Steven D. Grierson CLERK OF THE COURT 1 **NOASC** MONIQUE MCNEILL, ESQ. 2 Nevada State Bar No. 009862 P.O. Box 2451 3 Las Vegas, Nevada 89125 Electronically Filed Tel: (702) 497-9734 4 Jun 24 2019 11:32 a.m. Email: monique.mcneill@yahoo.com Elizabeth A. Brown 5 Clerk of Supreme Court 6 **DISTRICT COURT** 7 **CLARK COUNTY, NEVADA** 8 THE STATE OF NEVADA CASE NO: C-17-327767-2 9 Plaintiff, DEPT. NO: XXVIII 10 11 VS. 12 ADRIAN POWELL, 13 Defendant. 14 NOTICE OF APPEAL 15 16 NOTICE IS HEREBY GIVEN that Defendant, ADRIAN POWELL, appeals to the 17 Supreme Court of Nevada from the judgment entered against said Defendant on May 24, 18 2019, whereby he was convicted of Conspiracy to Commit Robbery (2 counts), Burglary 19 while in Possession of a Deadly Weapon (2 counts), First Degree Kidnapping with Use 20 Deadly Weapon (2 counts), Robbery with Use of a Deadly Weapon (7 counts). 21 DATED this 13th day of June, 2019. 22 By: /s/ Monique McNeill 23 MONIQUE A. MCNEILL, ESO. Nevada Bar No. 009862 24 P.O. Box 2451 25 Las Vegas, Nevada 89125 Phone: (702) 497-9734 26 Email: monique.mcneill@yahoo.com 27 28

Docket 79037 Document 2019-27086

Electronically Filed 6/14/2019 2:38 PM

Case Number: C-17-327767-2

1	<u>CERTIFICATE OF SERVICE</u>					
2	IT IS HEREBY CERTIFIED by the undersigned that on 13th day of June, 2019, I					
3	served a true and correct copy of the foregoing <b>Notice of Appeal</b> on the parties listed on the					
4 5	attached service list via one or more of the methods of service described below as indicated					
6	next to the name of the served individual or entity by a checked box:					
7	VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada.					
8 9	<b>VIA FACSIMILE:</b> by transmitting to a facsimile machine maintained by the attorney or the party who has filed a written consent for such manner of service.					
10	BY PERSONAL SERVICE: by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of					
11	the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf. A receipt of copy signed and dated by such an individual confirming delivery of the document will be maintained with the document and					
12 13	is attached.					
14	<b>BY E-MAIL:</b> by transmitting a copy of the document in the format to be used for attachment to the electronic-mail address designated by the attorney or the party who has filed a written					
15	consent for such manner of service.					
16						
17	DATED this <u>13th</u> day of June, 2019.					
18	By: /s/ Monique McNeill					
19 20	MONIQUE A. MCNEILL, ESQ. Nevada Bar No. 009862					
21	P.O. Box 2451					
22	Las Vegas, Nevada 89125 Phone: (702) 497-9734					
23	Email: monique.mcneill@yahoo.com					
24						
25						
26						
27						
28						

## **SERVICE LIST**

ATTORNEYS **PARTIES** METHOD OF OF RECORD REPRESENTED **SERVICE** State of Nevada Personal service CLARK COUNTY DISTRICT ATTORNEY'S OFFICE Email service 200 E. Lewis Ave Fax service Las Vegas, NV 89101 Mail service pdmotions@clarkcountyda.com

Electronically Filed 6/14/2019 2:38 PM Steven D. Grierson CLERK OF THE COURT

1 **ASTA** MONIQUE MCNEILL, ESQ. 2 Nevada State Bar No. 009862 P.O. Box 2451 3 Las Vegas, Nevada 89125 Tel: (702) 497-9734 4 Email: monique.mcneill@yahoo.com 5 6 DISTRICT COURT 7 CLARK COUNTY, NEVADA 8 THE STATE OF NEVADA CASE NO: C-17-327767-2 9 Plaintiff, DEPT. NO: XXVIII 10 VS. 11 ADRIAN POWELL. 12 Defendant. 13 14 **CASE APPEAL STATEMENT** 15 16 1. Name of appellant filing this case appeal statement: Adrian Powell. 17 2. Identify the judge issuing the decision, judgment, or order appealed from: 18 19 Judge Ronald Israel, District Court 28; 20 3. Identify all parties to the proceedings in the district court (the use of et al. 21 to denote parties is prohibited): The State of Nevada, Plaintiff; Adrian Powell, 22 Defendant; 23 24 4. Identify all parties involved in this appeal (the use of et al. to denote parties 25 The State of Nevada, Plaintiff; Adrian Powell, Defendant; is prohibited): 26 5. Set forth the name, law firm, address and telephone number of all counsel 27 28 on appeal and identify the party or parties whom they represent: Counsel for Plaintiff,

Case Number: C-17-327767-2

Clark County District Attorney's Office, Regional Justice Center, 200 Lewis Ave., 3<sup>rd</sup>

Floor, Las Vegas, NV 89101, (702) 671-2500; Counsel for Defense, Monique McNeill, P.O. Box 2451, Las Vegas, Nevada 89125.

- 6. Indicate whether appellant was represented by appointed or retained counsel in the district court: appointed;
- 7. Indicate whether appellant is represented by appointed or retained counsel on appeal: appointed;
- 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave: Appellant has appointed counsel as he is indigent.
- 9. Indicate the date the proceedings commenced in the District Court (e.g., date complaint, indictment, information, or petition was filed): A Grand Jury Indictment was filed on November 8, 2017.
- 10. A brief description of the nature of the action and result in the District Court, including the type of judgment or order being appealed and the relief granted by the District Court: This is an appeal in a criminal case of the denial of a motion to withdraw a guilty plea.
- 11. Whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding: No;

///

7 | | ///

1	12. Whether the appeal involves child custody or visitation: No;
2	
3	DATED this 13th Day of June, 2019.
4	By: /s/Monique McNeill, Esq.
5	By: /s/Monique McNeill, Esq.  MONIQUE MCNEILL, ESQ.  Nevada Bar No. 009862
6	P.O. Box 2451
7	Las Vegas, Nevada 89125 Phone: (702) 497-9734
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1	CERTIFICATE OF SERVICE						
2	IT IS HEREBY CERTIFIED by the undersigned that on 13th Day of June, 2019, I						
3	served a true and correct copy of the foregoing <b>Case Appeal Statement</b> on the parties listed on the attached service list via one or more of the methods of service described below as indicated next to the name of the served individual or entity by a checked box:						
4 5							
6							
7	<b>VIA U.S. MAIL:</b> by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada.						
8 9	VIA FACSIMILE: by transmitting to a facsimile machine maintained by the attorney or the party who has filed a written consent for such manner of service.						
10	<b>BY PERSONAL SERVICE:</b> by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of						
11	the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf. A receipt of copy signed and dated by						
12	such an individual confirming delivery of the document will be maintained with the document and is attached.						
<ul><li>13</li><li>14</li><li>15</li></ul>	<b>BY E-MAIL:</b> by transmitting a copy of the document in the format to be used fo attachments to the electronic-mail address designated by the attorney or the party who ha filed a written consent for such manner of service.						
16							
17	DATED this 13th Day of June, 2019.						
18							
19	By: /s/Monique McNeill, Esq. MONIQUE MCNEILL, ESQ.						
20	Nevada Bar No. 009862 P.O. Box 2451						
21	Las Vegas, Nevada 89125 Phone: (702) 497-9734						
22							
23							
24							
25 26							

## SERVICE LIST

ATTORNEYS OF RECORD	PARTIES REPRESENTED	METHOD OF SERVICE
CLARK COUNTY DISTRICT ATTORNEY'S OFFICE 200 E. Lewis Ave Las Vegas, NV 89101	State of Nevada	Personal service Email service Fax service Mail service
pdmotions@clarkcountyda.com		

1 2

## **CASE SUMMARY** CASE No. C-17-327767-2

State of Nevada **Adrian Powell** 

Location: Department 28 Judicial Officer: Israel, Ronald J. Filed on: 11/08/2017

Case Number History:

Cross-Reference Case C327767

Number:

Defendant's Scope ID #: 8387748 Grand Jury Case Number: 17AGJ106B

ITAG Case ID: 1931202

#### **CASE INFORMATION**

		CASE IN	FORMATIC	UN			
Offe	nse CONSPIRACY TO COMMIT ROBBERY	<b>Statute</b> 200.380	<b>Deg</b> F	<b>Date</b> 09/28/2017	Case Type:	Felony/Gros	ss Misdemeanor
2.	BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON		F	09/28/2017	Case Status:	05/24/2019	Closed
3.	FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON	200.310.1	F	09/28/2017			
4.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			
5.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			
6.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			
7.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			
8.	CONSPIRACY TO COMMIT ROBBERY	200.380	F	09/28/2017			
9.	BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON	205.060.4	F	09/28/2017			
10.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			
	Filed As: FIRST DEGREE KIDNAPPOING WITH USE OF A DEADLY WEAPON	F	11/8/2017	7			
11.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			
12.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			
13.	FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON	200.310.1	F	09/28/2017			
14.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			
	Filed As: FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON	F	11/8/2017	7			
15.	ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/28/2017			

#### **Related Cases**

C-17-327767-1 (Multi-Defendant Case)

#### **Statistical Closures**

05/24/2019 Guilty Plea with Sentence (before trial) (CR)

#### Warrants

Indictment Warrant - Powell, Adrian (Judicial Officer: Gonzalez, Elizabeth )

11/13/2017 11:45 AM Returned - Served

Fine:

\$500,000.00 Bond: Any

DATE **CASE ASSIGNMENT** 

**Current Case Assignment** 

Case Number C-17-327767-2

## **CASE SUMMARY**

CASE No. C-17-327767-2 Department 28 07/02/2018

Court Date Assigned Judicial Officer

Israel, Ronald J.

PARTY INFORMATION				
Defendant	Powell, Adrian	Lead Attorneys McNeill, Monique A. Retained 7024513483(W)		
Plaintiff	State of Nevada	<b>Wolfson, Steven B</b> 702-671-2700(W)		
DATE	EVENTS & ORDERS OF THE COURT	INDEX		
11/08/2017	EVENTS  Warrant  Indictment Warrant			
11/08/2017	Indictment  Indictment			
11/09/2017	Indictment Warrant Return  Indictment Warrant Return			
11/22/2017	Notice of Witnesses and/or Expert Witnesses  State's Notice of Witnesses and/or Expert Witnesses			
11/22/2017	Transcript of Proceedings  Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 1, October 17, 2017	,		
11/22/2017	Transcript of Proceedings  Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 2, November 7, 201	7		
01/05/2018	Recorder's Transcript of Hearing  Recorder's Transcript Re: Arraignment, Indictment Warrant Return 11-13-17			
01/05/2018	Supplemental Witness List state's supplemental notice of witnesses and/or expert witnesses			
01/12/2018	Joinder Filed By: Defendant Powell, Adrian Joinder to Petition for Writ of Habeas Corpus			
06/07/2018	Notice of Witnesses and/or Expert Witnesses  Filed By: Plaintiff State of Nevada  State's Second Supplemental Notice of Witnesses and/or Expert Witnesses (NRS 174.234)	)		
07/02/2018	Case Reassigned to Department 28 Reassigned From Judge Cory - Dept 1			
07/30/2018	Amended Indictment  Amended Indictment			

## CASE SUMMARY CASE No. C-17-327767-2

	1
07/31/2018	☐ Guilty Plea Agreement
08/27/2018	PSI
09/25/2018	Memorandum Filed By: Defendant Powell, Adrian Defendant's Sentencing Memorandum
10/02/2018	Supplement Filed by: Defendant Powell, Adrian Supplement to Defendant's Sentencing Memorandum
01/14/2019	Motion Filed By: Defendant Powell, Adrian MOtion to Withdraw Guilty Plea
02/05/2019	Opposition State's Opposition to Defendant's Motion to withdraw Guilty Plea
05/24/2019	Judgment of Conviction  Judgment of Conviction (Plea of Guilty)
06/14/2019	Notice of Appeal (criminal) Party: Defendant Powell, Adrian Notice of Appeal
06/14/2019	Case Appeal Statement Filed By: Defendant Powell, Adrian Case Appeal Statement
08/01/2018	DISPOSITIONS Disposition (Judicial Officer: Israel, Ronald J.)  15. ROBBERY WITH USE OF A DEADLY WEAPON Amended Information Filed/Charges Not Addressed PCN: Sequence:
08/01/2018	Disposition (Judicial Officer: Israel, Ronald J.)  12. ROBBERY WITH USE OF A DEADLY WEAPON Amended Information Filed/Charges Not Addressed PCN: Sequence:
11/08/2017	HEARINGS  Grand Jury Indictment (11:45 AM) (Judicial Officer: Gonzalez, Elizabeth)
2	MINUTES  Warrant Inactive Indictment Warrant Matter Heard; Journal Entry Details:  Morgan Devlin, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excussed for presentation to the Court. State presented Grand Jury Case Number 17AGJ106B to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-17-327767-

# CASE SUMMARY CASE No. C-17-327767-2

2, Department I. Mr. Giordani requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$500,000.00 BAIL, INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibits 1 - 25 to be lodged with the Clerk of the Court. Upon inquiry of the Court, State advised there are no material witness warrants to be quashed. COURT ADDITIONALLY ORDERED, Las Vegas Justice Court case no. 17F17626B DISMISSED per the State s request. I.W. (CUSTODY) 11-15-17 9:00 AM INITIAL ARRAIGNMENT (DEPT I - Cory);

#### **SCHEDULED HEARINGS**

Initial Arraignment (11/13/2017 at 9:00 AM) (Judicial Officer: Cory, Kenneth)

11/13/2017

Initial Arraignment (9:00 AM) (Judicial Officer: Cory, Kenneth)

Plea Entered;

11/13/2017

Indictment Warrant Return (9:00 AM) (Judicial Officer: Cory, Kenneth)

Matter Heard;

11/13/2017

All Pending Motions (9:00 AM) (Judicial Officer: Cory, Kenneth)

ARRAIGNMENT...INDICTMENT WARRANT RETURN

Matter Heard;

Journal Entry Details:

ARRAIGNMENT...INDICTMENT WARRANT RETURN Defendant Powell PRESENT, IN CUSTODY. DEFT. POWELL ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. Mr. Temple advised the defendant is willing to WAIVE TWO WEEKS for trial. Mr. Giordani advised the matter is overflow eligible. CUSTODY (COC) 1/24/18 8:45 AM CALENDAR CALL 1/29/18 1:30 PM JURY TRIAL;

01/08/2018

Status Check: Reset Trial Date (9:00 AM) (Judicial Officer: Cory, Kenneth) 01/08/2018, 01/10/2018

Continued;

Trial Date Set;

Journal Entry Details:

Benjamin Durham, Esq., present on behalf of Co-Defendant. Mr. Durham advised trial can be set in ordinary course; however, the Defendant previously invoked. Upon Court's inquiry, Defendant, Mr. Powell stated he is willing to waive. COURT ORDERED, trial dates VACATED and RESET. CUSTODY 07/25/18 8:45 AM CALENDAR CALL 07/30/18 1:30 PM JURY TRIAL CLERK'S NOTE: Counsel notified via email regarding Grand Jury Transcripts having been filed on 01/10/18. hvp/01/10/18;

Continued;

Trial Date Set;

Journal Entry Details:

Defendant Powell PRESENT, IN CUSTODY. Mr. Cox advised he was appearing on behalf of Mr. Durham and Mr. Kane who are requesting a continuance until Wednesday. COURT SO ORDERED. CUSTODY CONTINUED TO: 1/10/18 9:00 AM;

01/24/2018

CANCELED Calendar Call (8:45 AM) (Judicial Officer: Cory, Kenneth)

Vacated

01/29/2018

Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Cory, Kenneth)

Defendant's Joinder to Petition for Writ of Habeas Corpus

Continued for Chambers Decision;

Journal Entry Details:

Defendant Powell PRESENT, IN CUSTODY. Mr Dickerson argued the State objection to Defendant Powell's joinder as it constitutes an untimely petition for writ of habeas corpus and there would be no jurisdiction to hear the matter. Mr. Kane, argued the facts are the same. Mr. Dickerson advised the facts are not the problem, its a procedural bar to his filing of any petition for any writ of habeas corpus. Statements by the Court as to Medbury and jury question. Mr. Durham argued whether the movement had any independent significance, which there was not. Second factor is the risk of danger substantially exceeds, do not believe it went above and beyond. Mr. Dickerson argued Mendoza. Further arguments by counsel. COURT ORDERED, Matter CONTINUED FOR CHAMBERS DECISION. CUSTODY 2/22/18 9:00 AM DECISION (PETITION FOR WRIT OF HABEAS CORPUS);

## CASE SUMMARY CASE NO. C-17-327767-2

01/29/2018

CANCELED Jury Trial (1:30 PM) (Judicial Officer: Cory, Kenneth) Vacated

02/22/2018

**Decision** (3:00 AM) (Judicial Officer: Cory, Kenneth)

Defendant's Joinder to Court's Decision on Co-Defendant's Pretrial Petition for Writ of Habeas Corpus

Denied;

Journal Entry Details:

COURT ORDERS, Defendant Powell's Joinder DENIED for lack of jurisdiction because Defendant s Joinder was untimely. State to prepare the Order. CLERK'S NOTE: The above minute order has been distributed to: Deputy District Attorney Michael Dickerson, Esq. (michael.dickerson@clarkcountyda.com) and Michael Kane, Esq. (mike@the702firm.com). /mlt;

07/25/2018



🚺 Calendar Call (9:30 AM) (Judicial Officer: Israel, Ronald J.)

Matter Heard;

Journal Entry Details:

Upon Court's inquiry, State advised ready for trial but noted he had discussed continuing the matter with defense counsel and was not opposed to a continuance. Mr. Durham advised he needed additional time to investigate and requested matter be continued 90 days. Mr. Kane stated Deft. Powell was indicating he was objecting to the continuance. Colloquy regarding discovery received by Mr. Durham. Statement by Deft. Powell. Mr. Kane stated he had informed Deft. Powell it was in his best interest to allow the Court to reset the trial. Court warned Deft. Powell he would have a difficult time arguing ineffective assistance of counsel as Co-Deft. Pinkey's counsel indicated he was not ready for tiral. Deft. Powell confirmed he would like to go forward. MATTER TRAILED. MATTER RECALLED. All parties present as before. COURT ORDERED, trial date VACATED and RESET. Colloquy regarding trial schedules and jury pool. CUSTODY 7/30/18 11:00 AM JURY TRIAL;

07/30/2018

CANCELED Jury Trial (10:30 AM) (Judicial Officer: Israel, Ronald J.)

Vacated - per Judge

07/30/2018

Jury Trial (12:30 PM) (Judicial Officer: Israel, Ronald J.) 07/30/2018-07/31/2018

Trial Continues;

Plea Entered:

Vacated- Court accepted Deft's GPA/kk 07/31/18

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Negotiations. Deft. present, in custody. Plea Entered: Counsel stated the NEGOTIATIONS as contained in the Guilty Plea Agreement, FILED IN OPEN COURT. Amended Indictment, FILED IN OPEN COURT. The State is not seeking life sentences on any of the charges. Pursuant to negotiations COURT ORDERED, Guilty Plea Agreement, AMENDED BY INTERLINEATION TO REFLECT, on page 1, line 22 & 23; Counsel deleted- Count 12, Unlawful Taking of Vehicle (F). Upon Court's inquiry, the State noted the range of each count and Deft, understood the minimum and maximums of each range. DEFENDANT POWELL ARRAIGNED AND PLED GUILTY TO; COUNTS 1 AND 8 - CONSPIRACY TO COMMIT ROBBERY (F) COUNTS 2 AND 9 -BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F) COUNTS 3 AND 13 -FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F) COUNTS 4,5,6,7,10,11 AND 14 - ROBBERY WITH USE OF A DEADLY WEAPON (F) Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) for a Presentence Investigative (PSI) Report and set for SENTENCING. COURT FURTHER ORDERED, Deft. REMANDED into Custody. PROSPECTIVE JURY PRESENT: Court informed the prospective jury the Deft's had agreed to the negotiations and excused the jury. Exhibits returned to the State. CUSTODY 09/12/18 9:30 AM SENTENCING - (Counts 1-11 & 13 & 14);

Trial Continues;

Plea Entered;

Vacated- Court accepted Deft's GPA/kk 07/31/18

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Colloquy regarding a

# CASE SUMMARY CASE No. C-17-327767-2

prospective juror with medical issues and a doctor appointment. Counsel agreed to excuse the juror prior to bringing the prospective jury into the courtroom. State noted they agreed to dismiss the original count 10 and provided an Amended Indictment. Amended Indictment, FILED IN OPEN COURT. Deft. rejected the State's offer and proceeded to trial. Mr. Durham requested the jail calls recently provided be excluded as being untimely. State noted they had provided other jail calls previously, However these are the latest jail calls from 07/12/18 to current, they had just received them last night and the State had not reviewed them. Court stated the jail calls could go on, timeliness is not a factor and Deft's are aware their calls are recorded, COURT ORDERED, Deft's Oral Motion to Exclude the Jail Calls, DENIED. PROSPECTIVE JURY PANEL PRESENT: Voir Dire. CUSTODY 07/31/18 11:00 AM JURY TRIAL;

09/26/2018

Sentencing (9:30 AM) (Judicial Officer: Israel, Ronald J.) 09/26/2018, 10/31/2018

Request of Counsel/ per e-mail from SJ/kk 09/10/18

Matter Continued;

Matter Heard:

Journal Entry Details:

Deft. POWELL present, in custody, together with Co-Deft. PINKEY. Mr. Durham noted the Deft. had concerns about his plea and Mr. Durham may need to file to a motion to withdraw the Deft's plea.; Further the Deft. requested another attorney be appointed. Mr. Kane concurred. Court noted the Deft. and Co-Deft. Pinkey had contingent Guilty Plea Agreements. State noted the Guilty Plea Agreements were accepted during day one of trial and the State made the negotiations clear to the Deft's. Colloquy regarding appointing new counsel. State requested the transcript for the entry of plea heard on 07/31/18. State noted they had agreed not to file the reports and witness statements at the time of the plea However, State requested to file them under seal at this time. Report and statements provided to the Court and marked as an exhibit under seal, (See worksheet). Upon oral request, COURT ORDERED, Defense Counsel, WITHDRAWN. COURT FURTHER ORDERED, Matter SET for Confirmation of Counsel for both Deft. and Co-Deft. and a status check regarding Deft's status of plea. CUSTODY 11/07/18 9:00 AM CONFIRMATION OF COUNSEL...STATUS CHECK: STATUS OF PLEA CLERK'S NOTE: Court Clerk emailed Drew Christiansen regarding appointing counsel. kk 10/31/18.;

Request of Counsel/ per e-mail from SJ/kk 09/10/18

Matter Continued;

Matter Heard;

Journal Entry Details:

Deft. POWELL present, in custody. State had no objection to the Co-Deft's Motion to Continue Trial. COURT ORDERED, Sentencing CONTINUED, and set with Co-Deft. CUSTODY 10/24/18 9:30 AM SENTENCING (With Co-Deft. Pinkey);

11/07/2018

Confirmation of Counsel (9:00 AM) (Judicial Officer: Israel, Ronald J.)

Confirmation of Counsel - Monique McNiell Counsel Confirmed; Confirmation of Counsel

11/07/2018

Status Check (9:00 AM) (Judicial Officer: Israel, Ronald J.)

Status Check: Status of Plea

Briefing Schedule Set; Status Check: Status of Plea

11/07/2018

All Pending Motions (9:00 AM) (Judicial Officer: Israel, Ronald J.)

All Pending Motions (11/07/18)

Matter Heard; All Pending Motions (11/07/18)

Journal Entry Details:

CONFIRMATION OF COUNSEL- MCNEILL...STATUS CHECK: STATUS OF PLEA Deft. POWELL present, in custody. Co-Deft. Pinkey, present in custody with counsel. Ms. McNeill confirmed as counsel. COURT ORDERED, Briefing schedule: Deft's Brief by 12/04/18, State's Opposition by 01/09/19, Deft's Reply by 01/16/19 and hearing regarding withdrawal of plea SET. Deft. to remain in custody. CUSTODY 01/23/19 9:00 AM HEARING RE: WITHDRAWAL OF PLEA;

02/25/2019

Motion to Withdraw Plea (9:00 AM) (Judicial Officer: Israel, Ronald J.) 02/25/2019, 02/27/2019

# CASE SUMMARY CASE NO. C-17-327767-2

Hearing Re: Withdrawal of Plea

Matter Continued;

Denied;

Journal Entry Details:

Deft. POWELL present, in custody. Court noted the Court read all the pleadings. Ms. McNeill argued and requested an evidentiary hearing with prior counsel. State argued and briefed the Court of the Deft's canvaass and plea with the transcript. Court finds no grounds under Strikland v. Washington to substantiate in-effective assistance, Deft. knowingly and voluntarily accepted the plea and over the all the circumstances, COURT ORDERED, Motion to withdrawal of Plea, DENIED. Court directed the State to prepare the order. At the request of Counsel, COURT ORDERED, a Status Check be set regarding the outcome of the Co-Deft's Motion to Withdraw Plea. CUSTODY 04/08/19 9:00 AM STATUS CHECK: OUTCOME OF CO-DEFT'S EVIDENTIARY HEARING;

Matter Continued;

Denied;

Journal Entry Details:

Haley Jaramelo appearing on behalf of the State in accordance with Nevada Supreme Court Rule 49.5 under the supervision of Chief Deputy District Attorney, Leah Beverly. Ms. McNeill not present. At the request of the State, COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 02/27/19 9:00 AM (DEPT 28);

04/10/2019

Status Check (9:00 AM) (Judicial Officer: Israel, Ronald J.) 04/10/2019, 04/24/2019

Status Check Re: Outcome of Co-Deft's Evidentiary Hearing

Matter Continued; Status Check Re: Outcome of Co-Deft's Evidentiary Hearing Matter Heard; Status Check Re: Outcome of Co-Deft's Evidentiary Hearing Journal Entry Details:

Deft. POWELL not present, in custody. Matter scheduled for chambers. Co-Deft's Motion to Withdraw Plea was denied and set for sentencing and therefore; COURT ORDERED, Matter SET for sentencing with the Co-Deft. CUSTODY 05/22/19 9:00 AM SENTENCING CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Monique McNeill, Esq. kt 04/24/19.;

Matter Continued; Status Check Re: Outcome of Co-Deft's Evidentiary Hearing Matter Heard; Status Check Re: Outcome of Co-Deft's Evidentiary Hearing Journal Entry Details:

Deft. POWELL present, in custody. Co-Deft. present with counsel. Court noted Deft. Powell's motion to withdraw plea was denied earlier and the hearing for the Co-Deft's motion is set for 04/24/19. COURT ORDERED, Status Check Re: outcome of Co-Deft's Evidentiary Hearing, SET in chambers. State noted he would contact counsel with the sentencing date following the Co-Deft's hearing. Ms. McNeill and Deft. would not need to appear to the Co-Deft's Hearing. Ms. McNeill agreed. 04/24/19 (CHAMBERS) STATUS CHECK RE: OUTCOME OF CO-DEFT'S EVIDENTIARY HEARING;

05/22/2019

Sentencing (9:00 AM) (Judicial Officer: Israel, Ronald J.)

Defendant Sentenced; Journal Entry Details:

Deft. POWELL, present, in custody. State provided charts used with State's arguments; Marked as State's exhibit (See Worksheet). Argument by the State. Statement by Deft. and Argument by Ms. McNeill. Court stated findings. DEFT POWELL ADJUDGED GUILTY of COUNTS 1 and 8 CONSPIRACY TO COMMIT ROBBERY (F), COUNTS 2 and 9 BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F), COUNTS 3 and 13 FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F) and COUNTS 4, 5, 6, 7, 10, 11 and 14 - ROBBERY WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee and testing WAIVED, having been previously submitted, \$3.00 DNA Collection fee and Restitution in the Total Amount of \$3,942.00 Jointly and Severally with Co-Deft. (Payable to; \$1,100.00 to Pepe's Tacos; \$2,342.00 to Rebel Oil Co; \$500.00 to Roberto's on Rainbow). Deft. SENTENCED to COUNT 1 - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS, as to, COUNT 2 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS, CONCURRENT with COUNT 1, as to, COUNT 3 - a MAXIMUM of FIFTEEN (15) YEARS with a MINIMUM Parole Eligibility of FIVE (5) YEARS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36)

# CASE SUMMARY CASE NO. C-17-327767-2

MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 2, as to, COUNT 4 a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 3; as to, COUNT 5 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 4; as to, COUNT 6 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon. CONCURRENT with COUNT 5; as to, COUNT 7 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 6; as to, COUNT 8 - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS, CONCURRENT with COUNT 7; as to, COUNT 9 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS, CONCURRENT with COUNT 8; as to, COUNT 10 a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 7; as to, COUNT 11 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 10; as to, COUNT 13 - a MAXIMUM of FIFTEEN (15) YEARS with a MINIMUM Parole Eligibility of FIVE (5) YEARS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONSECUTIVE to COUNT 3; and COUNT 14 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 11; with SIX HUNDRED TWO (602) DAYS credit for time served. The AGGREGATE TOTAL sentence is FIVE HUNDRED FIFTY-TWO (552) MONTHS MAXIMUM with a MINIMUM PAROLE ELIGIBILITY OF ONE HUNDRED NINETY-TWO (192) MONTHS. NDC;

Electronically Filed 5/24/2019 9:58 AM Steven D. Grierson CLERK OF THE COURT

**JOCP** 

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DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

ADRIAN POWELL #8387748

Defendant.

CASE NO. C-17-327767-2

DEPT. NO. XXVIII

# JUDGMENT OF CONVICTION (PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNTS 1 and 8 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; COUNTS 2 and 9 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony) in violation of NRS 205.060; COUNTS 3 and 13 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.310, 200.320, 193.165; and COUNTS 4, 5, 6, 7, 10, 11 and 14 - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; thereafter, on the 22<sup>nd</sup> day May, 2019, the Defendant was present in Court for sentencing with counsel MONIQUE A.

MCNEILL, ESQ., and good cause appearing,



Cismissed (before trial)

✓ Guilty Plea with Sent (before trial)

☐ Transferred (before/during trial)

Other Manner of Disposition

□ Acquittal

☐ Conviction

☐ Guilty Plea with Sent. (during trial)

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment and \$3,942.00 Restitution payable jointly and severally with Co-Defendant (\$1,100.00 Pepe's Tacos; \$2,342.00 to Rebel Oil Co; \$500.00 to Roberto's on Rainbow) plus \$3.00 DNA Collection Fee, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows: **COUNT 1** - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS; COUNT 2 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS, CONCURRENT with COUNT 1; COUNT 3 – a MAXIMUM of FIFTEEN (15) YEARS with a MINIMUM Parole Eligibility of FIVE (5) YEARS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 2; COUNT 4 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 3; COUNT 5 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 4; COUNT 6 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 5; COUNT 7 - a

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MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 6; COUNT 8 - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS, CONCURRENT with COUNT 7; **COUNT 9** – a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS, CONCURRENT with COUNT 8; COUNT 10 – a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 7; COUNT 11 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 10; COUNT 13 – a MAXIMUM of FIFTEEN (15) YEARS with a MINIMUM Parole Eligibility of FIVE (5) YEARS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONSECUTIVE to COUNT 3; and COUNT 14 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 11; with SIX HUNDRED TWO (602) DAYS credit for time

served. As the \$150.00 DNA Analysis Fee and Genetic Testing have been previously imposed, the Fee and Testing in the current case are WAIVED. The AGGREGATE TOTAL sentence is FIVE HUNDRED FIFTY-TWO (552) MONTHS MAXIMUM with a MINIMUM PAROLE ELIGIBILITY OF ONE HUNDRED NINETY-TWO (192) MONTHS.

DATED this  $\frac{25}{100}$  day of May, 2019.

RONALD J. ISRAEL

DISTRICT COURT JUDGE

Felony/Gross Misdemeanor

**COURT MINUTES** 

November 08, 2017

C-17-327767-2

State of Nevada

VS

Adrian Powell

November 08, 2017 11:45 AM

**Grand Jury Indictment** 

**HEARD BY:** Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

REPORTER:

**PARTIES** 

PRESENT: Giordani, John Attorney

Raman, Jay Attorney State of Nevada Plaintiff

#### **JOURNAL ENTRIES**

- Morgan Devlin, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 17AGJ106B to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-17-327767-2, Department I.

Mr. Giordani requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$500,000.00 BAIL, INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibits 1 - 25 to be lodged with the Clerk of the Court.

Upon inquiry of the Court, State advised there are no material witness warrants to be quashed. COURT ADDITIONALLY ORDERED, Las Vegas Justice Court case no. 17F17626B DISMISSED per the State's request.

I.W. (CUSTODY)

11-15-17 9:00 AM INITIAL ARRAIGNMENT (DEPT I - Cory)

PRINT DATE: 06/17/2019 Page 1 of 26 Minutes Date: November 08, 2017

PRINT DATE: 06/17/2019 Page 2 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

November 13, 2017

C-17-327767-2

State of Nevada

Adrian Powell

November 13, 2017

9:00 AM

**All Pending Motions** 

**HEARD BY:** Cory, Kenneth

**COURTROOM:** RJC Courtroom 16A

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:** 

**PARTIES** 

PRESENT: Giordani, John

Attorney Defendant

Powell, Adrian State of Nevada Temple, Jefferson C.

Plaintiff Attorney

### **JOURNAL ENTRIES**

- ARRAIGNMENT...INDICTMENT WARRANT RETURN

Defendant Powell PRESENT, IN CUSTODY.

DEFT. POWELL ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. Mr. Temple advised the defendant is willing to WAIVE TWO WEEKS for trial. Mr. Giordani advised the matter is overflow eligible.

CUSTODY (COC)

1/24/18 8:45 AM CALENDAR CALL

1/29/18 1:30 PM JURY TRIAL

PRINT DATE: 06/17/2019 Page 3 of 26 Minutes Date: November 08, 2017

**COURT MINUTES** 

Felony/Gross Misdemeanor

January 08, 2018

C-17-327767-2

State of Nevada

VS

Adrian Powell

January 08, 2018 9:00 AM Status Check: Reset Trial

Date

**HEARD BY:** Cory, Kenneth COURTROOM: RJC Courtroom 16A

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:** 

**PARTIES** 

**PRESENT:** Cox, Matthew, ESQ

Demonte, Noreen C. Attorney
Powell, Adrian Defendant
State of Nevada Plaintiff

### **JOURNAL ENTRIES**

- Defendant Powell PRESENT, IN CUSTODY.

Mr. Cox advised he was appearing on behalf of Mr. Durham and Mr. Kane who are requesting a continuance until Wednesday. COURT SO ORDERED.

**CUSTODY** 

CONTINUED TO: 1/10/18 9:00 AM

**COURT MINUTES** 

Felony/Gross Misdemeanor

January 10, 2018

C-17-327767-2

State of Nevada

VS

Adrian Powell

January 10, 2018

9:00 AM

Status Check: Reset Trial

Date

**HEARD BY:** Cory, Kenneth

**COURTROOM:** RJC Courtroom 16A

**COURT CLERK:** Haly Pannullo

**RECORDER:** Lisa Lizotte

**REPORTER:** 

**PARTIES** 

**PRESENT:** Kane, Michael C

Powell, Adrian Defendant Schwartz, Bryan A. Attorney State of Nevada Plaintiff

#### **JOURNAL ENTRIES**

Attorney

- Benjamin Durham, Esq., present on behalf of Co-Defendant.

Mr. Durham advised trial can be set in ordinary course; however, the Defendant previously invoked. Upon Court's inquiry, Defendant, Mr. Powell stated he is willing to waive. COURT ORDERED, trial dates VACATED and RESET.

**CUSTODY** 

07/25/18 8:45 AM CALENDAR CALL

07/30/18 1:30 PM JURY TRIAL

CLERK'S NOTE: Counsel notified via email regarding Grand Jury Transcripts having been filed on 01/10/18. hvp/01/10/18

PRINT DATE: 06/17/2019 Page 5 of 26 Minutes Date: November 08, 2017

PRINT DATE: 06/17/2019 Page 6 of 26 Minutes Date: November 08, 2017

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Felony/Gross Misdemeanor

**COURT MINUTES** 

January 29, 2018

C-17-327767-2

State of Nevada

VS

Adrian Powell

January 29, 2018

9:00 AM

**Petition for Writ of Habeas** 

Corpus

**HEARD BY:** Cory, Kenneth

**COURTROOM:** RJC Courtroom 16A

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:** 

**PARTIES** 

**PRESENT:** Dickerson, Michael

Dickerson, Michael Attorney
Kane, Michael C Attorney
Powell, Adrian Defendant
State of Nevada Plaintiff

#### **JOURNAL ENTRIES**

#### - Defendant Powell PRESENT, IN CUSTODY.

Mr Dickerson argued the State objection to Defendant Powell's joinder as it constitutes an untimely petition for writ of habeas corpus and there would be no jurisdiction to hear the matter. Mr. Kane, argued the facts are the same. Mr. Dickerson advised the facts are not the problem, its a procedural bar to his filing of any petition for any writ of habeas corpus. Statements by the Court as to Medbury and jury question. Mr. Durham argued whether the movement had any independent significance, which there was not. Second factor is the risk of danger substantially exceeds, do not believe it went above and beyond. Mr. Dickerson argued Mendoza. Further arguments by counsel. COURT ORDERED, Matter CONTINUED FOR CHAMBERS DECISION.

#### **CUSTODY**

2/22/18 9:00 AM DECISION (PETITION FOR WRIT OF HABEAS CORPUS)

PRINT DATE: 06/17/2019 Page 7 of 26 Minutes Date: November 08, 2017

PRINT DATE: 06/17/2019 Page 8 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

February 22, 2018

C-17-327767-2

State of Nevada

vs

Adrian Powell

February 22, 2018

3:00 AM

**Decision** 

**HEARD BY:** Cory, Kenneth

**COURTROOM:** RJC Courtroom 16A

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:** 

PARTIES PRESENT:

### **JOURNAL ENTRIES**

- COURT ORDERS, Defendant Powell's Joinder DENIED for lack of jurisdiction because Defendant's Joinder was untimely.

State to prepare the Order.

CLERK'S NOTE: The above minute order has been distributed to: Deputy District Attorney Michael Dickerson, Esq. (michael.dickerson@clarkcountyda.com) and Michael Kane, Esq. (mike@the702firm.com). / mlt

Felony/Gross Misdemeanor

**COURT MINUTES** 

July 25, 2018

C-17-327767-2

State of Nevada

vs

Adrian Powell

July 25, 2018

9:30 AM

Calendar Call

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** April Watkins

Michaela Tapia

**RECORDER:** 

Judy Chappell

**REPORTER:** 

**PARTIES** 

PRESENT:

Giordani, John Attorney
Kane, Michael C Attorney
Powell, Adrian Defendant
State of Nevada Plaintiff

### **JOURNAL ENTRIES**

- Upon Court's inquiry, State advised ready for trial but noted he had discussed continuing the matter with defense counsel and was not opposed to a continuance. Mr. Durham advised he needed additional time to investigate and requested matter be continued 90 days. Mr. Kane stated Deft. Powell was indicating he was objecting to the continuance. Colloquy regarding discovery received by Mr. Durham. Statement by Deft. Powell. Mr. Kane stated he had informed Deft. Powell it was in his best interest to allow the Court to reset the trial. Court warned Deft. Powell he would have a difficult time arguing ineffective assistance of counsel as Co-Deft. Pinkey's counsel indicated he was not ready for tiral. Deft. Powell confirmed he would like to go forward. MATTER TRAILED. MATTER RECALLED. All parties present as before. COURT ORDERED, trial date VACATED and RESET. Colloquy regarding trial schedules and jury pool.

**CUSTODY** 

7/30/18 11:00 AM JURY TRIAL

PRINT DATE: 06/17/2019 Page 10 of 26 Minutes Date: November 08, 2017

PRINT DATE: 06/17/2019 Page 11 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

July 30, 2018

C-17-327767-2

State of Nevada

Adrian Powell

July 30, 2018

12:30 AM

Jury Trial

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** 

Judy Chappell

**REPORTER:** 

**PARTIES** 

PRESENT: Dickerson, Michael

Attorney Attorney Attorney Defendant Plaintiff

Powell, Adrian State of Nevada

Kane, Michael C

Giordani, John

### **JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Colloquy regarding a prospective juror with medical issues and a doctor appointment. Counsel agreed to excuse the juror prior to bringing the prospective jury into the courtroom. State noted they agreed to dismiss the original count 10 and provided an Amended Indictment. Amended Indictment, FILED IN OPEN COURT. Deft. rejected the State's offer and proceeded to trial. Mr. Durham requested the jail calls recently provided be excluded as being untimely. State noted they had provided other jail calls previously, However these are the latest jail calls from 07/12/18 to current, they had just received them last night and the State had not reviewed them. Court stated the jail calls could go on, timeliness is not a factor and Deft's are aware their calls are recorded, COURT ORDERED, Deft's Oral Motion to Exclude the Jail Calls, DENIED.

PROSPECTIVE JURY PANEL PRESENT: Voir Dire.

**CUSTODY** 

PRINT DATE: 06/17/2019 Page 12 of 26 November 08, 2017 Minutes Date:

### C-17-327767-2

07/31/18 11:00 AM JURY TRIAL

PRINT DATE: 06/17/2019 Page 13 of 26 Minutes Date: November 08, 2017

C-17-327767-2 State of Nevada vs Adrian Powell

July 31, 2018 11:00 AM Jury Trial

**HEARD BY:** Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

**REPORTER:** 

**PARTIES** 

**PRESENT:** Dickerson, Michael Attorney

Giordani, John Attorney
Kane, Michael C Attorney
Powell, Adrian Defendant
State of Nevada Plaintiff

### **JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Negotiations.

Deft. present, in custody. Plea Entered: Counsel stated the NEGOTIATIONS as contained in the Guilty Plea Agreement, FILED IN OPEN COURT. Amended Indictment, FILED IN OPEN COURT. The State is not seeking life sentences on any of the charges. Pursuant to negotiations COURT ORDERED, Guilty Plea Agreement, AMENDED BY INTERLINEATION TO REFLECT, on page 1, line 22 & 23; Counsel deleted- Count 12, Unlawful Taking of Vehicle (F). Upon Court's inquiry, the State noted the range of each count and Deft. understood the minimum and maximums of each range. DEFENDANT POWELL ARRAIGNED AND PLED GUILTY TO;

COUNTS 1 AND 8 - CONSPIRACY TO COMMIT ROBBERY (F)
COUNTS 2 AND 9 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F)
COUNTS 3 AND 13 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F)
COUNTS 4,5,6,7,10,11 AND 14 - ROBBERY WITH USE OF A DEADLY WEAPON (F)

PRINT DATE: 06/17/2019 Page 14 of 26 Minutes Date: November 08, 2017

#### C-17-327767-2

Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) for a Presentence Investigative (PSI) Report and set for SENTENCING. COURT FURTHER ORDERED, Deft. REMANDED into Custody.

PROSPECTIVE JURY PRESENT: Court informed the prospective jury the Deft's had agreed to the negotiations and excused the jury. Exhibits returned to the State.

**CUSTODY** 

09/12/18 9:30 AM SENTENCING - (Counts 1-11 & 13 & 14)

PRINT DATE: 06/17/2019 Page 15 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

**September 26, 2018** 

C-17-327767-2

State of Nevada

vs

Adrian Powell

**September 26, 2018** 

9:30 AM

Sentencing

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

RECORDER:

Judy Chappell

Kane, Michael C

Powell, Adrian

State of Nevada

**REPORTER:** 

**PARTIES** 

**PRESENT:** Dickerson, Michael

Attorney Attorney Defendant Plaintiff

## **JOURNAL ENTRIES**

- Deft. POWELL present, in custody. State had no objection to the Co-Deft's Motion to Continue Trial. COURT ORDERED, Sentencing CONTINUED, and set with Co-Deft.

**CUSTODY** 

10/24/18 9:30 AM SENTENCING (With Co-Deft. Pinkey)

PRINT DATE: 06/17/2019 Page 16 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

October 31, 2018

C-17-327767-2

State of Nevada

VS

Adrian Powell

October 31, 2018

9:30 AM

Sentencing

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

REPORTER:

**PARTIES** 

**PRESENT:** Giordani, John Kane, Michael C

Attorney Attorney Defendant

Powell, Adrian State of Nevada

Plaintiff

## **JOURNAL ENTRIES**

- Deft. POWELL present, in custody, together with Co-Deft. PINKEY. Mr. Durham noted the Deft. had concerns about his plea and Mr. Durham may need to file to a motion to withdraw the Deft's plea.; Further the Deft. requested another attorney be appointed. Mr. Kane concurred. Court noted the Deft. and Co-Deft. Pinkey had contingent Guilty Plea Agreements. State noted the Guilty Plea Agreements were accepted during day one of trial and the State made the negotiations clear to the Deft's. Colloquy regarding appointing new counsel. State requested the transcript for the entry of plea heard on 07/31/18. State noted they had agreed not to file the reports and witness statements at the time of the plea However, State requested to file them under seal at this time. Report and statements provided to the Court and marked as an exhibit under seal, (See worksheet). Upon oral request, COURT ORDERED, Defense Counsel, WITHDRAWN. COURT FURTHER ORDERED, Matter SET for Confirmation of Counsel for both Deft. and Co-Deft. and a status check regarding Deft's status of plea.

**CUSTODY** 

PRINT DATE: 06/17/2019 Page 17 of 26 Minutes Date: November 08, 2017

#### C-17-327767-2

11/07/18 9:00 AM CONFIRMATION OF COUNSEL...STATUS CHECK: STATUS OF PLEA CLERK'S NOTE: Court Clerk emailed Drew Christiansen regarding appointing counsel. kk 10/31/18.

PRINT DATE: 06/17/2019 Page 18 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

November 07, 2018

C-17-327767-2

State of Nevada

vs

Adrian Powell

November 07, 2018

9:00 AM

**All Pending Motions** 

**All Pending Motions** 

(11/07/18)

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

REPORTER:

**PARTIES** 

**PRESENT:** LoGrippo, Frank R.

McNeill, Monique A. Attorney
Powell, Adrian Defendant
State of Nevada Plaintiff

#### **JOURNAL ENTRIES**

Attorney

#### - CONFIRMATION OF COUNSEL- MCNEILL...STATUS CHECK: STATUS OF PLEA

Deft. POWELL present, in custody. Co-Deft. Pinkey, present in custody with counsel. Ms. McNeill confirmed as counsel. COURT ORDERED, Briefing schedule: Deft's Brief by 12/04/18, State's Opposition by 01/09/19, Deft's Reply by 01/16/19 and hearing regarding withdrawal of plea SET. Deft. to remain in custody.

#### **CUSTODY**

01/23/19 9:00 AM HEARING RE: WITHDRAWAL OF PLEA

PRINT DATE: 06/17/2019 Page 19 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

February 25, 2019

C-17-327767-2

State of Nevada

 $\mathbf{v}\mathbf{s}$ 

Adrian Powell

February 25, 2019

9:00 AM

Motion to Withdraw Plea

**HEARD BY:** Villani, Michael

**COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Olivia Black

**RECORDER:** Cynthia Georgilas

**REPORTER:** 

**PARTIES** 

**PRESENT:** Powell, Adrian

Defendant

## **JOURNAL ENTRIES**

- Haley Jaramelo appearing on behalf of the State in accordance with Nevada Supreme Court Rule 49.5 under the supervision of Chief Deputy District Attorney, Leah Beverly.

Ms. McNeill not present. At the request of the State, COURT ORDERED, matter CONTINUED.

**CUSTODY** 

CONTINUED TO: 02/27/19 9:00 AM (DEPT 28)

PRINT DATE: 06/17/2019 Page 20 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

February 27, 2019

C-17-327767-2

State of Nevada

vs

Adrian Powell

February 27, 2019

9:00 AM

Motion to Withdraw Plea

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

REPORTER:

**PARTIES** 

**PRESENT:** Giordani, John

Attorney Attorney

McNeill, Monique A. Powell, Adrian

Defendant

State of Nevada

Plaintiff

#### **JOURNAL ENTRIES**

- Deft. POWELL present, in custody. Court noted the Court read all the pleadings. Ms. McNeill argued and requested an evidentiary hearing with prior counsel. State argued and briefed the Court of the Deft's canvaass and plea with the transcript. Court finds no grounds under Strikland v. Washington to substantiate in-effective assistance, Deft. knowingly and voluntarily accepted the plea and over the all the circumstances, COURT ORDERED, Motion to withdrawal of Plea, DENIED. Court directed the State to prepare the order. At the request of Counsel, COURT ORDERED, a Status Check be set regarding the outcome of the Co-Deft's Motion to Withdraw Plea.

#### **CUSTODY**

04/08/19 9:00 AM STATUS CHECK: OUTCOME OF CO-DEFT'S EVIDENTIARY HEARING

PRINT DATE: 06/17/2019 Page 21 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

April 10, 2019

C-17-327767-2

State of Nevada

Adrian Powell

April 10, 2019

9:00 AM

Status Check

Status Check Re:

Outcome of Co-Deft's **Evidentiary Hearing** 

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

RECORDER:

Judy Chappell

**REPORTER:** 

**PARTIES** 

PRESENT: Giordani, John

Attorney McNeill, Monique A. Attorney Powell, Adrian Defendant State of Nevada Plaintiff

#### **JOURNAL ENTRIES**

- Deft. POWELL present, in custody. Co-Deft. present with counsel. Court noted Deft. Powell's motion to withdraw plea was denied earlier and the hearing for the Co-Deft's motion is set for 04/24/19. COURT ORDERED, Status Check Re: outcome of Co-Deft's Evidentiary Hearing, SET in chambers. State noted he would contact counsel with the sentencing date following the Co-Deft's hearing. Ms. McNeill and Deft. would not need to appear to the Co-Deft's Hearing. Ms. McNeill agreed.

04/24/19 (CHAMBERS) STATUS CHECK RE: OUTCOME OF CO-DEFT'S EVIDENTIARY **HEARING** 

PRINT DATE: 06/17/2019 Page 22 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

April 24, 2019

C-17-327767-2

State of Nevada

Adrian Powell

April 24, 2019

3:00 AM

**Status Check** 

**Status Check Re:** 

Outcome of Co-Deft's **Evidentiary Hearing** 

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** 

Judy Chappell

**REPORTER:** 

**PARTIES** 

PRESENT: Giordani, John

State of Nevada

Attorney

Plaintiff

## **JOURNAL ENTRIES**

- Deft. POWELL not present, in custody. Matter scheduled for chambers. Co-Deft's Motion to Withdraw Plea was denied and set for sentencing and therefore; COURT ORDERED, Matter SET for sentencing with the Co-Deft.

**CUSTODY** 

05/22/19 9:00 AM SENTENCING

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Monique McNeill, Esq. kt 04/24/19.

PRINT DATE: 06/17/2019 Page 23 of 26 Minutes Date: November 08, 2017

Felony/Gross Misdemeanor

**COURT MINUTES** 

May 22, 2019

C-17-327767-2

State of Nevada

vs

Adrian Powell

May 22, 2019

9:00 AM

Sentencing

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

REPORTER:

**PARTIES** 

**PRESENT:** Giordani, John

Attorney Attorney Defendant Plaintiff

Powell, Adrian State of Nevada

McNeill, Monique A.

## **JOURNAL ENTRIES**

- Deft. POWELL, present, in custody. State provided charts used with State's arguments; Marked as State's exhibit (See Worksheet). Argument by the State. Statement by Deft. and Argument by Ms. McNeill. Court stated findings. DEFT POWELL ADJUDGED GUILTY of COUNTS 1 and 8 CONSPIRACY TO COMMIT ROBBERY (F), COUNTS 2 and 9 BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F), COUNTS 3 and 13 FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F) and COUNTS 4, 5, 6, 7, 10, 11 and 14 - ROBBERY WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee and testing WAIVED, having been previously submitted, \$3.00 DNA Collection fee and Restitution in the Total Amount of \$3,942.00 Jointly and Severally with Co-Deft.(Payable to; \$1,100.00 to Pepe's Tacos; \$2,342.00 to Rebel Oil Co; \$500.00 to Roberto's on Rainbow). Deft. SENTENCED to

COUNT 1 - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS, as to,

PRINT DATE: 06/17/2019 Page 24 of 26 Minutes Date: November 08, 2017

COUNT 2 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS, CONCURRENT with COUNT 1, as to,

COUNT 3 - a MAXIMUM of FIFTEEN (15) YEARS with a MINIMUM Parole Eligibility of FIVE (5) YEARS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 2, as to,

COUNT 4 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 3; as to,

COUNT 5 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 4; as to,

COUNT 6 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 5; as to,

COUNT 7 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 6; as to,

COUNT 8 - a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS, CONCURRENT with COUNT 7; as to,

COUNT 9 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS, CONCURRENT with COUNT 8; as to,

COUNT 10 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 7; as to,

COUNT 11 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 10; as to,

PRINT DATE: 06/17/2019 Page 25 of 26 Minutes Date: November 08, 2017

COUNT 13 - a MAXIMUM of FIFTEEN (15) YEARS with a MINIMUM Parole Eligibility of FIVE (5) YEARS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONSECUTIVE to COUNT 3; and

COUNT 14 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS plus a CONSECUTIVE term of NINETY-SIX (96) MONTHS with a MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS for the Use of a Deadly Weapon, CONCURRENT with COUNT 11;

with SIX HUNDRED TWO (602) DAYS credit for time served.

The AGGREGATE TOTAL sentence is FIVE HUNDRED FIFTY-TWO (552) MONTHS MAXIMUM with a MINIMUM PAROLE ELIGIBILITY OF ONE HUNDRED NINETY-TWO (192) MONTHS.

**NDC** 

PRINT DATE: 06/17/2019 Page 26 of 26 Minutes Date: November 08, 2017

CASE NO. C-17-327767-1,-2 DEPT. NO. I CDDA JOHN GIORDANI (GCU)

Defendant(s):

LARENZO PINKEY, aka, Larenzo Pinkney #8295438

ADRIAN POWELL #8387748

Case No(s):

17AGJ106A-B (RANDOMLY TRACKS TO DC XVIII OR I)

Charge(s):

As to Defendant PINKEY:

(2) CTS-CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS

200.380, 199.480 - NOC 50147);

(2) CTS - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

(Category B Felony - NRS 205.060 - NOC 50426);
(3) CTS - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A Felony - NRS 200.310, 200.320, 193.165 - NOC 50055);
(7) CTS - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138) and
(1) CT - UNLAWFUL TAKING OF VEHICLE (Gross Misdemeanor - NRS 205.505.67)

205.2715 - NOC 50567)

As to Defendant POWELL:

(2) CTS-CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS

200.380, 199.480 - NOC 50147);
(2) CTS - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426);
(3) CTS - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY **WEAPON (Category A Felony - NRS 200.310, 200.320, 193.165 - NOC 50055);** 

(7) CTS - ROBBERY WITH USE OF A DEADLY WEAPON (Category B

Félony - NRS 200.380, 193.165 - NOC 50138)

Def. Counsel(s):

LARENZO - BENJAMIN DURHAM, ESQ.

POWELL - MICHAEL C. KANE, ESQ.

WARRANTS (1 WEEK)

LORENZO: 500K

**POWELL:** 

11.15 @ 9

DEFTS ARE IN CUSTODY @ CCDC (17F17626A-B PH 11/9 JC8)

LVJC CASES TO BE DISM'D: 17F17626A-B

**Exhibits:** 

1. Proposed Indictment

1a. Second Proposed Indictment

- 2. Jury Instructions
- 3. Photo
- 4. Photo
- 5. Photo
- 6. Jury Instructions

CONTINUED TO NEXT PAGE...

7. Photo
8. Photo
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18. Photo
19. Photo
20. Photo
21. Photo

22. Photo 23. Photo 24. Photo 25. Photo

Exhibits 1 - 25 to be lodged with the Clerk of the Court.

# THE SEALED EXHIBITS LIST(S) WILL FOLLOW VIA U.S. MAIL

## **VAULT EXHIBIT FORM**

CASE NO: C327767-2	HEARING DATE: 5- 22-19
DEPT. NO. XXVIII	JUDGE: RONALD J ISRAEL
	CLERK: KATHY KLEIN
State of Devada	RECORDER: JUDY CHAPPELL
PLAINTIFF	JURY FEES:
	COUNSEL FOR PLAINTIFF: John GiorDani, Esq.
DEFENDANT: ADRIAN Powell	, <u>v</u>
7	COUNSEL FOR DEFENDANT: Monique Menell Es

State's Exhibits  1) Sentencing Chart	Date Offered	Objection	
1) Septencina Chart			5-22-19
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# **Certification of Copy**

State of Nevada	7	CC.
County of Clark	}	SS:

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

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

STATE OF NEVADA,

Plaintiff(s),

VS.

ADRIAN POWELL,

Defendant(s).

now on file and of record in this office.

Case No: C-17-327767-2

Dept No: XXVIII

IN WITNESS THEREOF, I have hereunto Set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada This 17 day of June 2019.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk