



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Electronically Filed
Sep 15 2020 07:40 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

September 15, 2020

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: STATE OF NEVADA vs. MICHAEL DEANGELO MCNAIR

S.C. CASE: 78871

D.C. CASE: C-17-327395-1

Dear Ms. Brown:

Pursuant to your Order of Limited Remand, dated June 15, 2020 and Order Granting Motion, dated August 5, 2020, enclosed is a copy of the minutes from September 4, 2020, in the above referenced case, no amended judgment of conviction will be filed, defendant will proceed with the appeal. If you have any questions regarding this matter, please do not hesitate to contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "Heather Ungermann", with a long horizontal flourish extending to the right.

Heather Ungermann, Deputy Clerk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 04, 2020

C-17-327395-1 State of Nevada
vs
Michael McNair

September 04, 2020 1:45 PM Entry of Plea

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Teri Berkshire

RECORDER: Stacey Ray

REPORTER:

PARTIES

PRESENT:	Afshar, Navid	Attorney for Defendant
	McNair, Michael	Defendant
	Rogan, Jeffrey	Attorney for State
	Simpkins, Melinda E.	Attorney for Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Afshar stated two objections, a lack of presence due to the COVID situation, and he would submit on the pleadings to preserve the issue, adding when the Defendant was first sentenced he only received 530 days credit for time served, which he should have received 594 days due to the Statute which states if you are arrested while on probation those days do not count, adding the Defendant was dishonorably discharged in November, and if the Supreme Court ever re-addresses the Statute the Defense would like to preserve the record. COURT ADVISED Defendant due to COVID inmates are not being transported for in person Court appearances. Defendant stated this was not a crime of passion, anger or hate, it was a crime of fearfulness of his life. COURT STATED this case was pending appeal after the trial, and the Court was under the impression parties had re-negotiated this matter and the negotiation and plea were supposed to be placed on the record today. Defendant informed the Court the attorneys are doing a favor for each other, and the only reason the State offered the deal if it the Defendant would forfeit his direct appeal, and requested to use his issues that occurred at trial in his appeal, then he would be comfortable going forward with the plea

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Minutes Date: September 04, 2020

today. COURT ADVISED Defendant, generally speaking, if he is convicted at trial, all of appellate issues are available relating to trial, however if the Defendant enters a guilty plea, the only thing that will be appealed are things related to the entry of plea, and he cannot appeal what happened at trial. Mr. Afshar informed the Court the Defendant is talking about Post-Conviction Relief. COURT STATED they are not comfortable with an entry of plea today, adding the Court's understanding is the case was resolved and the Court would follow a stipulated sentence, and now the Defendant is stating issues with the conduct of his attorneys at the time of trial which he wants to preserve for appellate purposes. COURT STATED this Court and Judge Jones would continue to accept the deal and the stipulated sentence if parties continue to work on negotiations. COURT ORDERED, matter OFF CALENDAR; the Defendant can proceed with the appeal. Mr. Afshar stated he explained to the Defendant regarding the Post-Conviction Relief and the Defendant stated he wanted to move forward with the plea, however they will continue working with the Defendant.

NDC