEAR RESET FOR OCTOBER 4, 2018 DUE TO COUNSEL NOTIFY COURT THAT LESS TIME WOULD BE NEEDED FOR THE HEARING		

Case Description: STATE VS SIAOSI VANISI (D4)

Case ID: CR98-0516 **Case Type:** CRIMINAL **Initial Filing Date:** 2/26/1998

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
55	D4	PETITION FOR POST CONVICTION	10/4/2018	10:00:00	9/25/2018
	Event Extra Text: (3 WEEKS)		Disposition: D845 9/25/2018 BASED ON PETITIONER'S WAIVER OF THE EVIDENTIARY HEARING		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
56	D4	Tickle Start Code	10/11/2018	07:00:00	10/11/2018
	Event Extra Text: - HAVE ORDERS BEEN RECEIVED FROM THE STATE?		Disposition: T200 10/11/2018		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
57	D4	Request for Submission	10/15/2018	14:53:00	12/21/2018
	Event Extra Text: MOTION FOR LEAVE TO FILE SUPPLEMENT TO PETITION FOR WRIT OF HABEAS CORPUS FILED 9/28/18		Disposition: S200 12/21/2018 ORDER TO SET ORAL ARGUMENTS FILED		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
58	D4	Tickle Start Code	1/17/2019	07:00:00	1/14/2019
	Event Extra Text: - HAVE ORAL ARGUMENTS ON THE MOTION TO LEAVE TO FILE SUPPLEMENTAL PETITION BEEN SET?		Disposition: T200 1/14/2019		

	<i>Department</i>	<i>Event Description</i>	<i>Sched. Date & Time</i>		<i>Disposed Date</i>
59	D4	Tickle Start Code	2/8/2019	07:00:00	2/8/2019
	Event Extra Text: - HAS ORDER DENYING MOTION FOR LEAVE TO FILE SUPPLEMENTAL PETITION BEEN RECEIVED?		Disposition: T200 2/8/2019		

Agency Cross Reference

<i>Code</i>	<i>Agency Description</i>	<i>Case Reference I.D.</i>
DA	District Attorney's Office	159523
RJ	Reno Justice's Court	RCR89820
SC	Supreme Court	SCN 65774
SC	Supreme Court	SCN 45061

Actions				
<i>Action Entry Date</i>	<i>Code</i>	<i>Code Description</i>	<i>Text</i>	
2/26/1998	2610	Notice ...	NOTICE OF INTENT TO SEEK DEATH PENALTY	
2/26/1998	1800	Information		
3/4/1998	3700	Proceedings		
3/10/1998	MIN	***Minutes		
4/9/1998	4185	Transcript	ARRAIGNMENT - MARCH 10, 1998	
4/28/1998	4185	Transcript	MOTION TO SET BAIL - MARCH 19, 1998	
5/28/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: PROSECUTORIAL MISCONDUCT	
5/28/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: COURTROOM SECURITY	
5/28/1998	2045	Mtn for Discovery		

Case ID:		CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
5/28/1998	2490	Motion ...	MOTION FOR PRDUCTION OF SAMPLES, PROCEDURES AND REPORTS OF ALL DNA TESTING FOR INDE			
5/29/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: PRIOR BAD ACTS			
5/29/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: GRUESOME PHOTOGRAPHS			
5/29/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: CUSTODY STATUS OF DEFENDANT			
5/29/1998	2490	Motion ...	MOTION FOR HEARING TO DETERMINE COMPETENCY OF WITNESSES UNDER AGE OF FOURTEEN YE/			
6/1/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: ARREST OF DEFENDANT			
6/1/1998	2490	Motion ...	MOTION TO EXPAND JURY ADMONITION			
6/1/1998	2490	Motion ...	MOTION FOR PROPER NUMBER OF JURY VENIREMEN			
6/1/1998	2490	Motion ...	MOTION FOR ADDITIONAL PEREMPTORY CHALLENGES			
6/2/1998	2470	Mtn to Sever				
6/4/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: REFERENCE TO GANG AFFILIATION			
6/4/1998	2490	Motion ...	MOTION TO AVOID DEATH-PRONE JURY			
6/5/1998	2490	Motion ...	MOTION TO PRECLUDE PHOTOGRAPHS AND TELEVISION COVERAGE IN THE COURTROOM			
6/8/1998	2490	Motion ...	MOTION FOR INVOCATION OF RULE OF EXCLUSION			
6/8/1998	2490	Motion ...	MOTION FOR ALL BACKGROUND INFORMATION OF PROSEPECTIVE JURORS			
6/8/1998	2490	Motion ...	MOTION FOR EARLY JURY LIST			
6/8/1998	2490	Motion ...	MOTION FOR INDIVIDUAL VOIR DIRE OF PROSPECTIVE JURORS			
6/9/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: ARREST OF DEFENDANT			
6/9/1998	2490	Motion ...	MOTION FOR JURY QUESTIONNAIRE			
6/9/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: CRIMINAL HISTORY OF DEFENDANT			
6/9/1998	2490	Motion ...	MOTION FOR ORDER OF EXCHANGE OF EXPERT WITNESSES			
6/17/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: STATE'S DNA EXPERT			
6/17/1998	2270	Mtn to Compel...	MOTION TO COMPEL STATE TO DESIGNATE TRIAL WITNESSES			
6/17/1998	1250	Application for Setting				
6/18/1998	2490	Motion ...	MOTION TO DISQUALIFY CERTAIN POTENTIAL JURORS			
6/18/1998	2490	Motion ...	MOTION TO ALLOW JURY CONSULTANTS AND PSYCHOLOGISTS AT COUNSEL TABLE DURING JURY SE			
6/24/1998	3880	Response...	RESPONSE TO MOTION FOR INVOCATION OF RULE OF EXCLUSION			
6/24/1998	3880	Response...	RESPONSE TO MOTION TO AVOID DEATH-PRONE JURY			
6/24/1998	3880	Response...	RESPONSE TO MOTION IN LIMINE RE: COURTROOM SECURITY			
6/24/1998	3880	Response...	RESPONSE TO MOTION IN LIMINE RE: PROSECUTORIAL MISCONDUCT			
6/24/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO SEVER			
6/24/1998	3880	Response...	RESPONSE TO MOTION IN LIMINE RE: REFERENCE TO GANG AFFILIATION			
6/24/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION IN LIMINE REGARDING ARREST OF DEFENDANT			
6/24/1998	3880	Response...	RESPONSE TO MOTION FOR DISCOVERY			
6/26/1998	3880	Response...	RESPONSE TO MOTION IN LIMINE RE: PRIOR BAD ACTS			
6/26/1998	3880	Response...	RESPONSE TO MOTION FOR PRODUCTIONS OF SAMPLES PROCEDURES AND REPORTS OF ALL DNA T			
6/30/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR HEARING TO DETERMINE COMPETENCY OF WITNESSES UNDER AGE O			
6/30/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION IN LIMINE RE: GRUESOM PHOTOGRAPHS			
6/30/1998	3880	Response...	RESPONSE TO MOTION IN LIMINE: RE CUSTODY STATUS OF DEFENDANT			

Case ID:		Case Description: STATE VS SIAOSI VANISI (D4)		Initial Filing Date:	
CR98-0516		Case Type: CRIMINAL		2/26/1998	
7/1/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR PROPER NUMBER OF JURY VENIRE		
7/1/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR ADDITIONAL PEREMPTORY CHALLENGES		
7/1/1998	3880	Response...	RESPONSE TO MOTION TO EXPAND JURY ADMONITION		
7/7/1998	3880	Response...	RESPONSE TO MOTION FOR INDIVIDUAL VOIR DIRE OF PROSPECTIVE JURORS		
7/7/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR ALL BACKGROUND INFORMATION OF PROSPECTIVE JURORS		
7/7/1998	3880	Response...	RESPONSE TO MOTION FOR EARLY JURY LIST		
7/9/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR JURY QUESTIONNAIRE		
7/9/1998	3880	Response...	RESPONSE TO MOTION FOR ORDER OF EXCHANGE OF EXPERT WITNESSES		
7/9/1998	3880	Response...	RESPONSE TO MOTION IN LIMINE RE: CRIMINAL HISTORY OF DEFENDANT		
7/14/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: RACIALLY MIXED JURY		
7/14/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: UNDISCLOSED INFORMANTS		
7/14/1998	2490	Motion ...	MOTION TO DECLARE NEVADA'S DEATH PENALTY STATUES UNCONSTITUTIONAL		
7/15/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO COMPEL STATE TO DESIGNATE TRIAL WITNESSES		
7/15/1998	2490	Motion ...	MOTION FOR REASONABLE TIME BETWEEN GUILT AND PENALTY PHASES OF TRIAL		
7/15/1998	2030	Mtn for Change of Venue			
7/15/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: HEARSAY EVIDENCE AT PENALTY HEARING		
7/15/1998	2490	Motion ...	MOTION TO EXERCISE RIGHT OF ALLOCUTION		
7/15/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION IN LIMINE RE: STAT'S DNA EXPERT		
7/15/1998	2490	Motion ...	MOTION TO LIMIT VICTIM IMPACT STATEMENTS		
7/16/1998	2490	Motion ...	MOTION FOR PRODUCTION OF ALL AGGRAVATING FACTORS AND CHARACTER EVIDENCE THE STATE		
7/16/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: EXCLUDE INADMISSABLE AND PREJUDICIAL EVIDENCE AT PENALTY HEARING		
7/16/1998	2490	Motion ...	MOTION FOR CONSIDERATION OF ALL MITIGATING FACTORS		
7/16/1998	2245	Mtn in Limine	MOTION IN LIMINE RE: FUTURE DANGEROUSNESS		
7/16/1998	2610	Notice ...	NOTICE OF MITIGATING CIRCUMSTANCES		
7/20/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO ALLOW JURY CONSULTANTS AND PSYCHOLOGISTS AT COUNSEL TABLE I		
7/20/1998	4105	Supplemental ...	SUPPLEMENT TO TO STATE'S OPPOSITION TO MOTION IN LIMINE RE: STATE'S DNA EXPERT		
7/20/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO DISQUALIFY CERTAIN POTENTIAL JURORS		
7/21/1998	2490	Motion ...	MOTION FOR BEFURCATED PENALTY HEARING		
7/22/1998	1250	Application for Setting			
7/22/1998	2475	Mtn to Strike...			
7/29/1998	1250	Application for Setting			
8/4/1998	3370	Order ...			
8/4/1998	MIN	***Minutes			
8/5/1998	1250	Application for Setting			
8/10/1998	4185	Transcript	STATUS HEARING - AUG. 4, 1998		
8/13/1998	3880	Response...	RESPONSE TO MOTION IN LIMINE RE: EXCLUDE INADMISSIBLE AND PREJUDICIAL EVIDENCE AT PENALTY HEARING		
8/13/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR REASONABLE TIME BETWEEN GUILT AND PENALTY PHASES OF TRIAL		
8/13/1998	2645	Opposition to Mtn ...	OPPOSITION TO MOTION IN LIMINE RE: UNDISCLOSED INFORMANTS		
8/13/1998	3880	Response...	RESPONSE TO MOTION TO EXERCISE RIGHT OF ALLOCUTION		

Case ID:		CR98-0516	Case Type:	CRIMINAL	Case Description: STATE VS SIAOSI VANISI (D4)	Initial Filing Date:	2/26/1998
8/13/1998	2645	Opposition to Mtn ...			OPPOSITION TO MOTION TO LIMIT VICTIM IMPACT STATEMENTS		
8/13/1998	2645	Opposition to Mtn ...			OPPOSITION TO MOTION TO DECLARE DEATH PENALTY UNCONSTITUTIONAL		
8/13/1998	2645	Opposition to Mtn ...			OPPOSITION TO MOTION FOR CHANGE OF VENUE		
8/13/1998	2645	Opposition to Mtn ...			OPPOSITION TO MOTION IN LIMINE RE: FUTURE DANGEROUSNESS		
8/13/1998	2645	Opposition to Mtn ...			OPPOSITION TO MOTION IN LIMINE RE: HEARSAY EVIDENCE AT PENALTY HEARING		
8/13/1998	2645	Opposition to Mtn ...			OPPOSITION TO MOTION FOR CONSIDERATION OF ALL MITIGATING FACTORS		
8/13/1998	3880	Response...			RESPONSE TO MOTION FOR PRODUCTION OF ALL AGGRAVATING FACTORS AND CHARACTER EVIDEN		
8/13/1998	3880	Response...			RESPONSE TO MOTION IN LIMINE RE: RACIALLY MIXED JURY		
8/19/1998	3373	Other ...			DEFENDANT'S PROPOSED JURY QUESTIONNAIRE		
8/20/1998	2645	Opposition to Mtn ...			OPPOSITION TO MOTION TO STRIKE AGGRAVATING FACTORS		
8/20/1998	2645	Opposition to Mtn ...			OPPOSITION TO MOTION FOR BIFURCATED PENALTY HEARING		
8/28/1998	2630	Objection to ...					
9/4/1998	4050	Stipulation ...			DISCOVERY STIPULATIONS		
9/4/1998	MIN	***Minutes					
9/15/1998	4185	Transcript			STATUS HEARING - SEPT. 4, 1998		
9/16/1998	2490	Motion ...			MOTION FOR SUBMISSION OF SPECIFIED PRE-TRIAL MOTION		
9/28/1998	MIN	***Minutes					
10/1/1998	4185	Transcript			STATUS HEARING - SEPT. 28, 1998		
10/1/1998	2960	Ord Psychiatric Evaluation					
10/9/1998	2610	Notice ...			NOTICE OF ASSOCIATION OF COUNSEL		
11/6/1998	MIN	***Minutes					
11/10/1998	MIN	***Minutes					
11/13/1998	4185	Transcript			HEARING REGARDING COUNSEL - NOV. 10, 1998		
11/24/1998	MIN	***Minutes					
11/25/1998	3370	Order ...			DEFENDANT'S MOTION TO PRECLUDE PHOTOGRAPHS AND TELEVISION COVERAGE IS DENIED		
11/25/1998	3370	Order ...			DEFENDANT'S MOTION TO AVOID DEATH PRONEJURY IS GRANTED		
12/1/1998	4185	Transcript			REPORT ON PSYCH EVAL - NOV. 6, 1998		
12/4/1998	4185	Transcript			PRE-TRIAL MOTIONS - NOV. 24, 1998		
12/10/1998	MIN	***Minutes					
12/14/1998	3373	Other ...			DEFENDANT'S PROPOSED JUROR QUESTIONNAIRE		
12/16/1998	2501	Non-Opposition ...			DEFENDANT'S NON OPPOSITION TO JURY QUESTIONNAIRE AND NON OPPOSITION TO THE ENDORSE		
12/16/1998	3373	Other ...			STATE'S PROPOSED JUROR QUESTIONNAIRE		
12/16/1998	2490	Motion ...					
12/16/1998	3370	Order ...					
12/18/1998	3370	Order ...					
12/23/1998	MIN	***Minutes					
12/28/1998	3370	Order ...					
12/31/1998	3370	Order ...					
1/4/1999	4185	Transcript			TELEPHONE CONFERENCE - DEC. 30, 1998		

Case ID: CR98-0516		Case Type:	Case Description: STATE VS SIAOSI VANISI (D4) CRIMINAL	Initial Filing Date:	2/26/1998
1/4/1999	MIN	***Minutes			
1/4/1999	3940	Special Instruction ...	SPECIAL JUROR INSTRUCTION "A" AND SPECIAL JUROR QUESTIONNAIRE		
1/6/1999	4185	Transcript	JURY SELECTION - JAN. 4, 1999		
1/7/1999	MIN	***Minutes			
1/8/1999	MIN	***Minutes			
1/11/1999	4185	Transcript	HEARING - JAN. 7, 1999		
1/11/1999	4185	Transcript	JURY SELECTION - JAN. 8, 1999		
1/11/1999	MIN	***Minutes	CORRECTED MINUTES (3/29/99) - JAN. 11 - 15, 1999		
1/11/1999	MIN	***Minutes	JURY TRIAL - JAN. 11 - 15, 1999		
1/11/1999	4185	Transcript	CONTINUED JURY SELECTION - JAN. 7, 1998		
1/12/1999	4185	Transcript	PRE-TRIAL HEARING - DEC. 10, 1998		
1/12/1999	4185	Transcript	TRIAL (VOLUME 1I) - JAN. 11, 1999		
1/13/1999	4185	Transcript	TRIAL (VOLUME 2) - JAN. 12, 1999		
1/14/1999	2840	Ord Denying ...	ORDER DENYING MOTION FOR CHANGE OF VENUE		
1/14/1999	4185	Transcript	TRIAL (VOLUME 3) - JAN. 13, 1999		
1/15/1999	3370	Order ...			
1/15/1999	4185	Transcript	TRIAL (VOLUME 4) - JAN. 14, 1999		
1/19/1999	4185	Transcript	TRIAL (VOLUME 5) - JAN. 15, 1999		
1/19/1999	MIN	***Minutes			
1/28/1999	4185	Transcript	HEARING TO RESET TRIAL DATE - JAN. 19, 1999		
2/18/1999	1120	Amended ...	AMENDED NOTICE OF INTENT TO SEEK DEATH PENALTY		
3/19/1999	MIN	***Minutes			
4/6/1999	2490	Motion ...	MOTION TO DECLARE ADVERSE WITNESSES		
4/13/1999	2490	Motion ...	MOTION TO RENEW REQUEST FOR ADDITIONAL PEREMPTORY CHALLENGES		
4/15/1999	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO DECLARE ADVERSE WITNESSES		
4/15/1999	2490	Motion ...	MOTION FOR INDIVIDUAL SEQUESTERED VOIR DIRE		
4/23/1999	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO RENEW REQUEST FOR ADDITIONAL PEREMPTORY CHALLENGES		
4/26/1999	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR INDIVIDUAL SEQUESTERED VOIR DIRE		
5/3/1999	3795	Reply...	REPLY TO STATE'S OPPOSITION TO MOTION FOR INDIVIDUAL SEQUESTERED VOIR DIRE		
5/10/1999	1250	Application for Setting			
5/12/1999	MIN	***Minutes			
5/18/1999	4185	Transcript	IN CHAMBERS REVIEW - MAY 12, 1999		
6/1/1999	MIN	***Minutes			
6/3/1999	4185	Transcript	PRE-TRIAL MOTIONS - JUNE 1, 1999		
6/3/1999	3370	Order ...			
6/9/1999	4505	Crt Ord Psych Eval - Conf.			
6/9/1999	1105	Amended Ord and/or Judgment			
6/9/1999	3370	Order ...			
6/10/1999	4505	Crt Ord Psych Eval - Conf.			

Case ID:		CR98-0516	Case Type:	CRIMINAL	Case Description: STATE VS SIAOSI VANISI (D4)	Initial Filing Date:	2/26/1998
6/16/1999	2315	Mtn to Dismiss ...			MOTION TO DISMISS COUNSEL AND MOTION TO APPOINT COUNSEL		
6/18/1999	2645	Opposition to Mtn ...			OPPOSITION TO MOTION TO DISMISS COUNSEL AND MOTION TO APPOINT COUNSEL		
6/18/1999	1360	Certificate of Service					
6/18/1999	2315	Mtn to Dismiss ...			MOTION TO DISMISS COUSEL AND MOTION TO APPOINT COUNSEL		
6/21/1999	2490	Motion ...			MOTION FOR ORDER RELEASING PSYCHIATRIC REPORT		
6/23/1999	MIN	***Minutes					
6/23/1999	3370	Order ...					
6/28/1999	4185	Transcript			SEALED TRANSCRIPT OF PROCEEDINGS - JUNE 23, 1999		
6/28/1999	4185	Transcript			PRE-TRIAL MOTIONS - JUNE 23, 1999		
6/29/1999	2645	Opposition to Mtn ...			OPPOSITION TO MOTION FOR ORDER RELEASING PSYCHIATRIC REPORT		
6/30/1999	3370	Order ...					
7/1/1999	2645	Opposition to Mtn ...			OPPOSITION TO MOTION FOR ORDER RELEASING PSYCHIATRIC REPORT		
7/2/1999	3795	Reply...			REPLY IN SUPPORT OF MOTION FOR ORDER RELEASING PSYCHIATRIC REPORT		
7/2/1999	3860	Request for Submission					
7/8/1999	4505	Crt Ord Psych Eval - Conf.					
7/12/1999	1675	Ex-Parte Ord...			* SEALED * EX PARTE ORDER FOR MEDICAL TREATMENT		
7/13/1999	1250	Application for Setting					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/19/1999	1270	Application ...					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					
7/26/1999	1340	CCUA-Secure Witness Attendance					

Case ID:		CR98-0516	Case Type:	CRIMINAL	Case Description: STATE VS SIAOSI VANISI (D4)	Initial Filing Date:	2/26/1998
7/28/1999	1250		Application for Setting				
8/3/1999	MIN		***Minutes				
8/4/1999	4185		Transcript		SEALED PROCEEDINGS - AUG. 3, 1999		
8/4/1999	4185		Transcript		MOTION RE: MEDICATION - AUG. 3, 1999		
8/5/1999	3370		Order ...				
8/5/1999	2490		Motion ...		* SEALED * COURT ORDERED MOTION FOR SELF REPRESENTATION		
8/5/1999	3370		Order ...				
8/9/1999	3880		Response...		RESPONSE TO "COURT-ORDERED MOTION FOR SELF REPRESENTATION" POINTS AND AUTHORITIES		
8/10/1999	3370		Order ...				
8/10/1999	MIN		***Minutes				
8/11/1999	MIN		***Minutes				
8/11/1999	2840		Ord Denying ...		DEFENDANT'S MOTION FOR SELF REPRESENTATION		
8/11/1999	2840		Ord Denying ...		DENYING MOTION FOR STAY		
8/12/1999	4185		Transcript		MOTION FOR SELF REPRESENTATION - AUG. 10, 1999		
8/12/1999	3370		Order ...				
8/12/1999	1670		Ex-Parte Mtn...		* SEALED * EX PARTE MOTION TO RECONSIDER SELF-REPRESENTATION		
8/12/1999	2490		Motion ...		MOTION FOR JURY QUESTIONNAIRE		
8/16/1999	4185		Transcript		MOTIONS - AUG. 11, 1999		
8/16/1999	4105		Supplemental ...		STATE'S PROPOSED SUPPLEMENTAL JUROR QUESTIONNAIRE		
8/16/1999	3880		Response...		RESPONSE TO UNDER SEAL EX PARTE MOTION TO RECONSIDER SELF REPRESENTATION		
8/17/1999	3795		Reply...		REPLY TO RESPONSE TO MOTION TO RECONSIDER SELF-REPRESENTATION		
8/18/1999	1670		Ex-Parte Mtn...		* SEALED * EX PARTE (NEVADA SUPREME COURT RULE 172) MOTION TO WITHDRAW		
8/18/1999	2840		Ord Denying ...		DEFENDANT'S MOTION TO RECONSIDER SELF-REPRESENTATION		
8/20/1999	2490		Motion ...		MOTION TO REQUIRE PRIOR NOTICE OF COURTROOM CLOSURE OR CHAMBERS HEARINGS		
8/24/1999	1360		Certificate of Service				
8/24/1999	1670		Ex-Parte Mtn...		EX PARTE REQUEST FOR HEARING		
8/24/1999	3370		Order ...				
8/26/1999	MIN		***Minutes				
8/27/1999	2610		Notice ...		NOTICE OF EVIDENCE TO SUPPORT AGGRAVATORS		
8/30/1999	MIN		***Minutes				
8/30/1999	4185		Transcript		* SEALED * REQUEST FOR HEARING ON EX PARTE MOTION TO WITHDRAW (IN CAMERA HEARING) AUC		
8/30/1999	3370		Order ...		ORDER UNDER SEAL		
8/30/1999	4185		Transcript		REQUEST FOR HEARING ON EX PARTE MOTION TO WITHDRAW - AUGUST 26, 1999		
8/30/1999	4185		Transcript		DECISION ON MOTION TO RELIEVE COUNSEL - AUG. 30, 1999		
8/30/1999	3370		Order ...				
8/30/1999	1485		Corrected Judgment or Ord		CORRECTED ORDER		
8/30/1999	3370		Order ...				
9/1/1999	2840		Ord Denying ...		DENYING MOTION FOR ORDER RELEASING PSYCHIATRIC REPORT		
9/10/1999	4125		Supreme Court Order...				

Case ID:		CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
9/10/1999	3373	Other ...	SPEICAL JUROR INSTRUCTION "A" AND SPECIAL JUROR QUESTIONNAIRE			
9/10/1999	3370	Order ...	COURT WILL UTILIZE THE SPECIAL JUROR QUESTIONNAIRE			
9/13/1999	4128	Supreme Court Order Denying	ORDER DENYING PETITION FOR WRIT OF CERTIORARI OR MANDAMUS			
9/13/1999	2592	Notice of Witnesses				
9/13/1999	MIN	***Minutes				
9/14/1999	1340	CCUA-Secure Witness Attendance				
9/14/1999	1340	CCUA-Secure Witness Attendance				
9/14/1999	1270	Application ...				
9/14/1999	3860	Request for Submission				
9/14/1999	1270	Application ...				
9/14/1999	1340	CCUA-Secure Witness Attendance				
9/14/1999	1270	Application ...				
9/14/1999	1340	CCUA-Secure Witness Attendance				
9/14/1999	1270	Application ...				
9/14/1999	1340	CCUA-Secure Witness Attendance				
9/14/1999	1270	Application ...				
9/14/1999	1340	CCUA-Secure Witness Attendance				
9/14/1999	1270	Application ...				
9/14/1999	1340	CCUA-Secure Witness Attendance				
9/14/1999	1270	Application ...				
9/14/1999	1340	CCUA-Secure Witness Attendance				
9/14/1999	1270	Application ...				
9/15/1999	4185	Transcript	TELEPHONE CONFERENCE - SEPT. 13, 1999			
9/17/1999	MIN	***Minutes				
9/20/1999	MIN	***Minutes	JURY TRIAL - SEPT. 20 - OCT. 6, 1999			
9/20/1999	4185	Transcript	JURY SELECTION (QUESTIONNAIRE) - SEPT. 13, 1999			
9/20/1999	4185	Transcript	PRE-TRIAL MOTIONS - SEPT. 17, 1999			
9/21/1999	4185	Transcript	TRIAL - VOLUME 1 - SEPT. 20, 1999			
9/21/1999	2490	Motion ...				
9/21/1999	1302	Material Witness-Bench Warrant				
9/21/1999	3370	Order ...	MATERIAL WITNESS ORDER			
9/21/1999	3940	Special Instruction ...	COURT'S SPECIAL INSTRUCTION "B"			
9/21/1999	3870	Request	CITADEL BROADCASTING COMPANY'S REQUESTION TO UTILIZE AUDIO EQUIPMENT TO RECORD AND			
9/21/1999	4185	Transcript	* SEALED * TRIAL - VOLUME 1A - SEPT. 20, 1999			
9/21/1999	1075	Affidavit ...				
9/22/1999	4185	Transcript	TRIAL (VOLUME 2) - SEPT. 21, 1999			
9/23/1999	3893	Return on B/W - Quashed				
9/23/1999	4185	Transcript	TRIAL (VOLUME 3) - SEPT. 22, 1999			
9/24/1999	3755	Refused Instructions-Deft	DEFENDANT'S OFFERED INSTRUCTION C			

Case ID:		Case Type:	Case Description: STATE VS SIAOSI VANISI (D4)	Initial Filing Date:
CR98-0516		CRIMINAL		2/26/1998
9/24/1999	4185	Transcript	TRIAL (VOLUME 4) - SEPT. 23, 1999	
9/24/1999	3755	Refused Instructions-Def't	DEFENDANT'S OFFERED INSTRUCTION B	
9/24/1999	3755	Refused Instructions-Def't	DEFENDANT'S OFFERED INSTRUCTION A	
9/24/1999	3370	Order ...		
9/27/1999	4245	Verdict(s)...	GUILTY - COUNT V	
9/27/1999	2840	Ord Denying ...	ORDER DENYING GAZETT'S MOTION TO REQUIRE PRIOR NOTICE OF COURTROOM CLOSURE OR CHA	
9/27/1999	4245	Verdict(s)...	GUILTY - COUNT III	
9/27/1999	4245	Verdict(s)...	GUILTY - COUNT II	
9/27/1999	4245	Verdict(s)...	GUILTY OF MURDER	
9/27/1999	4235	Unused Verdict Form(s)...		
9/27/1999	1890	Jury Question, Court Response		
9/27/1999	4245	Verdict(s)...	GUILTY - COUNT IV	
9/27/1999	1892	Jury Question, No Response		
9/27/1999	1892	Jury Question, No Response		
9/27/1999	4185	Transcript	TRIAL (VOLUME 5) - SEPT. 24, 1999	
9/27/1999	1885	Jury Instructions		
9/27/1999	1890	Jury Question, Court Response		
9/28/1999	4185	Transcript	TRIAL (VOLUME 6) - SEPT. 27, 1999	
9/28/1999	4185	Transcript	* SEALED * TRIAL - VOLUME 6A - SEPT. 27, 1999	
9/30/1999	4185	Transcript	TRIAL (VOLUME 7) - SEPT. 28, 1999	
10/1/1999	4185	Transcript	TRIAL (VOLUME 8) - SEPT. 30, 1999	
10/4/1999	4185	Transcript	TRIAL (VOLUME 9) - OCT. 1, 1999	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION O	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION N	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION M	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION L	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION K	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION J	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION I	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION H	
10/4/1999	1885	Jury Instructions	DEFENDANT'S OFFERED INSTRUCTION G	
10/4/1999	1885	Jury Instructions	DEFENDANT OFFERED INSTRUCTION F	
10/4/1999	1885	Jury Instructions	DEFENDANT OFFERED INSTRUCTION E	
10/4/1999	1885	Jury Instructions	DEFENDANT PROPOSED INSTRUCTION D	
10/5/1999	4185	Transcript	TRIAL (VOLUME 10) - OCT. 4, 1999	
10/5/1999	4235	Unused Verdict Form(s)...		
10/6/1999	1892	Jury Question, No Response		
10/6/1999	4235	Unused Verdict Form(s)...		
10/6/1999	3950	Special Verdict ...		

Case ID:		CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
10/6/1999	1890	Jury Question, Court Response				
10/6/1999	1885	Jury Instructions				
10/6/1999	4185	Transcript		TRIAL (VOLUME 11) CORRECTED TRANSCRIPT - OCT. 5, 1999		
10/6/1999	4185	Transcript		TRIAL (VOLUME 11) - OCT. 5, 1999		
10/7/1999	4185	Transcript		TRIAL (VOLUME 12) - OCT. 6, 1999		
10/7/1999	4131	Supreme Ct Not/Lieu/Remittitur				
10/12/1999	1075	Affidavit ...				
10/18/1999	1075	Affidavit ...		POST-TRIAL AFFIDAVITS		
10/22/1999	3880	Response...		RESPONSE TO THE DEFENSE POST TRIAL AFFIDAVITS FILED ON OCTOBER 18, 1999		
10/25/1999	3795	Reply...		REPLY TO STATE'S RESPONSE		
10/26/1999	4055	Subpoena				
11/22/1999	3143	Ord of Execution				
11/22/1999	3138	Ord of Committal or Release				
11/22/1999	4500	PSI - Confidential				
11/22/1999	1315	** Case Closed				
11/22/1999	MIN	***Minutes				
11/22/1999	1850	Judgment of Conviction				
11/22/1999	4292	Warrant of Execution				
11/23/1999	3370	Order ...		ORDER STAYING EXECUTION PENDING DIRECT APPEAL		
11/23/1999	4185	Transcript		SENTENCING/IMPOSITION OF JURY SENTENCE - NOV. 22, 1999		
11/30/1999	2515	Notice of Appeal Supreme Court				
11/30/1999	1365	Certificate of Transmittal				
11/30/1999	1310	Case Appeal Statement				
6/13/2001	4120	Supreme Court Opinion				
6/13/2001	4145	Supreme Court Remittitur				
6/13/2001	4111	Supreme Ct Clk's Cert & Judg				
6/25/2001	4125	Supreme Court Order...		ORDER RECALLING AND STAYING REMITTITUR		
9/7/2001	4120	Supreme Court Opinion				
9/7/2001	4111	Supreme Ct Clk's Cert & Judg				
9/7/2001	4145	Supreme Court Remittitur				
9/20/2001	4125	Supreme Court Order...		ORDER RECALLING REMITTITUR		
11/26/2001	4145	Supreme Court Remittitur				
11/29/2001	4126	Supreme Ct Order Directing...				
11/29/2001	4111	Supreme Ct Clk's Cert & Judg				
12/11/2001	1260	Application Produce Prisoner				
12/11/2001	1325	** Case Reopened				
12/11/2001	1250	Application for Setting		1/18/02		
12/12/2001	3340	Ord to Produce Prisoner				
1/18/2002	3138	Ord of Committal or Release				

Case ID:		CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
1/18/2002	1315	** Case Closed	NEW EXECUTION DATE SET			
1/18/2002	3143	Ord of Execution				
1/18/2002	4292	Warrant of Execution				
2/19/2002	4185	Transcript	IN-CHAMBERS HEARING & HEARING SETTING EXECUTION DATE			
3/11/2002	3370	Order ...	(FOR POST CONVICTION APPT OF COUNSEL) STAYING EXECUTION			
2/20/2003	FIE	**Document Filed in Error	02/05/03 - CONFERENCE CALL - IN CHAMBERS - Transcript filed in CR98P0516, same date - MPurdy, 9/24/11			
3/9/2005	3105	Ord Granting ...	COMPENSATION (QUALLS)			
8/16/2005	PAYRC	**Payment Received	A Payment of -\$52.97 was made on receipt DCDC147003.			
8/8/2008	2777	Ord Approving ...	FEES AND COSTS OF COURT-APPOINTED ATTORNEYS (DEATH PENALTY CASE)			
7/26/2010	1325	** Case Reopened				
7/26/2010	1250	Application for Setting	HEARING TO SET EXECUTION DATE - 09/02/10 AT 11:00 A.M.			
8/2/2010	1260	Application Produce Prisoner				
8/6/2010	NEF	Proof of Electronic Service	Transaction 1643691 - Approved By: NOREVIEW : 08-06-2010:10:07:18			
8/6/2010	3340	Ord to Produce Prisoner	SEPTEMBER 2, 2010 - Transaction 1643658 - Approved By: NOREVIEW : 08-06-2010:10:02:47			
8/31/2010	2192	** Case Stayed	PER UNITED STATES DISTRICT COURT ORDER			
8/31/2010	1315	** Case Closed				
8/31/2010	4075	Substitution of Counsel	JEREMY T. BOSLER, ESQ. CONSENTS TO THE SUBSTITUTION OF THE LAW OFFICE OF THE FEDERAL F			
8/31/2010	3980	Stip and Order...	STIPULATION AND ORDER TO VACATE HEARING - Transaction 1690538 - Approved By: NOREVIEW : 08-31			
8/31/2010	NEF	Proof of Electronic Service	Transaction 1690546 - Approved By: NOREVIEW : 08-31-2010:13:57:30			
9/9/2010	1360	Certificate of Service				
10/11/2013	1477	**Consolidated With...	CONSOLIDATED WITH CR98P0516. PLEASE FILE ALL FUTURE PLEADINGS IN THIS CASE.			
11/15/2013	4270	Waiver of Appearance	WAIVER OF PETITIONER'S PRESENCE AT EVIDENTIARY HEARING - Transaction 4138237 - Approved By: S			
11/15/2013	NEF	Proof of Electronic Service	Transaction 4138285 - Approved By: NOREVIEW : 11-15-2013:16:54:29			
12/4/2013	COC	Evidence Chain of Custody Form				
12/6/2013	NEF	Proof of Electronic Service	Transaction 4180473 - Approved By: NOREVIEW : 12-06-2013:10:23:07			
12/6/2013	4185	Transcript	PETITION FOR POST CONVICTION - DAY ONE - Transaction 4180464 - Approved By: NOREVIEW : 12-06-20			
12/9/2013	4185	Transcript	post conviction - day 2 - Transaction 4184522 - Approved By: NOREVIEW : 12-09-2013:14:20:17			
12/9/2013	NEF	Proof of Electronic Service	Transaction 4184542 - Approved By: NOREVIEW : 12-09-2013:14:23:01			
1/13/2014	NEF	Proof of Electronic Service	Transaction 4253133 - Approved By: NOREVIEW : 01-13-2014:14:37:29			
1/13/2014	MIN	***Minutes	PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)/ONGOING MOTION TO DISMISS – DAY :			
1/13/2014	MIN	***Minutes	PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)/ONGOING MOTION TO DISMISS – DAY :			
1/13/2014	NEF	Proof of Electronic Service	Transaction 4253030 - Approved By: NOREVIEW : 01-13-2014:14:14:07			
2/7/2014	3370	Order ...	SETTING TELEPHONIC HEARING FOR THE COURT TO RENDER DECISION ON POST CONVICTION MATT			
2/7/2014	NEF	Proof of Electronic Service	Transaction 4296218 - Approved By: NOREVIEW : 02-07-2014:14:46:14			
2/7/2014	S200	Request for Submission Complet				
3/4/2014	NEF	Proof of Electronic Service	Transaction 4328755 - Approved By: NOREVIEW : 03-04-2014:15:16:11			
3/4/2014	4185	Transcript	DECISION (TELEPHONIC) - MARCH 4, 2014 - Transaction 4328737 - Approved By: NOREVIEW : 03-04-2014:			
3/10/2014	MIN	***Minutes	(TELEPHONIC) DECISION - PETITION FOR WRIT OF HABEAS CORPUS (POST CONVICTION)/ONGOING M			
3/10/2014	NEF	Proof of Electronic Service	Transaction 4336924 - Approved By: NOREVIEW : 03-10-2014:17:01:32			

Case Description: STATE VS SIAOSI VANISI (D4)					
Case ID:	CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
3/13/2014	3370	Order ...	ORDER - TRANSCRIPTION FEES GRANTED; STATE PUBLIC DEFENDER PAY CAPIONS \$1860.00 PER ATT		
3/13/2014	NEF	Proof of Electronic Service	Transaction 4342881 - Approved By: NOREVIEW : 03-13-2014:15:51:33		
3/19/2014	2520	Notice of Appearance	TIFFANI HURST, GARY TAYLOR AND RANDOLPH FIEDLER - FEDERAL PUBLIC DEFENDERS OFFICE - Tra		
3/19/2014	NEF	Proof of Electronic Service	Transaction 4350695 - Approved By: NOREVIEW : 03-19-2014:14:38:05		
3/31/2014	2630	Objection to ...	OBJECTIONS TO PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT DISMISSING		
4/1/2014	NEF	Proof of Electronic Service	Transaction 4367424 - Approved By: NOREVIEW : 04-01-2014:08:56:21		
4/4/2014	T200	Tickle End Code			
4/7/2014	3880	Response...	RESPONSE TO "OBJECTIONS TO PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGM		
4/7/2014	NEF	Proof of Electronic Service	Transaction 4376211 - Approved By: NOREVIEW : 04-07-2014:14:23:17		
4/10/2014	1750	Findings, Conclusions & Judg	Transaction 4381806 - Approved By: NOREVIEW : 04-10-2014:11:44:25		
4/10/2014	NEF	Proof of Electronic Service	Transaction 4381809 - Approved By: NOREVIEW : 04-10-2014:11:45:13		
4/10/2014	F230	Other Manner of Disposition			
4/24/2014	3370	Order ...	ORDER - PAYMENT OF TRANSCRIPTION FEES PAYABLE BY FEDERAL PUBLIC DEFENDER TO CAPTIONE		
4/24/2014	NEF	Proof of Electronic Service	Transaction 4400860 - Approved By: NOREVIEW : 04-24-2014:08:45:08		
4/25/2014	2540	Notice of Entry of Ord	Transaction 4403627 - Approved By: NOREVIEW : 04-25-2014:11:20:24		
4/25/2014	NEF	Proof of Electronic Service	Transaction 4403632 - Approved By: NOREVIEW : 04-25-2014:11:21:23		
5/23/2014	2515	Notice of Appeal Supreme Court	Transaction 4448003 - Approved By: ASMITH : 05-27-2014:08:25:54		
5/23/2014	1310	Case Appeal Statement	Transaction 4448007 - Approved By: ASMITH : 05-27-2014:08:26:31		
5/27/2014	NEF	Proof of Electronic Service	Transaction 4448333 - Approved By: NOREVIEW : 05-27-2014:08:26:59		
5/27/2014	NEF	Proof of Electronic Service	Transaction 4448335 - Approved By: NOREVIEW : 05-27-2014:08:27:37		
5/27/2014	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 4448615 - Approved By: N		
5/27/2014	NEF	Proof of Electronic Service	Transaction 4448621 - Approved By: NOREVIEW : 05-27-2014:09:46:27		
6/9/2014	1188	Supreme Court Receipt for Doc	SUPREME COURT NO. 65774/RECEIPT FOR DOCUMENTS - Transaction 4468865 - Approved By: NOREVIEW		
6/9/2014	NEF	Proof of Electronic Service	Transaction 4468883 - Approved By: NOREVIEW : 06-09-2014:16:12:58		
3/9/2015	4125	Supreme Court Order...	SUPREME COURT NO. 65774/ORDER GRANTING MOTION TO TRANSMIT EXHIBITS - Transaction 4850937		
3/9/2015	NEF	Proof of Electronic Service	Transaction 4850938 - Approved By: NOREVIEW : 03-09-2015:11:07:02		
3/11/2015	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - EXHIBITS - Transaction 4855230 - Approved By: NOREVIEW		
3/11/2015	NEF	Proof of Electronic Service	Transaction 4855186 - Approved By: NOREVIEW : 03-11-2015:11:30:38		
3/11/2015	NEF	Proof of Electronic Service	Transaction 4855236 - Approved By: NOREVIEW : 03-11-2015:11:37:36		
3/11/2015	FIE	**Document Filed in Error	FIE - asmith 03/11/15		
9/29/2017	3863	**Submit regarding Appeals	DOCUMENT TITLE: SUPREME COURT NO. 65774 / ORDER AFFIRMING IN PART, REVERSING IN PART A		
9/29/2017	NEF	Proof of Electronic Service	Transaction 6323884 - Approved By: NOREVIEW : 09-29-2017:10:03:08		
9/29/2017	4134	Supreme Court Order Affirming	SUPREME COURT NO. 65774 / ORDER AFFIRMING IN PART, REVERSING IN PART AND REMANDING - Tr		
11/30/2017	NEF	Proof of Electronic Service	Transaction 6416875 - Approved By: NOREVIEW : 11-30-2017:14:16:49		
11/30/2017	4128	Supreme Court Order Denying	SUPREME COURT NO. 65774 / ORDER DENYING REHEARING - Transaction 6416860 - Approved By: NORE		
12/27/2017	NEF	Proof of Electronic Service	Transaction 6455500 - Approved By: NOREVIEW : 12-27-2017:14:34:36		
12/27/2017	4128	Supreme Court Order Denying	SUPREME COURT NO. 65774 / ORDER DENYING REHEARING - Transaction 6455491 - Approved By: NORE		
12/27/2017	4134	Supreme Court Order Affirming	SUPREME COURT NO. 65774 / ORDER AFFIRMING IN PART, REVERSING IN PART AND REMANDING - Tr		
12/27/2017	4111	Supreme Ct Clk's Cert & Judg	SUPREME COURT NO. 65774 / CLERK'S CERTIFICATE & JUDGMENTS - Transaction 6455491 - Approved B		

Case ID:		CR98-0516	Case Type:	Case Description: STATE VS SIAOSI VANISI (D4)	Initial Filing Date:	2/26/1998
12/27/2017	3863	**Submit regarding Appeals	DOCUMENT TITLE: SUPREME COURT NO. 65774 / ORDER AFFIRMING IN PART, REVERSING IN PART AN			
12/27/2017	4145	Supreme Court Remittitur	SUPREME COURT NO. 65774 / REMITTITUR - Transaction 6455491 - Approved By: NOREVIEW : 12-27-2017			
1/8/2018	T200	Tickle End Code				
1/23/2018	NEF	Proof of Electronic Service	Transaction 6494458 - Approved By: NOREVIEW : 01-23-2018:14:33:25			
1/23/2018	3347	Ord to Set	COUNSEL MUST APPEAR BEFORE D4 AA WITHIN 30 DAYS TO SET THE EVIDENTIARY HEARING IN ACCO			
2/23/2018	T200	Tickle End Code				
3/20/2018	2526	Notice of Change of Attorney	JENNIFER P. NOBLE AND JOSEPH R. PLATER IN PLACE OF TERRENCE P. MCCARTHY - Transaction 6586			
3/20/2018	NEF	Proof of Electronic Service	Transaction 6586437 - Approved By: NOREVIEW : 03-20-2018:14:15:26			
3/20/2018	1250	Application for Setting	OCTOBER 1, 2018 @10:00AM - Transaction 6586252 - Approved By: CVERA : 03-20-2018:14:21:12			
3/20/2018	NEF	Proof of Electronic Service	Transaction 6586475 - Approved By: NOREVIEW : 03-20-2018:14:21:55			
3/20/2018	NEF	Proof of Electronic Service	Transaction 6587111 - Approved By: NOREVIEW : 03-20-2018:16:34:29			
3/20/2018	1260	Application Produce Prisoner	Transaction 6587092 - Approved By: RRODRIGU : 03-20-2018:16:33:31			
3/23/2018	3340	Ord to Produce Prisoner	- OCTOBER 1, 2018 AT 10:00 FOR POST-CONVICTION PROCEEDINGS - Transaction 6592630 - Approved B			
3/23/2018	NEF	Proof of Electronic Service	Transaction 6592636 - Approved By: NOREVIEW : 03-23-2018:10:08:06			
4/2/2018	2490	Motion ...	MOTION FOR RECONSIDERATION - Transaction 6608259 - Approved By: CVERA : 04-03-2018:08:53:11			
4/3/2018	NEF	Proof of Electronic Service	Transaction 6608724 - Approved By: NOREVIEW : 04-03-2018:08:54:29			
4/11/2018	2645	Opposition to Mtn ...	STATE'S OPPOSITION TO MOTION FOR RECONSIDERATION AND OBJECTION TO PETITIONERS WAIVER			
4/11/2018	NEF	Proof of Electronic Service	Transaction 6623477 - Approved By: NOREVIEW : 04-11-2018:12:01:09			
4/16/2018	3860	Request for Submission	- Transaction 6631291 - Approved By: PMSEWELL : 04-16-2018:16:06:58			
4/16/2018	NEF	Proof of Electronic Service	Transaction 6631830 - Approved By: NOREVIEW : 04-16-2018:15:56:57			
4/16/2018	3790	Reply to/in Opposition	REPLY TO OPPOSITION TO MOTION FOR RECONSIDERATION AND OBJECTION TO PETITIONER'S WAIV			
4/16/2018	NEF	Proof of Electronic Service	Transaction 6631894 - Approved By: NOREVIEW : 04-16-2018:16:08:26			
4/16/2018	NEF	Proof of Electronic Service	Transaction 6631911 - Approved By: NOREVIEW : 04-16-2018:16:10:46			
4/16/2018	2490	Motion ...	MOTION FOR ORDER TO CONDUCT DISCOVERY - Transaction 6631161 - Approved By: JAPARICI : 04-16-2			
4/18/2018	1120	Amended ...	AMENDED MOTIO NFOR ORDER TO CONDUCT DISCOVERY - Transaction 6637048 - Approved By: YVILOR			
4/19/2018	NEF	Proof of Electronic Service	Transaction 6637214 - Approved By: NOREVIEW : 04-19-2018:08:16:10			
4/24/2018	T200	Tickle End Code				
4/26/2018	2645	Opposition to Mtn ...	OPPOSITION TO AMENDED MOTION FOR ORDER TO CONDUCT DISCOVERY - Transaction 6650279 - App			
4/26/2018	NEF	Proof of Electronic Service	Transaction 6650642 - Approved By: NOREVIEW : 04-26-2018:15:56:24			
5/1/2018	3790	Reply to/in Opposition	REPLY TO OPPOSITION TO AMENDED MOTION FOR ORDER TO CONDUCT DISCOVERY - Transaction 665			
5/1/2018	NEF	Proof of Electronic Service	Transaction 6657880 - Approved By: NOREVIEW : 05-01-2018:16:32:04			
5/1/2018	3790	Reply to/in Opposition	DFX: INCORRECT FILING. MR. FIEDLER'S OFFICE CALLED TO SAY THIS WAS FILED IN ERROR.			
5/1/2018	3860	Request for Submission	- Transaction 6657825 - Approved By: PMSEWELL : 05-01-2018:16:45:19			
5/1/2018	NEF	Proof of Electronic Service	Transaction 6657955 - Approved By: NOREVIEW : 05-01-2018:16:45:49			
5/1/2018	NEF	Proof of Electronic Service	Transaction 6657959 - Approved By: NOREVIEW : 05-01-2018:16:46:40			
5/9/2018	1250E	Application for Setting eFile	- ADMINISTRATIVE CONFERENCE CALL ON THE MOTION TO RECONSIDER THE ORDER TO PRODUCE -			
5/9/2018	NEF	Proof of Electronic Service	Transaction 6670111 - Approved By: NOREVIEW : 05-09-2018:09:09:41			
5/10/2018	S200	Request for Submission Complet	MOTION TO RECONSIDER ORDER TO PRODUCE GRANTED - COURT SET HEARING FOR DEFENDANT T			
5/10/2018	S200	Request for Submission Complet	ORAL ARGUMENTS SET			

Case ID:		CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
5/11/2018	1260	Application Produce Prisoner	Transaction 6675049 - Approved By: RRODRIGU	05-11-2018:11:54:50		
5/11/2018	NEF	Proof of Electronic Service	Transaction 6675407 - Approved By: NOREVIEW	05-11-2018:11:56:01		
5/11/2018	NEF	Proof of Electronic Service	Transaction 6675468 - Approved By: NOREVIEW	05-11-2018:12:03:44		
5/11/2018	4185	Transcript	5-10-18 Conference Call - Transaction 6675451 - Approved By: NOREVIEW	05-11-2018:12:01:51		
5/14/2018	NEF	Proof of Electronic Service	Transaction 6677344 - Approved By: NOREVIEW	05-14-2018:10:44:36		
5/14/2018	3340	Ord to Produce Prisoner	Transaction 6677335 - Approved By: NOREVIEW	05-14-2018:10:43:29		
5/16/2018	NEF	Proof of Electronic Service	Transaction 6681962 - Approved By: NOREVIEW	05-16-2018:09:49:54		
5/16/2018	3370	Order ...	REGARDING PRE-HEARING BRIEFING AND PROCEDURE - Transaction 6681943 - Approved By: NOREVIEW			
5/16/2018	2520	Notice of Appearance	SCOTT WISNIEWSKI, FED PD - Transaction 6682668 - Approved By: CSULEZIC	05-16-2018:13:12:49		
5/16/2018	NEF	Proof of Electronic Service	Transaction 6682728 - Approved By: NOREVIEW	05-16-2018:13:13:56		
5/17/2018	MIN	***Minutes	CONFERENCE CALL REGARDING THE MOTION FOR RECONSIDERATION OF THE ORDER TO PRODUCE			
5/17/2018	NEF	Proof of Electronic Service	Transaction 6684164 - Approved By: NOREVIEW	05-17-2018:09:16:16		
5/30/2018	4185	Transcript	Oral Arguments - 5-30-18 - Transaction 6705063 - Approved By: NOREVIEW	05-30-2018:21:27:18		
5/30/2018	NEF	Proof of Electronic Service	Transaction 6705064 - Approved By: NOREVIEW	05-30-2018:21:28:18		
6/4/2018	NEF	Proof of Electronic Service	Transaction 6710963 - Approved By: NOREVIEW	06-04-2018:14:10:27		
6/4/2018	MIN	***Minutes	ORAL ARGUMENTS/WAIVER OF APPEARANCE - 5/30/18 - Transaction 6710955 - Approved By: NOREVIEW			
6/8/2018	2592	Notice of Witnesses	Transaction 6720824 - Approved By: CSULEZIC	06-08-2018:15:45:48		
6/8/2018	NEF	Proof of Electronic Service	Transaction 6721251 - Approved By: NOREVIEW	06-08-2018:16:52:38		
6/8/2018	2592	Notice of Witnesses	Transaction 6721238 - Approved By: YVILORIA	06-08-2018:16:51:50		
6/8/2018	NEF	Proof of Electronic Service	Transaction 6720932 - Approved By: NOREVIEW	06-08-2018:15:46:52		
6/20/2018	4105	Supplemental ...	SUPPLEMENTAL NOTICE OF WITNESSES - Transaction 6738253 - Approved By: YVILORIA	06-20-2018:15:08:51		
6/20/2018	NEF	Proof of Electronic Service	Transaction 6738331 - Approved By: NOREVIEW	06-20-2018:15:08:51		
6/21/2018	2490	Motion ...	MOTION TO SET DATE FOR TESTIMONY OF OUT OF STATE WITNESS - Transaction 6741422 - Approved By: YVILORIA	06-21-2018:15:08:51		
6/22/2018	NEF	Proof of Electronic Service	Transaction 6742413 - Approved By: NOREVIEW	06-22-2018:11:13:50		
6/22/2018	3860	Request for Submission	Transaction 6742148 - Approved By: YVILORIA	06-22-2018:11:12:04		
6/22/2018	NEF	Proof of Electronic Service	Transaction 6741600 - Approved By: NOREVIEW	06-22-2018:08:24:13		
6/28/2018	2245	Mtn in Limine	MOTION IN LIMINE TO ADMIT SCR 250 MEMORANDUM OF MICHAEL SPECCHIO - Transaction 6752676 - Approved By: YVILORIA	06-28-2018:14:18:21		
6/28/2018	NEF	Proof of Electronic Service	Transaction 6752817 - Approved By: NOREVIEW	06-28-2018:14:18:21		
6/29/2018	2490	Motion ...	MOTION TO DISQUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE - Transaction 6755571 - Approved By: YVILORIA	06-29-2018:15:49:00		
7/2/2018	NEF	Proof of Electronic Service	Transaction 6756001 - Approved By: NOREVIEW	07-02-2018:08:19:11		
7/9/2018	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO DISQUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE - Transaction 6767182 - Approved By: NOREVIEW	07-09-2018:16:43:12		
7/9/2018	NEF	Proof of Electronic Service	Transaction 6767182 - Approved By: NOREVIEW	07-09-2018:16:43:12		
7/9/2018	T200	Tickle End Code	NO RESPONSE FILED			
7/20/2018	NEF	Proof of Electronic Service	Transaction 6788735 - Approved By: NOREVIEW	07-20-2018:15:25:37		
7/20/2018	3060	Ord Granting Mtn ...	TO SET DATE FOR TESTIMONY OF OUT OF STATE WITNESS/DIRECTING COUNSEL TO CONSULT AND A			
7/20/2018	S200	Request for Submission Complet	ORDER GRANTING MOTION TO SET DATE FOR TESTIMONY OF OUT OF STATE WITNESS			
7/20/2018	NEF	Proof of Electronic Service	Transaction 6788847 - Approved By: NOREVIEW	07-20-2018:15:50:00		
7/20/2018	2645	Opposition to Mtn ...	OPPOSITION TO MOTION TO ADMIT - Transaction 6788806 - Approved By: YVILORIA	07-20-2018:15:49:00		
7/24/2018	3870	Request	REQUEST FROM DEFENDANT TO WAIVE EVIDENTIARY HEARING			

Case ID:		CR98-0516	Case Type:	Case Description: STATE VS SIAOSI VANISI (D4)	Initial Filing Date:	2/26/1998
7/25/2018	2490	Motion ...		MOTION TO SET HEARING REGARDING VANISI'S REQUEST TO WAIVE EVIDENTIARY HEARING - Transac		
7/25/2018	2170	Mtn for Psyc. Evaluation		Suggestion of Incompetency and Motion for Evaluation - Transaction 6796098 - Approved By: PMSEWELL : 07-		
7/25/2018	NEF	Proof of Electronic Service		Transaction 6796096 - Approved By: NOREVIEW : 07-25-2018:16:29:16		
7/25/2018	NEF	Proof of Electronic Service		Transaction 6796138 - Approved By: NOREVIEW : 07-25-2018:16:38:31		
7/27/2018	3795	Reply...		REPLY IN SUPPORT OF MOTION IN LIMINE TO ADMIT SCR 250 MEMORANDUM OF MICHAEL SPECCHIO		
7/27/2018	3860	Request for Submission		Transaction 6800813 - Approved By: CVERA : 07-30-2018:08:09:56		
7/27/2018	3790	Reply to/in Opposition		REPLY TO OPPOSITION TO MOTION TO DISQUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY'S OF		
7/27/2018	NEF	Proof of Electronic Service		Transaction 6800625 - Approved By: NOREVIEW : 07-27-2018:16:35:59		
7/30/2018	NEF	Proof of Electronic Service		Transaction 6801981 - Approved By: NOREVIEW : 07-30-2018:11:59:53		
7/30/2018	2501	Non-Opposition ...		NOTICE OF NON-OPPOSITION TO STATE'S REQUEST FOR ADDITIONAL BRIEFING AND ORAL ARGUMEN		
7/30/2018	NEF	Proof of Electronic Service		Transaction 6800920 - Approved By: NOREVIEW : 07-30-2018:08:10:55		
7/30/2018	3860	Request for Submission		- Transaction 6801406 - Approved By: PMSEWELL : 07-30-2018:10:22:25		
7/30/2018	NEF	Proof of Electronic Service		Transaction 6801512 - Approved By: NOREVIEW : 07-30-2018:10:23:53		
7/30/2018	3845	Request for Hearing		REQUEST FOR ORAL ARGUMENT ON MOTION TO DISQUALIFY WASHOE COUNTY DISTRICT ATTORNEY		
7/30/2018	3880	Response...		STATE'S RESPONSE TO VANISI'S SUGGESTION OF INCOMPETENCY AND MOTION FOR EVALUATION - T		
7/30/2018	NEF	Proof of Electronic Service		Transaction 6802822 - Approved By: NOREVIEW : 07-30-2018:15:42:58		
7/30/2018	NEF	Proof of Electronic Service		Transaction 6800909 - Approved By: NOREVIEW : 07-30-2018:07:57:44		
7/30/2018	NEF	Proof of Electronic Service		Transaction 6802993 - Approved By: NOREVIEW : 07-30-2018:16:15:42		
7/31/2018	NEF	Proof of Electronic Service		Transaction 6804286 - Approved By: NOREVIEW : 07-31-2018:11:59:00		
7/31/2018	1270	Application ...		Transaction 6804242 - Approved By: YVILORIA : 07-31-2018:11:57:43		
8/3/2018	1372	Certification ...		CRIMINAL CERTIFICATION UNIFORM ACT TO SECURE THE ATTENDANCE OF WITNESSES FROM WITHO		
8/3/2018	NEF	Proof of Electronic Service		Transaction 6812579 - Approved By: NOREVIEW : 08-03-2018:15:59:18		
8/6/2018	3795	Reply...		Reply to State's Response to Petitioner's Suggestion of Incompetence and Motion for Evaluation - Transaction 6		
8/6/2018	NEF	Proof of Electronic Service		Transaction 6814503 - Approved By: NOREVIEW : 08-06-2018:14:39:16		
8/6/2018	NEF	Proof of Electronic Service		Transaction 6814546 - Approved By: NOREVIEW : 08-06-2018:14:45:44		
8/6/2018	3860	Request for Submission		- Transaction 6814152 - Approved By: PMSEWELL : 08-06-2018:14:43:22		
8/7/2018	3860	Request for Submission		Transaction 6816092 - Approved By: CVERA : 08-07-2018:12:57:02		
8/7/2018	NEF	Proof of Electronic Service		Transaction 6816433 - Approved By: NOREVIEW : 08-07-2018:12:59:28		
8/9/2018	NEF	Proof of Electronic Service		Transaction 6822510 - Approved By: NOREVIEW : 08-09-2018:16:17:02		
8/9/2018	1270	Application ...		Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822417 - Appro		
8/9/2018	3860	Request for Submission		Transaction 6822422 - Approved By: PMSEWELL : 08-09-2018:16:17:21		
8/9/2018	3860	Request for Submission		Transaction 6822364 - Approved By: YVILORIA : 08-09-2018:16:17:40		
8/9/2018	1270	Application ...		Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822440 - Appro		
8/9/2018	3860	Request for Submission		- Transaction 6822444 - Approved By: PMSEWELL : 08-09-2018:16:18:39		
8/9/2018	NEF	Proof of Electronic Service		Transaction 6822527 - Approved By: NOREVIEW : 08-09-2018:16:19:22		
8/9/2018	NEF	Proof of Electronic Service		Transaction 6822526 - Approved By: NOREVIEW : 08-09-2018:16:19:16		
8/9/2018	1270	Application ...		APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS - Tr		
8/9/2018	NEF	Proof of Electronic Service		Transaction 6822531 - Approved By: NOREVIEW : 08-09-2018:16:19:51		
8/9/2018	NEF	Proof of Electronic Service		Transaction 6822539 - Approved By: NOREVIEW : 08-09-2018:16:20:32		

Case ID:		CR98-0516	Case Type:	Case Description: STATE VS SIAOSI VANISI (D4) CRIMINAL	Initial Filing Date:	2/26/1998
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822537 - Approved By: NOREVIEW : 08-09-2018:16:20:25			
8/9/2018	3860	Request for Submission	- Transaction 6822378 - Approved By: YVILORIA : 08-09-2018:16:22:02			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822552 - Approved By: NOREVIEW : 08-09-2018:16:22:24			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822548 - Approved By: NOREVIEW : 08-09-2018:16:22:24			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822555 - Approved By: NOREVIEW : 08-09-2018:16:23:05			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822546 - Approved By: NOREVIEW : 08-09-2018:16:23:07			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822544 - Approved By: NOREVIEW : 08-09-2018:16:23:06			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822566 - Approved By: NOREVIEW : 08-09-2018:16:23:12			
8/9/2018	1270	Application ...	APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS - Tr			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822587 - Approved By: NOREVIEW : 08-09-2018:16:25:57			
8/9/2018	3860	Request for Submission	Transaction 6822454 - Approved By: YVILORIA : 08-09-2018:16:26:56			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822610 - Approved By: NOREVIEW : 08-09-2018:16:28:30			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822619 - Approved By: NOREVIEW : 08-09-2018:16:29:24			
8/9/2018	1270	Application ...	APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS - Tr			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822634 - Approved By: NOREVIEW : 08-09-2018:16:30:48			
8/9/2018	3860	Request for Submission	- Transaction 6822475 - Approved By: PMSEWELL : 08-09-2018:16:35:09			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822486 - Appro			
8/9/2018	3860	Request for Submission	- Transaction 6822489 - Approved By: PMSEWELL : 08-09-2018:16:36:23			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822658 - Approved By: NOREVIEW : 08-09-2018:16:36:26			
8/9/2018	3860	Request for Submission	- Transaction 6822226 - Approved By: PMSEWELL : 08-09-2018:16:37:02			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822233 - Appro			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822662 - Approved By: NOREVIEW : 08-09-2018:16:37:27			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822663 - Approved By: NOREVIEW : 08-09-2018:16:37:28			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822499 - Appro			
8/9/2018	1270	Application ...	APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS - Tr			
8/9/2018	3860	Request for Submission	- Transaction 6822503 - Approved By: PMSEWELL : 08-09-2018:16:37:55			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822667 - Approved By: NOREVIEW : 08-09-2018:16:38:06			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822516 - Appro			
8/9/2018	3860	Request for Submission	- Transaction 6822522 - Approved By: PMSEWELL : 08-09-2018:16:38:30			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822532 - Appro			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822670 - Approved By: NOREVIEW : 08-09-2018:16:38:55			
8/9/2018	3860	Request for Submission	- Transaction 6822538 - Approved By: PMSEWELL : 08-09-2018:16:39:00			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822674 - Approved By: NOREVIEW : 08-09-2018:16:39:03			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822673 - Approved By: NOREVIEW : 08-09-2018:16:39:02			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822675 - Approved By: NOREVIEW : 08-09-2018:16:39:17			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822565 - Appro			
8/9/2018	3860	Request for Submission	- Transaction 6822556 - Approved By: PMSEWELL : 08-09-2018:16:39:34			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822677 - Approved By: NOREVIEW : 08-09-2018:16:39:55			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822678 - Approved By: NOREVIEW : 08-09-2018:16:40:03			

Case ID:		CR98-0516	Case Type:	Case Description: STATE VS SIAOSI VANISI (D4) CRIMINAL	Initial Filing Date:	2/26/1998
8/9/2018	3860	Request for Submission	- Transaction 6822579 - Approved By: PMSEWELL : 08-09-2018:16:40:14			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822680 - Approved By: NOREVIEW : 08-09-2018:16:40:20			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822686 - Approved By: NOREVIEW : 08-09-2018:16:41:19			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822689 - Approved By: NOREVIEW : 08-09-2018:16:41:48			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822691 - Approved By: NOREVIEW : 08-09-2018:16:41:54			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822695 - Approved By: NOREVIEW : 08-09-2018:16:42:47			
8/9/2018	3860	Request for Submission	Transaction 6822236 - Approved By: CSULEZIC : 08-09-2018:15:57:00			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822392 - Approved By: NOREVIEW : 08-09-2018:15:58:02			
8/9/2018	1270	Application ...	APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS - Tr			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822401 - Approved By: NOREVIEW : 08-09-2018:16:00:14			
8/9/2018	3860	Request for Submission	Transaction 6822191 - Approved By: CVERA : 08-09-2018:16:00:37			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822410 - Approved By: NOREVIEW : 08-09-2018:16:01:37			
8/9/2018	1270	Application ...	APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS - Tr			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822353 - Appro			
8/9/2018	3860	Request for Submission	- Transaction 6822358 - Approved By: PMSEWELL : 08-09-2018:16:07:26			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822431 - Approved By: NOREVIEW : 08-09-2018:16:06:29			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822446 - Approved By: NOREVIEW : 08-09-2018:16:08:56			
8/9/2018	3860	Request for Submission	Transaction 6822212 - Approved By: CVERA : 08-09-2018:16:11:45			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822471 - Approved By: NOREVIEW : 08-09-2018:16:12:04			
8/9/2018	1270	Application ...	APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS - Tr			
8/9/2018	3860	Request for Submission	- Transaction 6822386 - Approved By: PMSEWELL : 08-09-2018:16:13:57			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822391 - Appro			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822497 - Approved By: NOREVIEW : 08-09-2018:16:14:50			
8/9/2018	3860	Request for Submission	- Transaction 6822393 - Approved By: PMSEWELL : 08-09-2018:16:15:08			
8/9/2018	1270	Application ...	DFX: EX2 MISSING COVER PAGE - APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE C			
8/9/2018	1270	Application ...	Application for Issuance of a Certificate of Attendance of an Out of State Witness - Transaction 6822402 - Appro			
8/9/2018	1270	Application ...	APPLICATION FOR ISSUANCE OF A CERTIFICATE OF ATTENDANCE OF AN OUT OF STATE WITNESS - Tr			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822507 - Approved By: NOREVIEW : 08-09-2018:16:16:27			
8/9/2018	3860	Request for Submission	- Transaction 6822406 - Approved By: PMSEWELL : 08-09-2018:16:16:37			
8/9/2018	NEF	Proof of Electronic Service	Transaction 6822509 - Approved By: NOREVIEW : 08-09-2018:16:16:42			
8/13/2018	2280	Mtn to Continue	Motion to Continue Depositions - Transaction 6826296 - Approved By: CSULEZIC : 08-13-2018:14:33:54			
8/13/2018	NEF	Proof of Electronic Service	Transaction 6826448 - Approved By: NOREVIEW : 08-13-2018:14:34:59			
8/13/2018	2490	Motion ...	MOTION FOR ORDER TO CONDUCT DISCOVERY - Transaction 6827033 - Approved By: YVILORIA : 08-13-2			
8/13/2018	NEF	Proof of Electronic Service	Transaction 6827226 - Approved By: NOREVIEW : 08-13-2018:17:13:42			
8/20/2018	T200	Tickle End Code				
8/20/2018	1020	Addendum	ADDENDUM TO MOTION TO SET HEARING REGARDING VANISI'S REQUEST TO WAIVE EVIDENTIARY HE			
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840331 - Approved By: NOREVIEW : 08-21-2018:13:49:53			
8/21/2018	2501	Non-Opposition ...	Non-Opposition to Presence of Defendant - Transaction 6839777 - Approved By: SWILLIAM : 08-21-2018:13:59			
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840388 - Approved By: NOREVIEW : 08-21-2018:14:00:19			

Case ID:		Case Type:	Case Description: STATE VS SIAOSI VANISI (D4)	Initial Filing Date:	2/26/1998
8/21/2018	3242	Ord Setting Hearing	- ORAL ARGUMENT ON THE MOTION TO DISQUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY'S OF		
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840483 - Approved By: NOREVIEW : 08-21-2018:14:20:42		
8/21/2018	S200	Request for Submission Complet	MOTION TO DISQUALIFY SET FOR ORAL ARGUMENTS		
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	S200	Request for Submission Complet			
8/21/2018	NEF	Proof of Electronic Service	Transaction 6839485 - Approved By: NOREVIEW : 08-21-2018:09:41:29		
8/21/2018	3370	Order ...	MATERIAL WITNESS ORDER (TIM WILLIAMS) - Transaction 6840238 - Approved By: NOREVIEW : 08-21-201		
8/21/2018	3370	Order ...	MATERIAL WITNESS ORDER (TOEUMU TAFUNA) - Transaction 6840241 - Approved By: NOREVIEW : 08-21-		
8/21/2018	3370	Order ...	MATERIAL WITNESS ORDER (TERRY WILLIAMS) - Transaction 6840246 - Approved By: NOREVIEW : 08-21-		
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840245 - Approved By: NOREVIEW : 08-21-2018:13:32:56		
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840248 - Approved By: NOREVIEW : 08-21-2018:13:33:29		
8/21/2018	3370	Order ...	MATERIAL WITNESS ORDER (SELA VANISI-DEBRUCE) - Transaction 6840250 - Approved By: NOREVIEW : 0		
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840252 - Approved By: NOREVIEW : 08-21-2018:13:34:13		
8/21/2018	3370	Order ...	MATERIAL WITNESS ORDER (RENEE PEAUJA-MUAMOHOLEVA) - Transaction 6840254 - Approved By: NOR		
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840255 - Approved By: NOREVIEW : 08-21-2018:13:35:12		
8/21/2018	3370	Order ...	MATERIAL WITNESS ORDER (MOLENI VANACEY) - Transaction 6840259 - Approved By: NOREVIEW : 08-21		
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840261 - Approved By: NOREVIEW : 08-21-2018:13:36:06		
8/21/2018	3370	Order ...	MATERIAL WITNESS ORDER (OLISI LUI) - Transaction 6840264 - Approved By: NOREVIEW : 08-21-2018:13:		
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840266 - Approved By: NOREVIEW : 08-21-2018:13:36:46		
8/21/2018	3370	Order ...	MATERIAL WITNESS ORDER (ROBERT KIRTS) - Transaction 6840268 - Approved By: NOREVIEW : 08-21-20		
8/21/2018	NEF	Proof of Electronic Service	Transaction 6840269 - Approved By: NOREVIEW : 08-21-2018:13:37:26		

Case ID:		CR98-0516	Case Type:	Case Description: STATE VS SIAOSI VANISI (D4) CRIMINAL	Initial Filing Date:	2/26/1998
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (MILES KINIKINI) - Transaction 6840272 - Approved By: NOREVIEW : 08-21-20		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840273 - Approved By: NOREVIEW : 08-21-2018:13:38:06		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (LUISA FINAU) - Transaction 6840277 - Approved By: NOREVIEW : 08-21-2018		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840278 - Approved By: NOREVIEW : 08-21-2018:13:38:51		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840283 - Approved By: NOREVIEW : 08-21-2018:13:40:04		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (LITA TAFUNA) - Transaction 6840289 - Approved By: NOREVIEW : 08-21-2018		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (LEANNA MORRIS) - Transaction 6840293 - Approved By: NOREVIEW : 08-21-		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840294 - Approved By: NOREVIEW : 08-21-2018:13:42:31		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840297 - Approved By: NOREVIEW : 08-21-2018:13:43:03		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (HEIDI BAILEY-ALOI) - Transaction 6840300 - Approved By: NOREVIEW : 08-2-		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (FORREST VANACEY) - Transaction 6840302 - Approved By: NOREVIEW : 08-		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840304 - Approved By: NOREVIEW : 08-21-2018:13:44:11		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (EDGAR DEBRUCE) - Transaction 6840305 - Approved By: NOREVIEW : 08-21		
8/21/2018	3370	Order ...		DAVID KINIKINI - Transaction 6840315 - Approved By: NOREVIEW : 08-21-2018:13:47:31		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840310 - Approved By: NOREVIEW : 08-21-2018:13:47:30		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (DEANN OGEN) - Transaction 6840313 - Approved By: NOREVIEW : 08-21-201		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (BISHOP NIFAI TONGA) - Transaction 6840317 - Approved By: NOREVIEW : 08		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840319 - Approved By: NOREVIEW : 08-21-2018:13:48:09		
8/21/2018	3370	Order ...		MATERIAL WITNESS ORDER (BISHOP DAVID HALES) - Transaction 6840323 - Approved By: NOREVIEW : 08		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840326 - Approved By: NOREVIEW : 08-21-2018:13:49:02		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840327 - Approved By: NOREVIEW : 08-21-2018:13:49:02		
8/21/2018	NEF	Proof of Electronic Service		Transaction 6840328 - Approved By: NOREVIEW : 08-21-2018:13:49:13		
8/22/2018	2280	Mtn to Continue		MOTION TO CONTINUE DEPOSITION - Transaction 6842469 - Approved By: YVILORIA : 08-22-2018:13:31:21		
8/22/2018	NEF	Proof of Electronic Service		Transaction 6842725 - Approved By: NOREVIEW : 08-22-2018:13:32:50		
8/23/2018	NEF	Proof of Electronic Service		Transaction 6844780 - Approved By: NOREVIEW : 08-23-2018:10:57:01		
8/23/2018	2501	Non-Opposition ...		NON-OPPOSITION TO MOTION TO CONDUCT DISCOVERY - Transaction 6844690 - Approved By: YVILORIA		
8/24/2018	NEF	Proof of Electronic Service		Transaction 6847782 - Approved By: NOREVIEW : 08-24-2018:14:27:12		
8/24/2018	1250E	Application for Setting eFile		- ADMINISTRATIVE CONFERENCE CALL - 8/27/18 AT 10:00 A.M. - Transaction 6847769 - Approved By: NORI		
8/27/2018	NEF	Proof of Electronic Service		Transaction 6850173 - Approved By: NOREVIEW : 08-27-2018:14:32:01		
8/27/2018	MIN	***Minutes		ADMINISTRATIVE CONFERENCE CALL - 8/27/18 - Transaction 6850169 - Approved By: NOREVIEW : 08-27-21		
8/27/2018	NEF	Proof of Electronic Service		Transaction 6849552 - Approved By: NOREVIEW : 08-27-2018:12:04:05		
8/27/2018	4185	Transcript		Daily transcript - Transaction 6849547 - Approved By: NOREVIEW : 08-27-2018:12:00:58		
8/27/2018	S200	Request for Submission Complet		ORAL ARGUMENTS SET FOR 9/5/18		
8/27/2018	S200	Request for Submission Complet		MOTION GRANTED - STATE TO PREPARE ORDER		
8/27/2018	3373	Other ...		Proposed Order and Amended Subpoena Duces Tecum - Transaction 6850930 - Approved By: PMSEWELL : 08		
8/27/2018	S200	Request for Submission Complet		ORAL ARGUMENTS SET		
8/28/2018	NEF	Proof of Electronic Service		Transaction 6851505 - Approved By: NOREVIEW : 08-28-2018:09:18:25		
8/29/2018	3370	Order ...		MATERIAL WITNESS ORDER (CRYSTAL CALDERON) - Transaction 6854782 - Approved By: NOREVIEW : 08		
8/29/2018	NEF	Proof of Electronic Service		Transaction 6854785 - Approved By: NOREVIEW : 08-29-2018:13:00:49		

Case Description: STATE VS SIAOSI VANISI (D4)					
Case ID:	CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
8/30/2018	1960	Memorandum ...	HEARING MEMORANDUM - Transaction 6857439 - Approved By: CVERA : 08-30-2018:13:40:41		
8/30/2018	NEF	Proof of Electronic Service	Transaction 6857519 - Approved By: NOREVIEW : 08-30-2018:13:42:05		
8/30/2018	2592	Notice of Witnesses	SECOND SUPPLEMENTAL NOTICE OF WITNESSES - Transaction 6857452 - Approved By: CVERA : 08-30-2018:13:42:05		
8/30/2018	NEF	Proof of Electronic Service	Transaction 6856084 - Approved By: NOREVIEW : 08-30-2018:08:14:24		
8/30/2018	3060	Ord Granting Mtn ...	ORDER GRANTING MOTION FOR ORDER TO CONDUCT DISCOVERY - Transaction 6856081 - Approved By: NOREVIEW : 08-30-2018:08:14:24		
8/30/2018	NEF	Proof of Electronic Service	Transaction 6857580 - Approved By: NOREVIEW : 08-30-2018:13:55:48		
8/30/2018	2488	Motion to Seal Document	Motion to Seal Ex Parte Motion for Order Allowing Witness Funds - Transaction 6857621 - Approved By: PMSEV : 08-30-2018:13:55:48		
8/30/2018	NEF	Proof of Electronic Service	Transaction 6858138 - Approved By: NOREVIEW : 08-30-2018:15:48:07		
8/30/2018	1670	Ex-Parte Mtn...	Ex Parte Motion for Order Allowing Witness Funds - Transaction 6857628 - Approved By: PMSEWELL : 08-30-2018:15:48:07		
8/30/2018	NEF	Proof of Electronic Service	Transaction 6858143 - Approved By: NOREVIEW : 08-30-2018:15:49:38		
8/30/2018	1960	Memorandum ...	STATE'S PREHEARING MEMORANDUM - Transaction 6858250 - Approved By: NMASON : 08-30-2018:16:16:56		
8/30/2018	NEF	Proof of Electronic Service	Transaction 6858273 - Approved By: NOREVIEW : 08-30-2018:16:17:56		
8/31/2018	3795	Reply...	STATE'S SUR-REPLY TO VANISI'S MOTION TO DISQUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY - Transaction 6858273 - Approved By: NOREVIEW : 08-30-2018:16:17:56		
9/4/2018	NEF	Proof of Electronic Service	Transaction 6860830 - Approved By: NOREVIEW : 09-04-2018:08:34:04		
9/5/2018	NEF	Proof of Electronic Service	Transaction 6865326 - Approved By: NOREVIEW : 09-05-2018:20:58:59		
9/5/2018	4185	Transcript	Status Conference - 9-5-18 - Transaction 6865325 - Approved By: NOREVIEW : 09-05-2018:20:57:59		
9/6/2018	2960	Ord Psychiatric Evaluation	Transaction 6865732 - Approved By: NOREVIEW : 09-06-2018:09:40:29		
9/6/2018	NEF	Proof of Electronic Service	Transaction 6865737 - Approved By: NOREVIEW : 09-06-2018:09:41:52		
9/7/2018	2777	Ord Approving ...	RECOMMENDATION AND ORDER GRANTING MOTION FOR WITNESS FEES (POST CONVICTION) - Transaction 6865737 - Approved By: NOREVIEW : 09-06-2018:09:41:52		
9/7/2018	NEF	Proof of Electronic Service	Transaction 6869452 - Approved By: NOREVIEW : 09-07-2018:14:58:39		
9/10/2018	2592	Notice of Witnesses	NOTICE OF EXPERT WITNESSES - Transaction 6871588 - Approved By: CVERA : 09-10-2018:15:44:04		
9/10/2018	NEF	Proof of Electronic Service	Transaction 6871930 - Approved By: NOREVIEW : 09-10-2018:15:45:21		
9/12/2018	2490	Motion ...	Motion to Modify Oct. 1, 2018 Hearing Schedule - Transaction 6875757 - Approved By: PMSEWELL : 09-12-2018:13:23:56		
9/12/2018	2490	Motion ...	Motion for Further Discovery - Transaction 6875755 - Approved By: PMSEWELL : 09-12-2018:13:23:56		
9/12/2018	NEF	Proof of Electronic Service	Transaction 6875793 - Approved By: NOREVIEW : 09-12-2018:13:25:11		
9/12/2018	NEF	Proof of Electronic Service	Transaction 6875791 - Approved By: NOREVIEW : 09-12-2018:13:25:04		
9/12/2018	3060	Ord Granting Mtn ...	ORDER GRANTING STATE'S MOTION IN LIMINE TO ADMIT SCR250 MEMORANDUM OF MICHAEL SPECCI - Transaction 6875791 - Approved By: NOREVIEW : 09-12-2018:13:25:04		
9/12/2018	NEF	Proof of Electronic Service	Transaction 6876759 - Approved By: NOREVIEW : 09-12-2018:16:18:19		
9/13/2018	3735	Receipt	RECEIPT FOR DOCUMENTS PRODUCED BY NEVADA DEPARTMENT OF CORRECTIONS PURSUANT TO : Transaction 6876759 - Approved By: NOREVIEW : 09-12-2018:16:18:19		
9/13/2018	NEF	Proof of Electronic Service	Transaction 6879329 - Approved By: NOREVIEW : 09-13-2018:16:32:54		
9/17/2018	4185	Transcript	Telephonic Conference - 9-17-18 - Transaction 6884012 - Approved By: NOREVIEW : 09-17-2018:17:50:34		
9/17/2018	NEF	Proof of Electronic Service	Transaction 6884015 - Approved By: NOREVIEW : 09-17-2018:17:51:33		
9/17/2018	NEF	Proof of Electronic Service	Transaction 6882354 - Approved By: NOREVIEW : 09-17-2018:10:52:28		
9/17/2018	NEF	Proof of Electronic Service	Transaction 6883934 - Approved By: NOREVIEW : 09-17-2018:17:01:53		
9/17/2018	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR FURTHER DISCOVERY - Transaction 6883708 - Approved By: CVERA : 09-17-2018:17:01:53		
9/17/2018	2842	Ord Denying Motion	TO DISAUALIFY THE WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE - Transaction 6882337 - Approved By: CVERA : 09-17-2018:17:01:53		
9/18/2018	NEF	Proof of Electronic Service	Transaction 6884694 - Approved By: NOREVIEW : 09-18-2018:11:01:50		
9/18/2018	NEF	Proof of Electronic Service	Transaction 6884698 - Approved By: NOREVIEW : 09-18-2018:11:02:52		
9/18/2018	S200	Request for Submission Complet	MOTION GRANTED		

Case ID:		CR98-0516	Case Type:	Case Description: STATE VS SIAOSI VANISI (D4) CRIMINAL	Initial Filing Date:	2/26/1998
9/18/2018	3060	Ord Granting Mtn ...	FOR FURTHER DISCOVERY - Transaction 6886246 - Approved By: NOREVIEW : 09-18-2018:16:36:29			
9/18/2018	3795	Reply...	Reply to Opposition to Motion for further Discovery - Transaction 6884636 - Approved By: PMSEWELL : 09-18-2018:16:36:29			
9/18/2018	NEF	Proof of Electronic Service	Transaction 6886261 - Approved By: NOREVIEW : 09-18-2018:16:39:56			
9/18/2018	3860	Request for Submission	- Transaction 6884647 - Approved By: PMSEWELL : 09-18-2018:11:01:34			
9/19/2018	NEF	Proof of Electronic Service	Transaction 6888764 - Approved By: NOREVIEW : 09-19-2018:16:42:12			
9/19/2018	4505	Crt Ord Psych Eval - Conf.	Transaction 6888369 - Approved By: PMSEWELL : 09-19-2018:16:40:49			
9/24/2018	NEF	Proof of Electronic Service	Transaction 6895223 - Approved By: NOREVIEW : 09-24-2018:15:03:05			
9/24/2018	4185	Transcript	Report Psychiatric Evaluations - 9-24-18 - Transaction 6895788 - Approved By: NOREVIEW : 09-24-2018:20:43			
9/24/2018	NEF	Proof of Electronic Service	Transaction 6895789 - Approved By: NOREVIEW : 09-24-2018:20:44:35			
9/24/2018	MIN	***Minutes	ADMINISTRATIVE CONFERENCE CALL - 9/17/18 - Transaction 6895220 - Approved By: NOREVIEW : 09-24-2018:20:44:35			
9/24/2018	NEF	Proof of Electronic Service	Transaction 6895137 - Approved By: NOREVIEW : 09-24-2018:14:42:22			
9/24/2018	MIN	***Minutes	STATUS CONFERENCE - 9/5/18 - Transaction 6895128 - Approved By: NOREVIEW : 09-24-2018:14:40:55			
9/25/2018	NEF	Proof of Electronic Service	Transaction 6895804 - Approved By: NOREVIEW : 09-25-2018:05:33:57			
9/25/2018	4185	Transcript	Transaction 6895803 - Approved By: NOREVIEW : 09-25-2018:05:32:57			
9/25/2018	4185	Transcript	Transaction 6897507 - Approved By: NOREVIEW : 09-25-2018:15:29:21			
9/25/2018	NEF	Proof of Electronic Service	Transaction 6897515 - Approved By: NOREVIEW : 09-25-2018:15:30:37			
9/26/2018	MIN	***Minutes	REPORT ON PSYCHIATRIC EVALUATIONS - 9/24/18 - Transaction 6900114 - Approved By: NOREVIEW : 09-26-2018:17:08:16			
9/26/2018	NEF	Proof of Electronic Service	Transaction 6900115 - Approved By: NOREVIEW : 09-26-2018:17:08:16			
9/28/2018	MIN	***Minutes	STATUS HEARING - PETITIONER'S WAIVER OF EVIDENTIARY HEARING - 9/25/18 - Transaction 6903702 - Approved By: NOREVIEW : 09-28-2018:15:04:10			
9/28/2018	2490	Motion ...	Motion for Leave to File Supplement to Petition for Writ of Habeas Corpus - Transaction 6903790 - Approved By: NOREVIEW : 09-28-2018:15:04:10			
9/28/2018	NEF	Proof of Electronic Service	Transaction 6903709 - Approved By: NOREVIEW : 09-28-2018:15:04:10			
9/28/2018	NEF	Proof of Electronic Service	Transaction 6903328 - Approved By: NOREVIEW : 09-28-2018:12:45:09			
9/28/2018	4185	Transcript	Transaction 6903321 - Approved By: NOREVIEW : 09-28-2018:12:44:07			
10/1/2018	NEF	Proof of Electronic Service	Transaction 6904577 - Approved By: NOREVIEW : 10-01-2018:10:49:06			
10/8/2018	NEF	Proof of Electronic Service	Transaction 6916981 - Approved By: NOREVIEW : 10-08-2018:16:16:38			
10/8/2018	2645	Opposition to Mtn ...	OPPOSITION TO MOTION FOR LEAVE TO FILE SUPPLEMENT TO PETITION FOR WRIT OF HABEAS CORPUS - Transaction 6903790 - Approved By: NOREVIEW : 09-28-2018:15:04:10			
10/11/2018	T200	Tickle End Code				
10/15/2018	NEF	Proof of Electronic Service	Transaction 6928832 - Approved By: NOREVIEW : 10-15-2018:14:53:46			
10/15/2018	3860	Request for Submission	MOTION FOR LEAVE TO FILE SUPPLEMENT TO PETITION FOR WRIT OF HABEAS CORPUS FILED 9/28/18 - Transaction 6903790 - Approved By: NOREVIEW : 09-28-2018:15:04:10			
10/15/2018	3795	Reply...	Reply to Opposition to Motion for Leave to File Supplement to Petition for Writ of Habeas Corpus - Transaction 6903790 - Approved By: NOREVIEW : 09-28-2018:15:04:10			
10/15/2018	NEF	Proof of Electronic Service	Transaction 6928796 - Approved By: NOREVIEW : 10-15-2018:14:49:02			
10/19/2018	NEF	Proof of Electronic Service	Transaction 6938207 - Approved By: NOREVIEW : 10-19-2018:16:32:13			
10/19/2018	MIN	***Minutes	RETURN OF SUBPOENA DUCES TECUM (NDOC) - 9/13/18 - Transaction 6938204 - Approved By: NOREVIEW : 10-19-2018:16:32:13			
12/21/2018	3347	Ord to Set	- ORAL ARGUMENTS ON THE MOTION FOR LEAVE TO FILE SUPPLEMENT TO PETITION FOR WRIT OF HABEAS CORPUS - Transaction 6903790 - Approved By: NOREVIEW : 09-28-2018:15:04:10			
12/21/2018	S200	Request for Submission Completed	ORDER TO SET ORAL ARGUMENTS FILED			
12/21/2018	NEF	Proof of Electronic Service	Transaction 7036929 - Approved By: NOREVIEW : 12-21-2018:14:25:23			
1/8/2019	NEF	Proof of Electronic Service	Transaction 7057521 - Approved By: NOREVIEW : 01-08-2019:15:47:28			
1/8/2019	1250	Application for Setting	APPLICATION FOR SETTING: ORAL ARGUMENTS ON MOTION - JAN 25, 2019, 9:00 AM - Transaction 7057521 - Approved By: NOREVIEW : 01-08-2019:15:47:28			
1/14/2019	T200	Tickle End Code				

Case ID:		CR98-0516	Case Type:	CRIMINAL	Initial Filing Date:	2/26/1998
2/6/2019	2827	Ord Deny/Dism Post Conviction	ORDER DENYING RELIEF - GROUND 20 OF PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTI			
2/6/2019	F230	Other Manner of Disposition				
2/6/2019	3105	Ord Granting ...	ORDER GRANTING WAIVER OF EVIDENTIARY HEARING - Transaction 7105196 - Approved By: NOREVIEW			
2/6/2019	NEF	Proof of Electronic Service	Transaction 7105199 - Approved By: NOREVIEW : 02-06-2019:13:20:37			
2/6/2019	NEF	Proof of Electronic Service	Transaction 7105978 - Approved By: NOREVIEW : 02-06-2019:15:49:55			
2/6/2019	2540	Notice of Entry of Ord	Transaction 7105974 - Approved By: NOREVIEW : 02-06-2019:15:48:58			
2/6/2019	NEF	Proof of Electronic Service	Transaction 7105204 - Approved By: NOREVIEW : 02-06-2019:13:21:30			
2/8/2019	T200	Tickle End Code				
2/14/2019	3370	Order ...	ORDER - PAYMENT OF TRANSCRIPT FEES - Transaction 7120187 - Approved By: NOREVIEW : 02-14-2019:			
2/14/2019	NEF	Proof of Electronic Service	Transaction 7120188 - Approved By: NOREVIEW : 02-14-2019:17:11:30			
2/15/2019	4185	Transcript	Oral Arguments - 1-25-19 - Transaction 7121165 - Approved By: NOREVIEW : 02-15-2019:11:45:27			
2/15/2019	NEF	Proof of Electronic Service	Transaction 7121376 - Approved By: NOREVIEW : 02-15-2019:12:18:53			
2/15/2019	2842	Ord Denying Motion	ORDER DENYING MOTION FOR LEAVE TO FILE SUPPLEMENT TO PETITION FOR WRIT OF HABEAS COF			
2/15/2019	NEF	Proof of Electronic Service	Transaction 7121171 - Approved By: NOREVIEW : 02-15-2019:11:46:48			
2/21/2019	MIN	***Minutes	MOTION FOR LEAVE TO FILE SUPPLEMENT TO PETITION FOR WRIT OF HABEAS CORPUS - 1/25/19 - Tr			
2/21/2019	NEF	Proof of Electronic Service	Transaction 7128593 - Approved By: NOREVIEW : 02-21-2019:11:37:51			
2/22/2019	NEF	Proof of Electronic Service	Transaction 7131373 - Approved By: NOREVIEW : 02-22-2019:14:11:54			
2/22/2019	2540	Notice of Entry of Ord	Transaction 7131369 - Approved By: NOREVIEW : 02-22-2019:14:10:55			
2/25/2019	NEF	Proof of Electronic Service	Transaction 7134036 - Approved By: NOREVIEW : 02-25-2019:14:49:36			
2/25/2019	NEF	Proof of Electronic Service	Transaction 7134037 - Approved By: NOREVIEW : 02-25-2019:14:49:56			
2/25/2019	1350	Certificate of Clerk	CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7134253 - Approved By: N			
2/25/2019	1310	Case Appeal Statement	DFX: CASE NUMBER ON DOCUMENT DOESN'T MATCH CASE FILING INTO - CASE APPEAL STATEMENT ·			
2/25/2019	NEF	Proof of Electronic Service	Transaction 7134259 - Approved By: NOREVIEW : 02-25-2019:15:26:29			
2/25/2019	2515	Notice of Appeal Supreme Court	DFX: CASE NUMBER ON DOCUMENT DOESN'T MATCH CASE FILING INTO - - Transaction 7133984 - Appro			

1 CODE No. 3105
2
3
4

5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,**
7 **IN AND FOR THE COUNTY OF WASHOE**

8 * * *

9 **SIAOSI VANISI,**

10 **Petitioner,**

11 **v.**

Case No. CR98-0516

12 **WILLIAM GITTERE, Warden, et. al.,**

Dept. No. 4

13 **Respondent.**
14 _____/

15 **ORDER GRANTING WAIVER OF EVIDENTIARY HEARING**

16 The Court has read and considered 1) the Request from Defendant to Waive
17 Evidentiary Hearing, filed in proper person by Petitioner Siaoisi Vanisi on July 24, 2018; 2) the
18 Federal Public Defender's Suggestion of Incompetency and Motion for Evaluation, filed July
19 25, 2018; 3) the State's Response to Suggestion of Incompetency and Motion for Evaluation,
20 filed July 30, 2018; 4) the Federal Public Defender's Reply to State's Response to Petitioner's
21 Suggestion of Incompetence and Motion for Evaluation, and the supporting exhibit attached
22 thereto, filed August 6, 2018; 5) the State's Motion to Set Hearing Regarding Vanisi's Request
23 to Waive Evidentiary Hearing, filed July 25, 2018; and 6) the State's Addendum to Motion to
24 Set Hearing Regarding Vanisi's Requests to Waive Evidentiary Hearing, and the exhibit
25 attached thereto, filed August 20, 2018. Additionally, the Court has considered the written
26 evaluations of Dr. Moulton and Dr. Zuchowski, as well as their testimony during the evidentiary

1 hearing held September 24, 2018. The Court has also considered the arguments of the
2 parties, and Petitioner's own statements, made in open court on September 24 and September
3 25, 2018.

4 I. Procedural History

5 Petitioner was convicted of first degree murder and sentenced to death by a jury in
6 1999. His direct appeal was denied on May 17, 2001. See *Vanisi v. State*, 117 Nev. 330, 22
7 P.3d 1164 (2001). Petitioner filed his first post-conviction petition for writ of habeas corpus in
8 2002, and this Court denied it after an evidentiary hearing. The Nevada Supreme Court
9 affirmed that order on April 20, 2010. See Order of Affirmance, April 20, Dkt. No. 50607.
10 Petitioner then filed a second petition for writ of habeas corpus challenging the performance of
11 post-conviction counsel Scott Edwards and Thomas Qualls. On April 20, 2014, this Court
12 entered its Findings of Fact, Conclusions of Law and Judgment Dismissing Petition for Writ of
13 Habeas Corpus, which dismissed Petitioner's second petition for writ of habeas corpus (post-
14 conviction). On September 28, 2017, the Nevada Supreme Court entered its Order Affirming
15 in Part, Reversing in Part and Remanding (hereafter "the Order"). The Order affirmed the bulk
16 of this Court's 2014 decision dismissing the petition, agreeing with its analysis on 21 out of the
17 22 asserted grounds for relief. *Id.* The only exception was Ground 20, which was Petitioner's
18 claim that his first post-conviction counsel were ineffective for failing to challenge the trial
19 attorneys' approach to mitigation evidence during the penalty phase. The Order remanded the
20 matter to district court for an evidentiary hearing focused on the question of whether or not trial
21 counsel were ineffective with respect to their investigation and strategy regarding sentencing
22 phase mitigation.

23 Pursuant to the Order, this Court set an evidentiary hearing, scheduled to begin in early
24 October, 2018. On May 30, 2018, this Court canvassed Petitioner in open court regarding his
25 desire to waive his appearance during the evidentiary hearing, and accepted Petitioner's
26 decision to waive his presence. Subsequently, this Court received a letter from Petitioner

1 dated July 24, 2018. The letter indicated to the Court that he wished to waive the evidentiary
2 hearing altogether. The letter also indicated that the remaining ground pursued by the Federal
3 Public Defender ("FPD") was inconsistent with Petitioner's wishes, and without his consent.

4 Subsequently, Petitioner sent a second letter dated August 13, 2018, addressed to the
5 prosecutors assigned to his case, which was provided to this Court by counsel for the State. In
6 the letter Petitioner made it clear he desired to pursue a waiver of the upcoming evidentiary
7 hearing, but that the Federal Public Defender has rebuffed his requests for research on this
8 issue. On September 5, 2018, Petitioner appeared before this Court with his counsel. He told
9 the Court that he wanted to waive the evidentiary hearing, and that he did not agree with the
10 strategy of the FPD. See Transcript of Proceedings, September 5, 2018. Petitioner argued
11 that he was oriented to time and place, and understood the proceedings against him. *Id.*, 35-
12 36. He argued that a competency evaluation would be a waste of resources, but that he would
13 cooperate with an evaluation if this Court ordered one. *Id.*

14 This Court observed that Petitioner appeared to be competent during the September 5,
15 2018 hearing, articulating his position cogently. In an abundance of caution, the Court ordered
16 that Petitioner be evaluated for competency. The Order For Expedited Psychiatric Evaluations
17 required the evaluators to make the inquiry contemplated by *Calambro v. District Court*, 114
18 Nev. 961 (1998): 1) whether Petitioner has the capacity to appreciate his position and make a
19 rational choice with respect to waiving the scheduled evidentiary hearing; or 2) whether
20 Petitioner has such a mental disease, disorder, or defect that his capacity to make that
21 decision might be substantially affected. See Order for Expedited Psychiatric Evaluations, filed
22 September 6, 2018. Two written evaluations were provided to this Court, both opining that
23 Petitioner had the capacity to appreciate his position, and that his choice to waive the
24 evidentiary hearing was rational. A hearing on the evaluations was conducted on September
25 24, 2018, and counsel for the State and Petitioner had the opportunity to traverse the findings.
26 See Transcript of Proceedings, September 24, 2018.

1 II. Findings of Fact and Conclusions of Law

2 A. Petitioner Has the Capacity to Appreciate His Position, and To Make
3 a Rational Choice Regarding His Litigation Options.

4 The Court has received the report from Dr. Steven Zuchowski indicating that Petitioner
5 has the capacity to appreciate his decision, and to make a rational choice with respect to his
6 desire to waive the evidentiary hearing. On September 24, 2018, Dr. Zuchowski testified
7 regarding his findings. See Transcript of Proceedings, Competency for Petitioner to Waive
8 Evidentiary Hearing. Dr. Zuchowski testified that he is a forensic psychiatrist, and has testified
9 as an expert regarding the subject of competency approximately 100 times. He has been
10 recognized as an expert in this subject in the Second Judicial District Court, Eighth Judicial
11 District Court, and the Federal District of Nevada. *Id.*, 9.

12 Dr. Zuchowski testified that Petitioner has schizoaffective disorder, bipolar type, but that
13 the symptoms of Petitioner's mental illness were in good remission at the time of the interview.
14 *Id.*, 22, 52. He observed Petitioner to be alert and cooperative, with linear thought processes
15 and no suicidal ideation. *Id.*, 70-71; 81. Petitioner told Dr. Zuchowski that his intent in waiving
16 the remaining penalty phase claim is to more quickly exhaust his state habeas claims and
17 related state appeals, so that his trial phase claims can be considered by the federal courts.
18 *Id.*, 42-43; 58-59. Dr. Zuchowski explained that Petitioner was not interested in a lesser
19 sentence, and that Petitioner felt that the FPD's efforts were directed at the goal of avoiding
20 the death penalty, while Petitioner's goal is to avoid lingering in prison for the rest of his life.
21 *Id.*, 68, 86.

22 Dr. Zuchowski was confident that Petitioner understood his position, and that
23 Petitioner's expressed intent was the product of rational thought, and not that Petitioner's
24 decision was impacted by Petitioner's mental illness. *Id.*, 10-11. Dr. Zuchowski opined that
25 Petitioner's decision was not the product of mania, grandiosity, or delusional thinking. *Id.*, 19-

26 ///

1 20; 63. Petitioner acknowledged to Dr. Zuchowski that he has no influence over the federal
2 courts, and that he could lose in in federal court and ultimately face execution. *Id.*, 64.

3 Dr. Moulton, a forensic psychologist, also evaluated Petitioner. Dr. Moulton testified
4 that though he also has experience in the area of correctional psychology, the bulk of his work
5 is in the area of adjudicative competence. See Transcript of Proceedings, Report on
6 Psychiatric Evaluation, September 24, 2018, 5-7. He has been recognized as an expert in the
7 area of competency by courts in the Second, Eighth, and Tenth Judicial Districts. *Id.*, 53-54.

8 Dr. Moulton explained that during the evaluation, he did not assess Petitioner's mental
9 illness to be active to the degree that rendered him unfit to make decisions about his case. *Id.*,
10 13. He noted that Petitioner was forthcoming during the interview, and explained that
11 Petitioner explained his own perspective on how Petitioner would like to proceed, which
12 Petitioner believes to be at odds with what the current course of FPD's representation. *Id.*, 33.
13 Dr. Moulton testified that Petitioner expressed his dissatisfaction with the FPD's strategy of
14 continuing to pursue penalty phase relief, and expressed his desire to pursue relief in the
15 federal courts, with Petitioner's goal being a new trial. *Id.*, 44-45; 64-66. Dr. Moulton further
16 explained that Petitioner was concerned about the additional time that litigation of the
17 remaining state court claim would take, including the resulting state appellate litigation. *Id.*, 67.

18 Dr. Moulton was clear in his assessment that Petitioner's desired course of action is
19 rational, and does not flow from any delusion or other aspect of Petitioner's mental illness. *Id.*,
20 66-69. Dr. Moulton further testified that instead, Petitioner understands that he is in a life or
21 death situation, understands that his attorneys advise against waiving the upcoming hearing,
22 and wishes to take that chance nonetheless. *Id.* According to Dr. Moulton, Petitioner simply
23 does not share the priority of penalty phase relief, and wishes to instead waive his state court
24 claims so that he can return to pursuing trial phase relief via the federal courts. *Id.*, 44, 64-66.

25 Based on the reports and testimony of Dr. Zuchowski and Dr. Moulton, the Court finds
26 that Petitioner has the capacity to appreciate his position and to make a rational choice with

1 respect to waiving the scheduled evidentiary hearing. While the decision may be contrary to
2 the advice of the FPD, based on the experts' unequivocal reports and testimony, the Court is
3 confident that Petitioner's capacity to make this decision is not substantially affected by a
4 mental disease, disorder, or defect.

5 B. Petitioner May Properly Decide His Litigation Objective.

6 Having determined that Petitioner is competent to make decisions about his case, the
7 Court turns to the question of whether waiver of the evidentiary hearing is the sort of decision
8 that a client can make. The Federal Public Defender asserts that waiver of the evidentiary
9 hearing is a strategic decision within the exclusive purview of counsel, and that Petitioner may
10 not properly waive the hearing against the advice of counsel. The FPD cites to NRPC 1.2 (a)
11 and NRPC 1.14. The FPD asserts that Petitioner is suffering from a diminished capacity, and
12 therefore decisions such as the waiver of the evidentiary hearing should be left to the FPD, not
13 to Petitioner himself. Having determined, based on the competency evaluations and the
14 experts' testimony, that Petitioner's capacity is not diminished, the Court is not persuaded by
15 this argument.

16 The State asserts that pursuant to NRPC 1.2(a), the FPD is obligated to abide by its
17 client's decision concerning the objectives of representation. The Court agrees. Petitioner is
18 competent, and clearly expressed that he is not interested in the objective of penalty phase
19 relief. Instead, he wishes to exhaust his State penalty-phase claim faster by waiving the
20 evidentiary hearing ordered by the Nevada Supreme Court, as well as the appeals that would
21 normally follow. Petitioner has the right to decide the goals of his litigation, even if his choice
22 were to submit to a death sentence. *Calambro v. Second Judicial Dist. Court*, 114 Nev. 961,
23 964 P.2d 794 (1998), *cert. denied*, 525 U.S. 1149, 119 S.Ct. 1048 (1999). The FPD wishes to
24 continue litigating the penalty-phase claim regarding mitigation, but Petitioner is their client,
25 and the client does not authorize that action. While this Court informed Petitioner that the
26 Court believes his decision is ill-advised, it is Petitioner's decision to make.

1 C. Petitioner Made a Knowing, Voluntary, and Intelligent Waiver of the
2 Evidentiary Hearing.

3 Having found that Petitioner possesses the capacity to make decisions about his case,
4 the Court canvassed Petitioner about his desire to waive the upcoming evidentiary hearing.
5 The canvass began in the afternoon on September 24, 2018. Transcript of Proceedings,
6 Competency for Petitioner to Waive Evidentiary Hearing, 90-94. The Court explained to
7 Petitioner that such a waiver would mean that Petitioner would not prevail regarding the
8 remaining ground for relief, and this Court would have to set a new execution date for him. *Id.*
9 At that time, Petitioner expressed a clear desire to waive the hearing. *Id.* Nonetheless, this
10 Court took a recess so that Petitioner could discuss his decision further with his attorneys. *Id.*,
11 94-95. When the Court reconvened the proceedings, Petitioner had not changed his mind. *Id.*
12 The Court explained to Petitioner that without the scheduled hearing, it would not have any
13 evidence to consider regarding the mitigation claim, and would not be able to rule in
14 Petitioner's favor. *Id.*, 104-105. Petitioner indicated that he understood. *Id.* The Court then
15 recessed overnight in order to allow Petitioner to have additional time to consider his decision.
16 *Id.*, 108.

17 The next day, Petitioner again appeared with his counsel. See Transcript of
18 Proceedings, Report on Psychiatric Evaluation, September 25, 2018. This Court asked
19 Petitioner if he understood that he could ultimately lose his federal appeals. *Id.*, 4. Petitioner
20 acknowledged the end result of exhausting his federal appeals: "I would be executed." *Id.*
21 This Court emphasized to Petitioner that his attorneys advised against taking such a risk, and
22 that his attorneys did not necessarily anticipate that Petitioner would prevail in federal court. 5-
23 7. The Court then further advised Petitioner that if he were to prevail on his remaining State
24 court claim, he would be eligible for resentencing, and that possible sentences included life
25 with the possibility of parole, or a term of years. Petitioner indicated that he still wanted to
26 waive the evidentiary hearing, and repeated that he was not interested in "penalty phase
 relief." *Id.*

1 THE COURT: If you keep going with your appeal and finish out
2 your state court appeal and then go to the federal court, do you
3 understand that you might—it might be another period of time in the
4 federal court that would prolong the death sentence, even if you
5 lose?

6 THE DEFENDANT: Yes, I understand my prolonged—but my life
7 clock is ticking, your honor. I want to be able to go into federal
8 court to see what they will give me. I'm willing to take my chances
9 in federal courts.

10 THE COURT: And federal court, what if federal court says, No,
11 we're not going to grant any relief to you?

12 THE DEFENDANT: That's fine, your Honor. I'm going to accept
13 that.

14 *Id.*, 8-9.

15 The Court then recessed again to allow Petitioner to review the Nevada Supreme
16 Court's Order Affirming in Part, Reversing in Part and Remanding. *Id.*, 9-14. After the recess,
17 Petitioner indicated that he still had not changed his mind. *Id.*, 14. This Court then canvassed
18 Petitioner to ensure he understood that if he waived the evidentiary hearing, he would not be
19 able to take a substantive appeal on this Court's ruling regarding the mitigation claim. *Id.*, 17.
20 The Court informed Petitioner that he would not be entitled to an evidentiary hearing in the
21 future on his mitigation claim. The Court also canvassed Petitioner regarding the possible
22 penalties for which he might be eligible if he were to receive penalty-phase relief. *Id.*, 18-21.
23 Petitioner advised the Court that he had not been forced to make his decision, and agreed that
24 no one had guaranteed him anything. *Id.*, 21. The Court then accepted Petitioner's waiver of
25 the evidentiary hearing.

26 ///

The Court finds that Petitioner's decision to waive the evidentiary hearing on the remaining state habeas claim, which alleged ineffective assistance with respect to mitigation during the penalty phase, was knowing, voluntary, and intelligent.

DATED this 5 day of February, 2019.

Connie J. Steinheimer
DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the
STATE OF NEVADA, COUNTY OF WASHOE; that on the 6th day of
February, 2019, I filed the attached document with
the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document
by the method(s) noted below:

 Personal delivery to the following: [NONE]

 X **Electronically filed with the Clerk of the Court, using the eFlex system which
constitutes effective service for all eFiled documents pursuant to the efile User
Agreement:**

Jenny Noble, Esq.
Chief Deputy District Attorney

Randolph Fiedler, Esq.
Assistant Federal Public Defender

 X **Transmitted document to the Second Judicial District Court mailing system
in a sealed envelope for postage and certified mailing with the United States Postal
Service in Reno, Nevada:**

Siaosi Vanisi
Inmate no. 63376
NNCC
P.O. Box 7000
Carson City, Nevada 89702

 Placed a true copy in a sealed envelope for service via:

 Reno/Carson Messenger Service – **[NONE]**

 Federal Express or other overnight delivery service – **[NONE]**

 Inter-Office Mail – **[NONE]**

DATED this 6th day of February, 2019.

M. Stone

1 CODE No. 2827
2
3
4

5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,**
7 **IN AND FOR THE COUNTY OF WASHOE**

8 * * *

9 **SIAOSI VANISI,**

10 **Petitioner,**

11 **v.**

Case No. CR98-0516

12 **WILLIAM GITTERE, Warden, et. al.,**

Dept. No. 4

13 **Respondent.**
14 _____/

15 **ORDER DENYING RELIEF**

16 On April 10, 2014, this Court entered its Findings of Fact, Conclusions of Law and
17 Judgment Dismissing Petition for Writ of Habeas Corpus, which dismissed Petitioner's second
18 petition for writ of habeas corpus (post-conviction). On September 28, 2017, the Nevada
19 Supreme Court entered its Order Affirming in Part, Reversing in Part and Remanding
20 (hereafter "the Order"). The Order affirmed the bulk of this Court's 2014 decision dismissing
21 the petition, agreeing with its analysis on 21 out of the 22 asserted grounds for relief. *Id.* The
22 only exception was Ground 20, which was Petitioner's claim that his first post-conviction
23 counsel were ineffective for failing to challenge the trial attorneys' approach to mitigation
24 evidence during the penalty phase. The Order remanded the matter to the district court for an
25 evidentiary hearing focused on the question of whether or not trial counsel were ineffective
26 with respect to their investigation and strategy regarding sentencing-phase mitigation.

1 Pursuant to the Order, this Court set an evidentiary hearing, scheduled to begin in early
2 October, 2018. Subsequently, this Court received a letter from Petitioner dated July 24, 2018.
3 The letter indicated to the Court that he wished to waived the evidentiary hearing altogether.
4 The letter also indicated that the remaining ground pursued by the Federal Public Defender
5 ("FPD") was inconsistent with Petitioner's wishes, and without his consent. Petitioner also sent
6 a second letter, dated August 13, 2018, addressed to the prosecutors assigned to his case,
7 which was provided to this Court by counsel for the State. In the letter Petitioner made it clear
8 he desired to pursue a waiver of the upcoming evidentiary hearing, but that the Federal Public
9 Defender has rebuffed his requests for research on this issue. On September 5, 2018,
10 Petitioner appeared before this Court with his counsel. He told the Court that he wanted to
11 waive the evidentiary hearing, and that he did not agree with the strategy of the FPD. See
12 Transcript of Proceedings, September 5, 2018. Petitioner argued that he was oriented to time
13 and place, and understood the proceedings against him. *Id.*, 35- 36. He argued that a
14 competency evaluation requested by his counsel would be a waste of resources, but that he
15 would cooperate with an evaluation if this Court ordered one. *Id.*

16 This Court observed that Petitioner appeared to be competent during the September 5,
17 2018 hearing, and that he articulated his position cogently. In an abundance of caution, the
18 Court ordered that Petitioner be evaluated by two mental health experts. The Order For
19 Expedited Psychiatric Evaluations required the evaluators to make the inquiry contemplated by
20 *Calambro v. District Court*, 114 Nev. 961 (1998): 1) whether Petitioner has the capacity to
21 appreciate his position and make a rational choice with respect to waiving the scheduled
22 evidentiary hearing; or 2) whether Petitioner has such a mental disease, disorder, or defect
23 that his capacity to make that decision might be substantially affected. See Order for
24 Expedited Psychiatric Evaluations, filed September 6, 2018.

25 Two written evaluations were provided to this Court, both opining that Petitioner had the
26 capacity to appreciate his position, and that his choice to waive the evidentiary hearing was

1 rational. A hearing on the evaluations was conducted on September 24, 2018, and counsel for
2 the State and Petitioner had the opportunity to traverse the findings. This Court canvassed
3 Petitioner about his desire to waive the hearing on September 24 and September 25, 2018.
4 Ultimately, this Court concluded that Petitioner had the capacity to make the decision, and the
5 right to make decisions regarding his litigation objective. See Order Granting Waiver of
6 Evidentiary Hearing.

7 The Court now turns to Petitioner's sole remaining State-court claim, which contends
8 that post-conviction counsel were ineffective for failing to investigate mitigation evidence to
9 substantiate an ineffective assistance of trial counsel claim. The Nevada Supreme Court's
10 Order held that post-conviction counsel's performance was deficient in failing to pursue such a
11 claim, but remanded for an evidentiary hearing so that this Court could hear evidence
12 regarding prejudice. Order, pp. 6-7. Specifically, the evidentiary hearing was an opportunity for
13 Petitioner to establish that trial counsel could have discovered and presented mitigation
14 evidence that would have established the reasonable probability of a different outcome at the
15 penalty hearing. *Id.*

16 Petitioner has waived his right to the hearing ordered by the Nevada Supreme Court.
17 To be entitled to relief based upon a claim of ineffective assistance of counsel, a petitioner
18 must demonstrate, by a preponderance of evidence, that his counsel's performance was
19 deficient, falling below an objective standard of reasonableness, and that counsel's deficient
20 performance prejudiced the defense. *Means v. State*, 120 Nev. 1001, 1012, 103 P.3d 25, 33
21 (2004); *Riley v. State*, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994). Because Petitioner has

22 ///

23 ///

24 ///

25 ///

26 ///

1 not presented any evidence that the outcome of the proceedings would have been different
2 had additional mitigation evidence been presented, he has failed to demonstrate prejudice.
3 This Court therefore finds that Petitioner is not entitled to relief.

4 IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus (Post-Conviction)
5 filed on May 5, 2011 as to ground 20 is DENIED.

6 DATED this 5 day of February, 2019.

7
8 Connie J. Steinheimer
9 DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the
STATE OF NEVADA, COUNTY OF WASHOE; that on the 6th day of
February, 2019, I filed the attached document with
the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document
by the method(s) noted below:

 Personal delivery to the following: [NONE]

X **Electronically filed with the Clerk of the Court, using the eFlex system which
constitutes effective service for all eFiled documents pursuant to the efile User
Agreement:**

Jenny Noble, Esq.
Chief Deputy District Attorney

Randolph Fiedler, Esq.
Assistant Federal Public Defender

X **Transmitted document to the Second Judicial District Court mailing system
in a sealed envelope for postage and certified mailing with the United States Postal
Service in Reno, Nevada:**

Siaosi Vanisi
Inmate no. 63376
NNCC
P.O. Box 7000
Carson City, Nevada 89702


 Placed a true copy in a sealed envelope for service via:

 Reno/Carson Messenger Service – **[NONE]**

 Federal Express or other overnight delivery service – **[NONE]**

 Inter-Office Mail – **[NONE]**

DATED this 6th day of February, 2019.



1 **CODE 2540**

2
3
4
5 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
6 **IN AND FOR THE COUNTY OF WASHOE**

7
8 **STATE OF NEVADA,**

9 **Plaintiff,**

Case No: CR98-0516

10 **vs.**

Dept. No: 4

11
12 **SIAOSI VANISI,**

13 **Defendant.**
14 _____/

15 **NOTICE OF ENTRY OF ORDER**

16
17 PLEASE TAKE NOTICE that on February 6, 2019 the Court entered a decision or
18 order in this matter, a true and correct copy of which is attached hereto.

19 You may appeal to the Supreme Court from the decision or Order of the Court. If
20 you wish to appeal, you must file a Notice of Appeal with the Clerk of this Court within
21 thirty-three (33) days after the date this notice is mailed to you.

22
23 Dated February 6, 2019.

24
25 JACQUELINE BRYANT
26 Clerk of the Court

27 /s/N. Mason
28 N. Mason-Deputy Clerk

1 **CERTIFICATE OF SERVICE**

2 Case No. CR98-0516

3 Pursuant to NRCP 5 (b), I certify that I am an employee of the Second
4 Judicial District Court; that on February 6, 2019, I electronically filed the Notice of Entry of
5 Order with the Court System which will send a notice of electronic filing to the following:

6
7 JOANNE L. DIAMOND, ESQ. for SIAOSI VANISI

8 JENNIFER P. NOBLE, ESQ. for STATE OF NEVADA

9 RANDOLPH FIEDLER, ESQ. for SIAOSI VANISI

10 JOSEPH R. PLATER, III, ESQ. for STATE OF NEVADA

11
12 I further certify that on February 6, 2019, I deposited in the Washoe
13 County mailing system for postage and mailing with the U.S. Postal Service in Reno,
14 Nevada, a true copy of the attached document, addressed to:

15 Attorney General's Office
16 100 N. Carson Street
17 Carson City, NV 89701-4717

18 Siasos Vanisi # 63376
19 NNCC
20 P. O. Box 7000
21 Carson City, NV 89702

22 The undersigned does hereby affirm that pursuant to NRS 239B.030 and NRS 603A.040, the
23 preceding document does not contain the personal information of any person.

24 Dated February 6, 2019.

25 /s/N. Mason
26 N. Mason- Deputy Clerk
27
28

1 CODE No. 2827
2
3
4

5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,**
7 **IN AND FOR THE COUNTY OF WASHOE**

8 * * *

9 **SIAOSI VANISI,**

10 **Petitioner,**

11 **v.**

Case No. CR98-0516

12 **WILLIAM GITTERE, Warden, et. al.,**

Dept. No. 4

13 **Respondent.**
14 _____/

15 **ORDER DENYING RELIEF**

16 On April 10, 2014, this Court entered its Findings of Fact, Conclusions of Law and
17 Judgment Dismissing Petition for Writ of Habeas Corpus, which dismissed Petitioner's second
18 petition for writ of habeas corpus (post-conviction). On September 28, 2017, the Nevada
19 Supreme Court entered its Order Affirming in Part, Reversing in Part and Remanding
20 (hereafter "the Order"). The Order affirmed the bulk of this Court's 2014 decision dismissing
21 the petition, agreeing with its analysis on 21 out of the 22 asserted grounds for relief. *Id.* The
22 only exception was Ground 20, which was Petitioner's claim that his first post-conviction
23 counsel were ineffective for failing to challenge the trial attorneys' approach to mitigation
24 evidence during the penalty phase. The Order remanded the matter to the district court for an
25 evidentiary hearing focused on the question of whether or not trial counsel were ineffective
26 with respect to their investigation and strategy regarding sentencing-phase mitigation.

1 Pursuant to the Order, this Court set an evidentiary hearing, scheduled to begin in early
2 October, 2018. Subsequently, this Court received a letter from Petitioner dated July 24, 2018.
3 The letter indicated to the Court that he wished to waived the evidentiary hearing altogether.
4 The letter also indicated that the remaining ground pursued by the Federal Public Defender
5 ("FPD") was inconsistent with Petitioner's wishes, and without his consent. Petitioner also sent
6 a second letter, dated August 13, 2018, addressed to the prosecutors assigned to his case,
7 which was provided to this Court by counsel for the State. In the letter Petitioner made it clear
8 he desired to pursue a waiver of the upcoming evidentiary hearing, but that the Federal Public
9 Defender has rebuffed his requests for research on this issue. On September 5, 2018,
10 Petitioner appeared before this Court with his counsel. He told the Court that he wanted to
11 waive the evidentiary hearing, and that he did not agree with the strategy of the FPD. See
12 Transcript of Proceedings, September 5, 2018. Petitioner argued that he was oriented to time
13 and place, and understood the proceedings against him. *Id.*, 35- 36. He argued that a
14 competency evaluation requested by his counsel would be a waste of resources, but that he
15 would cooperate with an evaluation if this Court ordered one. *Id.*

16 This Court observed that Petitioner appeared to be competent during the September 5,
17 2018 hearing, and that he articulated his position cogently. In an abundance of caution, the
18 Court ordered that Petitioner be evaluated by two mental health experts. The Order For
19 Expedited Psychiatric Evaluations required the evaluators to make the inquiry contemplated by
20 *Calambro v. District Court*, 114 Nev. 961 (1998): 1) whether Petitioner has the capacity to
21 appreciate his position and make a rational choice with respect to waiving the scheduled
22 evidentiary hearing; or 2) whether Petitioner has such a mental disease, disorder, or defect
23 that his capacity to make that decision might be substantially affected. See Order for
24 Expedited Psychiatric Evaluations, filed September 6, 2018.

25 Two written evaluations were provided to this Court, both opining that Petitioner had the
26 capacity to appreciate his position, and that his choice to waive the evidentiary hearing was

1 rational. A hearing on the evaluations was conducted on September 24, 2018, and counsel for
2 the State and Petitioner had the opportunity to traverse the findings. This Court canvassed
3 Petitioner about his desire to waive the hearing on September 24 and September 25, 2018.
4 Ultimately, this Court concluded that Petitioner had the capacity to make the decision, and the
5 right to make decisions regarding his litigation objective. See Order Granting Waiver of
6 Evidentiary Hearing.

7 The Court now turns to Petitioner's sole remaining State-court claim, which contends
8 that post-conviction counsel were ineffective for failing to investigate mitigation evidence to
9 substantiate an ineffective assistance of trial counsel claim. The Nevada Supreme Court's
10 Order held that post-conviction counsel's performance was deficient in failing to pursue such a
11 claim, but remanded for an evidentiary hearing so that this Court could hear evidence
12 regarding prejudice. Order, pp. 6-7. Specifically, the evidentiary hearing was an opportunity for
13 Petitioner to establish that trial counsel could have discovered and presented mitigation
14 evidence that would have established the reasonable probability of a different outcome at the
15 penalty hearing. *Id.*

16 Petitioner has waived his right to the hearing ordered by the Nevada Supreme Court.
17 To be entitled to relief based upon a claim of ineffective assistance of counsel, a petitioner
18 must demonstrate, by a preponderance of evidence, that his counsel's performance was
19 deficient, falling below an objective standard of reasonableness, and that counsel's deficient
20 performance prejudiced the defense. *Means v. State*, 120 Nev. 1001, 1012, 103 P.3d 25, 33
21 (2004); *Riley v. State*, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994). Because Petitioner has

22 ///

23 ///

24 ///

25 ///

26 ///

1 not presented any evidence that the outcome of the proceedings would have been different
2 had additional mitigation evidence been presented, he has failed to demonstrate prejudice.
3 This Court therefore finds that Petitioner is not entitled to relief.

4 IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus (Post-Conviction)
5 filed on May 5, 2011 as to ground 20 is DENIED.

6 DATED this 5 day of February, 2019.

7
8 Connie J. Steinheimer
9 DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the
STATE OF NEVADA, COUNTY OF WASHOE; that on the 6th day of
February, 2019, I filed the attached document with
the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document
by the method(s) noted below:

 Personal delivery to the following: [NONE]

X **Electronically filed with the Clerk of the Court, using the eFlex system which
constitutes effective service for all eFiled documents pursuant to the efile User
Agreement:**

Jenny Noble, Esq.
Chief Deputy District Attorney

Randolph Fiedler, Esq.
Assistant Federal Public Defender

X **Transmitted document to the Second Judicial District Court mailing system
in a sealed envelope for postage and certified mailing with the United States Postal
Service in Reno, Nevada:**

Siaosi Vanisi
Inmate no. 63376
NNCC
P.O. Box 7000
Carson City, Nevada 89702


 Placed a true copy in a sealed envelope for service via:

 Reno/Carson Messenger Service – **[NONE]**

 Federal Express or other overnight delivery service – **[NONE]**

 Inter-Office Mail – **[NONE]**

DATED this 6th day of February, 2019.



CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. PE, a.k.a. GEORGE

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

3/10/98 ARRAIGNMENT
HONORABLE District Attorney Dick Gammick and Deputy District Attorney David Stanton 3/19/98
CONNIE represented the State. Defendant present with counsel, Public Defender, 9:00 am
STEINHEIMER Michael Specchio, and Deputy Public Defender, Walter Fey. Motion to
DEPT. NO.4 Defendant handed copy of Information; indicated to the Court that name as Set Trial
M. Stone set forth on same was his true name; waived reading and stood mute. Upon
(Clerk) the Defendant standing mute, Court entered a plea of not guilty to the
K. Bokelmann charges set forth in the Information.
(Reporter) Defendant did waive the 60-Day Rule and COURT ORDERED this matter
continued for jury trial and a briefing schedule to be set.
Upon a notice of intent to seek the death penalty being filed, State's counsel
Gammick set forth aggravating circumstances. State's counsel Gammick
further reserved right to file any additional aggravating circumstances if
necessary.
Defendant remanded to the custody of the sheriff.

CR98-0516
STATE VS SIAOSI
District Court
Washoe County
MTN
DC-9900020820-111
VANISI (D4) 1 Page
03/10/1998 09:00 AM
TWHITE

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/4/98

STATUS HEARING

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State.

CONNIE

Defendant was present with counsel, Public Defender Michael Specchio. Court furnished a file stamped copy of the Order dated August 4, 1998 to respective counsel and discussed the rulings therein.

STEINHEIMER

Regarding the Motion in Limine as to Prior Bad Acts, District Attorney Gammick addressed the Court stating he feels this motion is "moot" and if they come across something, they will produce same to the Court and Defense counsel; Public Defender Specchio requested the Court to "reserve ruling" on this matter.

DEPT. NO. 4

Deputy District Attorney Stanton addressed the Court as to the housing of the Defendant who is presently housed in the Nevada State Prison for security reasons, because the Washoe County Jail is having difficulty with the situation; response by Public Defender Specchio who stated he doesn't have the luxury of driving to Carson City and wants to have the Defendant transferred back to the Washoe County Jail.

B. Walker

COURT ORDERED: The Department of Prisons to provide copies of any evaluation to the State and the Public Defender's office and copies be ongoing. Respective counsel to be notified of any disciplinary action or notes taken by prison officials.

(Clerk)

Deputy District Attorney Stanton addressed the Court, requesting any competency issues be placed on the record.

E. Nelson

COURT will contact Sheriff Means to discuss the housing of the Defendant. Public Defender Specchio addressed the Court requesting the personnel file of Sgt. Sullivan; response by District Attorney Gammick, who suggested meeting to discuss the matter.

Defendant remanded to the custody of the Sheriff.

11/24/98 at 10:00 a.m.

Motion in Limine Re: Reference to Gang Affiliation

Motion in Limine Re: Arrest of Defendant

11/24/98 at 1:30 p.m.

Motion to Avoid Death-Prone Jury

Motion to Preclude Photographs and Television in the Courtroom

Motion for Individual voir dire of Prospective Jurors

3:30 p.m.

Motion in Limine Re: State's DNA Expert

11/25/98 at 10:00 a.m. Motion in Limine Re: Prior Bad Acts

CR98-0516
STATE VS SIAOSI VANISI (04)
District Court
Washoe County
DC-9900020820-109
1 Page
08/04/1998 10:00 AM
MIN
WHITE

DATE, JUDGE

OFFICERS OF

COURT PRESENTAPPEARANCES - HEARINGCONT'D TO

09/04/98

STATUS HEARING

HONORABLE

C O N N I E

STEINHEIMER

DEPT. NO. 4

S. Hopper

(Clerk)

E. Nelson

(Reporter)

District Attorney Richard Gammick was present for the State. Defendant was present being represented by counsel, Washoe County Public Defender Michael Specchio.

Court reviewed the letters and memos between counsel.

Counsel Gammick addressed the Court regarding jury questionnaires and evidence. Court further reviewed personal profile of Sergeant Sullivan.

Counsel Specchio addressed the Court regarding custody status of the Defendant at Washoe County Jail/Nevada State Prison.

COURT ORDERED: Defendant shall be incarcerated at the Washoe County Jail per Captain Means.

Counsel Specchio further addressed the Court regarding a psychiatric evaluation of the Defendant.

COURT ORDERED: Matter continued. Defendant was in custody.

09/28/98

9:00 a.m.

Status Hearing/

Motion for

Psych Eval

CR98-0516
STATE VS SIAOSI VANISI (D4)
District Court
Washoe County
MIN
DC-9900020820-112
1 Page
09/04/1998 08:30 AM
TWITE

CASE NO. CR98-0516 STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/28/98

STATUS HEARING

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David

11/6/98

CONNIE J.

Stanton represented the State.

3:00 p.m.

STEINHEIMER

Defendant was present with counsel, Chief Public Defender Michael

Report on

DEPT. NO. 4

Specchio and Deputy Public Defender Steve Gregory.

Psych. Eval.

B. Walker

Respective counsel stipulated to the Defendant's submitting to a

(Clerk)

psychological evaluation.

L. Clarkson

COURT ORDERED: Two (2) Psychiatrists or Psychologists appointed to

(Reporter)

evaluate the Defendant.

Matter continued.

Defendant in custody.

CR98-0516
STATE VS SIAOSI
District Court
Washoe County
MTN
DC-9900020820-108
VANISI (D4)
09/28/1998 09:00 AM
1 Page
TWITE

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES HEARING

CONT'D TO

11/6/98

REPORT ON PSYCHIATRIC EVALUATION REPORTS

HONORABLE

District Attorney Richard Gammick represented the State. Defendant present with counsel, Public Defender, Michael Specchio.

CONNIE

STEINHEIMER

Court noted receipt of reports from psychiatrists; advised counsel of findings set forth therein.

DEPT. NO. 4

M. Stone

(Clerk)

COURT ENTERED ORDER finding defendant competent to stand trial and to aid counsel in preparation of that trial pursuant to statute.

C. Brown

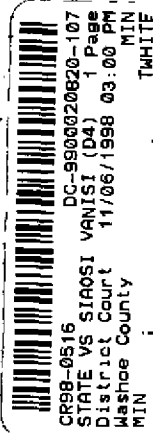
(Reporter)

Court further entered ORDER that the Psychiatric Reports be marked and admitted as exhibits.

Exhibits A and B marked and admitted into evidence.

Discussion ensued regarding the Defendant obtaining private counsel or representing himself. Defendant made statement.

COURT ORDERED matter set for hearing on November 10, 1998, at 11:00 a.m. Defendant must speak with counsel Specchio to weigh his options. Defendant remanded to the custody of the sheriff.



CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES HEARING

CONT'D TO

11/10/98

HEARING REGARDING COUNSEL FOR DEFENDANT

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David

CONNIE

Stanton represented the State. Defendant present with counsel, Public

STEINHEIMER

Defender, Michael Specchio.

DEPT. NO.4

11:00 a.m. Court convened.

M. Stone

Defendant indicated to the Court that he wants Public Defender Specchio

(Clerk)

and his Office to represent him at trial.

E. Nelson

Upon request of State's counsel, COURT FURTHER advised the defendant

(Reporter)

that any future requests for new counsel or to represent himself will be denied, if those requests are made solely to continue the trial and/or if they are not made timely prior to trial.

11:10 a.m. Court recessed. Defendant remanded to the custody of the sheriff.

CR98-0516
STATE VS SIAOSI VANISI (D4)
District Court
Washoe County
DC-9900020820-106
1 Page
11/10/1998 11:00 AM
MIN
TINITE

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/24/98

PRE-TRIAL MOTIONS

HONORABLE

District Attorney Richard A. Gammick and Deputy District Attorney David

CONNIE

Stanton represented the State. Defendant present with counsel, Public

STEINHEIMER

Defender Michael Specchio and Deputy Public Defender Steve Gregory.

DEPT. NO.4

M. Stone

Discussion ensued regarding the order in which the Motions shall be

(Clerk)

heard.

D. Phillips
WHITE
r)

Respective counsel Gammick and Specchio made statement regarding the use of Jury Questionnaires and Individual Voir Dire. COURT ORDERED that decision on this Motion shall be held in abeyance pending receipt by the Court of a Recommendation being prepared by a Jury Consultant. COURT FURTHER ORDERED matter set for hearing on December 10, 1998, at 10:00 a.m.

Upon agreement of respective counsel, Motion to Avoid Death Penalty is submitted for decision on the pleadings, without oral argument.

Motion to preclude photographs and T.V. Reporters by defense counsel Specchio; presented argument. COURT ENTERED ORDER denying the Motion to preclude photographs and T.V. Reporters in the Courtroom, as long as they abide by the rules and regulations set out by the Court. If there is any violations of those rules, the photographers shall be removed from the Courtroom. COURT FURTHER ENTERED ORDER that reporters, with or without cameras may not congregate outside the Courtroom, or be on the floor, with the exception of the one in the Courtroom.

Jeff Riolo called by State's counsel Stanton, sworn and testified.

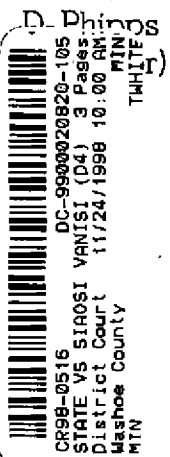
Exhibits 1, 2 and 3 marked and offered by State's counsel Stanton; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Riolo further direct examined; cross-examined by defense counsel Specchio; redirect examined; examined by the Court; excused.

Exhibits 4A-4J marked.

Dr. Ellen Clark called by State's counsel Stanton, sworn and testified.

Exhibit 4A withdrawn.



PAGE TWO

DATE, JUDGE,
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/24/98

CONTINUED PRE-TRIAL MOTIONS

D. Phipps
(Reporter)

Witness Clark further direct examined.

Exhibit 5 marked as demonstrative by State's counsel.

Witness Clark further direct examined; cross-examined; excused.

Motion in Limine regarding Gruesome Photographs by defense counsel Specchio; presented argument; objection and argument by State's counsel Stanton. Upon finding the photographs necessary during the testimony of the Pathologist, COURT ENTERED ORDER denying Motion and allowing the use of pictures marked as Exhibits 4B - 4 J during trial.

Request to Use the Doar System to Display exhibits during trial, including photographs, by State's counsel Stanton; presented argument; objection and argument by defense counsel. Upon finding that the photographs were not any more gruesome when used with the Doar System, COURT ENTERED ORDER granting request. Defense counsel's Objection is noted for the record and shall continue through trial.

Motion in Limine regarding the State's DNA Expert by defense counsel; presented argument; objection and argument by State's counsel. COURT took matter under advisement and ORDERED counsel to provide copies of cases cited to the Law Clerk.

Discussion ensued regarding the Motion in Limine regarding the Arrest of the Defendant.

Exhibit A marked.

COURT ORDERED that any statements against interest made by the Defendant, stated in a report or not in a report, must be disclosed in a hearing outside the presence of the jury to determine its admissibility.

12:00 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

1:40 p.m. Court reconvened with respective counsel and defendant

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

PAGE THREE

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/24/98

CONTINUED PRE-TRIAL MOTIONS

D. Phipps
(Reporter)

present.

12/10/98

10:00 a.m.

Status Hrg

Re: Jury

Question-
naire

Motion in limine regarding prior bad acts and any gang affiliations of the Defendant by defense counsel; presented argument; argument by State's counsel Stanton. Upon agreement by respective counsel, COURT ORDERED that testimony of Vienga Kinney-Kinney be redacted to exclude any reference to gang activity; and if necessary, the State may lead this witness during direct examination. COURT FURTHER ORDERED that the prior bad act regarding the religion of Mormons, be held in abeyance pending progress of trial.

Court reviewed the Motions filed and decided with counsel.

Upon Motion by State's counsel and no objection by defense counsel, COURT ORDERED exhibits 4B-4J and 5 released to the State once copied by the Clerk of the Court.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES - HEARING

CONT'D TO

12/10/98

MOTION FOR JURY QUESTIONNAIRE

HONORABLE

C O N N I E

STEINHEIMER

DEPT. NO. 4

S. Hopper

(Clerk)

L. Clarkson

(Reporter)

District Attorney Richard Gammick was present for the State. Defendant was present being represented by counsel, Public Defender Michael Specchio.

Counsel Specchio addressed the Court regarding the seating arrangements of counsel and the Defendant during trial. Counsel Specchio further addressed the Court regarding trial materials and the possibility of such materials remaining in the courtroom overnight during trial weeks.

COURT ORDERED: All of counsels' trial materials may remain in the courtroom.

Court addressed the security issue of firearms being checked in with the bailiff, Deputy Max Brocaw, when entering the courtroom.

Court further addressed counsel regarding pre-trial jury questionnaire and the approved Jury Questionnaire to be submitted to the Jury Commissioner by January 4th, 1999 at 1:30 p.m.

Court reviewed the jury confidentiality process and policy in Department Four (4).

Court further reviewed its ruling regarding the Motion in Limine as to the District Attorney's DNA expert.

Counsel Gammick addressed the Court regarding Exhibits 5 and 4 (b through j); said exhibits were returned to Clerk Hopper to be returned to Exhibit Clerk Dick Duer. Counsel Gammick further addressed the Court regarding the photos presented to the Public Defender pursuant to discovery.

Counsel Specchio addressed the Court regarding the security of the Defendant and his restraints.

Respective counsel further addressed the Court regarding the Jury Questionnaire; respective counsel shall prepare and submit their respective questions for approval by Wednesday, December 16th, 1998.

SO APPROVED. Defendant was in custody.

CR98-0516
STATE VS SIAOSI VANISI (D4)
District Court
Mashoe County
MTN
DC-9500020820-104
1 Page
12/10/1998 10:00 AM
TWHTF

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

12/30/98

TELEPHONIC HEARING REGARDING JURORS

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David

CONNIE

Stanton represented the State. Public Defender Michael Specchio

STEINHEIMER

represented the Defendant, who was not present.

DEPT. NO.4

Court informed respective counsel of conflict with Juror Haskell. Upon no

M. Stone

objection by respective counsel, COURT ENTERED ORDER releasing Juror

(Clerk)

Haskell from reporting for Jury Service on January 4, 1999.

D. Phipps

Further discussion ensued regarding Jury Selection. Upon waiver and no

(Reporter)

objection by State's counsel, COURT ENTERED ORDER allowing the

Defendant to waive his presence at the January 4, 1999, hearing. Upon

request of State's counsel, the Defendant shall place his waiver on the

record at the January 7, 1999.

Upon discussion regarding the marking the exhibits for the trial, COURT
ENTERED ORDER that State's counsel provide a list of exhibits to the Clerk

to assist in marking the exhibits and that exhibits shall be marked on

January 8, 1999, at 2:00 p.m.

CR98-0516
STATE VS SIAOSI VANISI (04)
District Court
Washoe County
DC-9900020820-103
1 Page
12/23/1998 01:30 PM
M/N
TWITE

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/4/99

VOIR DIRE (JURY SELECTION)

HONORABLE
CONNIE
STEINHEIMER
DEPT. NO.4

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant not present, appearance previously waived, being represented by counsel, Public Defender Michael Specchio and Deputy Public Defenders Steve Gregory and Jeremy Bosler.

M. Stone

10:10 a.m. Court convened.

(Clerk)

First panel of prospective jurors present.

D. Phipps

Court addressed prospective jurors. Court personnel and respective counsel introduced to the jury panel.

(Reporter)

Roll taken of prospective jurors. Upon prospective juror Palmer having her children present, Prospective juror Palmer sworn by Court Clerk and excused to complete Special Juror Instruction "A" and Special Juror Questionnaire.

Further roll taken of prospective jurors; all present except jurors Crook, Dallmann, Fratini, Garaventa, E. Green, Haskell, Latimore, Loring, Morancy, Munns, O'Daye, Polikalas, Ramsey and Saputo. Prospective jurors Armentrout and Domingo also present, although names not initially called in roll.

Upon request, Juror Null sworn by affirmation.

All prospective jurors sworn as to their qualifications to serve as trial jurors.

First panel of prospective jurors excused to complete Special Juror Instruction "A" and Special Juror Questionnaire.

10:30 a.m. Court recessed.

10:45 a.m. Court reconvened with respective counsel present.

Second panel of prospective jurors present.

Court addressed prospective jurors. Court personnel and respective counsel introduced to the jury panel.

Roll taken of prospective jurors; all present except jurors Bacigalupi, Brown, Ebright, Gibson, Malone, Meluis, Papas, Reinbold, Richter, Roberts, Rogers, Sheets, Sowers and Turnage. Prospective juror E. Green also present, although name was initially called with first panel of prospective jurors.

Upon request, Juror Judson sworn by affirmation.

All prospective jurors sworn as to their qualifications to serve as trial jurors.

First panel of prospective jurors excused to complete Special Juror Instruction "A" and Special Juror Questionnaire.

Defense counsel Gregory and Specchio set forth Defendant's waiver of right to be present.

11:03 a.m. Juror Palmer re-entered Courtroom. Upon discussion at the bench and no objection by respective counsel, COURT ENTERED ORDER excusing juror Palmer.

11:05 a.m. Court recessed.

CR98-0516
STATE VS SIOASI VANISI (D4)
District Court
Hoshoe County
DC-9900020820-102
Page
01/04/1999 10:00 AM
MTN
TWITE

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI a.k.a. "PE", a.k.a. "GEORGE"

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/7/99

CONTINUED VOIR DIRE (JURY SELECTION)

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David

CONNIE

Stanton represented the State. Defendant not present, appearance

STEINHEIMER

previously waived, being represented by counsel, Public Defender Michael

DEPT. NO.4

Specchio and Deputy Public Defenders Steve Gregory and Jeremy Bosler.

M. Stone

8:40 a.m. Court convened.

(Clerk)

Third panel of prospective jurors present.

E. Nelson

Court addressed prospective jurors. Court personnel and respective counsel

(Reporter)

introduced to the jury panel.

Roll taken of prospective jurors.

All prospective jurors sworn as to their qualifications to serve as trial jurors.

Third panel of prospective jurors excused to complete Special Juror

Instruction "A" and Special Juror Questionnaire.

8:50 a.m. Court recessed.

CR98-0516
STATE VS SIAOSI VANISI (04)
District Court
Washoe County
MIN
DC-9900020826-101
1 Page
01/07/1999 01:30 PM
TWITE

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "Pe", a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/8/99

PRE-TRIAL HEARING

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney Gammick represented the State. Defendant not present with counsel, Public

CONNIE

STEINHEIMER

Defendant Michael Specchio and Deputy Public Defenders Steve Gregory and Jeremy Bosler.

DEPT. NO.4

M. Stone

Defendant's appearance waived.

(Clerk)

Discussion ensued regarding Jurors Peak and Agee (a.k.a. Lyle). Upon no objection, COURT ENTERED ORDER releasing Jurors Peak and Agee.

K. Ramage

(D)
CR98-0516
STATE VS. SIAOSI VANISI (D4)
District Court 01/06/1999 01:30 PM
Washoe County
MTW
DC-9900020820-100
Page 1
WHITE-1

DATE, JUDGE
OFFICERS OF

PAGE ONE - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/99 JURY TRIAL waived right
HONORABLE 9:50 a.m. Court convened in chambers with respective counsel Stanton and to be present.
CONNIE Bosler. Discussion ensued regarding voir dire questions.
STEINHEIMER 10:00 a.m. Court recessed.
DEPT. NO.4 District Attorney Richard Gammick and Deputy District Attorney David
M. Stone Stanton represented the State. Defendant present with counsel, Public
(Clerk) Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory
E. Nelson and Jeremy Bosler.
(Reporter) 10:15 a.m. Court reconvened outside the presence of the jury.

Court canvassed Defendant regarding waiver of presence when Court
excused Jurors Lyle (a.k.a. Agee) and Peak and during side bars during the
course of the trial. Defendant waive right.

Discussion ensued regarding security of the Courtroom.

10:30 a.m. Court recessed.

10:55 a.m. Court reconvened with respective counsel and defendant present.
Prospective jurors present.

Court personnel, respective counsel and defendant introduced to the jury
panel.

Roll taken of prospective jurors; all present. All prospective jurors sworn as
to their qualifications to serve as trial jurors. Thirty-Six names drawn
(Mueller, Guiler, Aguirre, Adamson, Hill, Hinxman, Kominek, Lafond,
Burkholder, Sepahpour, Saputo, Judson, Gerbetz, Thomas, Getz,
Stephenson, Barger, Arlitz, Lyman, Viernes, Kenny, Cadena, Frandsen, L.
Jones, Battaglia, Furrie, Timmerman, Estey, Kizis, Imasaki, Turnage, Geach,
Frankel, Booth, Burke and Dunn); jurors seated and generally questioned by
the Court.

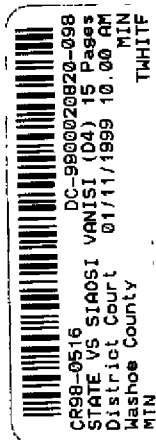
12:20 p.m. Jury excused. Seated Jury Panel to Department 9's Courtroom. Un-
selected Jury Panel to Department 3's Courtroom.

Outside the presence of the jury, Defense counsel Bosler objection to the jury
selection process. State's counsel Stanton made statement. COURT
ENTERED ORDER denying Motion regarding Jury Selection, with leave to
renew at another time.

12:33 p.m. Court proceeded with individual voir dire.

Juror Aguirre entered; examined by Court, State's counsel Stanton and
Defense counsel Bosler; challenged for cause by defense counsel Bosler;
objection by State's counsel Stanton; excused for cause.

Court addressed defendant about his presence during the excusing of the
panels for lunch and roll call following the lunch. Defendant and counsel



DATE, JUDGE
OFFICERS OF

PAGE TWO - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Juror Geach entered; examined by Court; challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; excused for cause.

12:46 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

12:50 p.m. Court reconvened in Department 3 with panel of un-selected jurors.

Court excused panel for lunch to return at 1:45 p.m. in Department 9.

12:58 p.m. Court reconvened in Department 9 with panel of selected jurors.

Court excused panel for lunch to return at 1:45 p.m. in Department 3's juryroom.

2:00 p.m. Court recessed.

1:45 p.m. Court reconvened in Department 3's juryroom; roll called, all 34 present of selected jury panel.

1:50 p.m. Court reconvened in Department 9; roll called, all present of un-selected jury panel, except Meidell.

2:00 p.m. Court reconvened with respective counsel and defendant present in Department 4.

Outside the presence of the jury, Court informed respective counsel of missing juror.

Juror J. Thomas entered; examined by Court and State's counsel Stanton; challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; excused for cause.

2:08 Juror Meidell present and excused to Department 9.

Juror Burke entered; examined by Court and defense counsel Bosler; challenged for cause by defense counsel Bosler; traversed by State's counsel Stanton; further examined by Court; challenge denied.

Juror Getz entered; examined by Court and State's counsel Stanton; challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; excused for cause.

Juror Adamson entered; examined by Court, State's counsel Stanton and defense counsel Bosler; challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

DATE, JUDGE
OFFICERS OF

PAGE THREE - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/99 JURY TRIAL

E. Nelson Juror Hill entered; examined by Court, State's counsel Stanton and defense
(Reporter) counsel Bosler; challenged for cause by defense counsel Bosler; objection by
State's counsel Stanton; challenge renewed by State's counsel Specchio;
excused.

Juror Sepahpour entered; examined by Court and State's counsel Stanton
challenged for cause by defense counsel Bosler; no objection by State's
counsel Stanton; excused.

Juror Gerbatz entered; examined by Court, State's counsel Stanton and
defense counsel Bosler; challenged for cause by defense counsel Bosler;
objection by State's counsel Stanton; challenge denied.

Juror Cadena entered; examined by Court, State's counsel Stanton and
defense counsel Bosler; challenged for cause by defense counsel Bosler;
objection by State's counsel Stanton; challenge denied.

Outside the presence of the jury, Motion for Court to Modify Jury Selection by
defense counsel Bosler granted. The Defense would be allowed to examine
panel before the State.

Juror Battaglia entered; examined by Court and defense counsel Bosler;
challenged for cause by defense counsel Bosler; traversed and objection by
State's counsel Stanton; challenge denied.

Juror Kizis entered; examined by Court and defense counsel Bosler;
challenged for cause by defense counsel Bosler; objection by State's counsel
Stanton; challenge denied.

Juror Turnage entered; examined by Court and defense counsel Bosler;
challenged for cause by defense counsel Bosler; traversed and no objection
by State's counsel Stanton; excused.

Juror Kenny entered; examined by Court; stipulation to excuse by respective
counsel Stanton and Bosler; excused.

3:45 p.m. Court recessed. Defendant remanded to the custody of the sheriff.
4:07 p.m. Court reconvened with respective counsel and defendant present.
Entire prospective panel present.

DATE, JUDGE
OFFICERS OF

PAGE FOUR - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/99

JURY TRIAL

E. Nelson
(Reporter)

Law Clerk Davis and Jury Commissioner Lopshire indicated that no jurors left their assigned room since roll was last taken. Respective counsel stipulated to the presence of the jury panel.

Eight additional names drawn. Frank X. Sotero, John W. Auld, Bo H. Larsson, Mary H. Schultz, Grace B. Mills, Randall A. McCargar, Alan R. Golbov and Stephen L. Sowers called, seated and generally examined by Court.
Jury panel further generally examined by Court.

Upon discussion at the bench and no objection by respective counsel, COURT excused Jurors Schulz, Larsson, Burkeholder, Saputo, Judson, Timmerman, Sowers, Burke and Auld.

Nine additional names drawn. James G. Rumbaugh, Preston, E. O'Daye, George A. Decker, Rayetta Buckley, Rebeka A. Hilliary, John J. Giordano, Doris E. Roberts, Rhonda D. Pembroke and Peter G. Thomas called.

5:13 p.m. Court admonished and excused panel until January 12, 1999, at 9:30 a.m.

Outside the presence of the jury, respective counsel invoked the rule of exclusion with the exception of the witnesses to be used in penalty phase of the trial. If any person display any emotion whatsoever during the course of the trial, they will be removed from the courtroom and not allowed back in for the duration of the trial.

Discussion ensued regarding security.

EXHIBIT 7 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

5:30 p.m. Court recessed.

1/12/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Public Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory and Jeremy Bosler.

9:37 a.m. Court reconvened with all prospective jurors present except Juanita

DATE, JUDGE
OFFICERS OF

PAGE FIVE - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/12/99

CONTINUED JURY TRIAL

E. Nelson

Pierce.

(Reporter)

Upon the Court being notified that Juror Pierce was hospitalized and no objection by respective counsel, COURT excused juror Pierce.

Upon discussion at the bench with juror Pembroke, COURT excused Pembroke.

Another name drawn. Jerome A. Moss called and seated.

Jury panel further generally examined by the Court.

Juror Rumbaugh challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

Jury panel further generally examined by Court.

Juror Giordano excused due to hearing impairment.

Another name drawn. William V. King called, seated and generally examined by the Court.

Jury panel further generally examined by Court.

Juror Hilliary challenged for cause by State's counsel Stanton; objection by defense counsel Bosler; challenge granted; excused.

Another name drawn. Anita J. Cason called, seated and generally examined by the Court.

Upon discussion at the bench, Juror Cason excused.

Another name drawn. Paul E. Damoth called, seated and generally examined by the Court.

Upon direction of the Court, State's counsel Stanton specifically examined the panel.

Juror Mills challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; challenge granted.

DATE, JUDGE
OFFICERS OF

PAGE SIX - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/12/99

JURY TRIAL

E. Nelson
(Reporter)

Juror Buckley challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; challenge granted; excused.

Juror Gerbatz challenged for cause by defense counsel Bosler; objection by State's counsel; challenge denied.

Two additional names drawn. Menandro H. Domingo and Robin W. Sheets called, seated and generally examined by Court.

Juror Domingo challenged for cause by defense counsel Bosler; stipulation by State's counsel Stanton; challenge granted; excused.

Another name drawn. Sandra J. Ellin called, seated and generally examined by the Court.

Juror Ellin challenged for cause by defense counsel Bosler; traversed and no objection by State's counsel Stanton; challenge granted; excused.

Another name drawn. Gordon D. Berg called, seated and generally examined by the Court.

Jury panel further specifically examined by State's counsel.

Juror Rumbaugh challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

11:47 a.m. Jury admonished and excused. Outside the presence of the jury, defense counsel set forth arguments for certain challenges.

Juror Mueller challenged for cause by defense counsel Bosler; stipulation by State's counsel Stanton; challenge granted; excused.

Juror Rumbaugh challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

Court informed respective counsel of voir dire questions that could be asked during specific voir dire.

Exhibit C marked by the Court.

DATE, JUDGE
OFFICERS OF

PAGE SEVEN - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/12/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

12:25 p.m. Court recessed. Defendant remanded to the custody of the sheriff.
1:13 p.m. Court reconvened with respective counsel and defendant present.
Clerk called roll; all prospective jurors present.
Based upon hearing outside the presence of the jury, Court excused Jurors Mueller and Rumbaugh.

Two additional names drawn. Shelby A. Denton and Julie C. Springer called, seated and generally examined by the Court.
Panel further specifically examined by State's counsel Stanton.
Upon direction of the Court, Defense counsel Bosler specifically examined the panel; passed for cause.
Court thanked and excused un-selected jurors.

Respective counsel exercised, silently, 8 peremptory challenges each as to the jury and 2 peremptory challenges each as to alternate jury.

EXHIBIT D marked by the Court.

The following twelve persons and four alternates were sworn to try this case:

Shelby Y. Denton	Cheryl L. Kominek	George A. Decker
Daniel M. Gerbatz	William V. King	Gordon D. Berg
James A. Stephenson	Victoria A. Lyman	Benilda G. Viernes
Randall A. McCargar	Lawrence L. Jones	Doris E. Roberts.

Alternates: Jerome A. Moss, Susan M. Frankel, Peter G. Thomas and James H. Dunn

5:30 p.m. Jury admonished; said admonishment administered prior to each recess throughout the trial. Jury excused.

Outside the presence of the jury, discussion ensued regarding the schedule of trial.

Court further instructed all persons present in the audience, that there may not be any visible reactions to any testimony during the trial.

5:35 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

DATE, JUDGE
OFFICERS OF

PAGE EIGHT - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONTD TO

1/13/99

CONTINUED JURY TRIAL

HONORABLE
CONNIE J.
STEINHEIMER
DEPT. NO. 4

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Public Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory and Jeremy Bosler.

M. Stone

11:15 a.m. Court reconvened outside the presence of the jury.

(Clerk)

Motion for Mistrial or in the alternative, Motion for Change of Venue by defense counsel Bosler; presented argument; objection and argument by State's counsel Stanton. COURT ENTERED ORDER denying the Motion for Mistrial and for Change of Venue.

E. Nelson

(Reporter)

Motion to use transparency during opening statement by defense counsel Bosler; objection and argument by State's counsel Stanton. COURT ENTERED ORDER allowing the use of the transparency with the words redacted off.

EXHIBIT 38 marked and offered by defense counsel Bosler; no objection by State's counsel; ordered admitted into evidence.

Exhibit 37 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

11:30 a.m. Jury entered. Respective counsel stipulated to the presence of the jury.

Court Clerk read the Information aloud and indicated that pleas of not guilty had previously been entered by the defendant.

State's counsel Gammick presented opening statement.

Defense counsel Bosler presented opening statement.

11:56 a.m. Jury admonished. Court recessed. Defendant remanded to the custody of the sheriff.

1:30 p.m. Court reconvened with respective counsel and defendant present. Respective counsel stipulated to the presence of the jury.

Brenda Martinez called by State's counsel Gammick, sworn and testified.

EXHIBIT 6 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Martinez further direct examined; excused.

DATE, JUDGE
OFFICERS OF

PAGE NINE - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONTD TO

1/13/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Carl Smith called by State's counsel Gammick, sworn and testified.

***Record reflected identification of the Defendant.

Witness Smith further direct examined.

EXHIBITS 12 and 13 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 17A offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 15A offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBITS 16A and 16B offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 18 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBITS 14A and 14B offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined; cross-examined by defense counsel Specchio; redirect examined.

EXHIBITS 24A and 24B offered by State's counsel Gammick; no objection by

DATE, JUDGE
OFFICERS OF

PAGE TEN - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/13/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

defense counsel Specchio; ordered admitted into evidence.

Witness Smith further redirect examined; excused.

3:00 p.m. Jury admonished and excused. Outside the presence of the jury, defense Bosler made statement regarding people in the audience making faces at the defendant.

3:05 p.m. Court recessed.

3:25 p.m. Court reconvened with respective counsel and defendant present.

Andrew Ciocca called by State's counsel Gammick, sworn and testified.

EXHIBITS 17B and 17C offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness further direct examined; cross-examined by defense counsel Specchio; excused.

Willie Stephenson called by State's counsel Gammick, sworn and testified.

***Stipulation entered regarding this witness being a fingerprint expert.

Witness Stephenson further direct examined.

EXHIBIT 19 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Stephenson further direct examined.

EXHIBIT 17D marked by State's counsel Gammick.

Witness Stephenson further direct examined.

EXHIBIT 17D offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Stephenson cross-examined by defense counsel Specchio; redirect examined; excused.

DATE, JUDGE
OFFICERS OF

PAGE ELEVEN - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/13/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Mele Mavani called by State's counsel Stanton, sworn and testified; cross-examined by defense counsel Specchio; redirect examined; recross-examined; excused.

5:00 p.m. Jury admonished. Court recessed. Defendant remanded to the custody of the sheriff.

1/14/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Public Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory and Jeremy Bosler.

10:25 a.m. Court reconvened with respective counsel and defendant present. Respective counsel stipulated to the presence of the jury.

Sateki Taukieuvea called by State's counsel Stanton, sworn and testified.

EXHIBIT 36 offered by State's counsel Stanton; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Taukieuvea further direct examined.

(10:50 a.m. Steve Hopper - Court Clerk entered)

Witness Taukieuvea further direct examined; cross-examined by defense counsel Specchio; redirect examined; recross-examined; excused subject to recall.

11:55 a.m. Jury admonished. Court recessed.

1:40 p.m. (M. Stone - Court Clerk) Court reconvened outside the presence of the jury with respective counsel and defendant present.

Motion to endorse additional witness John Oakes, Esq., by State's counsel Stanton; presented argument; defense counsel stood moot. COURT ENTERED ORDER granting motion.

Upon request, COURT will give the jury an Instruction regarding stipulations.

DATE, JUDGE
OFFICERS OF

PAGE TWELVE - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/14/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Defense counsel Specchio did not wish a continuance due to the newly endorsed witness.

1:45 p.m. Jury entered. Respective counsel stipulated to the presence of the jury.

John Oakes called by State's counsel Stanton, sworn and testified; excused.

Maria Louis called by State's counsel Stanton, sworn and testified; cross-examined by defense counsel Specchio; excused.

Priscilla Endemann called by State's counsel Stanton, sworn and testified.

EXHIBIT 20A and 20B offered by State's counsel Stanton; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Endemann further direct examined; excused.

Manaoui Peaua called by State's counsel Stanton, sworn and testified; cross-examined by defense counsel Specchio; redirect examined; excused.

3:04 p.m. Jury admonished. Court recessed.

3:34 p.m. Court reconvened with respective counsel and defendant present. Respective counsel stipulated to the presence of the jury.

Metuisel Tauveli called by State's counsel Stanton, sworn and testified.

EXHIBIT 8 offered by State's counsel Stanton; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Tauveli further direct examined; cross-examined by defense counsel Specchio; redirect examined; excused.

Jim Duncan called by State's counsel Gammick, sworn and testified.

EXHIBIT 24D offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

PAGE THIRTEEN - CORRECTED MINUTES (3/29/99)

APPEARANCES-HEARING

CONT'D TO

1/14/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Witness Duncan further direct examined.

EXHIBIT 21 offered by State's counsel Gammick; based on stipulation by defense counsel Specchio and discussion at bench, ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 23A and 23B offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 11 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 25 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 29A and 29B offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBITS 15B, 15C and 15D offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBITS 22 and 26 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBITS 16, 16A and 16B offered by State's counsel Gammick; no objection

DATE, JUDGE
OFFICERS OF

PAGE FOURTEEN - CORRECTED MINUTES (3/29/99)

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/14/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

by State's counsel; ordered admitted into evidence.

5:00 p.m. Jury admonished and excused. Outside the presence of the jury, Defendant canvassed by the Court regarding a stipulation to be read to the jury and jury instruction. Defense counsel opposed the use of a jury instruction at this time, but had no objection to a jury instruction regarding stipulations at the time of all the instructions.

5:05 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

1/15/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Public Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory and Jeremy Bosler.

10:10 a.m. Court reconvened outside the presence of the jury.

State's counsel Gammick made statement regarding statement made to police by Michelle Chaitra.

EXHIBIT A marked by State's counsel Gammick.

State's counsel made further statement.

EXHIBIT B and C marked by State's counsel Gammick.

State's counsel made further statement.

Motion for Mis-Trial by Defense counsel Specchio; presented argument; response by State's counsel Gammick.

Defense counsel Specchio stipulated that a Mis-Trial would not create a double jeopardy issue for the Defendant.

Defendant canvassed regarding a potential Mis-Trial and double jeopardy. Upon finding a manifest necessity, COURT ENTERED ORDER granting the Defense's Motion for Mis-Trial.

10:40 a.m. Jury entered. Respective counsel stipulated to the presence of the jury.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a. "GEORGE"

DATE, JUDGE PAGE FIFTEEN - CORRECTED MINUTES (3/29/99)

OFFICERS OF

COURT PRESENT APPEARANCES-HEARING CONT'D TO

1/15/99	<u>CONTINUED JURY TRIAL</u>	
E. Nelson	Court informed jury panel of Mis-Trial.	1/19/99
(Reporter)	10:45 a.m. Jury excused.	10:00 a.m.
	COURT ORDERED respective counsel to return on January 19, 1999, at 10:00 a.m. to re-set the matter for trial.	Hrg to Re-Set Trial
	10:55 a.m. Court recessed.	

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/99 JURY TRIAL

HONORABLE 9:50 a.m. Court convened in chambers with respective counsel Stanton and
CONNIE Bosler. Discussion ensued regarding voir dire questions.

STEINHEIMER 10:00 a.m. Court recessed.

DEPT. NO.4 District Attorney Richard Gammick and Deputy District Attorney David
M. Stone Stanton represented the State. Defendant present with counsel, Public
(Clerk) Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory
E. Nelson and Jeremy Bosler.

(Reporter) 10:15 a.m. Court reconvened outside the presence of the jury.

Court canvassed Defendant regarding waiver of presence when Court
excused Jurors Lyle (a.k.a. Agee) and Peak and during side bars during the
course of the trial. Defendant waive right.

Discussion ensued regarding security of the Courtroom.

10:30 a.m. Court recessed.

10:55 a.m. Court reconvened with respective counsel and defendant present.

Prospective jurors present.

Court personnel, respective counsel and defendant introduced to the jury
panel.

Roll taken of prospective jurors; all present. All prospective jurors sworn as
to their qualifications to serve as trial jurors. Thirty-Six names drawn
(Mueller, Guiler, Aguirre, Adamson, Hill, Hinxman, Kominek, Lafond,
Burkholder, Sepahpour, Saputo, Judson, Gerbetz, Thomas, Getz, Stephenson,
Barger, Arlitz, Lyman, Viernes, Kenny, Cadena, Frandsen, L. Jones, Battaglia,
Furrie, Timmerman, Estey, Kizis, Imasaki, Turnage, Geach, Frankel, Booth,
Burke and Dunn); jurors seated and generally questioned by the Court.

12:20 p.m. Jury excused. Seated Jury Panel to Department 9's Courtroom. Un-
selected Jury Panel to Department 3's Courtroom.

Outside the presence of the jury, Defense counsel Bosler objection to the jury
selection process. State's counsel Stanton made statement. COURT
ENTERED ORDER denying Motion regarding Jury Selection, with leave to
renew at another time.

12:33 p.m. Court proceeded with individual voir dire.

Juror Aguirre entered; examined by Court, State's counsel Stanton and
Defense counsel Bosler; challenged for cause by defense counsel Bosler;
objection by State's counsel Stanton; excused for cause.

Court addressed defendant about his presence during the excusing of the
panels for lunch and roll call following the lunch. Defendant and counsel
waived right to be present.

CR98-0516
STATE VS SIAOSI
District Court
Washoe County
Nevada
DC-9900020820-099
VANISI (D4) 15 Pages
01/11/1999 10:00 AM
TWNITE

DATE, JUDGE
OFFICERS OF

PAGE TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Juror Geach entered; examined by Court; challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; excused for cause.

12:46 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

12:50 p.m. Court reconvened in Department 3 with panel of un-selected jurors. Court excused panel for lunch to return at 1:45 p.m. in Department 9.

12:58 p.m. Court reconvened in Department 9 with panel of selected jurors. Court excused panel for lunch to return at 1:45 p.m. in Department 3's juryroom.

2:00 p.m. Court recessed.

1:45 p.m. Court reconvened in Department 3's juryroom; roll called, all 34 present of selected jury panel.

1:50 p.m. Court reconvened in Department 9; roll called, all present of un-selected jury panel, except Meidell.

2:00 p.m. Court reconvened with respective counsel and defendant present in Department 4.

Outside the presence of the jury, Court informed respective counsel of missing juror.

Juror J. Thomas entered; examined by Court and State's counsel Stanton; challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; excused for cause.

2:08 Juror Meidell present and excused to Department 9.

Juror Burke entered; examined by Court and defense counsel Bosler; challenged for cause by defense counsel Bosler; traversed by State's counsel Stanton; further examined by Court; challenge denied.

Juror Getz entered; examined by Court and State's counsel Stanton; challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; excused for cause.

Juror Adamson entered; examined by Court, State's counsel Stanton and defense counsel Bosler; challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

DATE, JUDGE
OFFICERS OF

PAGE THREE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/99

JURY TRIAL

E. Nelson
(Reporter)

Juror Hill entered; examined by Court, State's counsel Stanton and defense counsel Bosler; challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge renewed by State's counsel Specchio; excused.

Juror Sepahpour entered; examined by Court and State's counsel Stanton challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; excused.

Juror Gerbatz entered; examined by Court, State's counsel Stanton and defense counsel Bosler; challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

Juror Cadena entered; examined by Court, State's counsel Stanton and defense counsel Bosler; challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

Outside the presence of the jury, Motion for Court to Modify Jury Selection by defense counsel Bosler granted. The Defense would be allowed to examine panel before the State.

Juror Battaglia entered; examined by Court and defense counsel Bosler; challenged for cause by defense counsel Bosler; traversed and objection by State's counsel Stanton; challenge denied.

Juror Kizis entered; examined by Court and defense counsel Bosler; challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

Juror Turnage entered; examined by Court and defense counsel Bosler; challenged for cause by defense counsel Bosler; traversed and no objection by State's counsel Stanton; excused.

Juror Kenny entered; examined by Court; stipulation to excuse by respective counsel Stanton and Bosler; excused.

3:45 p.m. Court recessed. Defendant remanded to the custody of the sheriff.
4:07 p.m. Court reconvened with respective counsel and defendant present.
Entire prospective panel present.

DATE, JUDGE
OFFICERS OF

PAGE FOUR

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/11/99

JURY TRIAL

E. Nelson
(Reporter)

Law Clerk Davis and Jury Commissioner Lopshire indicated that no jurors left their assigned room since roll was last taken. Respective counsel stipulated to the presence of the jury panel.

Eight additional names drawn. Frank X. Sotero, John W. Auld, Bo H. Larsson, Mary H. Schultz, Grace B. Mills, Randall A. McCargar, Alan R. Golbov and Stephen L. Sowers called, seated and generally examined by Court. Jury panel further generally examined by Court.

Upon discussion at the bench and no objection by respective counsel, COURT excused Jurors Schulz, Larsson, Burkeholder, Saputo, Judson, Timmerman, Sowers, Burke and Auld.

Nine additional names drawn. James G. Rumbaugh, Preston, E. O'Daye, George A. Decker, Rayetta Buckley, Rebeka A. Hilliary, John J. Giordano, Doris E. Roberts, Rhonda D. Pembroke and Peter G. Thomas called.

5:13 p.m. Court admonished and excused panel until January 12, 1999, at 9:30 a.m.

Outside the presence of the jury, respective counsel invoked the rule of exclusion with the exception of the witnesses to be used in penalty phase of the trial. If any person display any emotion whatsoever during the course of the trial, they will be removed from the courtroom and not allowed back in for the duration of the trial.

Discussion ensued regarding security.

EXHIBIT 7 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

5:30 p.m. Court recessed.

1/12/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Public Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory and Jeremy Bosler.

9:37 a.m. Court reconvened with all prospective jurors present except Juanita

DATE, JUDGE
OFFICERS OF

PAGE FIVE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/12/99

CONTINUED JURY TRIAL

E. Nelson

Pierce.

(Reporter)

Upon the Court being notified that Juror Pierce was hospitalized and no objection by respective counsel, COURT excused juror Pierce.

Upon discussion at the bench with juror Pembroke, COURT excused Pembroke.

Another name drawn. Jerome A. Moss called and seated.

Jury panel further generally examined by the Court.

Juror Rumbaugh challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

Jury panel further generally examined by Court.

Juror Giordano excused due to hearing impairment.

Another name drawn. William V. King called, seated and generally examined by the Court.

Jury panel further generally examined by Court.

Juror Hilliary challenged for cause by State's counsel Stanton; objection by defense counsel Bosler; challenge granted; excused.

Another name drawn. Anita J. Cason called, seated and generally examined by the Court.

Upon discussion at the bench, Juror Cason excused.

Another name drawn. Paul E. Damoth called, seated and generally examined by the Court.

Upon direction of the Court, State's counsel Stanton specifically examined the panel.

Juror Mills challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; challenge granted.

DATE, JUDGE
OFFICERS OF

PAGE SIX

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/12/99

JURY TRIAL

E. Nelson
(Reporter)

Juror Buckley challenged for cause by defense counsel Bosler; no objection by State's counsel Stanton; challenge granted; excused.

Juror Gerbatz challenged for cause by defense counsel Bosler; objection by State's counsel; challenge denied.

Two additional names drawn. Menandro H. Domingo and Robin W. Sheets called, seated and generally examined by Court.

Juror Domingo challenged for cause by defense counsel Bosler; stipulation by State's counsel Stanton; challenge granted; excused.

Another name drawn. Sandra J. Ellin called, seated and generally examined by the Court.

Juror Ellin challenged for cause by defense counsel Bosler; traversed and no objection by State's counsel Stanton; challenge granted; excused.

Another name drawn. Gordon D. Berg called, seated and generally examined by the Court.

Jury panel further specifically examined by State's counsel.

Juror Rumbaugh challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

11:47 a.m. Jury admonished and excused. Outside the presence of the jury, defense counsel set forth arguments for certain challenges.

Juror Mueller challenged for cause by defense counsel Bosler; stipulation by State's counsel Stanton; challenge granted; excused.

Juror Rumbaugh challenged for cause by defense counsel Bosler; objection by State's counsel Stanton; challenge denied.

Court informed respective counsel of voir dire questions that could be asked during specific voir dire.

Exhibit C marked by the Court.

DATE, JUDGE
OFFICERS OF

PAGE SEVEN

COURT PRESENT

APPEARANCES-HEARING

CONTD TO

1/12/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

12:25 p.m. Court recessed. Defendant remanded to the custody of the sheriff.
1:13 p.m. Court reconvened with respective counsel and defendant present.
Clerk called roll; all prospective jurors present.
Based upon hearing outside the presence of the jury, Court excused Jurors Mueller and Rumbaugh.

Two additional names drawn. Shelby A. Denton and Julie C. Springer called, seated and generally examined by the Court.
Panel further specifically examined by State's counsel Stanton.
Upon direction of the Court, Defense counsel Bosler specifically examined the panel; passed for cause.
Court thanked and excused un-selected jurors.

Respective counsel exercised, silently, 8 peremptory challenges each as to the jury and 2 peremptory challenges each as to alternate jury.

EXHIBIT D marked by the Court.

The following twelve persons and four alternates were sworn to try this case:

Shelby Y. Denton	Cheryl L. Kominek	George A. Decker
Daniel M. Gerbatz	William V. King	Gordon D. Berg
James A. Stephenson	Victoria A. Lyman	Benilda G. Viernes
Randall A. McCargar	Lawrence L. Jones	Doris E. Roberts

Alternates: Jerome A. Moss, Susan M. Frankel, Peter G. Thomas and James H. Dunn

5:30 p.m. Jury admonished; said admonishment administered prior to each recess throughout the trial. Jury excused.

Outside the presence of the jury, discussion ensued regarding the schedule of trial.

Court further instructed all persons present in the audience, that there may not be any visible reactions to any testimony during the trial.

5:35 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

DATE, JUDGE
OFFICERS OF

PAGE EIGHT

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/13/99

CONTINUED JURY TRIAL

HONORABLE
CONNIE J.
STEINHEIMER
DEPT. NO. 4

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Public Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory and Jeremy Bosler.

M. Stone

11:15 a.m. Court reconvened outside the presence of the jury.

(Clerk)

Motion for Mistrial or in the alternative, Motion for Change of Venue by defense counsel Bosler; presented argument; objection and argument by State's counsel Stanton. COURT ENTERED ORDER denying the Motion for Mistrial and for Change of Venue.

E. Nelson
(Reporter)

Motion to use transparency during opening statement by defense counsel Bosler; objection and argument by State's counsel Stanton. COURT ENTERED ORDER allowing the use of the transparency with the words redacted off.

EXHIBIT 38 marked and offered by defense counsel Bosler; no objection by State's counsel; ordered admitted into evidence.

Exhibit 37 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

11:30 a.m. Jury entered. Respective counsel stipulated to the presence of the jury.

Court Clerk read the Information aloud and indicated that pleas of not guilty had previously been entered by the defendant.

State's counsel Gammick presented opening statement.

Defense counsel Bosler presented opening statement.

11:56 a.m. Jury admonished. Court recessed. Defendant remanded to the custody of the sheriff.

1:30 p.m. Court reconvened with respective counsel and defendant present. Respective counsel stipulated to the presence of the jury.

Brenda Martinez called by State's counsel Gammick, sworn and testified.

EXHIBIT 6 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Martinez further direct examined; excused.

DATE, JUDGE
OFFICERS OF

PAGE NINE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/13/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Carl Smith called by State's counsel Gammick, sworn and testified.

***Record reflected identification of the Defendant.

Witness Smith further direct examined.

EXHIBITS 12 and 13 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 17A offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 15A offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBITS 16A and 16B offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 18 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBITS 14A and 14B offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Smith further direct examined; cross-examined by defense counsel Specchio; redirect examined.

EXHIBITS 24A and 24B offered by State's counsel Gammick; no objection by

DATE, JUDGE
OFFICERS OF

PAGE TEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/13/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

defense counsel Specchio; ordered admitted into evidence.

Witness Smith further redirect examined; excused.

3:00 p.m. Jury admonished and excused. Outside the presence of the jury, defense Bosler made statement regarding people in the audience making faces at the defendant.

3:05 p.m. Court recessed.

3:25 p.m. Court reconvened with respective counsel and defendant present.

Andrew Ciocca called by State's counsel Gammick, sworn and testified.

EXHIBITS 17B and 17C offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness further direct examined; cross-examined by defense counsel Specchio; excused.

Willie Stephenson called by State's counsel Gammick, sworn and testified.

***Stipulation entered regarding this witness being a fingerprint expert.

Witness Stephenson further direct examined.

EXHIBIT 19 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Stephenson further direct examined.

EXHIBIT 17D marked by State's counsel Gammick.

Witness Stephenson further direct examined.

EXHIBIT 17D offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Stephenson cross-examined by defense counsel Specchio; redirect examined; excused.

DATE, JUDGE
OFFICERS OF

PAGE ELEVEN

COURT PRESENT

APPEARANCES HEARING

CONT'D TO

1/13/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Mele Mavani called by State's counsel Stanton, sworn and testified; cross-examined by defense counsel Specchio; redirect examined; recross-examined; excused.

5:00 p.m. Jury admonished. Court recessed. Defendant remanded to the custody of the sheriff.

1/14/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Public Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory and Jeremy Bosler.

10:25 a.m. Court reconvened with respective counsel and defendant present. Respective counsel stipulated to the presence of the jury.

Sateki Taukieuvea called by State's counsel Stanton, sworn and testified.

EXHIBIT 36 offered by State's counsel Stanton; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Taukieuvea further direct examined.

(10:50 a.m. Steve Hopper - Court Clerk entered)

Witness Taukieuvea further direct examined; cross-examined by defense counsel Specchio; redirect examined; recross-examined; excused subject to recall.

11:55 a.m. Jury admonished. Court recessed.

1:40 p.m. (M. Stone - Court Clerk) Court reconvened outside the presence of the jury with respective counsel and defendant present.

Motion to endorse additional witness John Oakes, Esq., by State's counsel Stanton; presented argument; defense counsel stood moot. COURT ENTERED ORDER granting motion.

Upon request, COURT will give the jury an Instruction regarding stipulations.

DATE, JUDGE
OFFICERS OF

PAGE TWELVE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/14/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

Defense counsel Specchio did not wish a continuance due to the newly endorsed witness.

1:45 p.m. Jury entered. Respective counsel stipulated to the presence of the jury.

John Oakes called by State's counsel Stanton, sworn and testified; excused.

Maria Louis called by State's counsel Stanton, sworn and testified; cross-examined by defense counsel Specchio; excused.

Priscilla Endemann called by State's counsel Stanton, sworn and testified.

EXHIBIT 20A and 20B offered by State's counsel Stanton; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Endemann further direct examined; excused.

Monaroui Peaua called by State's counsel Stanton, sworn and testified; cross-examined by defense counsel Specchio; redirect examined; excused.

3:04 p.m. Jury admonished. Court recessed.

3:34 p.m. Court reconvened with respective counsel and defendant present. Respective counsel stipulated to the presence of the jury.

Metuisei Tauveli called by State's counsel Stanton, sworn and testified.

EXHIBIT 8 offered by State's counsel Stanton; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Tauveli further direct examined; cross-examined by defense counsel Specchio; redirect examined; excused.

Jim Duncan called by State's counsel Gammick, sworn and testified.

EXHIBIT 24D offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

DATE, JUDGE
OFFICERS OF

PAGE THIRTEEN

COURT PRESENT

APPEARANCES-HEARING

CONTD TO

1/14/99

CONTINUED JURY TRIAL

E. Nelson

Witness Duncan further direct examined.

(Reporter)

EXHIBIT 21 offered by State's counsel Gammick; based on stipulation by defense counsel Specchio and discussion at bench, ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 23A and 23B offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 11 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 25 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 29A and 29B offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBITS 15B, 15C and 15D offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBITS 22 and 26 offered by State's counsel Gammick; no objection by defense counsel Specchio; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBITS 16, 16A and 16B offered by State's counsel Gammick; no objection

DATE, JUDGE
OFFICERS OF

PAGE FOURTEEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/14/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

by State's counsel; ordered admitted into evidence.

5:00 p.m. Jury admonished and excused. Outside the presence of the jury, Defendant canvassed by the Court regarding a stipulation to be read to the jury and jury instruction. Defense counsel opposed the use of a jury instruction at this time, but had no objection to a jury instruction regarding stipulations at the time of all the instructions.

5:05 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

1/15/99

CONTINUED JURY TRIAL

E. Nelson
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Public Defender Michael Specchio, and Deputy Public Defenders, Steve Gregory and Jeremy Bosler.

10:10 a.m. Court reconvened outside the presence of the jury.

State's counsel Gammick made statement regarding statement made to police by Michelle Chaitra.

EXHIBIT A to the Motion for Mis-Trial marked by State's counsel Gammick.

State's counsel made further statement.

EXHIBIT B and C to the Motion for Mis-Trial marked by State's counsel Gammick.

State's counsel made further statement.

Motion for Mis-Trial by Defense counsel Specchio; presented argument; objection and argument by State's counsel Gammick.

Defense counsel Specchio stipulated that a Mis-Trial would not create a double jeopardy issue for the Defendant.

Defendant canvassed regarding a potential Mis-Trial and double jeopardy. Upon finding a manifest necessity, COURT ENTERED ORDER granting the Defense's Motion for Mis-Trial.

10:40 a.m. Jury entered. Respective counsel stipulated to the presence of the jury.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a. "GEORGE

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/15/99

CONTINUED JURY TRIAL

E. Nelson

Court informed jury panel of Mis-Trial.

1/19/99

(Reporter)

10:45 a.m. Jury excused.

10:00 a.m.

COURT ORDERED respective counsel to return on January 19, 1999, at 10:00 Hrg to Re-Set
a.m. to re-set the matter for trial.

Trial

10:55 a.m. Court recessed.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a. "GEORGE"

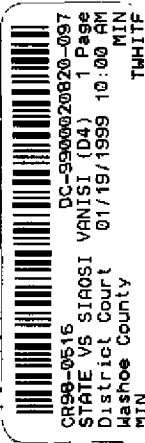
DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/19/99	<u>HEARING TO RESET TRIAL</u>	
HONORABLE	District Attorney Richard Gammick and Deputy District Attorney David	6/1/99
CONNIE	Stanton represented the State. Defendant present with counsel, Public	9:00 a.m.
STEINHEIMER	Defender Michael Specchio and Deputy Public Defender Steve Gregory.	Pre-Trial
DEPT. NO.4	Upon discussion regarding trial date, COURT ENTERED ORDER setting	Mtns
M. Stone	the trial for September 7, 1999, for a period of 3 weeks.	
(Clerk)	Discussion ensued regarding the new Rule 250. COURT ORDERED that all	8/30/99
K. Bokelmann	parties must comply with the rules as set forth in the new Rule 250 and all	9/2/99
(Reporter)	deadlines must be met with the starting date of January 30, 1999, as set	at 10:00 a.m.
	forth in the Rule.	Jury Quest.
	Upon discussion, COURT set out the new briefing schedule. COURT	
	FURTHER ORDERED that all new motions must be filed by April 15, 1999.	9/2/99
	Upon request of respective counsel, COURT ENTERED ORDER that all	11:00 a.m.
	witnesses are held to their original subpoenas.	Mtn to
	COURT FURTHER ENTERED ORDER that all prior Motions and their	Confirm
	Rulings will remain.	
	Upon request by the State and no objection by Defense counsel, COURT	9/2/99
	ENTERED ORDER that the tapes marked B and C are released to the	2:00 p.m.
	State's Investigator for copying and then returned to the Clerk of the Court.	Exhibits
	Discussion ensued regarding discovery, COURT ORDERED all video and	
	audio tapes to be copied and provided to the defense, then it is the	9/7/99
	Defenses responsibility to check if the transcript matches the actual tape.	10:00 a.m.
	11:00 a.m. Court recessed. Defendant remanded to the custody of the	Jury Trial
	Sheriff.	



CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

3/19/98	<u>MOTION TO SET TRIAL</u>	
HONORABLE	District Attorney Richard Gammick and Deputy District Attorney David	7/23/98
CONNIE	Stanton represented the State. Defendant present with counsel, Public	4:00 p.m.
STEINHEIMER	Defender Michael Specchio and Deputy Public Defender Walter Fey.	Status Conf.
DEPT. NO.4	Upon discussion, COURT ENTERED ORDERED setting the jury trial and	
M. Stone	briefing schedule.	11/23/98
(Clerk)	COURT FURTHER ENTERED ORDER finding all counsel involved qualified to	10:00 a.m.
D. Phipps	try a death penalty case pursuant to Rule 250.	Pre-Trial Mtns
(Defender)	Defendant remanded to the custody of the sheriff.	
		1/7/99
		9:00 am
		Motion to
		Confirm/Pre-
		Trial Motions
		1/11/99
		10:00 am
		Jury Trial

CR98-0516
STATE VS SIAOSI VANISI
District Court
Washoe County
MIN
DC-9900020820-110
1 Page
03/19/1999 09:00 AM
TWITE

CASE NO. CV98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

5/12/99

IN CHAMBERS REVIEW HEARING

HONORABLE

District Attorney Richard Gammick represented the State. Defendant not present being represented by counsel, Deputy Public Defenders Steve

CONNIE

STEINHEIMER

Gregory and Jeremy Bosler.

DEPT. NO.4

Discussion ensued regarding the Defendant's actions at the Washoe

M. Stone

County Jail

(Clerk)

Upon stipulation, COURT ORDERED Defendant to remain at the Nevada

N. Alexander

State Prison until 6/1/99, at which time the Defendant's Housing shall be re-evaluation.

(Reporter)

Respective counsel Gammick and Gregory made further statements.

CR98-0516
STATE VS SIAOSI VANISI (D4)
District Court
Washoe County
MTN
DC-9900020820-096
1 Page
05/12/1999 11 00 AM
TJH:TE

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTD TO

6/1/99

PRE-TRIAL MOTIONS

6/23/99

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David L.

1:15 p.m.

CONNIE

Stanton represented the State. Defendant present with counsel, Deputy

Report on

STEINHEIMER

Public Defenders Steven Gregory and Jeremy Bosler.

Psych. Eval./

DEPT. NO.4

Motion for Psychiatric Evaluation by defense counsel Gregory; presented

Pre-Tri Mtns

M. Stone

argument; no objection by State's counsel Stanton. Court canvassed

(Clerk)

Defendant.

E. Nelson

COURT ENTERED ORDER granting the Motion for Psychiatric Evaluation;

(Reporter)

and appointing two Doctors to evaluate the Defendant.

Court informed counsel that any motions could be submitted without oral argument.

CR98-0516
STATE VS SIAOSI VANISI (D4)
District Court
Washoe County
DC-9900020820-095
1 Page
06/01/1999 09:00 AM
MIN
TWITE

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

6/23/99

REPORT ON PSYCHIATRIC EVALUATION/PRE-TRIAL MOTIONS

HONORABLE

District Attorney Richard A. Gammick and Deputy District Attorney David

CONNIE

L. Stanton represented the State. Defendant present with counsel, Public

STEINHEIMER

Defender, Michael R. Specchio, and Deputies Public Defender Jeremy

DEPT. NO.4

Bosler.

M. Stone

Court noted receipt of Psychiatric Evaluations. Upon no objections,

(Clerk)

COURT ENTERED ORDER finding the Defendant competent to aid and

E. Nelson

assist counsel in preparation of trial.

(Reporter)

COURT ORDERED Courtroom closed and following proceedings sealed.

Court Security Detail and Personnel sworn as to the rules of a sealed hearing.

Motion to Dismiss Counsel by Defendant; presented argument. Defense counsel Specchio made statement.

EXHIBIT V1 marked by Defense counsel Specchio.

Defense counsel Specchio made further statement.

Defendant presented further argument. COURT ENTERED ORDER denying Motion to Dismiss Counsel.

Upon request of Defense counsel Gregory, COURT ENTERED ORDER denying any Request for Medication to be Administered to Defendant. If the NSP and/or WCJ Medical Personnel examine the Defendant and decide it is necessary to medicate the Defendant, Counsel must request a hearing.

2:27 p.m. Court recessed.

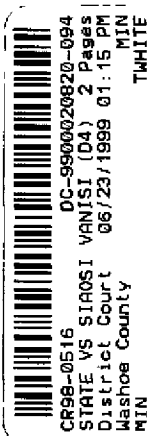
2:50 p.m. Court reconvened with respective counsel and Defendant present. Courtroom unsealed.

Upon submission on the pleadings by respective counsel, COURT took the Motion for Additional Peremptory Challenges and the Motion to Declare Adverse Witnesses under advisement.

Motion for Sequestered Individual Voir Dire by Defense counsel Bosler; presented argument; objection and argument by State's counsel Stanton; Reply by Defense counsel Bosler. COURT ENTERED ORDER denying Motion.

Request for Challenges of the Jury Panel to be made outside the presence of the Jury made by Defense counsel Bosler denied.

Motion for Defendant to be transported back to the Washoe County Jail by Defense counsel Gregory; present argument; response by State's counsel



CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

PAGE TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

6/23/99	<u>REPORT ON PSYCHIATRIC EVALUATION/PRE-TRIAL MOTIONS</u>	
HONORABLE	Stanton; reply by Defense counsel Gregory. COURT ENTERED ORDER	8/5/99
CONNIE	that the Defendant be transported back to the Washoe County Jail on July	2:00 p.m.
STEINHEIMER	15, 1999, where he shall remain until the completion of this case. The	Hearing Re:
DEPT. NO.4	Washoe County Sheriff has the authority to transport the Defendant back	Press
M. Stone	to the Nevada State Prison, if it is deemed by him that the Defendant is a	
(Clerk)	threat to his facility or that of this community.	
E. Nelson	3:14 p.m. Court recessed. Defendant remanded to the custody of the	
(Reporter)	sheriff.	
	3:36 p.m. Court reconvened with respective counsel and Defendant	
	present.	
	Motion to Reconsider use of Photographs by State's counsel Gammick;	
	presented argument; no objection by Defense counsel. COURT ENTERED	
	ORDER allowing the use of Exhibits 4B, 4C, 4D, 4G, 4H, 4I, 4J, 4K and 4L;	
	and that the Photographs be displayed on the poster board without the use	
	of the DOAR System, for purposes of Dr. Ellen Clark's Testimony.	
	Upon discussion, COURT ORDERED that counsel brief the issue regarding	
	whether or not the Psychiatric Evaluations should be released to the Press	
	and whether or not the press should be allowed to attend In-Chambers	
	Meetings; and set the matter for hearing.	
	3:50 p.m. Court recessed. Defendant remanded to the custody of the	
	sheriff.	

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/3/99

HEARING REGARDING MEDICATIONS

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David

CONNIE

Stanton represented the State. Defendant present with counsel, Deputies

STEINHEIMER

Public Defender Steven Gregory and Jeremy Bosler.

DEPT. NO.4

Discussion ensued regarding the Ex-Parte Order for Medication.

M. Stone

Court canvassed Defendant regarding the Voluntariness of taking

(Clerk)

Medication.

K. Yates

Upon withdraw of the Ex-Parte Order by Defense counsel Gregory, COURT

(Reporter)

advised Defense counsel to consider a Release of Information for Dr. Lind
to release information to the Washoe County Jail Personnel and, if
requested, Court would visit the issue of medication for the Defendant at a
later date.

Upon request by Defense counsel Gregory, COURT ORDERED the
Courtroom closed and sealed the transcript.

All personnel admonished regarding the confidentiality of the following
proceedings.

Motion for Self Representation by Defendant; presented argument.

COURT ORDERED Defendant to place the Motion in writing and a hearing
would be set.

CR98-0516 DC-9900020820-093
STATE VS SIAOSI VANISI (D4) 1 Page
District Court 08/03/1999 01:30 PM
Washoe County MTN
TWITE

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/10/99

MOTION FOR SELF REPRESENTATION

HONORABLE

CONNIE

STEINHEIMER

DEPT. NO.4

M. Stone

(Clerk)

K. Yates

(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Deputies Public Defender Steven Gregory and Jeremy Bosler.

Court made inquiries of the Defendant pursuant to Rule 256. Upon direction of the Court, State's counsel Stanton suggested additional questions for the Court. Defense counsel Gregory declined to make any suggestions to the Court.

11:55 a.m. Court recessed. Defendant remanded to the custody of the sheriff.

12:02 p.m. Court reconvened with respective counsel and Defendant present.

Respective counsel Stanton and Gregory made statements regarding the Motion

EXHIBIT A marked and offered by State's counsel Stanton; objection by Defense counsel Gregory; ordered admitted into evidence over objection only for the purpose of the intent of the statement, not the demeanor of the Defendant.

Respective counsel Stanton and Gregory made further statements.

12:23 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

3:10 p.m. Court reconvened with respective counsel and Defendant present.

Dr. Ole Thienhaus called by Court, sworn; examined by State's counsel; excused.

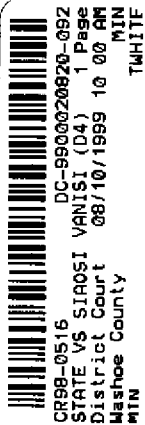
Defendant made statement regarding statements made on video tape (Exhibit A).

Respective counsel Stanton and Gregory made further statements regarding the Motion.

COURT took matter under advisement.

8/11/99

10:00 a.m.

Motions Re:
Media

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/11/99

MOTION FOR RELEASE OF PSYCHIATRIC EVALUATIONS

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Deputies

CONNIE

STEINHEIMER

Public Defender Steven Gregory and Jeremy Bosler. Reno Newspapers, Inc., represented by counsel, Phillip Bartlett.

DEPT. NO.4

M. Stone

COURT ENTERED ORDER denying Motion for Self Representation.

(Clerk)

D. Phipps

Request for Stay pending Decision whether or not to file a Writ of Mandamus by Defense counsel Gregory; presented argument; objection and argument by State's counsel Gammick. COURT ENTERED ORDER denying Request for Stay.

(Reporter)

Motion for Release of Psychiatric Evaluations by counsel Bartlett; presented argument; objection and argument by State's counsel Gammick; Defense counsel Bosler stood on written Opposition; reply by counsel Bartlett.

COURT took matter under advisement.

Discussion ensued regarding letter requesting a hearing prior to any in chambers/closed hearings by Reno Newspapers, Inc.

Motion for Request to be submitted in writing by Defense counsel Gregory.

COURT took motion under advisement.

Request for a Hearing prior to any In chambers/Closed Hearings by counsel Bartlett. Upon issues involved in the Request, COURT ORDERED counsel to reduce the request to writing, with responses to follow. If requested, Court will allow for a shortened Briefing Schedule.

11:00 a.m. Court recessed.

CR98-0516
STATE VS SIAOSI VANISI (04)
District Court 08/11/1999 10:00 AM
Washoe County
MIN
TWHTF

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/26/99

EX-PARTE MOTION TO WITHDRAW AS COUNSEL

HONORABLE

District Attorney Richard A. Gammick and Deputy District Attorney David L.

CONNIE

Stanton represented the State. Defendant present with counsel, Deputies

STEINHEIMER

Public Defender Steve Gregory and Jeremy Bosler.

DEPT. NO.4

7:00 a.m. Court convened.

M. Stone

Discussion ensued regarding whether or not the Courtroom should be

(Clerk)

sealed for the following proceedings.

E. Nelson

Request for In-Camera Inspection by Defense counsel Gregory; objection

(Reporter)

by State's counsel.

Motion to continue by Representative Mike Henderson, on behalf of Reno
Newspaper, Inc. COURT ENTERED ORDER denying Motion to Continue
upon counsel of record not being present to provide legal basis.

7:15 a.m. Court recessed.

7:21 a.m. Court reconvened with respective counsel and Defendant
present.

Upon finding that an Ex-Parte Hearing is needed for Defense counsel to set
forth the ethical consideration for the Motion, COURT ENTERED ORDER
granting the Request for a sealed hearing.

Court admonished Court Security and personnel as to confidentiality of the
following proceedings.

COURTROOM SEALED.

Motion to Withdraw as Counsel of Record by Defense counsel Gregory
and Bosler; presented argument.

COURT took matter under advisement.

8:15 a.m. Court recessed.

CR98-0516
STATE VS SIAOSI VANISI (D4)
District Court
Washoe County
MTN
DC-9900020826-090
1 Page
08/26/1999 10:00 AM
TWH:TF

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/30/99	<u>MOTION TO WITHDRAW AS COUNSEL</u>	
HONORABLE	District Attorney Richard Gammick and Deputy District Attorney David	9/13/99
CONNIE	Stanton represented the State. Defendant present with counsel, Deputies	10:00 a.m.
STEINHEIMER	Public Defender Steve Gregory and Jeremy Bosler.	Jury Selection
DEPT. NO.4	COURT ENTERED ORDER denying Motion to Withdraw as Counsel made	
M. Stone	by Defense counsel. COURT FURTHER ENTERED ORDER that the Trial is	9/20/99
(Clerk)	continued for a period of two weeks for Defense counsel to file documents	10:00 a.m.
E. Nelson	with the Supreme Court of Nevada or be prepared for Trial.	Jury Trial
(Reporter)	State's counsel Gammick made statement. COURT FURTHER ORDERED	
	that all witnesses are held to their subpoenas.	

CR98-0516
STATE VS SIAOSI VANISI (D4)
District Court
Washoe County
MTN
DC-9800020820-088
1 Page
08/30/1999 10:00 AM
TWITE

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES HEARING

CONTD TO

9/13/99

VOIR DIRE (JURY SELECTION)

HONORABLE
CONNIE
STEINHEIMER
DEPT. NO.4

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant not present, appearance previously waived, being represented by counsel, Public Defender Michael Specchio and Deputies Public Defender Steve Gregory and Jeremy Bosler.

M. Stone

9:58 a.m. Court convened outside the presence of the jury.

(Clerk)

Defense counsel Bosler set forth objections to Question Nos. 4 and 9 of the Juror Questionnaire. State's counsel Gammick made statement. Upon finding that the Defense did not objection to Question No. 4 in the previous trial nor was an objection made in a timely fashion, COURT ENTERED ORDER denying the Request for Modification of the Juror Questionnaire.

E. Nelson

10:05 a.m. Court recessed.

(Reporter)

10:11 a.m. Court reconvened with respective counsel present.

First panel of prospective jurors present.

Court addressed prospective jurors. Court personnel and respective counsel introduced to the jury panel.

Roll taken of prospective jurors; all present except jurors Billbao, Easterly, Hite, Lombardo, Ohotto, Phillips, Prater, Shutts, Simpson and Verneys.

All prospective jurors sworn as to their qualifications to serve as trial jurors. First panel of prospective jurors excused to complete Special Juror Instruction "A" and Special Juror Questionnaire.

10:20 a.m. Court recessed.

10:36 a.m. Court reconvened with respective counsel present.

Second panel of prospective jurors present.

Court addressed prospective jurors. Court personnel and respective counsel introduced to the jury panel.

Roll taken of prospective jurors; all present except jurors Basinger, Doreen, Fiechtl, Germano, Leonard, McKittrick, Oberg, Rosa, Salley, Smith and Tsatso.

All prospective jurors sworn as to their qualifications to serve as trial jurors. First panel of prospective jurors excused to complete Special Juror Instruction "A" and Special Juror Questionnaire.

10:50 a.m. Court recessed.

2:20 p.m. Court reconvened in chambers with District Attorney Gammick and Deputy Public Defender Gregory present via telephone.

Defense counsel Gregory waived Defendant's right to be present.

Court advised counsel as to issues regarding Juror Boynton's Questionnaire. Defense counsel Gregory set forth objection to release of Juror. State's counsel Gammick presented non-objection to release of Juror. Upon objection by Defense counsel, COURT ENTERED ORDER that Juror Boynton

CR98-0516
STATE VS SIOASI
District Court
Washoe County
MTN
DC-9900020820-098
VANISI (04)
2 Pages
09/13/1999 10:00 AM
TMH:IT

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIOASI VANISI a.k.a. "PE", a.k.a. "GEORGE"

DATE, JUDGE

PAGE TWO

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/13/99

VOIR DIRE (JURY SELECTION)

HONORABLE must remain on the Jury Panel.

CONNIE

STEINHEIMER

DEPT. NO.4

M. Stone

(Clerk)

E. Nelson

(Reporter)

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/17/99

PRE-TRIAL MOTIONS/STATUS HEARING

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Deputies Public Defender Stephen Gregory and Jeremy Bosler.

CONNIE

STEINHEIMER

DEPT. NO.4

M. Stone

(Clerk)

D. Phipps

(Reporter)

Discussion ensued regarding releasing Jurors. Upon stipulation of respective counsel, COURT ENTERED ORDER releasing Jurors Boynton, Faehling and Kidder.

Defense counsel Bosler informed the Court that he had completed the appropriate CLE Classes for the Rule 250 requirements.

Discussion ensued regarding the Exhibits. Defense counsel Gregory would not stipulate to any evidence being admitted into evidence.

EXHIBITS 40 - 43G marked by State's counsel Gammick.

Discussion ensued regarding stipulations entered during the First Trial. COURT ORDERED that all previously entered Stipulations shall remain in effect unless notified otherwise.

Court recessed.

CR98-0516
STATE VS SIAOSI VANISI (D4)
District Court
Washoe County
DC-9900020820-087
1 Page
09/17/1999 10:00 AM
M/N
TWITE

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES HEARING

CONTD TO

9/20/99

JURY TRIAL

HONORABLE

District Attorney Richard Gammick and Deputy District Attorney David

CONNIE

Stanton represented the State. Defendant present with counsel, Deputies

STEINHEIMER

Public Defender, Steve Gregory and Jeremy Bosler.

DEPT. NO.4

9:53 a.m. Court reconvened outside the presence of the jury.

M. Stone

Court canvassed Defendant regarding waiver of presence when Court

(Clerk)

excused Jurors Boynton, Faehling and Kidder and during side bars during the

SNR

course of the trial. Defendant waive right.

Court advised counsel of additional issues with regard to Jurors Carsten, Rameriz, Scrottish and Barrientos. Upon no objections, COURT ENTERED ORDER excusing Jurors Carsten and Rameriz, upon receipt of medical releases.

Discussion ensued regarding the lack of Defense Witnesses. Court advised Defense counsel that Robert Bare, Legal Counsel for the State Bar of Nevada, is available to them for advice anytime during this trial.

Request of In-Camera Hearing by Defense counsel Gregory.

10:01 a.m. Court recessed.

10:11 a.m. Court reconvened with respective Defense counsel Gregory, Bosler and John Petty present.

Defense counsel Petty requested matter sealed. COURT ENTERED ORDER sealing hearing.

Defense counsel made statement regarding the representation of the Defendant.

Matter unsealed. State's counsel Gammick and Stanton present.

Rule of Exclusion invoked. Upon discussion regarding witnesses, COURT ORDERED that all Penalty Phase witnesses and Carolyn and Meghan Sullivan are excluded from the Rule of Exclusion.

Discussion ensued regarding voir dire questions regarding Aggravators and Mitigators. COURT ENTERED ORDER that Defense counsel Bosler may not ask specific questions of each juror in this regard, but may ask a general question of the entire panel.

10:31 a.m. Court recessed.

10:58 a.m. Court reconvened with respective counsel and Defendant present.

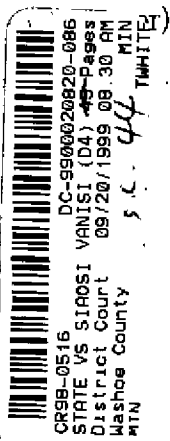
Prospective jurors present.

Court personnel, respective counsel and Defendant introduced to the jury panel.

Roll taken of prospective jurors; all present except Barrientos and Doiron.

All prospective jurors sworn as to their qualifications to serve as trial jurors.

Thirty-Six names drawn (James, Kersbergen, Patch, Ziler, N. Jones,



DATE, JUDGE
OFFICERS OF

PAGE TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/20/99

JURY TRIAL

SNR

(Reporter)

Caramella, Grate, Minassian, Mullins, Ralston, Ashley, Sheahan, Sharkey, Bell, Jones, Grider, Johnson, Ayers, O'Keefe, Kruse, Salais, Buck, S. Butler, Scolari, Hodges, Estes, Tower, Carmichael, Hullin, Petrilak, Magnin, Whitmore, Beers-Diaz, Williams, D. Smith and Webb); jurors seated and generally questioned by the Court.

Juror Caramella challenged for cause by Defense counsel Bosler; objection by State's counsel Stanton; examined by the Court; challenge denied.

Jury panel further generally examined by the Court.

Juror Williams challenged for cause by Defense counsel Bosler; no objection by State's counsel Stanton; challenge granted.

Another name drawn. Lori T. Frazer called, seated and generally examined by Court.

Jury panel further generally examined by the Court.

Upon stipulation of respective counsel, Court excused Juror N. Jones due to language barrier.

Another name drawn. Tish A. Kelly called, seated and generally examined by the Court.

Jury panel further generally examined by the Court.

Upon no objection by respective counsel, Court excused Juror Caramella due to Husband's scheduled surgery.

Juror Grate challenged for cause by Defense counsel Bosler; objection by State's counsel Stanton; examined by the Court; challenge denied.

Another name drawn. Nettie Horner called and seated.

Jury panel further generally examined by the Court.

Juror Sharkey challenged for cause by Defense counsel Bosler; no objection by State's counsel Stanton; challenge granted.

Another name drawn. William R. Meyers called and seated.

Jury panel further generally examined by the Court.

Juror O'Keefe challenged for cause by Defense counsel Bosler; traversed by State's counsel Stanton; examined by the Court; challenge denied.

Jury panel further generally examined by the Court.

Juror Hullin challenged for cause by Defense counsel Bosler; objection by State's counsel Stanton; challenge granted.

Another name drawn. Marria L. Knight called and seated.

Jury panel further generally examined by the Court.

Juror Meyer challenged for cause by Defense counsel Bosler; no objection by State's counsel Stanton; challenge granted.

Another name drawn. Mary E. Callahan called, seated and generally examined by the Court.

DATE, JUDGE
OFFICERS OF

PAGE THREE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/20/99

JURY TRIAL

SNR

12:41 p.m. Jury admonished. Court recessed.

(Reporter)

1:48 p.m. Court reconvened with respective counsel and Defendant present.
Clerk called roll; all present, except Juror Gilmore.

Upon stipulation of respective counsel, COURT excused Juror Ray.

Court waited for the presence of Juror Gilmore.

2:01 p.m. Juror Gilmore present.

Jury panel further generally examined by the Court.

Upon discussion at the bench, COURT excused Juror Beers-Diaz.

Another name drawn. Joann Shively called and seated.

Jury panel further generally examined by the Court.

Upon discussion at the bench, COURT excused Juror Whitmore.

Another name drawn. Donna J. Marting called and seated.

Jury panel further generally examined by the Court.

Upon direction of the Court, State's counsel Stanton specifically examined the panel.

Juror Magnin challenged for cause by State's counsel Stanton; examined by Defense counsel Bosler; challenge granted.

Jury panel further specifically examined by State's counsel Stanton.

Juror Morris challenged for cause by State's counsel Stanton; no objection by Defense counsel Bosler; challenge granted.

Two additional name drawn. Pete S. Costello and Dianne M. Smith called, seated and generally examined by Court.

Jury panel further specifically examined by State's counsel Stanton.

Juror Kelley challenged for cause by State's counsel Stanton; examined and submitted by Defense counsel Bosler; challenge granted.

Jury panel further specifically examined by State's counsel Stanton.

Jurors Ashley, Salais and Hodges challenged for cause by State's counsel Stanton; objection by Defense counsel Bosler; challenge granted as to Jurors Ashley and Salais, denied as to Juror Hodges.

Three additional names drawn. John E. Kennedy, James D. McMorran and Bruce C. Miller called, seated and generally examined by the Court and State's counsel Stanton.

4:00 p.m. Court recessed.

4:21 p.m. Court reconvened with respective counsel, Defendant and Jurors present.

Upon direction of the Court, Defense counsel Bosler specifically examined the panel.

Juror Knight challenged for cause by Defense counsel Bosler; traversed by State's counsel Stanton.

DATE, JUDGE
OFFICERS OF

PAGE FOUR

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/20/99

JURY TRIAL

SNR

4:55 p.m. Jury panel admonished. Court recessed.

(Reporter)

5:08 p.m. Court reconvened with respective counsel and Defendant present. Court addressed respective counsel regarding an Instruction regarding Mitigating and Aggravating Circumstances.

Request to Specifically examined the Jury panel regarding Information received from Outside Resources.

Discussion ensued regarding schedule of witnesses and use of peremptory challenges.

5:20 p.m. Court recessed. Defendant remanded to the custody of the Sheriff.

9/21/99

CONTINUED JURY TRIAL

M. Stone

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant, Siasosi Vanisi, present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler.

SNR

(Reporter)

10:29 a.m. Court reconvened.

Clerk called roll; all present.

Court read Instruction regarding Mitigators and Aggravators.

Jury panel further specifically examined by Defense counsel Bosler.

Juror Grate challenged for cause by Defense counsel Bosler; objection and examination by State's counsel Stanton; challenge denied.

Jury panel further specifically examined by Defense counsel Bosler.

12:05 p.m. Jury panel admonished. Court recessed.

1:11 p.m. Court reconvened with respective counsel and Defendant present.

Clerk called roll; all present.

Jury panel further specifically examined Defense counsel Bosler.

Juror O'Keefe challenged for cause by Defense counsel Bosler; no objection by State's counsel Stanton; challenge granted.

Another name drawn. Connie E. Ryan called, seated and generally examined by the Court and State's counsel Stanton.

Juror Ryan challenged for cause by State's counsel Stanton; no objection by Defense counsel Bosler; challenge granted.

Another name drawn. Kevin M. Stevens called, seated and generally examined by the Court and State's counsel Stanton.

Jury panel further specifically examined by Defense counsel Bosler.

Juror Butler challenged for cause by defense counsel Bosler; examination

DATE, JUDGE
OFFICERS OF

PAGE FIVE

COURT PRESENT

APPEARANCES HEARING

CONT'D TO

9/21/99

JURY TRIAL

SNR

(Reporter)

and no objection by State's counsel Stanton; challenge granted.

Another name drawn. Shawna L. Mefford called, seated and generally examined by the Court and State's counsel Stanton.

Juror Mefford challenged by State's counsel Stanton; examination by Defense counsel Bosler; challenge granted.

Another name drawn. Raul V. Frias called, seated and generally examined by the Court, State's counsel Stanton and Defense counsel Bosler.

Juror Frias challenged by State's counsel Stanton; examination and objection by State's counsel; challenge granted.

Another name drawn. Susan E. Johnson called, seated and generally examined by the Court.

3:03 p.m. Court recessed.

3:20 p.m. Court reconvened with respective counsel and Defendant present. Motion for Material Witness Order by State's counsel Gammick; present argument. COURT ENTERED ORDER granting Material Witness Warrant and setting the bail at \$50,000.00.

3:23 p.m. Court recessed.

3:31 p.m. Court reconvened with respective counsel, Defendant and Jury panel present.

Juror Johnson specifically examined by State's counsel Stanton.

Jury panel further specifically examined by Defense counsel Bosler.

Juror Petrilak challenged for cause by Defense counsel Bosler; examined and no objection by State's counsel Stanton; challenge granted.

Another name drawn. Kerry L. Humphries called, seated and generally examined by the Court and State's counsel Stanton.

Juror Humphries challenged for cause by Defense counsel Bosler; no objection by State's counsel Stanton; challenge granted.

Another name drawn. Holly R. Jenkins called, seated and generally examined by the Court, State's counsel Stanton and Defense counsel Bosler.

Panel further specifically examined by Defense's counsel Bosler.

Jurors Grate, Ziler and Patch challenged for cause by Defense counsel Bosler; traversed by State's counsel Stanton; challenge denied.

Respective counsel passed the jury panel for cause.

Court thanked and excused un-selected jurors.

4:55 p.m. Jury admonished. Court recessed.

5:15 p.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

Respective counsel exercised, silently, 8 peremptory challenges each as to the jury and 2 peremptory challenges each as to alternate jury.

DATE, JUDGE
OFFICERS OF

PAGE SIX

COURT PRESENT APPEARANCES-HEARING

CONT'D TO

9/21/99 JURY TRIAL

SNR

(Reporter) EXHIBIT G marked by the Court.

The following twelve persons and four alternates were sworn to try this case:

Bonnie K. James	Lauren Ziler	Nettie Horner
Shaylene J. Grate	Jeannette L. Minassian	Larry F. Mullins
James D. McMorran	Michael Sheahan	Alice J. Bell
Leslie C. Johnson	James L. Ayers	Robert T. Buck

Alternates: Richard A. Tower, Shaun L. Carmichael, Pete S. Costello
and Lori T. Frazier

5:50 p.m. Jury admonished; said admonishment administered prior to each recess throughout the trial. Jury excused.

Outside the presence of the jury, Defense counsel Bosler set forth objections to Jury panel as sworn.

Motion for Objection to Jury panel and/or Mis-Trial by Defense counsel Bosler; presented argument; objection and argument by State's counsel. COURT ENTERED ORDER denying Motion.

Discussion ensued Motion for Change of Venue.

5:57 p.m. Court recessed. Defendant remanded to the custody of the Sheriff.

9/22/99

SNR

(Reporter)

CONTINUED JURY TRIAL

District Attorney Richard Gammick and Deputy District Attorney David Stanton. Defendant, Siasos Vanisi, present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler.

9:11 a.m. Court reconvened outside the presence of the jury.

Court read letter from Juror Ziler.

Juror Ziler entered, seated, examined by Court, and excused.

Defense counsel Bosler objected to the release of the Juror.

State's counsel Stanton had no objection to release of Juror.

COURT ENTERED ORDER releasing the Juror from any further service due to the stress creating a serious mental state.

Defense counsel Bosler did not have a Motion to Mis-Trial to present.

Respective counsel had no objection to Information as shown being read.

9:20 a.m. Court recessed.

DATE, JUDGE
OFFICERS OF

PAGE SEVEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/22/99

JURY TRIAL

SNR

(Reporter)

10:13 a.m. Court reconvened with respective counsel and Defendant present.
Respective counsel stipulated to the presence of the jury.
Court Clerk read the Information aloud and indicated that pleas of not guilty had previously been entered by the defendant.

State's counsel Gammick presented opening statement.
Defense counsel Gregory waived opening statement.

Ellen Clark called by State's counsel Gammick, sworn and testified.

EXHIBIT 9 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Clark further direct examined.

EXHIBITS 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4J, 4K and 4L offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Clark further direct examined.

EXHIBITS 5 offered by State's counsel Gammick for demonstrative purposes; submitted by Defense counsel Gregory; ordered admitted into evidence for demonstrative purposes only.

Witness Clark further direct examined; excused.

11:18 a.m. Jury admonished. Court recessed. Defendant remanded to the custody of the sheriff.

11:34 a.m. Court reconvened with respective counsel and defendant present.
Respective counsel stipulated to the presence of the jury.

Brenda Martinez called by State's counsel Gammick, sworn and testified.

EXHIBIT 7 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Martinez further direct examined.

DATE, JUDGE
OFFICERS OF

PAGE EIGHT

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/22/99

JURY TRIAL

SNR

(Reporter)

EXHIBITS 41A and 41B offered by State's counsel Gammick; submitted by Defense counsel; ordered admitted into evidence.

Witness Martinez further direct examined.

EXHIBIT 6 offered by State's counsel Gammick; submitted by Defense counsel; ordered admitted into evidence.

Witness Martinez further direct examined; cross-examined by Defense counsel Gregory; excused.

11:56 a.m. Jury admonished. Court recessed. Defendant remanded to the custody of the sheriff.

1:42 a.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

Carl Smith called by State's counsel Gammick, sworn and testified.

EXHIBIT 8 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Smith further direct examined.

***Record reflected identification of the Defendant.

Witness Smith further direct examined.

EXHIBIT 12 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 17A offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBITS 10A and 10B offered by State's counsel Gammick; submitted by

DATE, JUDGE
OFFICERS OF

PAGE NINE

COURT PRESENT

APPEARANCES-HEARING

CONTD TO

9/22/99

JURY TRIAL

SNR

Defense counsel Gregory; ordered admitted into evidence.

(Reporter)

Witness Smith further direct examined.

EXHIBITS 16, 16A and 16B offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBITS 14A and 14B offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 18 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Smith further direct examined.

EXHIBIT 17B offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Smith further direct examined; cross-examined by Defense counsel Gregory; redirect examined; excused.

Andrew Ciocca called by State's counsel Gammick, sworn and testified.

EXHIBIT 17C offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Ciocca further direct examined; excused.

Willie Stephenson called by State's counsel Gammick, sworn and testified.

EXHIBIT 19 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Stephenson further direct examined.

DATE, JUDGE
OFFICERS OF

PAGE TEN

COURT PRESENT

APPEARANCES-HEARING

CONTD TO

9/22/99

JURY TRIAL

SNR

(Reporter)

EXHIBIT 17D offered by State's counsel Gammick; submitted by defense counsel Gregory; ordered admitted into evidence.

Witness Stephenson further direct examined.

EXHIBIT 30 offered by State's counsel Gammick; stipulated by Defense counsel Gregory; ordered admitted into evidence.

Witness Stevenson further direct examined; excused.

3:27 p.m. Jury admonished. Court recessed.

3:56 p.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

Jeff Riolo called by State's counsel Stanton, sworn and testified.

EXHIBIT 40 offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Riolo further direct examined.

EXHIBITS 43A - 43G offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Riolo excused.

Mele Maveni called by State's counsel Stanton, sworn and testified.

EXHIBIT 24A offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Maveni further direct examined; excused, subject to recall.

4:55 a.m. Jury admonished and excused. Outside the presence of the jury, discussion ensued regarding transcript of exhibit 18. Upon no objection of respective counsel, COURT ORDERED exhibit 18 released to State's Investigator for copying. Once tape transcribed, the Transcript shall be marked and admitted into evidence.

DATE, JUDGE
OFFICERS OF

PAGE ELEVEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/22/99

JURY TRIAL

SNR
(Reporter)

5:00 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

9/23/99

CONTINUED JURY TRIAL

M. Stone
(Clerk)
SNR
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant present with counsel, Deputies Public Defender, Steve Gregory and Jeremy Bosler.
2:09 p.m. Court reconvened with respective counsel and defendant present. Respective counsel stipulated to the presence of the jury.

Makaleta Kauapalu called by State's counsel Stanton, sworn and testified; excused.

Sateki Taukieuvea called by State's counsel Stanton, sworn and testified.

***Record reflects identification of the Defendant.

Witness Taukieuvea further direct examined; excused.

Renee Peaua called by State's counsel Stanton, sworn and testified.

***Record reflects identification of the Defendant.

Witness Peaua further direct examined; excused, subject to recall.

3:37 p.m. Jury admonished. Court recessed. Defendant remanded into the custody of the Sheriff.

4:06 p.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

Maria Louis called by State's counsel Stanton, sworn and testified.

***Record reflects identification of the Defendant.

Witness Louis further direct examined.

EXHIBITS 23A and 23B offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

DATE, JUDGE PAGE TWELVE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/23/99

JURY TRIAL

HONORABLE Witness Louis further direct.

CONNIE

STEINHEIMER EXHIBIT 27 offered by State's counsel Stanton; submitted by Defense counsel
DEPT. NO.4 Gregory; ordered admitted into evidence.

M. Stone

(Clerk) Witness Louis further direct examined.

SNR

(Reporter) EXHIBIT 24B offered by State's counsel Stanton; submitted by Defense
counsel Gregory; ordered admitted into evidence.

Witness Louis further direct examined.

EXHIBIT 26 offered by State's counsel Stanton; submitted by Defense counsel
Gregory; ordered admitted into evidence.

Witness Louis further direct examined; cross-examined by defense counsel
Gregory; redirect examined; recross-examined; excused.

William Louis called by State's counsel Stanton, sworn and testified.

***Record reflects identification of the Defendant.

Witness Louis further direct examined.

EXHIBITS 20A and 20B offered by State's counsel Stanton; submitted by
Defense counsel Gregory; ordered admitted into evidence.

Witness Louis further direct examined; excused.

Priscilla Endemann called by State's counsel Stanton, sworn and testified.

***Record reflects identification of the Defendant.

Witness Endemann further direct examined; excused.

Manaoui Peaua called by State's counsel Stanton, sworn and testified.

***Record reflects identification of the Defendant.

DATE, JUDGE
OFFICERS OF

PAGE THIRTEEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/23/99

JURY TRIAL

SNR

Witness Peaua further direct examined; excused.

(Reporter)

5:05 p.m. Jury admonished and excused. Outside the presence of the jury, Court set forth for the record that when the Defense requested the Court indulgence, Defense counsel was having a conversation with the Defendant. Discussion ensued regarding the admission of exhibits 33A. COURT ORDERED that the Exhibit shall not be admitted in the State's case-in-chief, but may be re-addressed for Rebuttal Witnesses.

5:17 p.m. Court recessed.

CONTINUED JURY TRIAL

9/24/99

M. Stone

(Clerk)

SNR

(Reporter)

District Attorney Richard Gammick and Deputy District Attorney Dave Stanton represented the State. Defendant, Siasosi Vanisi, present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler.

9:10 a.m. Court reconvened. Respective counsel stipulated to the presence of the jury.

Jim Duncan called by State's counsel Gammick, sworn and testified.

EXHIBIT 11 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 25 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 21 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Duncan further direct examined.

EXHIBIT 29A and 29B offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

DATE, JUDGE
OFFICERS OF

PAGE FOURTEEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/24/99

JURY TRIAL

HONORABLE

Witness Duncan further direct examined.

CONNIE

STEINHEIMER

EXHIBIT 24C offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

DEPT. NO.4

M. Stone

(Clerk)

Witness Duncan further direct examined.

SNR

(Reporter)

EXHIBIT 15A, 15B and 15C offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Duncan further direct examined; excused.

Fernando Moreira called by State's counsel Gammick.

EXHIBITS 31E and 31F offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Moreira further direct examined.

EXHIBITS 31A and 31B offered by State's counsel Gammick; submitted by Defense counsel Gregory; exhibit 31A ordered admitted into evidence.

Witness Moreira further direct examined.

EXHIBITS 31C, 31D and 31G offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Moreira further direct examined; excused.

Louis Hill called by State's counsel Gammick, sworn and testified.

EXHIBITS 32A and 32B offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Hill excused.

10:07 a.m. Jury admonished. Court recessed.

10:26 a.m. Court reconvened with respective counsel and Defendant present.

Respective counsel stipulated to the presence of the jury.

DATE, JUDGE

PAGE FIFTEEN

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/24/99

JURY TRIAL

SNR

Patricia Masito called by State's counsel Gammick, sworn and testified.

(Reporter)

***Record reflects identification of the Defendant.

Witness Masito further direct examined.

EXHIBIT 42 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Masito further direct examined; excused.

Kaleb Bartelheim called by State's counsel Gammick, sworn and testified.

***Record reflects identification of the Defendant.

Witness Bartelheim cross-examined by Defense counsel Gregory; redirect examined; recross-examined; excused.

Dianna Shouse called by State's counsel Gammick, sworn and testified.

***Record reflects identification of the Defendant.

Witness Shouse excused.

10:51 a.m. Jury admonished and excused. Outside the presence of the jury, Court made additional record regarding the Defense's "Court's Indulgence". Discussion ensued regarding Jury Instructions.

10:52 a.m. Court recessed. Defendant remanded into the custody of the Sheriff.

1:24 Court reconvened outside the presence of the jury with respective counsel and Defendant present. Respective counsel and Court settled Jury Instructions. Defendant offered three Instructions; presented argument; objection and argument by State's counsel Stanton. COURT ENTERED ORDER marking the Instructions "Defendant's Offered Instructions A, B and C" and denied their use.

Respective counsel had no additional instructions to offer.

Discussion ensued regarding Defense Witnesses. COURT ORDERED the District Attorney's Investigator and the Public Defender's Investigator to meet and exchange contacts with the Defense Witness to assist in locating all

DATE, JUDGE
OFFICERS OF

PAGE SIXTEEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/24/99

JURY TRIAL

M. Stone

Witnesses.

(Clerk)

Court advised counsel of Question No. 1 received for a Juror.

SNR

2:18 p.m. Court recessed. Defendant remanded into the custody of the

(Reporter)

Sheriff.

9/27/99

CONTINUED JURY TRIAL

M. Stone

District Attorney Richard Gammick and Deputy District Attorney Dave Stanton represented the State. Defendant, Siasosi Vanisi present with counsel, Deputies Public Defenders, Stephen Gregory and Jeremy Bosler.

(Clerk)

SNR

9:20 a.m. Court reconvened. Respective counsel stipulated to the presence of the Jury.

(Reporter)

David Kinikini called by State's counsel Stanton, sworn and testified.

EXHIBITS 33C and 33D offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Kinikini further direct examined; excused, subject to recall.

Keith Stevens called by State's counsel, sworn and testified.

***Record reflects identification of Defendant.

Witness Stevens further direct-examined.

EXHIBIT 28 offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Stevens further direct-examined; excused.

Craig Meyer called by State's counsel, sworn and testified.

EXHIBITS 34A and 34B offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Meyer further direct examined.

DATE, JUDGE
OFFICERS OF

PAGE SEVENTEEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/27/99

JURY TRIAL

SNR

(Reporter)

EXHIBIT 33B offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Meyer further direct examined.

***Record reflects identification of the Defendant.

Witness Meyer further direct examined; cross-examined; excused.

Vainga Kinikini called by State's counsel Stanton, sworn and testified.

10:39 a.m. Jury admonished. Court recessed.

10:58 a.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present.

State's counsel notified the Court and Defense counsel that Witness Kinikini is the last State's Witness.

Court canvassed Defendant as to his 5th Amendment Right.

Defendant made statement and waived right to testified.

Court further canvassed the Defendant.

Defense counsel Gregory requested an In-Camera Hearing.

11:03 a.m. Jury entered. Respective counsel stipulated to the presence of the Jury.

Witness Kinikini, heretofore sworn, resumed stand and was further direct examined.

EXHIBITS 15C and 15D offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Kinikini further direct examined; excused.

EXHIBITS 35, 36 and 37 offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence.

State rested.

11:35 a.m. Jury admonished and excused. Outside the presence of the jury, discussion ensued at the Bench.

11:37 a.m. Court recessed. Defendant remanded to the custody of the

DATE, JUDGE
OFFICERS OF

PAGE EIGHTEEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/27/99

JURY TRIAL

SNR

Sheriff.

(Reporter)

11:52 a.m. Court reconvened in-camera outside the presence of the Jury with Defense counsel Gregory and Bosler and Defendant present.

Discussion ensued regarding the Defense of this case.

Court canvassed the Defendant.

12:06 p.m. Jury entered. State's counsel also entered. Respective counsel stipulated to the presence of the Jury.

Defense counsel Gregory waived opening statement.

Defense rested.

12:09 p.m. Jury admonished and excused. Outside the presence of the jury, further discussion ensued regarding the Jury Instruction.

Defense counsel Bosler had no additional Instructions to offer, with the exception of the Instruction regarding the Defendant's right to not testify.

Respective counsel had no further Instructions or Objections to offer to the Instructions.

12:15 p.m. Court recessed. Defendant remanded to the custody of the Sheriff.

1:29 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present.

Court reviewed order of Instructions.

Respective counsel had no further Instructions nor Objections to offer.

Respective counsel had no objection to the Verdict forms.

1:32 p.m. Court recessed. Defendant remanded to the custody of the Sheriff.

1:41 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present.

EXHIBIT 18A (transcript of Exhibit 18) marked and offered by State's counsel Gammick; submitted by Defense counsel Gregory; ordered admitted into evidence, but not to jury.

Court advised respective counsel of the procedure used regarding the evidence that is ammunition.

1:44 p.m. Jury entered. Respective counsel stipulated to the presence of the jury.

Court read answer to Question No. 1 aloud to the Jury.

Court read Instructions to the Jury.

State's counsel Gammick presented opening argument.

DATE, JUDGE
OFFICERS OF

PAGE NINETEEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/27/99

JURY TRIAL

SNR

Defense counsel waived answering argument.

(Reporter)

2:38 p.m. Bailiff and Law Clerk sworn and jury retired for deliberations.

Outside the presence of the jury, Court advised counsel of clerical errors in the Instructions.

2:40 p.m. Court recessed. Defendant remanded to the custody of the Sheriff.

3:23 p.m. Court reconvened in chambers with respective counsel present.

Defense counsel Gregory waived Defendant's appearance for the purpose of answering a question from the Jury.

Court read Question to counsel. Upon agreement of counsel, COURT ORDERED answer to Question No. 2 delivered to the Jury.

3:30 p.m. Court recessed.

4:31 p.m. Court reconvened with respective counsel and Defendant present.

Respective counsel stipulated to the presence of the jury.

Clerk called Roll.

Jury returned the following verdicts:

VERDICT

We, the jury in the above-entitled matter, find the defendant, SIAOSI VANISI, also known as "PE", also known as "GEORGE", GUILTY of MURDER.

DATED this 27th day of September, 1999.

(Sgd) James L. Ayres
FOREPERSON

Having found the defendant guilty of Murder, you must answer the following question: Was it Murder of the First Degree or Murder of the Second Degree?

X Murder of the First Degree
X Murder of the Second Degree

(Sgd) James L. Ayres
FOREPERSON

If you have found the defendant the defendant guilty of Murder, you must answer the following question: Was a deadly weapon used in the

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF

PAGE TWENTY-ONE

COURT PRESENT

APPEARANCES HEARING

CONT'D TO

9/27/99

JURY TRIAL

SNR commission of this Murder as defined in these instructions?

(Reporter)

Yes X No

(Sgd) James L. Ayres
FOREPERSON

VERDICT

We, the jury in the above-entitled matter, find the defendant, SIAOSI VANISI, also known as "PE", also known as "GEORGE", GUILTY of COUNT II. ROBBERY.

DATED this 27th day of September, 1999.

(Sgd) James L. Ayres
FOREPERSON

If you have found the defendant guilty of Robbery, you must answer the following question: Was a deadly weapon used in the commission of this Robbery as defined in these instructions?

Yes X No

(Sgd) James L. Ayres
FOREPERSON

VERDICT

We, the jury in the above-entitled matter, find the defendant, SIAOSI VANISI, also known as "PE", also known as "GEORGE", GUILTY of COUNT III. ROBBERY.

DATED this 27th day of September, 1999.

(Sgd) James L. Ayres
FOREPERSON

If you have found the defendant guilty of Robbery, you must answer the following question: Was a deadly weapon used in the commission of

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a. "GEORGE"

DATE, JUDGE
OFFICERS OF

PAGE TWENTY-TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/27/99

JURY TRIAL

SNR

this Robbery as defined in these instructions?

(Reporter)

Yes X No

(Sgd) James L. Ayres
FOREPERSON

VERDICT

We, the jury in the above-entitled matter, find the defendant, SIAOSI VANISI, also known as "PE", also known as "GEORGE", GUILTY of COUNT IV. ROBBERY.

DATED this 27th day of September, 1999.

(Sgd) James L. Ayres
FOREPERSON

If you have found the defendant guilty of Robbery, you must answer the following question: Was a deadly weapon used in the commission of this Robbery as defined in these instructions?

Yes X No

(Sgd) James L. Ayres
FOREPERSON

VERDICT

We, the jury in the above-entitled matter, find the defendant, SIAOSI VANISI, also known as "PE", also known as "GEORGE", GUILTY of COUNT V. GRAND LARCENY.

DATED this 27th day of September, 1999.

(Sgd) James L. Ayres
FOREPERSON

Court inquired of the jurors as a whole if this was the verdict to which they

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF

PAGE TWENTY-THREE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/27/99

JURY TRIAL

SNR

agreed and there were no negative responses.

(Reporter)

Neither counsel requested the Jury polled.

COURT ORDERED jurors to contact the Court's Chambers on September 28, 1999, between 4:00 p.m. and 5:00 p.m. for further instructions regarding when they must report back to Court for the Penalty Phase of the Trial.

4:50 p.m. Jury admonished and excused. Outside the presence of the jury, COURT ORDERED respective counsel to return to Court on September 28, 1999, at 1:30 p.m. to give the Court a report on the availability of witnesses.

9/28/99

CONTINUED JURY TRIAL

M. Stone

District Attorney Richard Gammick and Deputy District Attorney Dave

(Clerk)

Stanton represented the State. Defendant, Siasosi Vanisi, present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler.

SNR

1:38 p.m. Court reconvened outside the presence of the Jury.

(Reporter)

Court advised counsel of her conversations with the Judge handling the Motions to Compel Witnesses to Testify in San Mateo.

Defense counsel Bosler made statement.

Upon request by State's counsel Gammick and no objection by the Defense, COURT ENTERED ORDER that the Penalty Phase shall begin on October 1, 1999, at 9:00 a.m.

COURT FURTHER ENTERED ORDER that respective counsel must submit their Penalty Phase Instructions to the Court by 4:00 p.m. on September 30, 1999.

Upon Request by State's counsel Gammick, COURT ORDERED Defense counsel to provide the State with all defense witnesses immediately following this hearing.

1:55 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

9/30/99

CONTINUED JURY TRIAL

M. Stone

District Attorney Richard Gammick and Deputy District Attorney Dave

(Clerk)

Stanton represented the State. Defendant, Siasosi Vanisi, present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler.

SNR

3:40 Court reconvened outside the presence of the jury.

(Reporter)

DATE, JUDGE
OFFICERS OF
COURT PRESENT

PAGE TWENTY-FOUR

APPEARANCES-HEARING

CONT'D TO

9/30/99

JURY TRIAL

SNR

(Reporter)

Court advised respective counsel that all but one witnesses was Ordered by the California Judge to appear for trial.

State's counsel Gammick made statement regarding Defense witnesses.

EXHIBITS H and I marked by State's counsel Gammick.

State's counsel Gammick presented argument regarding Notice and timeliness of Defense Witnesses. Defense counsel Gregory presented argument. State's counsel Gammick presented further argument.

EXHIBIT J marked by State's counsel Gammick.

State's counsel Gammick presented further argument.

UPON COURT ORDER, Defense counsel Gregory presented the names of which Witnesses where to be called and the general topic of their testimony.

Motion in Limine to exclude Defense Witnesses from testifying as to the sentence the Defendant should receive by State's counsel Gammick; presented argument; no objection by Defense counsel Gregory. COURT ENTERED ORDER granting Motion.

State's counsel Stanton provided Court with proposed Jury Instructions. Discussion ensued regarding Victim Impact Statements.

EXHIBITS K & L marked by State's counsel Gammick.

Upon discussion regarding redactions to the Victim Impact Statements, COURT ORDERED counsel to be prepared to argue the issues at 8:30 a.m. on October 1, 1999.

Defense counsel Bosler provided Court with proposed Jury Instructions. Discussion ensued regarding the admissibility of Exhibit 33A. State's counsel put the Defense on notice of potential use of that exhibit. Discussion ensued regarding the photograph taken of the Defendant at the Washoe County Jail.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF

PAGE TWENTY-FIVE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/30/99

CONTINUED JURY TRIAL

SNR

(Reporter)

EXHIBIT 44 marked by State's counsel Stanton.

COURT ENTERED ORDER that in light of all the other evidence the State has against the Defendant, exhibit 44 is not admitted into evidence.

EXHIBIT 45 marked and offered by State's counsel Gammick; objection by Defense counsel Gregory; Court reserved ruling pending review of the video tape and the Defense providing the law their objections are based on.

EXHIBITS 46A - 46E marked and offered by State's counsel Gammick; no objection by Defense counsel Gregory; ordered admitted into evidence upon the testimony.

Discussions ensued regarding the Victim Impact Statements and the testimony of Deputy Ellis.

4:50 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

10/1/99

CONTINUED JURY TRIAL

M. Stone

(Clerk)

SNR

(Reporter)

District Attorney Richard Gammick and Deputy District Attorney Dave Stanton represented the State. Defendant, Siasosi Vanisi, present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler.

8:30 a.m. Court reconvened outside the presence of the jury.

Discussion ensued regarding Victim Impact Statement. Upon no objections, all redactions were made by the Court to Exhibit K by interlineation.

Motion in Limine to exclude State's counsel Gammick of making comments about his law enforcement background during closing arguments by Defense counsel Gregory; presented argument; no objection by State's counsel Stanton. COURT ENTERED ORDER granting Motion.

Upon review of all cases provided by the Defense and arguments made by respective counsel, COURT ENTERED ORDER finding the victim impact

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI a.k.a. "PE", a.k.a.
"GEORGE"

DATE, JUDGE	PAGE TWENTY-SIX	
OFFICERS OF		
COURT PRESENT	APPEARANCES-HEARING	CONT'D TO

10/1/99 JURY TRIAL

SNR statements admissible as redacted.
(Reporter) Defense counsel Gregory made statement regarding the number of
uniformed police officers in the Courtroom.
Court indicated that the number of uniformed Police Officers in the
Courtroom was not noticeable with the number of civilian Persons.

EXHIBIT 47 - 52 marked by Defense counsel Bosler.

9:22 a.m. Jury entered. Respective counsel stipulated to the presence of
the jury.

State's counsel Stanton presented opening statement.
Defense counsel Gregory presented opening statement.

EXHIBITS PREVIOUSLY ADMITTED offered by State's counsel Stanton;
submitted by Defense counsel Gregory; ordered admitted into evidence
for the Penalty Phase.

Michael Wiley called by State's counsel Stanton, sworn and testified;
cross-examined by Defense counsel Gregory.

EXHIBIT 53 marked and offered by Defense counsel Gregory; one
objection by State's counsel Stanton; ordered admitted into evidence.

Witness Wiley further cross-examined; redirect examined; recross-
examined; excused.

David Molnar called by State's counsel Stanton, sworn and testified;
cross-examined by Defense counsel Gregory; excused.

Debra Mann called by State's counsel Stanton, sworn and testified; cross-
examined; excused.

10:39 a.m. Jury admonished. Court recessed.

11:01 a.m. Court reconvened with respective counsel and Defendant
present. Respective counsel stipulated to the presence of the jury.

Deputy James Ellis called by State's counsel, sworn and testified; cross-

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISL a.k.a. "PE", a.k.a. "GEORGE"

DATE, JUDGE PAGE TWENTY-SEVEN
OFFICERS OF
COURT PRESENT APPEARANCES HEARING

CONT'D TO

10/1/99 JURY TRIAL

SNR examined by Defense counsel Gregory; excused.

(Reporter)

Viangra Kinikini, heretofore sworn, called by State's counsel Stanton and direct examined; cross-examined by Defense counsel Gregory; redirect examined; excused, subject to recall.

11:40 a.m. Jury admonished. Court recessed.

1:09 p.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

Lt. Geoffrey Wise called by State's counsel Stanton, sworn and testified; cross-examined by Defense counsel Gregory; redirect examined; recross-examined; excused.

Sue Millard called by State's counsel Stanton, sworn and testified.

EXHIBIT 46A - 46E offered by State's counsel Stanton; no objection by Defense counsel Gregory; ordered admitted into evidence.

Witness Millard further direct examined; excused.

Steve Sauter called by State's counsel, sworn and testified; excused.

2:16 p.m. Jury admonished. Outside the presence of the jury, Defense counsel Gregory set forth for the record that the last two witnesses and gallery were emotional.

Discussion ensued regarding the Victim impact statement. COURT ORDERED that the word "savagely" be stricken from the statement.

2:30 p.m. Court recessed.

2:45 p.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

Carolyn Sullivan called by State's counsel Stanton, sworn and testified.

EXHIBIT 45 offered by State's counsel Stanton; submitted by Defense counsel Gregory; ordered admitted into evidence.

Witness Sullivan further direct examined.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISL a.k.a. "PE" a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF

PAGE TWENTY-SEVEN

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/1/99

JURY TRIAL

SNR

3:38 p.m. Jury admonished. Court recessed.

(Reporter)

3:56 p.m. Court reconvened outside the presence of the jury with
respective counsel and Defendant present.

Defense counsel set forth for the record the emotional state of the
witnesses, the Jury and the Audience during last testimony.

3:57 p.m. Jury entered. Respective counsel stipulated to the presence of
the jury.

Witness Sullivan, heretofore sworn, resumed stand and was further direct
examined; excused.

Meaghan Sullivan called by State's counsel Stanton, sworn and testified;
excused.

State's counsel rested.

Sione Peaua called by Defense counsel Bosler, sworn and testified.

EXHIBIT 51B offered by Defense counsel Bosler; no objection by State's
counsel; ordered admitted into evidence.

Witness Peaua cross-examined by State's counsel Stanton; redirect
examined; excused.

Renee Peaua, heretofore sworn, called by Defense counsel Gregory and
direct examined.

EXHIBIT 51A offered by Defense counsel Gregory; no objection by State's
counsel Gammick; ordered admitted into evidence.

Witness further direct- examined; cross-examined; excused.

4:36 Jury admonished and excused. Outside the presence of the jury,
Discussion ensued regarding the schedule of witnesses. Defense counsel
provided the Court and the State with a list of witnesses.

4:40 p.m. Court recessed.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI a.k.a. "PE" a.k.a.
"GEORGE"

DATE, JUDGE	PAGE TWENTY-EIGHT	
OFFICERS OF		
COURT PRESENT	APPEARANCES-HEARING	CONT'D TO

10/4/99 CONTINUED JURY TRIAL

M. Stone District Attorney Richard Gammick and Deputy District Attorney Dave
(Clerk) Stanton represented the State. Defendant, Siasosi Vanisi, present with
SNR counsel, Deputies Public Defender, Steven Gregory and Jeremy Bosler.
(Reporter) 9:40 Court reconvened. Respective counsel stipulated to the presence of
the jury.

Matthew McGinn called by Defense counsel Bosler, sworn and testified.

EXHIBIT 52 offered by Defense counsel Bosler; no objection by State's
counsel Stanton; ordered admitted into evidence.

Witness McGinn further direct examined.

***Record reflects identification of the Defendant.

Witness McGinn cross-examined by State's counsel Stanton; excused.

LeAnn Jones called by Defense counsel Bosler, sworn and testified; cross-
examined by State's counsel Stanton; excused.

Tupouhea Luae called by Defense counsel Bosler, sworn and testified;
cross-examined by State's counsel Stanton; excused.

Sitiveni Tafuna called by Defense counsel Bosler, sworn and testified;
cross-examined; excused.

Anna Marie Jones called by Defense counsel Bosler, sworn and testified;
excused.

Sela Oto Ota DeBruce called by Defense counsel Bosler, sworn and
testified; excused.

11:08 a.m. Jury admonished. Court recessed.

11:33 a.m. Court reconvened with respective counsel and Defendant
present. Respective counsel stipulated to the presence of the Jury.

Nifai Tonga called by Defense counsel Gregory, sworn and testified.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISL a.k.a. "PE" a.k.a.
"GEORGE"

DATE, JUDGE PAGE TWENTY-NINE
OFFICERS OF
COURT PRESENT APPEARANCES HEARING

CONT'D TO

10/4/99 CONTINUED JURY TRIAL

SNR

(Reporter)

***Record reflects identification of the Defendant.

Witness Tonga further direct examined.

EXHIBIT 33A offered by Defense counsel Gregory; no objection by State's counsel Stanton; ordered admitted into evidence.

Witness Tonga further direct examined; cross-examined by State's counsel Stanton; redirect examined; excused.

11:59 a.m. Jury admonished and excused. Outside the presence of the jury, Court advised respective counsel that Tui Finau will be sworn to interpret the proceedings for the witnesses if necessary.

12:03 p.m. Court recessed.

1:35 p.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

Brian Verna called by Defense counsel Bosler, sworn and testified.

***Record reflects identification of the Defendant.

Witness Verna further direct examined; cross-examined by State's counsel Stanton; excused.

Kurt Krueger called by Defense counsel Bosler, sworn and testified.

EXHIBIT 38 offered by Defense counsel Bosler; no objection by State's counsel Stanton; ordered admitted into evidence.

Witness Krueger further direct examined; cross-examined by State's counsel Stanton; redirect examined; excused.

Judith Celeste called by Defense counsel Bosler, sworn and testified.

***Record reflects identification of the Defendant.

Witness Celeste further direct examined; excused.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF

PAGE THIRTY

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/4/99

JURY TRIAL

SNR

(Reporter)

Ole Thienhaus called by Defense counsel Gregory, sworn and testified; cross-examined by State's counsel Stanton; redirect examined; recross-examined; further examined by Defense counsel Gregory; excused.

3:04 p.m. Jury admonished and excused. Outside the presence of the jury, Discussion ensued regarding the Interpreter.

3:05 p.m. Court recessed.

3:30 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present.

Tui Finau sworn to interpret the proceedings for any witness needing the services.

3:35 p.m. Court recessed.

3:50 p.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

Deanne Vanacey called by Defense counsel Bosler, sworn and testified; cross-examined; redirect examined; recross-examined; excused.

Toa Vimahi called by Defense counsel Bosler, assisted by an Interpreter, sworn and testified; excused.

Louisa Tafuna called by Defense counsel Bosler, sworn and testified; cross-examined by State's counsel Stanton; excused.

5:02 p.m. Jury admonished and excused. Outside the presence of the jury, State's counsel Stanton set forth a standing objection to further testimony regarding the Defendant's Sister's wedding, the custom of raising children and the use of first names. COURT ENTERED ORDER that all witnesses must be addressed by their Sir-Names.

5:05 Court recessed.

5:37 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present.

Court set forth order of Instructions. Respective counsel and Court settled Jury Instructions. Defendant offered five Instructions; presented argument; objection and argument by State's counsel Stanton. COURT ENTERED ORDER marking the Instructions "Defendant's Offered Instructions D, E, F, G and H" and denied use of Offered Instructions D, E and G.

6:24 p.m. Court recessed.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF
COURT PRESENT

PAGE THIRTY-ONE

APPEARANCES-HEARING

CONT'D TO

10/4/99

JURY TRIAL

SNR
(Reporter)

6:38 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present. Upon review of case law, Respective counsel and Court settled Jury Instructions. COURT ENTERED ORDER denying use of Offered Instructions F and H. Defendant offered seven additional Instructions; presented argument; objection and argument by State's counsel Stanton. COURT ENTERED ORDER marking the Instructions "Defendant's Offered Instructions I, J, K, L, M, N and O" and denied their use. Upon arguments, COURT ENTERED ORDER allowing for a modification of Defendant's Offered Instruction H. Defense counsel Bosler objected to the verdict forms as offered by the State. 7:55 p.m. Court recessed. Defendant remanded to the custody of the sheriff.

10/5/99

CONTINUED JURY TRIAL

M. Stone
(Clerk)
SNR
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant, Siaoosi Vanisi, present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler. 10:41 a.m. Court reconvened. Respective counsel stipulated to the presence of the jury.

Kathy Peaua called by Defense counsel Gregory, sworn and testified.

***Record reflects Identification of the Defendant.

Witness Peaua further direct examined; cross-examined by State's counsel Stanton; excused.

Renee Peaua, heretofore sworn, called by Defense counsel Gregory and direct examined; cross-examined by State's counsel Stanton; redirect examined; excused.

Sateki Taukieuvea, heretofore sworn, called by Defense counsel Gregory and direct examined; cross-examined by State's counsel Stanton;

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISL a.k.a. "PE" a.k.a.
"GEORGE"

DATE, JUDGE	PAGE THIRTY-TWO	
OFFICERS OF		
COURT PRESENT	APPEARANCES-HEARING	CONT'D TO

10/5/99 JURY TRIAL

SNR excused.

(Reporter)

Mele Mauveni, heretofore sworn, called by defense counsel Gregory and direct examined.

11:00 a.m. Jury admonished and excused.

Witness Mauveni examined by State's counsel Gammick; excused.

Motion for Sanctions and a Curative Instruction by State's counsel Gammick; presented argument; objection and argument by Defense counsel Gregory.

COURT HELD matter under abeyance pending receipt of the transcript of Witness Mauveni's direct examination.

11:25 a.m. Court recessed.

11:56 a.m. Court reconvened with respective counsel and defendant present. Respective counsel stipulated to the presence of the jury.

Court admonished and excused jury for lunch.

11:57 a.m. Court recessed.

1:43 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present. Court noted receipt of the Transcript of Witness Mauveni's direct examination.

1:44 p.m. Jury entered. Respective counsel stipulated to the presence of the jury.

Witness Mauveni, heretofore, resumed stand and was cross-examined by State's counsel Gammick; redirect-examined; recross-examined; further examined by Defense counsel Gregory; excused.

David Kinikini, heretofore sworn, called by Defense counsel Gregory and direct examined; cross-examined by State's counsel Stanton; redirect examined; excused.

Toeumu Tafuna called by Defense counsel Gregory, assisted by an interpreter, sworn and testified; cross-examined by State's counsel Stanton; excused.

Crystal Calderon called by Defense counsel Gregory, sworn and testified;

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI a.k.a. "PE", a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF
COURT PRESENT

PAGE THIRTY-THREE

APPEARANCES-HEARING

CONT'D TO

10/5/99

JURY TRIAL

SNR

cross-examined by State's counsel Gammick; excused.

(Reporter)

Defense rested.

2:27 p.m. Jury admonished and excused. Outside the presence of the jury, COURT canvassed the Defendant as to his right to testify. Defendant advised the Court of his wish to not testify, but make a Statement in Allocution.

2:33 p.m. Jury entered. Respective counsel stipulated to the presence of the jury.

David Jenkins called in rebuttal by State's counsel Stanton, sworn and testified; cross-examined by Defense counsel Gregory; redirect examined; excused.

State's counsel rested rebuttal.

3:00 p.m. Jury excused. Outside the presence of the jury, COURT advised the Defendant of the parameters of a Statement in Allocution.

3:03 Court recessed.

3:26 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present.

Defendant advised Court further of his wish to make a Statement in Allocution.

3:29 p.m. Jury entered. Respective counsel stipulated to the presence of the jury.

Defendant made Statement in Allocution.

3:31 p.m. Jury admonished. Court recessed.

3:53 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present to finalize jury instructions.

Court review order of Instructions.

Defense counsel Bosler withdrew request for 5th Amendment Instruction.

Respective counsel had no further Instruction or Objections to offer.

Defense counsel Bosler had one Verdict form to offer; presented argument; objection and argument by State's counsel Stanton. COURT ORDERED proposed Verdict marked "Defendant Offered Verdict Form P" and denied request.

Upon stipulation of respective counsel, COURT ORDERED packet of

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI a.k.a. "PE" a.k.a.
"GEORGE"

DATE, JUDGE
OFFICERS OF

PAGE THIRTY-FOUR

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/5/99

JURY TRIAL

SNR
(Reporter)

Instructions, Verdict form and all admitted exhibits to be delivered to the jury upon their deliberations.

Discussion ensued regarding whether or not the Guilt Phase Jury Instructions should be delivered to the Jury for their deliberations.

4:30 p.m. Court recessed.

4:54 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present.

State's counsel presented the Court with a Corrected Verdict Form.

Upon agreement of counsel, COURT ENTERED ORDER that the Guilt Phase Jury Instructions will not be delivered to the Jury.

5:00 p.m. Court recessed. Defendant remanded to the custody of the Sheriff.

10/6/99

CONTINUED JURY TRIAL

M. Stone
(Clerk)
SNR
(Reporter)

District Attorney Richard Gammick and Deputy District Attorney David Stanton represented the State. Defendant, Siasosi Vanisi, present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler.

9:12 a.m. Court reconvened outside the presence of the jury.

Discussion ensued regarding the State's Closing Arguments.

Motion to Seal Courtroom by Defense counsel Gregory; presented argument; objection and argument by State's counsel.

COURT ENTERED ORDER that the State may not commit prosecutorial mis-conduct and that if a person from the gallery leaves the Courtroom they may not re-enter until the next recess.

Court advise counsel of a clerical correction made to Instruction No. 7.

9:17 a.m. Jury entered. Respective counsel stipulated to the presence of the jury.

Court read instructions aloud.

State's counsel Stanton presented opening argument.

Defense counsel Bosler presented answering argument.

EXHIBIT 54 marked and offered at bench conference by Defense counsel Bosler; objection by State's counsel Stanton; denied.

Defense counsel Bosler further presented answering argument.

11:00 a.m. Jury admonished. Court recessed.

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, a.k.a. "PE", a.k.a. "GEORGE"

DATE, JUDGE
OFFICERS OF
COURT PRESENT

PAGE THIRTY-FOUR

APPEARANCES-HEARING

CONT'D TO

10/5/99

JURY TRIAL

SNR
(Reporter)

11:25 a.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury. State's counsel Stanton presented closing argument.

12:05 p.m. Bailiff and Law Clerk sworn and jury retired for deliberations. Outside the presence of the jury, Court advised counsel of clerical errors in the Instructions. Court advised gallery that they must leave the fourth floor during the jury's deliberations.

12:09 p.m. Court recessed. Defendant remanded to the custody of the Sheriff.

2:31 p.m. Court reconvened outside the presence of the jury with respective counsel and Defendant present.

Court read Question to counsel. Upon agreement of counsel, COURT ORDERED answer to Question No. 3 delivered to the Jury.

10/6/99

2:39 p.m. Court recessed.

M. Stone
(Clerk)

4:07 p.m. Court reconvened with respective counsel and Defendant present. Respective counsel stipulated to the presence of the jury.

SNR
(Reporter)

Clerk called Roll.

Jury returned the following verdict:

VERDICT

We, the jury in the above-entitled matter, having previously found the defendant, SIAOSI VANISI, also known as "PE", also known as "GEORGE", guilty of murder in the first degree, find that the following aggravating circumstance exists, to wit:

1. The murder of SGT. GEORGE SULLIVAN was committed by defendant SIAOSI VANISI, also known as "PE", also known as "GEORGE", in the commission of or attempt to commit the crime of Robbery With the Use of a Deadly Weapon.

Yes X No

2. The murder of SGT. GEORGE SULLIVAN was committed by defendant SIAOSI VANISI, also known as "PE", also known as "GEORGE", upon a peace officer who was engaged in the performance of his official

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI a.k.a. "PE", a.k.a. "GEORGE"

DATE, JUDGE
OFFICERS OF

PAGE THIRTY-FOUR

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/5/99

JURY TRIAL

SNR

duty and the defendant knew or reasonably should have known that the victim was a peace officer.

(Reporter)

Yes X No

3. The murder involved mutilation of SGT. GEORGE SULLIVAN.

Yes X No

4. The murder of SGT. GEORGE SULLIVAN was committed by defendant SIAOSI VANISI, also known as "PE", also known as "GEORGE", because of the actual or perceived race, color, religion or national origin of SGT. GEORGE SULLIVAN.

Yes No X

The jury further finds that there are no mitigating circumstances sufficient to outweigh the aggravating circumstance or circumstances found, and, therefore, set the penalty to be imposed upon the defendant at DEATH.

DATED this 6th day of October, 1999.

(Sgd) James L. Ayres
FOREPERSON

Court inquired of the jurors as a whole if this was the verdict to which they agreed and there were no negative responses.

Upon motion by defense counsel Gregory, COURT ORDERED THE JURY POLLED. To the question, "Is this your verdict as read?", posed to each of the jurors individually, as to each Defendant, each responded "Yes".

Court thank and excused the Jurors from further jury service.

Motion to Waive PSI by Defense counsel Gregory; presented argument; no objection by State's counsel.

COURT ENTERED ORDER denying motion. The Division of Parole and Probation may contact the Defendant through the Shift Supervisor at the Washoe County Jail. The Defendant may refuse to talk to the Division of Parole and Probation.

COURT ORDERED Defendant referred to Probation Department for PSI on Counts II, III, IV and V and continued for entry of judgment, consideration of probation report and imposition of sentences on Counts I, II, III and IV. COURT FURTHER ORDERED that the imposition of the Death Sentence shall be held in abeyance pending sentencing on the other charges.

Discussion ensued regarding Motion for Sanctions and Motions for

CASE NO. CR98-0516 TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI a.k.a. "PE" a.k.a.
"GEORGE"

DATE, JUDGE PAGE THIRTY-FOUR

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

10/5/99	<u>JURY TRIAL</u>	
SNR	Prosecutorial Misconduct. COURT ORDERED that all motions must be	11/22/99
(Reporter)	filed and personally served by October 18, 1999, at 4:00 p.m., all	10:00 a.m.
	Responses must be filed and personally served by October 22, 1999, at	Sentencing/
	5:00 p.m., and all Replies must be filed and personally served by October	Imposition of
	26, 1999, at 4:00 p.m. If counsel wants oral arguments on the Motions, then	Death
	Counsel must request an hearing in their pleadings.	Sentence
	4:35 p.m. Court recessed. Defendant remanded to the custody of the	
	sheriff.	

SECOND JUDICIAL DISTRICT COURT, COUNTY OF WASHOE
FULL CASE HISTORY

11/02/99 10:26

PAGE: 1

Case No: CR98-0516 Filed: 02/24/98 Type: CRIMINAL
Title: STATE OF NEVADA VS. SIAOSI VANISI
Dept: 4 Addl Info:

At issue: 00/00/00
Clerk: MB

Trial: 11/22/99 HEARING - SENTENCING

This case is exempt from purge

----- E X H I B I T S -----

ID	Description	Type	Relshp	Dept	Clrk
1	CURRICULUM VITAE - JEFFREY RIOLO Intro: 11/24/98 Off/Obj:	01	STATE	4	MT
2	U.S. DEPT. OF JUSTICE FEDERAL BUREAU OF INVESTIGATION - QUALITY ASSURANCE STANDARDS FOR FORENSIC DNA TESTING LAB Intro: 11/24/98 Off/Obj:	01	STATE	4	MT
3	THE EVALUATION OF FORENSIC DNA EVIDENCE BY NATIONAL RESEARCH COUNCIL Intro: 11/24/98 Off/Obj:	01	STATE	4	MT
4.A	PIECE OF PAPER ACCIDENTALLY MARKED Intro: 11/24/98 Off/Obj: Disp: E01 11/24/98 WITHDRAWN	01	STATE	4	MT
4.B	PHOTOGRAPH - FACE OF VICTIM Intro: 11/24/98 Off/Obj: OFF'D/NO OBJ. Loc: EXHIBIT ROOM	01	STATE	4	MT
4.C	PHOTOGRAPH - LEFT HAND OF VICTIM Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.D	PHOTOGRAPH - TOP OF HEAD OF VICTIM Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.E	PHOTOGRAPH - RIGHT CHEEK OF VICTIM Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.F	PHOTOGRAPH - TOP OF HEAD Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.G	PHOTOGRAPH - TOP OF HEAD Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.H	PHOTOGRAPH - TOP OF HEAD Intro: 01/09/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.I	PHOTOGRAPH - MOUTH OF VICTIM Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.J	PHOTOGRAPH - LEFT EYE OF VICTIM Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.K	PHOTOGRAPH - RIGHT FACE OF VICTIM Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
4.L	PHOTOGRAPH - TOP Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
5	HATCHET (DEMONSTRATIVE) Intro: 11/24/98 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
6	COMPOSITE BY BRENDA MARTINEZ Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
7	DIAGRAM - AERIAL PHOTOGRAPH Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
8	MAP OF AREA Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT

SECOND JUDICIAL DISTRICT COURT, COUNTY OF WASHOE

11/02/99 10:26

FULL CASE HISTORY

PAGE: 2

Case No: CR98-0516 Filed: 02/24/98 Type: CRIMINAL

Title: STATE OF NEVADA VS. SIAOSI VANISI

At issue: 00/00/00

----- E X H I B I T S -----

ID	Description	Type	Relshp	Dept	Clrk
9	PHOTOGRAPH - SGT. GEORGE SULLIVAN Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
10.A	PHOTOGRAPH - VICTIM'S WEB BELT Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
10.B	PHOTOGRAPH - VICTIM'S RADIO Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
11	DEFENDANT'S MAROON LEATHER COAT Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
12	BLACK LEATHER NOTEBOOK OF VICTIMS Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
13	FI CARD BY VICTIM OF WOOD Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
14.A	VICTIMS GLASSES Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
14.B	ENVELOPE WITH GLASSES LENS Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
15.A	VICTIM'S MODEL 21 GLOCK 45 Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
15.B	GLOCK MAGAZINE WITH AMMO Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
15.C	13 ROUNDS OF AMMUNITION FROM MAGAZINE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
15.D	1 ROUND OF AMMUNITION FROM MAGAZINE Intro: 01/08/99 Off/Obj:	01	STATE	4	MT
16	BOX CONTAINING WHITE PLASTIC BAG W/ VICTIM'S GUN BELT AND EQUIPMENT Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
16.A	RADIO OF VICTIM Intro: 01/13/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
16.B	FLASHLIGHT OF VICTIM Intro: 01/13/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
17.A	PHOTOGRAPH - CRIME SCENE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
17.B	PHOTOGRAPH - UNR SCENE & TELEPHONE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
17.C	PHOTOGRAPH - INSIDE OF VICTIM'S CAR WITH COFFEE CUP Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
17.D	PHOTOGRAPH - CAR WITH RED YARN MARKING SPOTS ON GROUND Intro: 01/13/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
18	RPD DISPATCH TAPE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
18.A	TRANSCRIPT OF RPD 911 DISPATCH TAPE Intro: 09/27/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
19	CRIME SCENE VIDEO Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
20.A	PHOTOGRAPH - HATCHET Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT

SECOND JUDICIAL DISTRICT COURT, COUNTY OF WASHOE

11/02/99 10:26

FULL CASE HISTORY

PAGE: 3

Case No: CR98-0516 Filed: 02/24/98 Type: CRIMINAL

Title: STATE OF NEVADA VS. SIAOSI VANISI

At issue: 00/00/00

----- E X H I B I T S -----

ID	Description	Type	Relshp	Dept	Clrk
20.B	PHOTOGRAPH - CLOSEUP OF HATCHET Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
21	HATCHET Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
22	PHOTOGRAPH - WHITE PLASTIC BAG Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
23.A	PHOTOGRAPH - JACKET Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
23.B	PHOTOGRAPH - JACKET & GLOVE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
24.A	PHOTOGRAPH - DEFENDANT BEFOR TRIM Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
24.B	PHOTOGRAPH - DEFENDANT AFTER TRIM Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
24.C	PHOTOGRAPH - BOOKING OF DEFENDANT Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
24.D	PHOTOGRAPH - DEFENDANT'S PASSPORT Intro: 01/08/99 Off/Obj:	01	STATE	4	MT
25	DEFENDANT'S TAN LEATHER GLOVES Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
26	PHOTOGRAPH - WHITE PLASTIC BAG AT 1098 ROCK Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
27	PHOTOGRAPH - DEFENDANT IN JACKSON'S FOOD MART Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
28	PHOTOGRAPH - GUN IN SLC Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
29.A	PHOTOGRAPH - DEFENDANT'S CLOTHES FROM SLC Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
29.B	PHOTOGRAPH - DEFENDANT'S CLOTHES FROM SLC Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
30	DNA TABLES AND RESULTS Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
31.A	PHOTOGRAPH - BEANIE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
31.B	PHOTOGRAPH - BEANIE Intro: 01/08/99 Off/Obj: OFF'D/	01	STATE	4	MT
31.C	PHOTOGRAPH - WIG Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
31.D	PHOTOGRAPH - WIG Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
31.E	PHOTOGRAPH - ORR DITCH Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
31.F	PHOTOGRAPH - BEANIE IN ORR DITCH Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT

SECOND JUDICIAL DISTRICT COURT, COUNTY OF WASHOE
FULL CASE HISTORY

11/02/99 10:26

PAGE: 4

Case No: CR98-0516 Filed: 02/24/98 Type: CRIMINAL
Title: STATE OF NEVADA VS. SIAOSI VANISI

At issue: 00/00/00

----- E X H I B I T S -----

ID	Description	Type	Relshp	Dept	Clrk
31.G	PHOTOGRAPH - WIG IN ORR DITCH Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
32.A	PHOTOGRAPH - CAR WITH COVER Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
32.B	PHOTOGRAPH - CAR WITHOUT COVER Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
33.A	PHOTOGRAPH - INSIDE OF KINIKINI HOUSE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
33.B	PHOTOGRAPH - INSIDE OF KINIKINI HOUSE HALL Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
33.C	PHOTOGRAPH - KINIKINI HOME/GARAGE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
33.D	PHOTOGRAPH - KINIKINI HOME/INSIDE GARAGE Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
34.A	PHOTOGRAPH - SWAT OFFICER Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
34.B	PHOTOGRAPH - SWAT OFFICER Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
35	STIPULATION REGARDING THE CHAIN OF CUSTODY Intro: 01/08/99 Off/Obj:	01	STATE	4	MT
36	JANUARY 1998 CALENDAR Intro: 01/08/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
37	TIMES OF EVENTS Intro: 01/13/99 Off/Obj:	01	STATE	4	MT
38	OVERHEAD TRANSPARENCY - PHOTOGRAPHS OF DEFENDANT IN HIGH SCHOOL Intro: 01/13/99 Off/Obj: OFF'D/NO OBJ.	01	DEF:	4	MT
39	STIPULATION DATED 1/14/99 Intro: 01/14/99 Off/Obj:	01	STATE	4	MT
40	BLOW-UP Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
41.A	PHOTOGRAPH OF DOG Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
41.B	PHOTOGRAPH OF DOG Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
42	VIDEO TAPE OF 7-11 ROBBERY Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
43.A	"DNA" Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
43.B	"WHERE CAN DNA BE FOUND" Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
43.C	"WHERE DOES DNA COME FROM?" Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
43.D	"DNA - THE MOLECULE" Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT
43.E	"ISOLATION" Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.	01	STATE	4	MT

SECOND JUDICIAL DISTRICT COURT, COUNTY OF WASHOE
FULL CASE HISTORY

11/02/99 10:26

PAGE: 5

Case No: CR98-0516 Filed: 02/24/98 Type: CRIMINAL
Title: STATE OF NEVADA VS. SIAOSI VANISI

At issue: 00/00/00

----- E X H I B I T S -----

ID	Description	Type	Relshp	Dept	Clrk
43.F	"AMPLIFICATION - THE CYCLES"	01	STATE	4	MT
	Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.		Admit:	09/22/99	
43.G	"PCR - SEQUENCE DETECTION"	01	STATE	4	MT
	Intro: 09/17/99 Off/Obj: OFF'D/NO OBJ.		Admit:	09/22/99	
44	PHOTOGRAPH OF DEFENDANT AT WCJ	01	STATE	4	MT
	Intro: 09/30/99 Off/Obj:		Admit:	00/00/00	
45	VIDEO OF VICTIM'S FAMILY GATHERINGS	01	STATE	4	MT
	Intro: 09/30/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
46.A	PHOTOGRAPH OF VICTIM	01	STATE	4	MT
	Intro: 09/30/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
46.B	PHOTOGRAPH OF VICTIM	01	STATE	4	MT
	Intro: 09/30/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
46.C	PHOTOGRAPH OF VICTIM	01	STATE	4	MT
	Intro: 09/30/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
46.D	PHOTOGRAPH OF VICTIM	01	STATE	4	MT
	Intro: 09/30/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
46.E	PHOTOGRAPH OF VICTIM	01	STATE	4	MT
	Intro: 09/30/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
47	CERTIFICATE FOR FRESH-SOPH TRACK & FIELD	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj:		Admit:	00/00/00	
48	CERTIFICATE FRESH-SOPH WRESTLING	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj:		Admit:	00/00/00	
49	CERTIFICATE VARSITY FOOTBALL 87-88	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj:		Admit:	00/00/00	
50	CERTIFICATE VASITY FOOTBALL 88-89	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj:		Admit:	00/00/00	
51.A	PHOTOGRAPH OF DEFENDANT	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
51.B	PHOTOGRAPH OF DEFENDANT	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
51.C	PHOTOGRAPH OF DEFENDANT	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj:		Admit:	00/00/00	
52	PHOTOGRAPH - CAPUCHINO HIGH SCHOOL 86-87 FOOTBALL TEAM	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/04/99	
53	DIAGRAM DRAWN BY WITNESS WILEY	01	DEF:	4	MT
	Intro: 10/01/99 Off/Obj: OFF'D/NO OBJ.		Admit:	10/01/99	
54	DIAGRAM WITH QUOTES FROM KERRY KENNEDY CUOMO, AND CORETTA SCOTT KING	01	DEF:	4	MT
	Intro: 10/06/99 Off/Obj: OFF'D/OBJ.SUSTAINED		Admit:	00/00/00	
A	PSYCHIATRIC EVALUATION BY DR. PHILIP RICH	04	COURT	4	MT
	Intro: 11/06/98 Off/Obj: ADMITTED		Admit:	11/06/98	
A	UTAH WITNESS LIST	071	STATE	4	MT
	Intro: 11/24/98 Off/Obj: OFF'D/NO OBJ.		Admit:	11/24/98	
A	RPD TRANSCRIPT OF CHAITRA HANKE DATE 1/13/98 (EXHIBIT TO MTN FOR MISTRIAL)	071	STATE	4	MT
	Intro: 01/15/99 Off/Obj: OFF'D/NO OBJ.		Admit:	01/15/99	

SECOND JUDICIAL DISTRICT COURT, COUNTY OF WASHOE

11/02/99 10:26

FULL CASE HISTORY

PAGE: 6

Case No: CR98-0516 Filed: 02/24/98 Type: CRIMINAL

Title: STATE OF NEVADA VS. SIAOSI VANISI

At issue: 00/00/00

----- E X H I B I T S -----

ID	Description	Type	Relshp	Dept	Clrk
A	JURY LIST Intro: 01/04/99 Off/Obj: STIP.	04	COURT	4	MT
B	PSYCHIATRIC EVALUATION BY DR. RICHARD LEWIS Intro: 11/06/98 Off/Obj: ADMITTED Disp: E01 01/19/99 RELEASED PER COURT ORDER	04	COURT	4	MT
B	LIST OF ABSENT JURORS Intro: 01/07/99 Off/Obj: NO OBJ.	04	COURT	4	MT
B	AUDIO TAPE OF STATEMENT BY CHAITRA HANKE (EXH. TO MTN FOR MISTRIAL) Intro: 01/15/99 Off/Obj: OFF'D/NO OBJ.	071	STATE	4	MT
C	VIDEO TAPE OF STATEMENT BY CHAITRA HANKE (EXH. TO MTN FOR MISTRIAL) Intro: 01/15/99 Off/Obj: OFF'D/NO OBJ. Disp: E01 01/19/99 RELEASED PER COURT ORDER	071	STATE	4	MT
C	DEFENSE'S VOIR DIRE QUESTIONS (PROPOSED) Intro: 01/09/99 Off/Obj:	04	COURT	4	MT
D	JURY SELECTION PEREMPTORY CHALLENGES Intro: 01/12/99 Off/Obj: STIPULATED	04	COURT	4	MT
F	BACKGROUND SEARCH INFORMATION TRIAL #2 Intro: 09/20/99 Off/Obj: STIPULATED	04	STATE	4	MT
F	MEMORANDUM TO GAMMICK/STANTON FROM BOSLER/GREGORY - LIST OF MITIGATION WITNESSES Intro: 09/30/99 Off/Obj: OFF'D	04	STATE	4	MT
G	PEREMPTORY CHALLENGES TRIAL #2 Intro: 09/21/99 Off/Obj: STIPULATED	04	COURT	4	MT
H	WASHOE COUNTY PUBLIC DEFENDER PEOPLE VS. SIAOSI VANISI WITNESS LIST Intro: 09/30/99 Off/Obj: OFF'D	04	STATE	4	MT
I	E-MAIL TO STANTON FROM CRYSTAL CALDERON RE: TWO WITNESSES Intro: 09/30/99 Off/Obj: OFF'D	04	STATE	4	MT
J	E-MAIL TO GAMMICK/STANTON FROM SPECCHIO RE: WITNESSES/EXHIBITS Intro: 09/30/99 Off/Obj: OFF'D/	04	STATE	4	MT
K	VICTIM IMPACT STATEMENT BY CAROLYN SULLIVAN - REDATED 10/1/99 Intro: 09/30/99 Off/Obj: OFF'D/OBJECTION	04	STATE	4	MT
L	VICTIM IMPACT STATEMENT BY DEBRA MANN Intro: 09/30/99 Off/Obj: OFF'D/OBJ.	04	STATE	4	MT
M	DOCUMENTS SENT TO THE SUPREME COURT PURSUANT TO ORDER DATED 9/9/99 Intro: 09/15/99 Off/Obj:	04	COURT	4	MT
V.1	SCR 250 TIME RECORD BY MICHAEL R. SPECCHIO Intro: 06/23/99 Off/Obj:	071	DEF:	4	MT

SECOND JUDICIAL DISTRICT COURT, COUNTY OF WASHOE

11/02/99 10:26

FULL CASE HISTORY

PAGE: 7

Case No: CR98-0516 Filed: 02/24/98 Type: CRIMINAL

Title: STATE OF NEVADA VS. SIAOSI VANISI

At issue: 00/00/00

----- E X H I B I T S -----

ID	Description	Type	Relshp	Dept	Clrk
AA	WCSO MEMORANDUM REGARDING DEFENDANTS BEHAVIOR IN THE WCJ	04	STATE	4	MT
	Intro: 05/12/99 Off/Obj:		Admit:	00/00/00	
A1-A150	JURY QUESTIONIONNAIRES (JURY SELECTION)	04	COURT	4	MT
	Intro: 01/04/99 Off/Obj: STIP.		Admit:	01/04/99	
E1-E144	JUROR QUESTIONNAIRES FROM TRIAL #2	04	COURT	4	MT
	Intro: 09/13/99 Off/Obj: STIPULATED		Admit:	09/13/99	

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, also known as
"GEORGE", also known as "PE"

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/22/99

ENTRY OF JUDGMENT AND IMPOSITION OF SENTENCE

HONORABLE
CONNIE
STEINHEIMER

District Attorney Richard Gammick represented the State. Defendant present with counsel, Deputies Public Defender, Stephen Gregory and Jeremy Bosler. Probation Officer Robert Tucker also present.

DEPT. NO.4

Court noted receipt of report. Defense counsel Gregory had no factual corrections to the report and submitted matter on the Report. State's

M. Stone

counsel concurred with the recommendation. Probation Officer Tucker

(Clerk)

stood on recommendation. Respective counsel made statement

E. Nelson

regarding entry of the Order for Execution. Defendant declined to make a statement on his own behalf.

(Reporter)

COURT ORDERED JUDGMENT ENTERED and sentenced defendant to the punishment of Death for Count I; by imprisonment in the Nevada Department of Prisons for the maximum term of one hundred eighty (180) months with the minimum parole eligibility of seventy-two (72) months, with a consecutive like term for the use of a deadly weapon, for Count II, to be served consecutively to sentence in Count I; by imprisonment in the Nevada Department of Prisons for the maximum term of one hundred eighty (180) months with the minimum parole eligibility of seventy-two (72) months, with a consecutive like term for the use of a firearm, for Count III, to be served consecutively to sentences in Counts I and II; by imprisonment in the Nevada Department of Prisons for the maximum term of one hundred eighty (180) months with the minimum parole eligibility of seventy-two (72) months, with a consecutive like term for the use of a firearm, for Count IV, to be served consecutively to sentences in Counts I, II and III; and by imprisonment in the Nevada Department of Prisons for the maximum term of one hundred twenty (120) months with the minimum parole eligibility of forty-eight (48) months, for Count V, to be served consecutively to sentences in Counts I, II, III and IV. Defendant shall receive credit for six hundred sixty seven (667) days time served.

Defendant is further punished by payment of a fine in the amount of Ten Thousand Dollars (\$10,000.00); and by submission to a DNA Analysis Test for the purpose of determining genetic markers. Defendant shall reimburse the Washoe County Public Defender attorney's fees in the amount of Seven Hundred Fifty Dollars (\$750.00). Defendant is further ordered to pay a Twenty-Five Dollar (\$25.00) administrative assessment fee and a Two Hundred Fifty Dollar (\$250.00) DNA analysis fee to the Clerk of the Second Judicial District Court.

CR98-0516
STATE VS SIAOSI VANISI (D4) 2 Pages
District Court 11/22/1999 10:00 AM
Washoe County
MIN
TWITE

CASE NO. CR98-0516

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI, also known as
"GEORGE", also known as "PE"

DATE, JUDGE

PAGE TWO

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/22/99

ENTRY OF JUDGMENT AND IMPOSITION OF SENTENCE

HONORABLE

COURT FURTHER ORDERED that the sentence of Death take place during
the week commencing on Monday, the 24th day of January, 2000.

CONNIE

STEINHEIMER

Upon request by defense counsel, COURT ENTERED ORDER staying
execution pending direct appeal.

DEPT. NO.4

M. Stone

(Clerk)

E. Nelson

(Reporter)

CASE NO. CR98-0516

TITLE: SIAOSI VANISI VS. THE STATE OF NEVADA
(POST CONVICTION PROCEEDINGS)**DATE, JUDGE
OFFICERS OF****PAGE ONE****COURT PRESENT****APPEARANCES-HEARING****CONT'D TO**

12/5/13

HONORABLE

CONNIE

STEINHEIMER

DEPT. NO.4

M. Stone

(Clerk)

S. Loder

(Reporter)

**PETITION FOR WRIT OF HABEAS CORPUS (POST
CONVICTION)/ONGOING MOTION TO DISMISS – DAY 1**

Deputies Federal Public Defenders Gary Taylor, Esq., and Tiffani Hurst, Esq., represented the Petitioner. Chief Deputy District Attorney Terrence McCarthy, Esq., represented the State.

Petitioner's counsel Taylor advised the Court that the Petitioner continues to waive his appearance at these proceedings.

***Upon request of counsel, **COURT** took judicial notice of all the previous proceedings associated with this case.

Thomas Qualls called by Petitioner's counsel Taylor, sworn and testified.

EXHIBIT 213 offered by Petitioner's counsel Taylor. **COURT** took judicial notice of such exhibit.

Witness Qualls further direct examined.

EXHIBIT 201 offered by Petitioner's counsel Taylor; no objection by State's counsel; ordered admitted into evidence.

Witness Qualls further direct examined.

EXHIBITS 214 – 220 offered by Petitioner's counsel Taylor; upon the presentation of an offer of proof, no objection by State's counsel; ordered admitted into evidence.

Witness Qualls further direct examined.

EXHIBIT 178 offered by Petitioner's counsel Taylor; objection by State's counsel; **COURT** took judicial notice of such exhibit.

Witness Qualls further direct examined.

EXHIBIT 205 offered by Petitioner's counsel Taylor; no objection by State's counsel; ordered admitted into evidence.

Witness Qualls further direct examined.

CASE NO. CR98-0516

TITLE: SIAOSI VANISI VS. THE STATE OF NEVADA
(POST CONVICTION PROCEEDINGS)

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

PAGE TWO

APPEARANCES-HEARING

CONT'D TO

12/5/13
S. Loder
(Reporter)

**PETITION FOR WRIT OF HABEAS CORPUS (POST
CONVICTION)/ONGOING MOTION TO DISMISS – DAY 1**

**12/6/13
9:00 a.m.
Ongoing
Hearing**

EXHIBIT 192 offered by Petitioner's counsel Taylor; no objection by State's counsel; ordered admitted into evidence.

Stipulation to Admit Exhibits 42 – 199, unless previously offered, entered into by respective counsel. Based on such stipulation, **EXHIBITS 42, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 149, 150, 151, 152, 153, 155, 156, 163, 164, 173, 179, 180, 181, 195, 196, 197, 198 and 199** ordered admitted into evidence not for the truthfulness of the matters contained within, but for the Witnesses to assume that it is truthful.

3:15 p.m. Court recessed.

3:38 p.m. Court reconvened with respective counsel present.

EXHIBIT 223 marked by Petitioner's counsel Taylor.

Witness Qualls, heretofore sworn, resumed stand and was further direct examined.

EXHIBIT 223 offered by Petitioner's counsel Taylor; objection by State's counsel; further offer by Petitioner's counsel; objection sustained.

Witness Qualls further direct examined; cross-examined; redirect examined; excused, subject to recall.

4:57 p.m. Court recessed until 9:00 a.m. on December 6, 2013.

**DATE, JUDGE
OFFICERS OF
COURT PRESENT****APPEARANCES-HEARING****CONT'D TO**

12/6/13
HONORABLE
CONNIE
STEINHEIMER
DEPT. NO.4
M. Stone
(Clerk)
S. Culp
(Reporter)

**PETITION FOR WRIT OF HABEAS CORPUS (POST
CONVICTION)/ONGOING MOTION TO DISMISS – DAY 2**

Deputies Federal Public Defenders Gary Taylor, Esq., and Tiffani Hurst, Esq., represented the Petitioner. Chief Deputy District Attorney Terrence McCarthy, Esq., represented the State.

9:15 a.m. Court convened.

Scott Edwards called by Petitioner's counsel Taylor, sworn and testified.

EXHIBIT 200 offered by Petitioner's counsel Taylor; objection by State's counsel; objection as to hearsay sustained.

Witness Edwards further direct examined; cross-examined; redirect examined.

EXHIBIT 224 marked Petitioner's counsel Taylor.

Witness Edwards further redirect examined.

EXHIBIT 224 offered by Petitioner's counsel Taylor; no objection by State's counsel; ordered admitted into evidence.

Witness Edwards further redirect examined.

10:35 a.m. Court recessed.

11:00 a.m. Court reconvened with respective counsel present.

Witness Edwards, heretofore sworn, resumed stand and was further redirect examined.

EXHIBIT 220 re-offered by Petitioner's counsel Taylor; no objection by State's counsel; ordered admitted into evidence.

Witness Edwards further redirect examined; recross-examined; excused.

Petitioner rested.

State's counsel had no evidence to present.

State's counsel presented opening argument.

Petitioner's counsel Hurst presented answering argument.

State's counsel presented closing argument.

COURT took matter under advisement.

Exhibits

Title: **SIAOSI VANISI VS. THE STATE OF NEVADA (POST CONVICTION)**

PET: **SIAOSI VANISI**

PATY: **GARY TAYLOR, ESQ.**

RESP: **THE STATE OF NEVADA**

RATY: **TERRENCE MCCARTHY**

Case No: **CR98-0516**

Dept. No: **4**

Clerk: **M. STONE**

Date: **12/5/2013**

Exhibit No.	Party	Description	Marked	Offered	Admitted
42.	Petitioner	Findings of Fact (CR98P0516 – First Petition)	12/5/13	Stipulation	12/5/13
92.	Petitioner	Declaration of Paulotu Palu (Translation)	12/5/13	Stipulation	12/5/13
93.	Petitioner	Declaration of Siaosi Vuki Mafileo (Translation)	12/5/13	Stipulation	12/5/13
94.	Petitioner	Declaration of Sioeli Tuita Heleta (Translation)	12/5/13	Stipulation	12/5/13
95.	Petitioner	Declaration of Tufui Tafuna	12/5/13	Stipulation	12/5/13
96.	Petitioner	Declaration of Toeumu Tafuna (Translation)	12/5/13	Stipulation	12/5/13
97.	Petitioner	Declaration of Duzant re: Interview of Michael Finau	12/5/13	Stipulation	12/5/13
98.	Petitioner	Declaration of Edgar DeBruce	12/5/13	Stipulation	12/5/13
99.	Petitioner	Declaration of Duzant re: Interview of Bishop Nifai Tonga	12/5/13	Stipulation	12/5/13
100.	Petitioner	Declaration of Lita Tafuna	12/5/13	Stipulation	12/5/13
101.	Petitioner	Declaration of Sitiveni Tafuna	12/5/13	Stipulation	12/5/13
102.	Petitioner	Declaration of Blackwill re: Interview of Alisi Peaua	12/5/13	Stipulation	12/5/13
103.	Petitioner	Declaration of Tevita Vimahi (Translation)	12/5/13	Stipulation	12/5/13

Exhibits

Title: **SIAOSI VANISI VS. THE STATE OF NEVADA (POST CONVICTION)**

PET: **SIAOSI VANISI**

PATY: **GARY TAYLOR, ESQ.**

RESP: **THE STATE OF NEVADA**

RATY: **TERRENCE MCCARTHY**

Case No: **CR98-0516**

Dept. No: **4**

Clerk: **M. STONE**

Date: **12/5/2013**

Exhibit No.	Party	Description	Marked	Offered	Admitted
104.	Petitioner	Declaration of DeAnn Ogan	12/5/13	Stipulation	12/5/13
105.	Petitioner	Declaration of Greg Garner	12/5/13	Stipulation	12/5/13
106.	Petitioner	Declaration of Robert Kirts	12/5/13	Stipulation	12/5/13
107.	Petitioner	Declaration of Manamoui Peaua	12/5/13	Stipulation	12/5/13
108.	Petitioner	Declaration of Toa Vimahi	12/5/13	Stipulation	12/5/13
110.	Petitioner	Declaration of Olisi Lui	12/5/13	Stipulation	12/5/13
111.	Petitioner	Declaration of Peter Finau	12/5/13	Stipulation	12/5/13
112.	Petitioner	Declaration of Kinikini	12/5/13	Stipulation	12/5/13
113.	Petitioner	Declaration of Renee Peaua	12/5/13	Stipulation	12/5/13
114.	Petitioner	Declaration of Heidi Bailey-Aloi	12/5/13	Stipulation	12/5/13
115.	Petitioner	Declaration of Duzant re: Interview with Tony Tafuna	12/5/13	Stipulation	12/5/13
116.	Petitioner	Declaration of Terry Williams	12/5/13	Stipulation	12/5/13
117.	Petitioner	Declaration of Tim Williams	12/5/13	Stipulation	12/5/13
118.	Petitioner	Declaration of Mele Maveni-Vakapuna	12/5/13	Stipulation	12/5/13
119.	Petitioner	Declaration of Priscilla Endemann	12/5/13	Stipulation	12/5/13
120.	Petitioner	Declaration of Mapa Puloka, M.D.	12/5/13	Stipulation	12/5/13

Exhibits

Title: **SIAOSI VANISI VS. THE STATE OF NEVADA (POST CONVICTION)**

PET: **SIAOSI VANISI**

PATY: **GARY TAYLOR, ESQ.**

RESP: **THE STATE OF NEVADA**

RATY: **TERRENCE MCCARTHY**

Case No: **CR98-0516**

Dept. No: **4**

Clerk: **M. STONE**

Date: **12/5/2013**

Exhibit No.	Party	Description	Marked	Offered	Admitted
121.	Petitioner	Declaration of Limu Havea (Translation)	12/5/13	Stipulation	12/5/13
122.	Petitioner	Declaration of Sione Pahahau	12/5/13	Stipulation	12/5/13
123.	Petitioner	Declaration of Tavake Peaua	12/5/13	Stipulation	12/5/13
124.	Petitioner	Declaration of Totoa Pahahau	12/5/13	Stipulation	12/5/13
125.	Petitioner	Declaration of Siausi Vuki Mafileo	12/5/13	Stipulation	12/5/13
127.	Petitioner	Declaration of Crystal Calderon	12/5/13	Stipulation	12/5/13
128.	Petitioner	Declaration of Laura Lui	12/5/13	Stipulation	12/5/13
129.	Petitioner	Declaration of Le'o Kinikini-Tongi	12/5/13	Stipulation	12/5/13
130.	Petitioner	Declaration of Sela Vanisi-DeBrucee	12/5/13	Stipulation	12/5/13
131.	Petitioner	Declaration of Vainga Kinikini	12/5/13	Stipulation	12/5/13
132.	Petitioner	Declaration of David Hales	12/5/13	Stipulation	12/5/13
149.	Petitioner	Declaration of Steven Kelly	12/5/13	Stipulation	12/5/13
150.	Petitioner	Declaration of Scot Thomas	12/5/13	Stipulation	12/5/13
151.	Petitioner	Declaration of Josh Iveson	12/5/13	Stipulation	12/5/13
152.	Petitioner	Declaration of Luisa Finau	12/5/13	Stipulation	12/5/13
153.	Petitioner	Declaration of Leanna Morris	12/5/13	Stipulation	12/5/13

Exhibits

Title: **SIAOSI VANISI VS. THE STATE OF NEVADA (POST CONVICTION)**

PET: **SIAOSI VANISI**

PATY: **GARY TAYLOR, ESQ.**

RESP: **THE STATE OF NEVADA**

RATY: **TERRENCE MCCARTHY**

Case No: **CR98-0516**

Dept. No: **4**

Clerk: **M. STONE**

Date: **12/5/2013**

Exhibit No.	Party	Description	Marked	Offered	Admitted
155.	Petitioner	Declaration of Miles Kinikini	12/5/13	Stipulation	12/5/13
156.	Petitioner	Declaration of Nancy Chaidez	12/5/13	Stipulation	12/5/13
163.	Petitioner	Neuropsychological and Psychological Evaluation of Siasosi Vanisi dated April 18, 2011	12/5/13	Stipulation	12/5/13
164.	Petitioner	Independent Medical Examination in the Field of Psychiatry by Dr. Siale 'Alo Faliaki dated April 18, 2011	12/5/13	Stipulation	12/5/13
173.	Petitioner	Declaration of Duzant re: Interview with Aminiasi Kefu	12/5/13	Stipulation	12/5/13
178.	Petitioner	Declaration of Thomas Qualls	12/5/13	Objection	Judicial Notice
179.	Petitioner	Declaration of Walter Fey	12/5/13	Stipulation	12/5/13
180.	Petitioner	Declaration of Stephen Gregory	12/5/13	Stipulation	12/5/13
181.	Petitioner	Declaration of Jeremy Bosler	12/5/13	Stipulation	12/5/13
195.	Petitioner	Declaration of Duzant re: Interview with Richard Tower	12/5/13	Stipulation	12/5/13

Exhibits

Title: SIAOSI VANISI VS. THE STATE OF NEVADA (POST CONVICTION)

PET: SIAOSI VANISI

PATY: GARY TAYLOR, ESQ.

RESP: THE STATE OF NEVADA

RATY: TERRENCE MCCARTHY

Case No: CR98-0516

Dept. No: 4

Clerk: M. STONE

Date: 12/5/2013

Exhibit No.	Party	Description	Marked	Offered	Admitted
196.	Petitioner	Declaration of Duzant re: Interview with Nettie Horner	12/5/13	Stipulation	12/5/13
197.	Petitioner	Declaration of Duzant re: Interview of Bonnie James	12/5/13	Stipulation	12/5/13
198.	Petitioner	Declaration of Duzant re: Interview of Robert Buck	12/5/13	Stipulation	12/5/13
199.	Petitioner	Letter from Aminiask Kefu	12/5/13	Stipulation	12/5/13
200.	Petitioner	Declaration of Scott Edwards, Esq.	12/5/13	Objection Sustained/ Re- Offered/No Objection	12/6/13
201.	Petitioner	Billing Records – Thomas Qualls, Esq.	12/5/13	No Objection	12/5/13
202.	Petitioner	Billing Records – Scott Edwards, Esq.	12/5/13	No Objection	Judicial Notice
203.	Petitioner	E-Mail Exchange between Roseann Schaye and Marc Picker, Esq.	12/5/13		
204.	Petitioner	Letter to Siaoisi Vanisi from Marc Picker dated 3/13/02 (Unsigned)	12/5/13		
205.	Petitioner	Hand-Written Notes – Post Conviction Attorney File	12/5/13		
206.	Petitioner	Transcript – 1/1/02 Status Hearing	12/5/13		

Exhibits

Title: **SIAOSI VANISI VS. THE STATE OF NEVADA (POST CONVICTION)**

PET: **SIAOSI VANISI**

PATY: **GARY TAYLOR, ESQ.**

RESP: **THE STATE OF NEVADA**

RATY: **TERRENCE MCCARTHY**

Case No: **CR98-0516**

Dept. No: **4**

Clerk: **M. STONE**

Date: **12/5/2013**

Exhibit No.	Party	Description	Marked	Offered	Admitted
207.	Petitioner	Transcript – 1/28/03 Hearing	12/5/13		
208.	Petitioner	Transcript – 2/5/03 Conference Call	12/5/13		
209.	Petitioner	Transcript – 1/19/05 In- Chambers Hearing	12/5/13		
210.	Petitioner	Transcript – 1/27/05 Report on Psychiatric Evaluation	12/5/13		
211.	Petitioner	Transcript – 2/18/05 Report on Psychiatric Evaluation	12/5/13		
212.	Petitioner	Transcript - 4/25/05 Conference Call	12/5/13		
213.	Petitioner	12/19/03 Order	12/5/13		Judicial Notice
214.	Petitioner	3/22/02 Memorandum to File from MP	12/5/13	No Objection after Offer of Proof	12/5/13
215.	Petitioner	Client Background Info Summary	12/5/13	No Objection after Offer of Proof	12/5/13
216.	Petitioner	Investigation-Interview Outline	12/5/13	No Objection after Offer of Proof	12/5/13

Exhibits

Title: **SIAOSI VANISI VS. THE STATE OF NEVADA (POST CONVICTION)**

PET: **SIAOSI VANISI**

PATY: **GARY TAYLOR, ESQ.**

RESP: **THE STATE OF NEVADA**

RATY: **TERRENCE MCCARTHY**

Case No: **CR98-0516**

Dept. No: **4**

Clerk: **M. STONE**

Date: **12/5/2013**

Exhibit No.	Party	Description	Marked	Offered	Admitted
217.	Petitioner	Table of Contents "Mitigating Circumstances"	12/5/13	No Objection after Offer of Proof	12/5/13
218.	Petitioner	Publication "Defense Resources In Capital Cases"	12/5/13	No Objection after Offer of Proof	12/5/13
219.	Petitioner	Communication between Center for Capital Assistance and Marc Picker, Esq.	12/5/13	No Objection after Offer of Proof	12/5/13
220.	Petitioner	Communication between Marc Picker, Esq., and Roseann M. Schaye	12/5/13	No Objection after Offer of Proof	12/5/13
221.	Petitioner	Letter to the Tongan Consulate General from Scott Edwards, Esq., dated March 6, 2005			
222.	Petitioner	Internet Printout re: Tonga Consulate General in San Francisco			
223.	Petitioner	Declaration of Shaylene Grate-Springer	12/5/13	Objection Sustained	
224.	Petitioner	Letter to Scott Edwards, Esq., from Michael Pescetta, Esq., dated 1/30/03	12/6/13	No Objection	12/6/13

CASE NO. CR98-0516

TITLE: SIAOSI VANISI VS. THE STATE OF NEVADA
(POST CONVICTION PROCEEDINGS)

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

3/4/14 **(TELEPHONIC) DECISION - PETITION FOR WRIT OF HABEAS CORPUS**
HONORABLE **(POST CONVICTION)/ONGOING MOTION TO DISMISS**

CONNIE Deputies Federal Public Defenders Gary Taylor, Esq., and Tiffani Hurst,
STEINHEIMER Esq., represented the Petitioner. Chief Deputy District Attorney Terrence
DEPT. NO.4 McCarthy, Esq., represented the State.
M. Stone Having reviewed the pleadings filed by each side and having reviewed the
(Clerk) testimony and evidence presented at the evidentiary hearing, the Court
S. Loder finds that the arguments presented by the State that Post Conviction
(Reporter) Counsel did not fall below an objective standard of reasonableness in the
Petitioner's first Petition for Writ of Habeas Corpus Post Conviction. The
Court further finds that the testimony from Mr. Edwards regarding the
Psychological expert was the best evidence of the prevailing norm in this
area and further, that the time spent by Post Conviction Counsel in
preparing the Supplement to the Petitioner's First Petition was reasonable
and did not fall below the standard of professional norm for this area. Based
on those findings, **COURT ENTERED ORDER** granting the State's Motion
to Dismiss the instant Petition as it is before the Court untimely, is abusive,
is successive and is without excuse for delay.
State's counsel shall prepare the Order in accordance with the above
decision.

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: SIAOSI VANISI VS. THE STATE OF NEVADA

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

5/10/18	<u>CONFERENCE CALL RE: MOTON FOR RECONSIDERATION OF THE</u>	
HONORABLE	<u>ORDER TO PRODUCE</u>	5/30/18
CONNIE	Assistant Federal Public Defender Randolph Fiedler represented the	2:00 p.m.
STEINHEIMER	Petitioner. Chief Deputy District Attorney Jennifer Noble represented the	Waiver of
DEPT. NO.4	State.	Appearance/
M. Stone	Court noted that the Petitioner was not transported to Court for this hearing	Motion for
(Clerk)	due to the nature of the instant motion.	Discovery
J. Schonlau	Court noted that a new waiver of appearance from the Petitioner has been	
(Reporter)	received.	10/1/18
	State's counsel had no objection to the language contained in that waiver,	10:00 a.m.
	but is concerned about the waiver in itself as the Petitioner has a history of	Evidentiary
	not agreeing his attorneys. State's counsel requested that the Petitioner be	Hearing
	transported on one occasion for the sole of formally waiving his appearance	(4 weeks)
	in person and on the record. Petitioner's counsel objected to the State's	
	request. State's counsel replied.	
	COURT ENTERED ORDER granting the Motion to Reconsider the Order to	
	Produce the Petitioner for the 4-week evidentiary hearing set October 1,	
	2018. The Petitioner shall be produced on May 30, 2018 at 2:00 p.m. to	
	formally waive his appearance on the record for the October 1, 2018	
	evidentiary hearing.	
	Petitioner's counsel requested the Petitioner's appearance at the May 30,	
	2018 hearing be telephonic. COURT ENTERED ORDER denying such	
	request.	
	Court noted the submission of the Motion for Discovery. COURT	
	ORDERED oral arguments on the Motion for Discovery set.	
	Court recessed.	

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

5/30/18

HONORABLE

CONNIE

STEINHEIMER

DEPT. NO.4

M. Stone

(Clerk)

J. Schonlau

(Reporter)

**ORAL ARGUMENTS ON MOTION FOR DISCOVERY AND ISSUANCE OF
SUBPOENAS/WAIVER OF PETITIONER'S APPEARANCE AT
EVIDENTIARY HEARING AND ALL OTHER HEARINGS**

Petitioner, Siaosi Vanisi, present with counsel, Assistants Federal Public Defender Randolph Fiedler and Joanne Diamond. Chief Deputy District Attorney Jennifer Noble and Deputy District Attorney Joseph Plater.

2:08 p.m. Court convened.

Counsel Fiedler advised the Court that the Petitioner still wishes to waive his appearance at all future hearings in this matter, including the evidentiary hearing in October. Counsel Fiedler further advised the Court that the Petitioner has been advised of his right to be present, personally hear the testimony being presented at the evidentiary hearing and assist counsel with examination of the witnesses.

Court canvassed Petitioner, fully advised him of his rights. Court accepted the Petitioner's waiver of appearance after finding the Petitioner's waiver was voluntary, and that he fully understood his rights to be present at all hearings.

COURT ENTERED ORDER waiving the Petitioner's appearance at all future hearings in this matter, including the evidentiary hearing in October.

Counsel Fiedler advised the Court that the Defendant is scheduled to be transported from Carson City to Ely on Tuesday, June 5, 2018. Should that not occur, counsel Fiedler requested leave to ask this Court for assistance in getting the Petitioner transported to Ely. Court advised counsel that the Nevada Department of Corrections is not located within this Court's jurisdiction and if relief is needed, it will need to be requested in the First Judicial District Court.

Counsel Noble advised the Court that the State stipulates to the following video depositions being taken with the State being present via teleconference at the Federal Public Defender's expense: Dr. Mapa Pulka, Limu Havea, Sioeli Tuita, Totoa Pohahau, Tufui Tafuna, and Sioasi Mafileo, as well the witnesses in the State of California.

Counsel Fiedler and Noble presented argument regarding the deposition of Bishop Tonga. **COURT ENTERED ORDER** allowing for the deposition of Bishop Tonga to be taken.

Counsel Fiedler and Noble presented arguments on narrowing the scope of the requested subpoenas duces tecum. **COURT ENTERED THE FOLLOWING ORDERS:** the Petitioner may subpoena any mitigating evidence of the Petitioner's mental health contained in the Washoe County

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

**DATE, JUDGE
OFFICERS OF**

PAGE TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

5/30/18
J. Schonlau
(Reporter)

**ORAL ARGUMENTS ON MOTION FOR DISCOVERY AND ISSUANCE OF
SUBPOENAS/WAIVER OF PETITIONER'S APPEARANCE AT
EVIDENTIARY HEARING AND ALL OTHER HEARINGS**

District Attorney's file; the Petitioner may subpoena records from the Nevada Department of Corrections only from the period of time between 1998 and 1999, when the Petitioner was housed there pre-trial; the Petitioner may subpoena records from the Washoe County Sheriff's Department for the period of time he was in jail in 1998; the Petitioner may subpoena records from Wyeth-Ayerst Laboratories as to the drug Phen Phen from 1997 up to 1999 and the Court will not delay the evidentiary hearing if the records are not received timely; the Petitioner may subpoena records from the National Council – Boy Scouts of America from the time period of 1970 through 1999; the Petitioner may subpoena records from the National Council – San Mateo County Children's Protective Services only as to the Petitioner; the Petitioner may subpoena records from the National Council – Alameda County Children's Protective Services only as to the Petitioner; and the Petitioner may subpoena records from Nevada Board of Continuing Legal Education as to the Petitioner's trial counsel from the period of time of 1995 through 1999.

COURT FURTHER ENTERED THE FOLLOWING ORDERS: Denying the request to subpoena records from the Reno Police Department as the request is too broad and not relevant to the limited scope of the evidentiary hearing; denying the request to subpoena records from the Consul General of Tonga as the Washoe County Public Defender's Office did reach out the Consul General of Tonga pre-trial and the Supreme Court has already ruled on the issue; denying request to subpoena records from the University of Nevada-Reno Police Services as those records are not relevant for the limited scope of the evidentiary hearing; denying the request to subpoena records from the Church of Jesus Christ of Latter Day Saints with leave to renew if becomes relevant after depositions are taken; denying request to subpoena records of Edward Lynn, M.D., with leave to renew if new expert needs the Doctor's raw data; denying request to subpoena records of James Butcher of the University of Minnesota, with leave to renew if new expert needs his raw data; and denying request to subpoena records from the National Council – Alameda County Juvenile Court – South County

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

PAGE THREE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

5/30/18

J. Schonlau
(Reporter)

ORAL ARGUMENTS ON MOTION FOR DISCOVERY AND ISSUANCE OF
SUBPOENAS/WAIVER OF PETITIONER'S APPEARANCE AT
EVIDENTIARY HEARING AND ALL OTHER HEARINGS

Division.

COURT FURTHER ORDERED counsel to further brief with more specificity the request to subpoena records from U.S. Department of Homeland Security, U.S. Citizenship and Immigration.

Court advised counsel that this case must take precedence over all other cases and the evidentiary hearing in October will not be continued. Further, counsel must meet and confer regarding the schedule of witness for the hearing.

Status hearing set in order to review the outcome of the above subpoenas as well as to review the schedule of witnesses.

3:37 p.m. Court recessed.

9/5/18
10:00 a.m.
Status
Hearing

10/1/18
10:00 a.m.
Evidentiary
Hearing
(4 weeks)

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: SIAOSI VANISI VS. THE STATE OF NEVADA

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

8/27/18	<u>ADMINISTRATIVE CONFERENCE CALL</u>	
HONORABLE CONNIE STEINHEIMER DEPT. NO.4 M. Stone (Clerk) C. Amundson (Reporter)	<p>Assistant Federal Public Defender Randolph Fiedler, Assistant Federal Public Defender Scott Wisniewski, and Assistant Federal Public Defender Joanne Diamond, represented the Petitioner. Chief Deputy District Attorney Jennifer Noble and Deputy District Attorney Joseph Plater represented the State.</p> <p>10:00 a.m. Court convened.</p> <p>Court noted that a numerous motions/pleadings have been filed as of late in this case.</p> <p>COURT ENTERED ORDER that the Suggestion of Incompetency and Motion for Evaluation and the Request from the Defendant to Waive the Evidentiary Hearing in this matter are both set for hearing on September 5, 2018 at 10:00 a.m. State's counsel shall confirm that the Nevada Department of Prisons will transport the Petitioner on that date. Should an new Order to Produce be needed, the State shall file the application and submit the order for this Court's signature.</p> <p>Based on the State having filed a non-opposition and counsel Fiedler having orally submitted the motion during this hearing, COURT ENTERED ORDER granting Petitioner's Motion for Order to Conduct Discovery. Petitioner's counsel must prepare a proposed order for this Court's signature. The order must direct the Nevada Department of Prisons to produce the documents to this Court. A date for the return of the documents will be established by the Court once the proposed order is received.</p> <p>COURT ENTERED ORDER granting the State's Motion in Limine to Admit SCR 250 Memorandum of Michael Specchio. State's counsel shall prepare a proposed order for this Court's signature.</p> <p>Court further noted that two (2) Motions to Continue Depositions have been filed but are yet to be fully briefed and/or submitted. Court advised counsel that the entire month of October has been set aside for this matter and the Court expects all evidentiary evidence to be presented during that time period even if this Court has to approve simultaneous videoconferencing for depositions and/or testimony.</p> <p>10:08 a.m. Court adjourned.</p>	<p>9/5/18 10:00 p.m. Status Hearing/Oral Arguments</p> <p>10/1/18 10:00 a.m. Evidentiary Hearing (4 weeks)</p>

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/5/18

STATUS CONFERENCE

HONORABLE

Petitioner, Siaosi Vanisi, present with counsel, Assistants Federal Public

CONNIE

Defender Randolph Fiedler and Joanne Diamond. Chief Deputy District

STEINHEIMER

Attorney Jennifer Noble and Deputy District Attorney Joseph Plater

DEPT. NO.4

represented the State of Nevada.

M. Stone

10:06 a.m. Court convened.

(Clerk)

Appearances set forth for the record.

J. Schonlau

Court reviewed the Pre-Trial Memorandums filed by each party.

(Reporter)

COURT directed counsel for each side to coordinate with each as to what technology is needed during the evidentiary hearing and determine if the State's or the Court's IT Department will provide the equipment.

COURT advised counsel that the Court is not limiting the amount of binders that contain the exhibits. Petitioner's exhibits start at #1, and Respondent's exhibits start at the number next in line at the end of Petitioner's. The attorneys must work together to create one exhibit list. There must not be duplicate exhibits marked.

Court noted the filing of Motions to Continue Deposition filed by the Petitioner. Court indicated that if the depositions are to occur they must occur prior to the October evidentiary hearing. The depositions may take place remotely by simultaneous video deposition. Counsel Fiedler advised the Court that he would prefer to be physically present while the deposition was occurring.

COURT advised counsel for the Petitioner that it is not a requirement to be physically present at the time depositions are occurring. Should the Petitioner believe a witness is necessary for the hearing, Petitioner must secure such testimony for October hearing.

Petitioner's Motion to Disqualify the Washoe County District Attorney's Office by counsel Diamond; presented argument; objection and argument by counsel Noble; reply argument by Petitioner's counsel Diamond.

Based on review of all the motion and all the pleadings related thereto, the Court finds that it is not an appropriate time or proper pleading to raise this new issue, further the Supreme Court of Nevada returned the matter for a limited purpose and the Federal Public Defender's Office cannot raise new issues. **COURT ENTERED ORDER** denying Petitioner's Motion to Disqualify the Washoe County District Attorney's Office as there is no ethical violation with the District Attorney's Office and the Petitioner's trial team to investigate and further the allegations are not supported in the motion in order for an evidentiary hearing to be warranted. The issues contained in the Motion may be litigated in the future but are not timely nor appropriate

**DATE, JUDGE
OFFICERS OF**

PAGE TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/5/18

STATUS CONFERENCE

J. Schonlau
(Reporter)

at this time.

Court directed State's counsel to prepare the order in accordance with the above ruling.

Discussion ensued regarding the notice of witnesses and the length of the October evidentiary hearing. Counsel Fiedler advised the Court that it is believed that the October hearing may not take as long as anticipated.

Court requested counsel, when scheduling witness, to avoid the first week of October.

Court noted receipt of Mr. Vanisi's written request to waive the evidentiary hearing in its entirety.

Suggestion of Competency and Motion for Evaluation by counsel Fiedler; presented argument; objection and argument by counsel Plater; reply argument by counsel Fiedler.

Court canvassed the Defendant as to his written requests to the Court and the District Attorney's requesting to waive the evidentiary hearing ordered by the Supreme Court of Nevada.

Court further canvassed the Defendant as to his competency to waive the evidentiary hearing.

Mr. Vanisi advised the Court that his request to waive the evidentiary hearing is a tactical decision and has made the request to his attorneys to not proceed with the evidentiary hearing.

Court noted for the record that Mr. Vanisi appears to be competent to make his own decisions and his request to waive the evidentiary hearing is because he does not agree with the strategies of his counsel. If this Court accepts Mr. Vanisi's waiver without a current evaluation, a higher court may overturn the matter.

COURT ENTERED ORDER for competency evaluations be conducted by Lake's Crossing. The competency evaluations are not as to Mr. Vanisi ability to aid and assist counsel, but are as to the ability of Mr. Vanisi to waive the evidentiary hearing ordered by the Supreme Court of Nevada. Hearing set in order for counsel to traverse the findings of the evaluators. Evaluations must be filed in the Court no later than September 20, 2018. The request of Mr. Vanisi to waive the evidentiary hearing is held in abeyance pending the competency finding.

Mr. Vanisi further advised the Court, that should the evidentiary hearing proceed, he wishes to represent himself. Additionally, Mr. Vanisi withdrew his waiver of appearance at all future hearings.

Discussion ensued regarding the Federal Public Defender's notice that it will

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

PAGE THREE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/5/18

STATUS CONFERENCE

J. Schonlau
(Reporter)

accept rough draft transcripts instead of certified daily transcripts. Court indicated that it would look into payment of the transcripts with Court Administration.
Counsel Noble expressed concern regarding the Federal Public Defender's late disclosure of witnesses and the lack of receipt of the expert witness reports.
Counsel Fiedler advised the Court that no further disclosures will occur and the expert reports will be provided to the State at least 21 days prior to the hearing.
11:31 p.m. Court adjourned.

9/24/18
10:00 a.m.
Rpt – Psych.
Evals

10/1/18
10:00 a.m.
Evidentiary
Hearing
(4 weeks)

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/17/18	<u>ADMINISTRATIVE CONFERENCE CALL</u>	
HONORABLE	Assistants Federal Public Defender Randolph Fiedler, Joanne Diamond and	9/24/18
CONNIE	Scott Wisniewski present on behalf of the Petitioner. Chief Deputy District	10:00 a.m.
STEINHEIMER	Attorney Jennifer Noble and Deputy District Attorney Joseph Plater	Rpt – Psych.
DEPT. NO.4	represented the State of Nevada.	Evals
M. Stone	2:00 p.m. Court convened.	
(Clerk)	Appearances set forth for the record.	10/1/18
J. Schonlau	Court noted receipt of the Federal Public Defender's schedule of witnesses.	10:00 a.m.
(Reporter)	Court also noted her comment at a previous hearing that witnesses would	Evidentiary
	not be called early in the first week. The first witness will be called on	Hearing
	October 4, 2018. Closing arguments will be held on October 24, 2018. If a	(4 weeks)
	State's witness is called by the Petitioner, the State will be allowed to	
	conduct their direct examination of that witness at the same time.	
	Discussion ensued regarding the medical records received from the NDOC.	
	Court advised the Federal Public Defender's Office to review the records	
	and if not complete, raise the issue with the attorney for NDOC.	
	Court adjourned.	

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

**DATE, JUDGE
OFFICERS OF**

PAGE ONE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/24/18 **REPORT ON PSYCHIATRIC EVALUATIONS**

HONORABLE Petitioner, Siaosi Vanisi, present with counsel, Assistant Federal Public
CONNIE Defender Randolph Fiedler and Assistant Federal Public Defender Scott
STEINHEIMER Wisniewski. Chief Deputy District Attorney Jennifer Noble and Deputy
DEPT. NO.4 District Attorney Joseph Plater represented the State of Nevada.
M. Stone 10:05 a.m. Court convened.
(Clerk) Appearances set forth for the record.
J. Schonlau/ Court noted receipt of evaluations from Dr. Zuchowski and Dr. Moulton and
C. Amundson advised counsel of the findings therein.
(Reporter) Counsel Fiedler advised the Court that they wished to traverse the findings
of the Doctors.
Rule of Exclusion invoked by counsel Wisniewski.
Counsel Fiedler regarding leave as ask leading question with Dr.
Zuchowski. Counsel Plater objected to such request. **COURT** denied
request.

Dr. Steven Zuchowski called by counsel Fiedler, sworn and testified; cross-
examined by counsel Plater.

12:02 p.m. Court recessed.

12:18 p.m. Court reconvened with respective counsel and Petitioner
present.

At request of State, Court allowed Dr. Moulton to leave and return to testify
after lunch break.

Dr. Zuchowski further cross-examined; redirect examined; recross-
examined; excused.

12:38 p.m. Court recessed for lunch.

1:38 p.m. Court reconvened with respective counsel and Petitioner present.

Dr. Moulton called by counsel Wisniewski, sworn and testified; cross-
examined; redirect examined; excused.

3:15 p.m. Court recessed.

3:32 p.m. Court reconvened with respective counsel and Petitioner present.
Court reviewed the purpose of the evaluations and the scope of arguments
of counsel.

Counsel Fiedler presented argument for Mr. Vanisi to be deemed

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

**DATE, JUDGE
OFFICERS OF**

PAGE TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/24/18 J. Schonlau/ C. Amundson (Reporter)	<p><u>REPORT ON PSYCHIATRIC EVALUATIONS</u></p> <p>incompetent to waive the evidentiary hearing and/or that Mr. Vanisi does not have the capacity to appreciate his position and make a rational choice with respect to continuing or abandoning further litigation. Counsel Noble presented argument for Mr. Vanisi to be found competent to make the decision to waive his evidentiary hearing and found to have the capacity to decide whether or not to continue with this litigation. Counsel Fiedler and Noble presented further arguments. Court found that the evaluations were ordered at the request of the Federal Public Defender and testimony was provided by the Doctors, neither of which had any doubt in their minds that Mr. Vanisi had the capacity to appreciate his position and make a rational choice with respect to waiving the scheduled evidentiary hearing and that he was not suffering from a mental disease, disorder or defect that would substantially affect him in making that decision. Therefore, COURT ENTERED ORDER finding Mr. Vanisi competent to waive the scheduled evidentiary hearing should he wish to do so.</p> <p>Court canvassed Mr. Vanisi as to his waiver of the scheduled evidentiary hearing and withdrawal of his remaining claim in his current Petition for Writ of Habeas Corpus (Post-Conviction).</p> <p>Mr. Vanisi advised the Court that he continues to wish to waive the scheduled evidentiary hearing.</p> <p>At request of counsel Fiedler, Court recessed at 3:57.</p> <p>4:03 p.m. Court reconvened with respective counsel and Petitioner present. Counsel Fiedler advised the Court that he has had time to further discuss the issues with Mr. Vanisi and believes that Mr. Vanisi does not need to withdraw his claim. The Court would still rule on the merits of the claim as though no mitigating evidence were presented.</p> <p>Court further canvassed Mr. Vanisi as to his rights and his waiver of the scheduled evidentiary hearing.</p> <p>Based on Mr. Vanisi's request, Court recessed the hearing until 10:30 a.m. on September 25, 2018 in order for Mr. Vanisi to think about all the comments of the Court during his canvass.</p> <p>4:15 p.m. Court adjourned. Petitioner remanded to the custody of the Warden.</p>	<p>9/25/18 10:30 a.m. Continued Rpt – Psych. Evals</p> <p>10/4/18 10:00 a.m. Evidentiary Hearing (4 weeks)</p>
--	--	--

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/25/18 **STATUS HEARING – PETITIONER’S WAIVER OF EVIDENTIARY**

HONORABLE **HEARING**

CONNIE STEINHEIMER DEPT. NO.4 M. Stone (Clerk) C. Amundson (Reporter)

Petitioner, Siaosi Vanisi, present with counsel, Assistant Federal Public Defender Randolph Fiedler and Assistant Federal Public Defender Scott Wisniewski. Chief Deputy District Attorney Jennifer Noble and Deputy District Attorney Joseph Plater represented the State of Nevada.

10:35 a.m. Court convened.

Appearances set forth for the record.

Mr. Vanisi sworn and canvassed as to his waiver of the evidentiary hearing. Counsel Platter requested that the Court canvass Mr. Vanisi as to the possible penalties for First Degree Murder should his current sentence be overturned through post-conviction proceedings in State Court.

10:48 a.m. Court recessed in order for Counsel Fiedler and Wisniewski to review with the Petitioner the Supreme Court of Nevada’s Decision directing the Court to have the scheduled evidentiary hearing.

11:21 a.m. Court reconvened with respective counsel and Petitioner present.

Mr. Vanisi notified the Court that he had sufficient time to review the Supreme Court Decision with counsel and after that review, it does not change his mind as to his waiver of the scheduled evidentiary hearing. Court further canvassed Mr. Vanisi, who remained under oath, as to the effects of waiving the scheduled evidentiary hearing and as to the possible penalties for First Degree Murder should his current sentence be overturned through post-conviction proceedings in State Court.

Mr. Vanisi advised the Court that he still wishes to waive the scheduled evidentiary.

Neither counsel for Mr. Vanisi had any additional question for the Court to ask Mr. Vanisi.

Although, the Court does not believe it is the right decision to make, the Court does believe it is Mr. Vanisi’s right to make the decision and that he understands the consequences of waiving his right to have the scheduled evidentiary hearing. The Court found that Mr. Vanisi is freely and voluntarily waiving the scheduled evidentiary hearing and accepted such waiver.

Counsel Fiedler motioned the Court to proceed with the scheduled evidentiary hearing despite the waiver by Mr. Vanisi. Counsel Noble presented objection to such. Court found that Mr. Vanisi freely and voluntarily waived the evidentiary hearing and has a right to make such decision. Therefore, **COURT ENTERED ORDER** denying request.

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

DATE, JUDGE
OFFICERS OF

PAGE TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/25/18

C. Amundson
(Reporter)

**STATUS HEARING – PETITIONER’S WAIVER OF EVIDENTIARY
HEARING**

Discussion ensued regarding setting the oral arguments on the Petition. Mr. Vanisi advised the Court that he wishes to be present at such hearing. Respective counsel indicated that the arguments on the mitigation claim in the Petition for Writ of Habeas Corpus (Post-Conviction) would not take long and could be completed during this hearing.

11:45 a.m. Court recessed until 1:30 p.m.

1:34 p.m. Court reconvened with respective counsel and Petitioner present. Counsel Fiedler and Noble advised the Court that the Court should rule on the merits of the claim of ineffective assistance of counsel for first post-conviction counsel's failure to investigate and present claims regarding mitigation. Based on Mr. Vanisi's failure, by waiver of the evidentiary hearing, to present evidence in support of that remaining claim, he has not met the burden and the claim should be denied.

Mr. Vanisi advised the Court that he still wants to waive the evidentiary hearing and have the Court deny the claim so that he could proceed in Federal Court.

Based on Mr. Vanisi's waiver of the evidentiary hearing and arguments presented at this hearing, there is no basis for this Court to find that the claim regarding mitigating evidence has merit. Therefore, **COURT ENTERED ORDER** denied the Petition for Writ of Habeas Corpus on the claim that first post-conviction counsel failed to investigate and present evidence regarding mitigation.

Court directed the State to prepare an Order regarding Mr. Vanisi's competency and waiver of the evidentiary hearing, as well as an Order denying the remaining claim in the Petition.

Court advised Mr. Vanisi and his counsel that once the Notice of Entry of Order has been entered, they have 33 days to file an appeal to the Supreme Court of Nevada.

Counsel Fiedler advised the Court that there is currently a Federal habeas petition pending and it is stayed pending the outcome of the State petition.

COURT ENTERED ORDER that all witness for the evidentiary hearing in this matter shall be called off. All witnesses shall be directed to maintain contact with either the Federal Public Defender's Office and/or the Washoe County District Attorney's Office for a period of 1 year.

Court adjourned. Petitioner remanded to the custody of the Warden.

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

9/25/18 **RETURN ON SUBPOENA DUCES TECUM (NDOC)**

HONORABLE No one present on behalf of either side.

CONNIE Court noted for the record that records from the Nevada Department of
STEINHEIMER Corrections were received by the Clerk and will be lodged with the Evidence
DEPT. NO.4 Custodian.

M. Stone

(Clerk)

J. Schonlau

(Reporter)

CASE NO. CR98-0516
(POST-CONVICTION)

TITLE: THE STATE OF NEVADA VS. SIAOSI VANISI

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

1/25/19

HONORABLE

CONNIE

STEINHEIMER

DEPT. NO.4

M. Stone

(Clerk)

J. Schonlau

(Reporter)

**MOTION FOR LEAVE TO SUPPLEMENT PETITION FOR WRIT OF
HABEAS CORPUS (POST-CONVICTION)**

Petitioner, Siasosi Vanisi, present with counsel, Assistant Federal Public Defender Randolph Fiedler and Assistant Federal Public Defender Scott Wisniewski. Chief Deputy District Attorney Jennifer Noble and Deputy District Attorney Joseph Plater represented the State of Nevada.

9:07 a.m. Court convened.

Appearances set forth for the record.

Motion for Leave to File a Supplemental Petition by counsel Fiedler; presented argument; objection and argument by counsel Plater; reply argument by counsel Fiedler.

Further, counsel Fiedler answered questions presented by the Court.

Petitioner addressed the Court as to his wishes and advised the Court that he continues to want the State Court proceedings to be concluded.

Upon the Court finding that the Nevada Supreme Court remanded the matter for the sole purpose of an evidentiary hearing on ground 20 of the original Petition for Writ of Habeas Corpus (Post-Conviction) filed on May 5, 2011 and not for the petition to be supplemented, **COURT ENTERED**

ORDER denying the Motion for Leave to File a Supplemental Petition.

Petitioner addressed the Court as to his housing at the Nevada Department of Corrections.

Petitioner remanded to the custody of the Warden.

Court adjourned.

1 Code 1350
2
3

4 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
5 IN AND FOR THE COUNTY OF WASHOE

6 SIAOSI VANISI,
7

Case No. CR98-0516

8 Petitioner,

Dept. No. 4

9 vs.

10 WILLIAM GITTERE, Warden, et al.,
11

Respondent.
12 _____/

13 **CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

14 I certify that I am an employee of the Second Judicial District Court of the State of Nevada,
15 County of Washoe; that on the 25th day of February, 2016, I electronically filed the Notice of
16 Appeal in the above entitled matter to the Nevada Supreme Court.

17 I further certify that the transmitted record is a true and correct copy of the original
18 pleadings on file with the Second Judicial District Court.

Dated this 25th day of February, 2016

19
20 Jacqueline Bryant
Clerk of the Court

21
22 By /s/ Yvonne Vilorio
Yvonne Vilorio
23 Deputy Clerk
24
25
26
27
28