

FILEDDISTRICT COURT
CLARK COUNTY, NEVADA

JUN 21 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK
June 19, 2019

Felony/Gross Misdemeanor

COURT MINUTES

C-18-333254-1 State of Nevada
vs
Jack Banka

June 19, 2019 9:00 AM Calendar Call

HEARD BY: Ellsworth, Carolyn

COURTROOM: RJC Courtroom 16D

COURT CLERK: Andrea Natali
Jeanette Velazquez

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT: Pandukht, Taleen R Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Deft. not present. John Watkins, Esq. and Michael Pariente, Esq. present.

Upon Court's inquiry, Mr. Watkins stated the Deft. was on his way. Further, Mr. Watkins stated he was not ready for trial and requested the trial be reset in the ordinary course. Ms. Pandukht stated an Alford plea agreement had been prepared. COURT ADVISED, the trial was not getting continued, as the rule indicated it shall not allow a substitution of counsel, if it resulted in a trial continuance. Mr. Watkins argued the Deft. was entitled to have the attorney of his choice and noted a conflict had arisen. COURT FURTHER ADVISED, it was not continuing the trial. Mr. Watkins stated there was no way he could be ready for trial. Mr. Boley stated this was the first he had heard about the substitution of counsel; additionally, advised he would do whatever the Court directed him to do. Deft. now present at liberty on Bond. Ms. Pandukht stated she and Ms. Lavell were not aware of the substitution, there wasn't an agreement to continue the trial and the State objected to a trial continuance, and if the Deft. does not enter a plea, she had been advised to withdraw the offer; further, announced ready for trial. Matter TRAILED for the other calendar call matters to be called.

PRINT DATE: 06/21/2019

Page 1 of 2

Minutes Date: June 19, 2019

Matter RECALLED. Same parties present as before. Upon Court's inquiry, Deft. stated he did not want to enter into the plea agreement. Upon Court's further inquiry regarding whether counsel was ready for trial, Mr. Boley stated he had the same information as the State when he came in for today's hearing. Further, Mr. Boley stated there was a conflict that had arisen with respect to a difference of view on the case. Upon Court's further inquiry regarding whether Mr. Boley had not prepared for trial, Mr. Boley stated if the Court orders him to go to trial he will; however, advised he believed it would prejudice the Deft. COURT ADVISED, counsel could associate in to help Mr. Boley with the trial; however, it was not continuing the trial. Ms. Pandukht stated as the Deft. rejected the plea she was revoking the offer. Counsel anticipated one week for trial. Matter TRAILED for the other calendar call matter to be called.

Matter RECALLED. Same parties present as before, with the exception of Mr. Giles who is now present on behalf of the State. COURT ADVISED, there were no other trials going forward except this case; therefore, ORDERED, jury trial SET to begin at 1:00 PM on Monday. Further statement by Mr. Boley regarding the difference in trial strategies; therefore, advised he should hire an expert and requested the trial be CONTINUED. COURT ADVISED, the time to hire an expert was before today's date. Trial date STANDS. Mr. Boley stated he would be ready if the court orders him to be. Mr. Giles announced ready.

BOND

6/24/19 - 1:00 PM - JURY TRIAL