

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

ADRIAN POWELL

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

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)  
)  
)  
)  
)

Case No. 79037

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Nov 06 2019 11:07 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**RESPONDENT'S APPENDIX**

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## **CERTIFICATE OF SERVICE**

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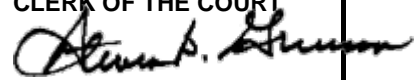
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TP/Skylar Sullivan/ed



EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. ) GJ No. 17AGJ106X  
 ) DC No. C327767  
LARENZO PINKEY, aka Lorenzo )  
Pinkney, ADRIAN POWELL, )  
 )  
Defendant. )

Taken at Las Vegas, Nevada

Tuesday, October 17, 2017

2:17 p.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Danette L. Antonacci, C.C.R. No. 222

RA 000001

12:00 1 GRAND JURORS PRESENT ON OCTOBER 17, 2017  
2  
3 MORGAN DEVLIN, Foreperson  
4 SANDRA MOORE, Deputy Foreperson  
12:00 5 RAELYNN CASTANEDA, Secretary  
6 JANIS ROGERS, Assistant Secretary  
7 MARY ANDERSON  
8 DOMINIQUE CARDENAS  
9 IVAN CAYLOR  
12:00 10 JERRY DIVINCENZO  
11 MICHELLE FENDELANDER  
12 BOBBI FLORIAN  
13 AMY KNUDSON  
14 GREGORY KORNILOFF  
12:00 15 PATRICIA PRATHER  
16 LATANIS WATTS  
17 GUSTAVO ZAVALA  
18  
19 Also present at the request of the Grand Jury:  
12:00 20 John Giordani, Chief Deputy District Attorney  
21  
22  
23  
24  
25

12:00

1

INDEX OF WITNESSES

2

Examined

3

4

YENIR HESSING

6

12:00

5

DARLENE ORAT

21

6

JOSE ALFREDO CHAVARRIA VALENZUELA

32

7

SELENA GRACIANO

39

8

MYRIAM GASPAR

46

9

RAYNETTA SHINE

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RA 000003

12:00

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Grand Jury ExhibitsIdentified

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1 - PROPOSED INDICTMENT

5

12:00

5

2 - PHOTOGRAPH

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3 - PHOTOGRAPH

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4 - AERIAL MAP

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5 - AERIAL MAP

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12:00

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LAS VEGAS, NEVADA, OCTOBER 17, 2017

2

\* \* \* \* \*

3

4

DANETTE L. ANTONACCI,

12:00

5

having been first duly sworn to faithfully

6

and accurately transcribe the following

7

proceedings to the best of her ability.

8

9

MR. GIORDANI: Good afternoon ladies and

02:17

10

gentlemen of the Grand Jury. John Giordani on behalf of

11

the State of Nevada presenting to you State versus

12

Lorenzo Pinkey and Adrian Powell, Grand Jury case number

13

17AGJ106AB. Before I start with witnesses I'll just let

14

you all know that I'm not going to ask you to deliberate

02:18

15

on this case today so if you want to jot down notes as

16

is usual please do so.

17

With these first two witnesses I'm going to

18

direct your attention to Counts 9, 10, 11, 12 -- 9, 10

19

11 and 12 for these first two witnesses.

02:18

20

I have marked as Grand Jury Exhibit

21

Number 1 a copy of the proposed Indictment.

22

THE FOREPERSON: Please raise your right

23

hand.

24

You do solemnly swear the testimony you are

02:18

25

about to give upon the investigation now pending before



02:18 1 this Grand Jury shall be the truth, the whole truth, and  
2 nothing but the truth, so help you God?

3 THE WITNESS: Yes.

4 THE FOREPERSON: Please be seated.

02:19 5 You are advised that you are here today to  
6 give testimony in the investigation pertaining to the  
7 offenses of conspiracy to commit robbery, burglary while  
8 in possession of a deadly weapon, first degree  
9 kidnapping with use of a deadly weapon, robbery with use  
02:19 10 of a deadly weapon, and unlawful taking of vehicle,  
11 involving Lorenzo Pinkey and Adrian Powell.

12 Do you understand this advisement?

13 THE WITNESS: Yes.

14 THE FOREPERSON: Please state your first  
02:19 15 and last name and spell both for the record.

16 THE WITNESS: It's Yenir Hessing. It's  
17 Y-E-N-I-R, and the last name is H-E-S-S-I-N-G.

18 YENIR HESSING,

19 having been first duly sworn by the Foreperson of the  
02:19 20 Grand Jury to testify to the truth, the whole truth,  
21 and nothing but the truth, testified as follows:

22 EXAMINATION

23

24 BY MR. GIORDANI:

02:19 25 Q. Ma'am, what do you do for a living?

02:19 1 A. I'm a shift lead at Walgreens.

2 Q. Is that Walgreens located at 4470 East

3 Bonanza?

4 A. Yes.

02:19 5 Q. Is that in the area of Bonanza and Lamb?

6 A. Yes.

7 Q. I want to show you Grand Jury Exhibit

8 Number 4. Do you see Bonanza and Lamb here?

9 A. Yes.

02:20 10 Q. Does that appear to be an aerial map that

11 depicts your business?

12 A. Yes.

13 Q. Does that appear to be a fair and accurate

14 depiction of where your business is located off the

02:20 15 intersection of Bonanza and Lamb?

16 A. Yes.

17 Q. And is the business to the top right of the

18 intersection?

19 A. Yes.

02:20 20 Q. Showing the Grand Jury Grand Jury Exhibit

21 Number 4.

22 And did you indicate that this is the

23 business here?

24 A. Yes.

02:20 25 Q. What do you do at that location?

02:20 1 A. I'm a shift lead. At that time I was  
2 working graveyard.  
3 Q. Okay.  
4 A. I manage the store.  
02:20 5 Q. Shift lead?  
6 A. Yes. Uh-huh.  
7 Q. I'm sorry, I forgot to show you Grand Jury  
8 Exhibit Number 5. Does this appear to be an aerial map  
9 showing that same location on Grand Jury Exhibit  
02:20 10 Number 4 but in the top right corner?  
11 A. Yes.  
12 Q. Okay. Thank you. What hours did you work  
13 back --  
14 A. 10:00 p.m. to 8:00 a.m.  
02:21 15 Q. Okay.  
16 A. I work graveyard at that time.  
17 Q. On September 28th of 2017 were you working?  
18 A. Yes.  
19 Q. Who was working with you around that time?  
02:21 20 A. Three more co-workers. Darlene, Kathy,  
21 Abrianna and Tiffany.  
22 Q. Okay. And Kathy, would that be Kathleen  
23 Gonzalez?  
24 A. Yes.  
02:21 25 Q. Darlene, would that be Darlene Orat or

02:21 1 Orat?

2 A. Yes.

3 Q. Abrianna Trujillo?

4 A. Yes.

02:21 5 Q. And Tiffany Bobbitt?

6 A. Yes.

7 Q. I want to draw your attention specifically

8 to approximately 4:05 in the morning. Were all those

9 people working with you at that store around that time?

02:21 10 A. Yes. We were all on the floor, yeah.

11 Q. What's that?

12 A. We were all on the floor like working and

13 the pharmacist in the back, Darlene.

14 Q. Okay. So this is a typical Walgreens where

02:22 15 you have a storefront area and you also have a pharmacy

16 associated with it?

17 A. Yes.

18 Q. Is it all within the store, the single

19 store building that we show on the maps?

02:22 20 A. Yes.

21 Q. Do me a favor, point that microphone up and

22 get it a little closer to your face.

23 Thank you.

24 And around 4:05 in the morning what

02:22 25 happened that causes you to be here today?

02:22 1 A. That day we received truck for  
2 merchandising and we were putting away all the product  
3 on the floor. I was in the food aisle and somebody  
4 approached me with a mask and a gun pointing to my  
02:22 5 stomach and he told me to go up front, he said that it  
6 was not a game and I'm going to kill you, and he was  
7 like pushing me with the gun to the front and he asked  
8 me to open the cash register. We have three cash  
9 register up front. So I opened one first, the main one,  
02:23 10 then he told me to open the other two and he asked me,  
11 at that moment Tiffany, she was coming for lunch and he  
12 called Tiffany too. He was swearing and saying like  
13 really bad things and yelling. He grabbed both of us  
14 and he asked me where is the big money, where is the  
02:23 15 safe, and I tell him it was in the office and then  
16 starts go and open the door and he start pushing me  
17 again with the gun.

18 Q. Let me stop you for a moment. I want to  
19 backtrack a little bit and get a couple details that I  
02:23 20 think you missed. Okay?

21 A. Okay.

22 Q. So initially you described you were in the  
23 food aisle when this whole thing first got your  
24 attention.

02:23 25 A. Yes. He approached me with the gun.

02:23 1 Q. Okay. When you say he, you described a man  
2 with a mask and a gun.

3 A. Yes.

4 Q. Can you describe anything further about  
02:24 5 him, color of clothing, his face, his height, his weight  
6 or anything like that?

7 A. No, I'm not sure. He was just my height,  
8 really skinny. I think he was like, cause he have  
9 gloves but I think one time when he move his hand I

02:24 10 think he was African American, but I'm not sure. Yeah,  
11 because he was covered completely, his face.

12 Q. Let's talk about that. What type of  
13 clothing was he wearing on his upper part of his body?

14 A. It was a jean, tennis shoes and I think it  
02:24 15 was black jacket. I don't remember exactly the color.

16 Q. It's all right. Did it have a hood or no  
17 hood?

18 A. Yes. Yes.

19 Q. Was the hood up or down?

02:24 20 A. Down.

21 Q. It had a hood but the hood was not over his  
22 head?

23 A. Yeah, no.

24 Q. What did he have on his face? You

02:24 25 described a mask. But can you describe it further?

02:24 1 A. Yeah. It was just something that covered  
2 completely his face. It was black and part of the face  
3 had something red and just two little things in the  
4 eyes, two little holes, but really small, you weren't  
02:25 5 able to see their eyes like completely.

6 Q. Did he have anything on his hands?

7 A. No. He had gloves and the gun, that's all.

8 Q. Do you recall what the gun looked like?

9 A. It was like black gun, like this size.

02:25 10 Q. You're holding out your hands there  
11 approximately, a little less than shoulder width apart.  
12 Is that right?

13 A. Yeah.

14 Q. Do you know the difference between an  
02:25 15 automatic or semi-automatic and a revolver?

16 A. No.

17 Q. Okay. Did you see anyone who was with that  
18 person?

19 A. When he was like pushing me into the  
02:25 20 office, for one of the aisles I was able to see the one  
21 that was in the pharmacy, that he have the pharmacist.  
22 He was holding the gun in his head right here. I see  
23 but from far away. I was in the front of the store.

24 Q. Okay. For the record when you said he was  
02:26 25 holding a gun right here, you pointed to the back right

02:26 1 side of your head; is that right?

2 A. No, that was the pharmacist. The one that  
3 I saw in the pharmacy. The one that have me, he was  
4 pointing right here in my ribs.

02:26 5 Q. Okay.

6 A. Yeah.

7 Q. So you started in the food aisle and you  
8 said that he forced you back to the cash registers  
9 first.

02:26 10 A. Yes.

11 Q. Can you estimate how far you were forced  
12 from the food aisle to go to the cash registers?

13 A. It's not too far. It's like maybe a little  
14 bit more, like that wall.

02:26 15 Q. Okay. So for the --

16 A. From here like to --

17 Q. Hold on. She's taking all this down so we  
18 can't talk over each other.

19 So when you say about that wall, for the

02:26 20 record you're saying about 30 feet; is that about right?

21 A. Maybe, yeah. Yeah.

22 Q. Okay. When you're in the food aisle, I  
23 want you to picture being at your work, from the food  
24 aisle can you see outside the windows and stuff outside

02:26 25 to the street in the public areas?



02:26 1 A. No.

2 Q. Are you near to the entrance door from the  
3 food aisle or the registers?

4 A. No, no, I was not near. I was near to the  
02:27 5 photo section. They have a register, but he told me to  
6 go up front, not to that register.

7 Q. So when he takes you to the registers, did  
8 he have his gun pointed to your lower back the whole  
9 time?

02:27 10 A. Yes.

11 Q. You indicated he pointed to your stomach.  
12 Did there come a point in time when you said something  
13 to him about your stomach?

14 A. Yeah. When we were going to the office he  
02:27 15 was telling me like I'm going to kill you, and I tell  
16 him please don't hurt me, I'm nine weeks pregnant, don't  
17 do anything to me. And he say I don't give a, the F  
18 word, I'm going to kill you if you do the wrong code or  
19 if I try to call.

02:27 20 Q. Let me back up again. So you went from the  
21 food aisle up to the front where the cash registers are?

22 A. Uh-huh.

23 Q. When you got to the cash registers were you  
24 able to access them?

02:28 25 A. Yeah. He asked me to pull the register on

02:28 1 top of the counter and he start grabbing everything, all  
2 the money and the change.

3 Q. Once he got the money from the cash  
4 register, did you go to any other cash registers?

02:28 5 A. Yeah, the other two that are located up  
6 front, in the front.

7 Q. Did you do the same thing with those other  
8 two?

9 A. Yeah. Yes.

02:28 10 Q. So did you see him take money from all  
11 three of the different cash registers?

12 A. Yes.

13 Q. Was there US currency, paper bills in those  
14 cash registers?

02:28 15 A. Yes.

16 Q. From the front where the cash registers  
17 are, where did you go next?

18 A. It was when he asked me where is the big  
19 money, where is the safe, and I tell him in the office,

02:28 20 and he start pushing me, go, open the door, and all the  
21 doors in the store have codes so I just entered the code  
22 and entered into the office.

23 Q. Okay. Let me stop you for a minute. So  
24 we've gone now from the food aisle to the registers

02:29 25 which are near the front?

02:29 1 A. Yes.

2 Q. And then from the registers you have to go  
3 back at gunpoint to the office?

4 A. Yes.

02:29 5 Q. And is that office behind a closed door?

6 A. Yes.

7 Q. And that door requires a code I think you  
8 said?

9 A. Yeah. There is two doors. We have to open  
02:29 10 two with different codes to get in the office.

11 Q. Okay. So at this point the one man has  
12 taken you from the food aisle to the registers and now  
13 he's forced you back to the room?

14 A. Yes. And Tiffany was with me. We were  
02:29 15 both together.

16 Q. Was Tiffany with you at the cash registers?

17 A. I think when he made me open the second  
18 one, not the first one.

19 Q. Okay.

02:29 20 A. Yeah.

21 Q. And then he took, forced both you and  
22 Tiffany back to the closed door room?

23 A. Yes.

24 Q. Once you got to that closed door room, what  
02:29 25 happened?

02:29 1 A. He told me that and then I opened the safe  
2 because he was like pushing me. I have like my ribs  
3 like purple from like almost for a week because he was  
4 hitting me with the gun. And then I opened it, opened  
02:30 5 the safe, and he started grabbing everything. And we  
6 have another safe but that one where we keep all the  
7 coins and he told me to open that one too and he grabbed  
8 all the coins and when he have everything in his hands  
9 he run. And in front of the office we have like all the  
02:30 10 lockers for employees' lockers and in front of those  
11 locker it was a purse and he, I was not able to see what  
12 he was doing because we have a sign in the door so I was  
13 not able to see what he was doing, but from what I hear  
14 he used that purse --

02:30 15 Q. Let me stop you.

16 A. Uh-huh.

17 Q. I don't want you to get into what you may  
18 have heard, just what you observed.

19 A. Okay.

02:30 20 Q. So when you end up in that back room where  
21 the safes are, did the door close behind you?

22 A. Yes.

23 Q. So you were in that room with him?

24 A. Yes.

02:31 25 Q. Who else was with you in that room?

02:31 1 A. Tiffany.

2 Q. From that room are you isolated from the  
3 rest of the store, meaning there's closed doors all  
4 around you?

02:31 5 A. Yes.

6 Q. Okay. When you open the safes for him, you  
7 said he grabbed coins. Did he grab anything else from  
8 those safes?

9 A. The first safe that I opened, it was paper  
02:31 10 bill, we keep all the bills in there.

11 Q. Oh, I didn't catch that. Thank you.

12 A. Yeah. And then he grab, we keep it in a  
13 plastic container by singles, five and twenties. And  
14 then he told me to open the other safe where we keep all  
02:31 15 the coins that we receive for the bank.

16 Q. And did you do that?

17 A. Yes. I opened with a key, because one  
18 open, the one that had the paper bill opened with a code  
19 and the one with the coins is with a key. And I was,  
02:31 20 cause I was so, I know where the keys was, I was just so  
21 nervous and he was like continue, he was a mean person.  
22 He was telling me I'm going to kill, don't try to do  
23 anything, don't try to enter the wrong key. He was just  
24 being mean.

02:32 25 Q. After he took the coins where did he go?

02:32 1 A. He just run. He open the door and run in  
2 front of the lockers that is located in front of the  
3 office.

4 Q. And then did you stay back in that?

02:32 5 A. Yeah, I stayed back and the other, Tiffany,  
6 she hugged me because I was starting like feeling like  
7 pain in my stomach and we stand up and start calling  
8 right away to the police, yeah.

9 Q. Do you know, only if you know, how much  
02:32 10 money was taken total from the store?

11 A. No, I don't know.

12 MR. GIORDANI: Okay. I have no further  
13 questions for this witness. Does anyone have questions?

14 Seeing no hands.

02:32 15 THE FOREPERSON: By law, these proceedings  
16 are secret and you are prohibited from disclosing to  
17 anyone anything that has transpired before us, including  
18 evidence and statements presented to the Grand Jury, any  
19 event occurring or statement made in the presence of the  
02:32 20 Grand Jury, and information obtained by the Grand Jury.

21 Failure to comply with this admonition is a  
22 gross misdemeanor punishable up to 364 days in the Clark  
23 County Detention Center and a \$2,000 fine. In addition,  
24 you may be held in contempt of court punishable by an  
02:32 25 additional \$500 fine and 25 days in the Clark County

02:32 1 Detention Center.

2 Do you understand this admonition?

3 THE WITNESS: Yes.

4 THE FOREPERSON: Thank you. You're

02:33 5 excused.

6 THE WITNESS: Okay.

7 THE FOREPERSON: You may go.

8 Please raise your right hand.

9 You do solemnly swear the testimony you are

02:34 10 about to give upon the investigation now pending before

11 this Grand Jury shall be the truth, the whole truth, and

12 nothing but the truth, so help you God?

13 THE WITNESS: Yes.

14 THE FOREPERSON: Please be seated.

02:35 15 You are advised that you are here today to

16 give testimony in the investigation pertaining to the

17 offenses of conspiracy to commit robbery, burglary while

18 in possession of a deadly weapon, first degree

19 kidnapping with use of a deadly weapon, robbery with use

02:35 20 of a deadly weapon, and unlawful taking of vehicle,

21 involving Lorenzo Pinkey and Adrian Powell.

22 Do you understand this advisement?

23 THE WITNESS: Yes.

24 THE FOREPERSON: Please state your first

02:35 25 and last name and spell both for the record.

02:35 1 THE WITNESS: Darlene Orat. D-A-R-L-E-N-E,  
2 last name O-R-A-T.

3 DARLENE ORAT,  
4 having been first duly sworn by the Foreperson of the  
02:35 5 Grand Jury to testify to the truth, the whole truth,  
6 and nothing but the truth, testified as follows:

7

8

EXAMINATION

9

02:35 10 BY MR. GIORDANI:

11 Q. Ma'am, what do you do for a living?

12 A. I'm a pharmacist.

13 Q. Do you work at Walgreens at 4470 East  
14 Bonanza?

02:35 15 A. Yes.

16 Q. Is that here in Clark County, Nevada?

17 A. Yes.

18 Q. Were you working back on September 28, 2017  
19 around 4:05 a.m.?

02:36 20 A. Yes.

21 Q. Were you working behind the pharmacy desk  
22 or window?

23 A. Inside the pharmacy.

24 Q. Around that time did there come a point

02:36 25 where some individuals came into the store?



02:36 1 A. Yes.

2 Q. And describe that when you first saw those  
3 individuals.

4 A. Out of the corner of my eye I see somebody  
02:36 5 and so I glanced and next thing I know he was on top of  
6 the counter and so I attempted to run this way but I  
7 could not really run fast so he got to me a few, a few  
8 feet down.

9 Q. Okay. So you're working behind the counter  
02:36 10 at the pharmacy at that time?

11 A. Yes.

12 Q. Is that in the back area of the store?

13 A. Yes.

14 Q. Was anyone working with you in the  
02:36 15 pharmacy?

16 A. Nobody inside the pharmacy but me.

17 Q. Was there other employees within the store?

18 A. As far as I know, yes.

19 Q. When you first observed this individual,  
02:36 20 you said you saw him out of the corner of your eye; is  
21 that right?

22 A. Yes.

23 Q. And then shortly thereafter he's up on the  
24 counter?

02:37 25 A. Well, it was quick. See something pass and

RA 000022

02:37 1 when I glance he's already on the counter.

2 Q. Is there a three, four-foot counter that  
3 you're describing that walls in the whole pharmacy?

4 A. Yes, where the registers are.

02:37 5 Q. Okay. Can you describe to the best of your  
6 ability what that person looked like, was wearing?

7 A. I could only get one glance when I  
8 initially saw him and the only thing that I could really  
9 see was a mask.

02:37 10 Q. So did he have his face fully covered?

11 A. Full mask with just the eyes.

12 Q. Do you remember the color of it?

13 A. I can only remember black.

14 Q. Are you sure about that or is that just --

02:37 15 A. Yes, black.

16 Q. Okay. Do you remember anything about his  
17 clothing or no?

18 A. Not clearly. Just -- cause see this  
19 registers, and when you jump this is really just the  
02:38 20 part that you could really see clearly.

21 Q. Did he have anything in his hands?

22 A. Jumping there I could not see, but when he  
23 got to me, well, he pointed something at my head, and  
24 then along the procedure when he told me to grab

02:38 25 something I could see it.

02:38 1 Q. What was it?

2 A. It was a gun.

3 Q. Can you describe it? Do you know the color

4 or anything like that?

02:38 5 A. I'm not good with guns.

6 Q. That's okay. So when he first jumped up on

7 the counter, you said that you tried to run away and you

8 said this way. For the record you were pointing to your

9 left?

02:38 10 A. To my left. He came from this side.

11 Q. So I presume to your left there's somewhere

12 you can get away?

13 A. There's a door in the back.

14 Q. Were you able to reach that door?

02:38 15 A. No.

16 Q. Tell me what happened as you began to run

17 away.

18 A. Well, he got to me. So when he started

19 having contact with me I just cowered and I said just,

02:39 20 just get what you want, just don't hurt me.

21 Q. You said he had contact with me. I need

22 you to describe that for the record.

23 A. He must have grabbed me with one hand cause

24 one hand was here and then he asked me where the Xanax

02:39 25 was.

02:39 1 Q. Let me stop you for a moment. You said he  
2 must have grabbed you with one hand and you said the  
3 other hand was here or something.

4 A. Yes.

02:39 5 Q. You're making a figure of a gun in your  
6 hand.

7 A. Yes.

8 Q. So was one, correct me if I'm wrong, one  
9 hand grabbed the back of your shirt around your neck  
02:39 10 area and the other hand had a gun in it and that gun was  
11 pressed to the right rear side of your head?

12 A. Like right here.

13 Q. Is the description I just gave accurate?

14 A. Yes. Yes.

02:39 15 Q. What was he saying to you when he had that  
16 gun to your head?

17 A. Where is the Xanax.

18 Q. What is Xanax just so everyone knows?

19 A. It's benzodiazepines that will, basically  
02:40 20 like, for anxiety.

21 Q. So is it pills?

22 A. It's tablets, yes.

23 Q. Do you carry Xanax in your store?

24 A. Yes, we do.

02:40 25 Q. And when he said where is the Xanax, what

02:40 1 did you do?

2 A. I started grabbing the Xanax because it was  
3 actually just right on top of where I was.

4 Q. Did you give that to him?

02:40 5 A. Yes.

6 Q. Did he take it from you?

7 A. Well, I just grabbed everything and put it  
8 on the counter.

9 Q. Okay. Did he take some of that Xanax that  
02:40 10 you took down?

11 A. Well, at that point I just started putting  
12 it down and then he said give, put it in the bag. I  
13 started walking that way because that's where the  
14 registers were where the bag was.

02:40 15 Q. That way being to your right?

16 A. Yeah. Where he came from, where the  
17 registers are. So I started going that way but he  
18 grabbed me before I reached there and pulled me back and  
19 so when I turned back I realized that he actually

02:40 20 already has a bag where the bottles were where I left it  
21 at.

22 Q. Okay. So he took some of that Xanax and  
23 put it in his bag?

24 A. Actually I was the one putting it inside  
02:41 25 the bag because he said put it in the bag.

02:41 1 Q. Okay. What happened from there?

2 A. Okay. I remember he told me open the

3 register. So I went to the register, I open it for him.

4 I messed it up the first time because I was so scared.

02:41 5 He was behind me. So I just focused on getting it right

6 and I did and opened the register.

7 Q. Was there US currency or money inside that

8 register?

9 A. Well, yes.

02:41 10 Q. What happened from there?

11 A. And so once, once the drawer pops open I

12 just turn my back, I didn't want to see or look. I

13 didn't want to make him mad so I just turned my back on

14 him so I don't know what he was doing after that.

02:42 15 Q. Okay. What happened from there?

16 A. And from there he kept on saying Loomis

17 which I do not understand.

18 Q. Loomis?

19 A. Yeah. I don't know if I just heard him

02:42 20 wrong but that's what I heard him say and I don't know

21 what it is.

22 Q. Did you tell him that?

23 A. Yes.

24 Q. And then what was his response?

02:42 25 A. And he just kept saying over and over and I

02:42 1 told him I don't know what Loomis is, tell me what  
2 Loomis is, I don't know what Loomis is. And at one  
3 point, I don't know if he was answering me or was just  
4 saying it, but at one point he did say syrup.

02:42 5 Q. S-Y-R-U-P, syrup?

6 A. Yes.

7 Q. Okay.

8 A. So I kind of figured out he must have meant  
9 the promethazine with codeine syrups so I said it's over  
02:42 10 there and pointed to him where it was.

11 Q. Did he go and take that?

12 A. He went there.

13 Q. And did he take some of the syrup or  
14 promethazine from the store?

02:43 15 A. He did. And then while he was there he  
16 said grab me another bag. So I went, grab another bag  
17 and went to him and then he grabbed it from my hand. I  
18 don't know what he was doing anymore.

19 Q. Okay. Did he have anymore physical contact  
02:43 20 with you at that point?

21 A. There was actually something I remember  
22 which I forgot to tell the detectives because I  
23 remembered it the following day.

24 Q. Okay.

02:43 25 A. And I could not place where it was in the

02:43 1 sequence, I know it was after the Xanax but I don't  
2 remember clearly if it was before the register or after  
3 the register.

4 Q. Okay.

02:43 5 A. He grabbed my necklace.

6 Q. Can you describe that necklace?

7 A. It's just a simple with a pendant of a  
8 dolphin.

9 Q. Is it gold or silver?

02:43 10 A. Gold.

11 Q. And it's a single like strand?

12 A. Yes, a single strand.

13 Q. With a dolphin pendant?

14 A. Uh-huh.

02:44 15 Q. Okay. Did he leave after taking all those  
16 items you previously described?

17 A. No. After the promethazine with codeine,  
18 so I was cowered down in the counter, bent down,  
19 kneeling, and he said empty your pockets. So I fastly

02:44 20 emptied my pockets, threw everything on the floor.

21 Q. Did he take anything that you had taken out  
22 of your pockets?

23 A. No.

24 Q. What happened next?

02:44 25 A. And then it suddenly grew quiet so I kind



02:44 1 of imagined he must have already jumped back the way out  
2 because it became quiet.

3 Q. At any point during the course of the  
4 events that happened to you did you see a second  
02:44 5 individual who was in similar clothing as he was in the  
6 store?

7 A. No, not nobody with him.

8 Q. So you only saw the one individual and all  
9 of those incidents you just described happened back by  
02:45 10 the pharmacy?

11 A. Yes.

12 MR. GIORDANI: Okay. I have no further  
13 questions. Do any of the grand jurors have questions?

14 THE FOREPERSON: By law, these proceedings  
02:45 15 are secret and you are prohibited from disclosing to  
16 anyone anything that has transpired before us, including  
17 evidence and statements presented to the Grand Jury, any  
18 event occurring or statement made in the presence of the  
19 Grand Jury, and information obtained by the Grand Jury.

02:45 20 Failure to comply with this admonition is a  
21 gross misdemeanor punishable up to 364 days in the Clark  
22 County Detention Center and a \$2,000 fine. In addition,  
23 you may be held in contempt of court punishable by an  
24 additional \$500 fine and 25 days in the Clark County  
02:45 25 Detention Center.

02:45 1 Do you understand this admonition?

2 THE WITNESS: Yes.

3 THE FOREPERSON: Thank you. You're

4 excused.

02:47 5 MR. GIORDANI: For the record we have a

6 Spanish speaking interpreter in the room.

7 Could you put your name on the record,

8 Mr. Interpreter.

9 THE INTERPRETER: Yes. My name is Yul

02:47 10 Haasmann, court certified interpreter.

11 THE FOREPERSON: Can you spell your name

12 for the record as well.

13 THE INTERPRETER: Name Yul, Y-U-L,

14 Haasmann, H-A-A-S-M-A-N-N.

02:47 15 THE FOREPERSON: Please raise your right

16 hand.

17 You do solemnly swear the testimony you are

18 about to give upon the investigation now pending before

19 this Grand Jury shall be the truth, the whole truth, and

02:47 20 nothing but the truth, so help you God?

21 THE WITNESS: Yes.

22 THE FOREPERSON: You are advised that you

23 are here today to give testimony in the investigation

24 pertaining to the offenses of conspiracy to commit

02:48 25 robbery, burglary while in possession of a deadly

02:48 1 weapon, first degree kidnapping with use of a deadly  
2 weapon, robbery with use of a deadly weapon, and  
3 unlawful taking of vehicle, involving Lorenzo Pinkey and  
4 Adrian Powell.

02:48 5 Do you understand this advisement?

6 THE WITNESS: Yes.

7 THE FOREPERSON: Please state your first  
8 and last name and spell both for the record.

9 THE WITNESS: Jose Alfredo Chavarria

02:48 10 Valenzuela.

11 THE FOREPERSON: Spell them both for the  
12 record.

13 THE WITNESS: It's J-O-S-E,  
14 C-H-A-V-A-R-R-I-A.

02:49 15 MR. GIORDANI: Ladies and gentlemen of the  
16 Grand Jury, I'll direct your attention to Counts 2, 3  
17 and 7 for this witness.

18 JOSE ALFREDO CHAVARRIA VALENZUELA,  
19 having been first duly sworn by the Foreperson of the  
02:49 20 Grand Jury to testify to the truth, the whole truth,  
21 and nothing but the truth, testified as follows:

22 EXAMINATION

23

24 BY MR. GIORDANI:

02:49 25 Q. Sir, do you work at Pepe's Tacos at 2490

02:49 1 Fremont Street?

2 A. Yes.

3 Q. What do you do there?

4 A. Cook.

02:50 5 Q. Were you working at that location on

6 September 28th of this year at 2:40 in the morning?

7 A. Yes.

8 Q. Were you working back in the kitchen area?

9 A. Well, what's the kitchen area where we

02:50 10 cook, of course.

11 Q. Was there any other employees that were

12 working?

13 A. Just the cashier.

14 Q. What's her name?

02:50 15 A. Myriam.

16 Q. Around that time that I described, 2:40 in

17 the morning, did some individuals come into the store

18 that causes you to be here to testify today?

19 A. Yes.

02:51 20 Q. Describe when you first realized that those

21 people were in the store.

22 A. I was with my back, when I turned around to

23 see one of them jump the counter with the cash register.

24 He went towards me aiming at me with the gun saying that

02:51 25 he wanted the money.

02:51 1 Q. Okay. So you said one of them. How many  
2 people were there?

3 A. The one who jumped first was the first.

4 Q. Was he with anybody?

02:52 5 A. It was after that that the other one jumped  
6 towards me.

7 Q. Okay. So in total was there two people  
8 together?

9 A. Yes.

02:52 10 Q. Were there employees, I mean, I'm sorry,  
11 customers in the store at that time as well?

12 A. Yes, a couple, man and a woman.

13 Q. So you described one individual who jumped  
14 the counter and then came at you with a gun.

02:52 15 A. Yes.

16 Q. Can you describe what he was wearing and  
17 what the gun looked like?

18 A. Well, he was practically with the face  
19 covered with some red thing. He only had two holes for  
02:53 20 the eyes.

21 Q. Do you remember his clothing at all?

22 If you don't remember it's okay. I don't  
23 want you to guess.

24 A. Of course. Well, no. I just remember that  
02:53 25 he had this thing, red thing, globes. I mean the weapon

02:53 1 that he aimed at me with.

2 Q. So he had gloves on his hands and a red  
3 thing on his face. Can you describe the gun?

4 A. Well, since I don't know much about guns I  
02:54 5 just remember that he came to me and he aimed it at me.

6 Q. Okay. What did he do or say when he aimed  
7 the gun at you?

8 A. Well, when he aim at me, what I did was to  
9 run towards my co-worker who was in the freezer. The  
02:54 10 refrigerator.

11 Q. Is that freezer or refrigerator, is that  
12 located in the back area of the store?

13 A. Where we prepare what is food, towards the  
14 back of that.

02:55 15 Q. When you ran that way did he follow you,  
16 the man with the gun?

17 A. He followed me, he aimed at me to throw  
18 myself on the ground.

19 Q. Go ahead and describe, keep going and tell  
02:55 20 me all that happened.

21 A. Then he told me that he wanted the money,  
22 telling me to go forward, aiming at me with the gun,  
23 that he wanted the money. He took me to the registers,  
24 he wanted me to open the registers.

02:56 25 Q. Okay. Now did he force you from the back

02:56 1 area of the store where you ran to back up to the front  
2 area where the registers were?

3 A. Yes.

4 Q. Okay. Did he do that while holding that  
02:56 5 gun to you?

6 A. Yes.

7 Q. Did you comply and go up to the registers?

8 A. Yes.

9 Q. Were you able to get the registers open for  
02:56 10 him?

11 A. No, because each person has a password to  
12 open the register.

13 Q. Where was your co-worker while this was  
14 happening?

02:56 15 A. Inside the refrigerator.

16 Q. Okay. Did he, after he tried to get you to  
17 open the register, did he proceed back into the store to  
18 get your co-worker?

19 A. Well, no. I mean since I wasn't able to  
02:57 20 open them and then he was doing this to me with the gun,  
21 I told him that my co-worker was in the back to get the  
22 registers open.

23 Q. And you said doing this. Do you mean, you  
24 just described, or pointed at your right side. Was he  
02:57 25 pointing the gun at your right side?

02:57 1 A. Yes, here.

2 Q. Did he take any property from you?

3 A. No.

4 Q. Did you see -- you said he was with a

02:58 5 second person that you saw.

6 A. The second person was the one who went to

7 pick up my co-worker so she will open the register.

8 Q. Was she brought back out to the front by

9 that second person?

02:58 10 A. Yes.

11 Q. What happened when she was brought back up

12 to the front by the second person?

13 A. Well, he force her to open the first

14 register and the other individual took me to the second

02:59 15 register and he threw me to the ground and he forced my

16 co-worker to open the register while the other guy was

17 aiming at my head.

18 Q. At some point were you forced onto your

19 knees?

03:00 20 A. He was telling me to throw myself on the

21 ground.

22 Q. Were you on your knees?

23 A. No. I mean bent down just like that.

24 Q. Okay. So --

03:00 25 A. With the hands up.



03:00 1 Q. Okay. And so they took money from the  
2 register while you were up near the register at  
3 gunpoint?

4 A. Yes, from both registers.

03:00 5 Q. Understood.

6 I have no further questions for this  
7 witness. Do the grand jurors have questions? No.

8 THE FOREPERSON: By law, these proceedings  
9 are secret and you are prohibited from disclosing to  
03:00 10 anyone anything that has transpired before us, including  
11 evidence and statements presented to the Grand Jury, any  
12 event occurring or statement made in the presence of the  
13 Grand Jury, and information obtained by the Grand Jury.

14 Failure to comply with this admonition is a  
03:00 15 gross misdemeanor punishable up to 364 days in the Clark  
16 County Detention Center and a \$2,000 fine. In addition,  
17 you may be held in contempt of court punishable by an  
18 additional \$500 fine and 25 days in the Clark County  
19 Detention Center.

03:00 20 Do you understand this admonition?

21 THE WITNESS: Yes.

22 THE FOREPERSON: Thank you. You're  
23 excused.

24 Please raise your right hand.

03:01 25 THE WITNESS: Oh.

03:02 1 THE FOREPERSON: You do solemnly swear the  
2 testimony you are about to give upon the investigation  
3 now pending before this Grand Jury shall be the truth,  
4 the whole truth, and nothing but the truth, so help you  
03:02 5 God?

6 THE WITNESS: Yes. I'm sorry.

7 THE FOREPERSON: You are advised that you  
8 are here today to give testimony in the investigation  
9 pertaining to the offenses of conspiracy to commit  
03:02 10 robbery, burglary while in possession of a deadly  
11 weapon, first degree kidnapping with use of a deadly  
12 weapon, robbery with use of a deadly weapon, and  
13 unlawful taking of vehicle, involving Lorenzo Pinkey and  
14 Adrian Powell.

03:02 15 Do you understand this advisement?

16 THE WITNESS: Yes, I understand.

17 THE FOREPERSON: Please state your first  
18 and last name and spell both for the record.

19 THE WITNESS: Selena Graciano.

03:02 20 S-E-L-E-N-A, G-R-A-C-I-A-N-O.

21 SELENA GRACIANO,  
22 having been first duly sworn by the Foreperson of the  
23 Grand Jury to testify to the truth, the whole truth,  
24 and nothing but the truth, testified as follows:

03:02 25

EXAMINATION

BY MR. GIORDANI:

Q. Ma'am, what do you do for a living?

A. I work at the New York New York casino.

Q. Did you work at Pepe's Tacos back on  
September 28, 2017?

A. I work at the New York New York casino. I  
was eating in the restaurant. I don't work there.

Q. So were you eating at the Pepe's Tacos at  
2490 Fremont Street?

A. Uh-huh.

Q. Is that a yes?

A. Yes.

Q. And around 2:40 a.m. were you present in  
that store when something occurred that causes you to be  
here today?

A. Yes. I was, I was there with my friend and  
we were almost like, we finish to eat and we're about to  
leave when I saw the two guys coming inside. They  
probably don't even, they think that we're not there  
cause there was like a little wall. So they were like,  
when they entered they went next to, they were just  
looking for the cashiers to just get the money. But  
they saw us, so one of them, they came with me and him,

03:03 1 and then the other one just went into back of the  
2 cashiers.

3 Q. Okay. First off, turn that microphone  
4 close to your face please.

03:03 5 A. There? More?

6 Q. Yes. So you said you were at the Pepe's  
7 Tacos eating with a friend. What is that friend's name?

8 A. Antonio.

9 Q. Do you know his last name?

03:04 10 A. Vallejo.

11 Q. V-A-L-L-E-J-O?

12 A. Yeah, Vallejo.

13 Q. So you were there just finishing up and you  
14 said two men came in. Can you describe those two men?

03:04 15 A. I know they were black. They had, one,  
16 they had covered face, one was white and red, and then  
17 they had a jacket. The one that it was coming with me,  
18 it was like a black jacket.

19 Q. Okay. Let me stop you. So one had a white  
03:04 20 face covering and the other had a red face covering?

21 A. Yes.

22 Q. Which one came over to you eventually?

23 A. The one with red.

24 Q. Okay. So did either or both of the men  
03:04 25 have guns?

03:04 1 A. Yeah, they had guns, black guns.

2 Q. Each one had a black gun?

3 A. Yeah. Both had ones.

4 Q. And just for the record you're indicating

03:05 5 your hands a few inches apart in front of your face to

6 describe the size of the gun; is that right?

7 A. I don't know nothing about guns but they

8 were like small ones. They were like -- I don't know

9 nothing about guns.

03:05 10 Q. It's okay. So you said you saw those two

11 men go into the register and you thought that they had

12 hadn't seen you; is that right?

13 A. Yeah, cause there was a, they came from the

14 first door, so it was like a wall, so I was in that

03:05 15 table so from once inside there was like nobody in the

16 restaurant so they were just, they went inside just

17 straight like they were looking for the cashier, but

18 when they saw us, we were almost standing up, one of

19 them had to go sit on me, like told us not to move and

03:05 20 everything, and then the other one just went back to get

21 the money.

22 Q. So the one that stayed by you or went by

23 you eventually, did he point the gun at you?

24 A. Yeah. Cause my, I had my purse, so he

03:06 25 grabbed my purse, so he put the gun on me so that way I

03:06 1 can give it to him, and then he was like take a seat,  
2 don't move. He was like being -- and then my friend had  
3 a necklace and he, like he just grabbed it from him and  
4 he just told us not to move and nothing. And then they  
03:06 5 just went back to the cashier and I don't know what  
6 happened in the back.

7 Q. Okay. So when he came over to you, the one  
8 man came over to you, and you said he pointed a gun at  
9 you and you had a purse on your shoulder; is that right?

03:06 10 A. Uh-huh. Yes.

11 Q. Did he take that purse from you himself and  
12 pull it off your shoulder?

13 A. Yeah. And then so my phone was there cause  
14 my, it was a Guess purse so it has a little bag in

03:06 15 front, my phone was there and when he, like he grab it  
16 and then he was trying to jump in the back of the  
17 restaurant, my phone just slide out of the bag and then  
18 that way when he went in the back, my friend Antonio, he  
19 just grab my phone and he hide it, that way my cell  
03:07 20 phone will be safe. And then after that I was just  
21 hearing screams and all that but I don't know nothing  
22 about what happened in the back. It was just sitting  
23 down there.

24 Q. When he took the purse from you, you said

03:07 25 that he said stay here and then he went back to the

03:07 1 register where the other individual was?

2 A. Yeah. Because there was two registers and  
3 so they were trying to open both. So he just went to  
4 the back with the co-workers.

03:07 5 MR. GIORDANI: Okay. All right. I have no  
6 further questions for this witness. Does anyone else  
7 have questions? Seeing no hands.

8 THE FOREPERSON: By law, these proceedings  
9 are secret and you are prohibited from disclosing to  
03:07 10 anyone anything that has transpired before us, including  
11 evidence and statements presented to the Grand Jury, any  
12 event occurring or statement made in the presence of the  
13 Grand Jury, and information obtained by the Grand Jury.

14 Failure to comply with this admonition is a  
03:07 15 gross misdemeanor punishable up to 364 days in the Clark  
16 County Detention Center and a \$2,000 fine. In addition,  
17 you may be held in contempt of court punishable by an  
18 additional \$500 fine and 25 days in the Clark County  
19 Detention Center.

03:07 20 Do you understand this admonition?

21 THE WITNESS: Yes, I understand.

22 THE FOREPERSON: Thank you. You're  
23 excused. You can go.

24 THE WITNESS: Thank you.

03:08 25 MR. GIORDANI: All right. Ladies and

03:08 1 gentlemen, I'm going to withhold proceedings on this for  
2 a moment and switch back to the other case.

3 (Recess.)

4 THE FOREPERSON: Please raise your right  
03:21 5 hand.

6 You do solemnly swear the testimony you are  
7 about to give upon the investigation now pending before  
8 this Grand Jury shall be the truth, the whole truth, and  
9 nothing but the truth, so help you God?

03:22 10 THE WITNESS: (With interpreter) Yes, I  
11 swear.

12 THE FOREPERSON: You are advised that you  
13 are here today to give testimony in the investigation  
14 pertaining to the offenses of conspiracy to commit  
03:22 15 robbery, burglary while in possession of a deadly  
16 weapon, first degree kidnapping with use of a deadly  
17 weapon, robbery with use of a deadly weapon, and  
18 unlawful taking of vehicle, involving Lorenzo Pinkey and  
19 Adrian Powell.

03:22 20 Do you understand this advisement?

21 THE WITNESS: Yes.

22 THE FOREPERSON: Please state your first  
23 and last name and spell both for the record.

24 THE WITNESS: First my name, right?

03:22 25 THE FOREPERSON: Yes.



03:22 1 THE WITNESS: Myriam Gaspar.  
2 THE FOREPERSON: And spell both for the  
3 record.  
4 THE WITNESS: Myriam, M-Y-R-I-A-M, and then  
03:23 5 Gaspar, G-A-S-P-A-R.

6 MYRIAM GASPAR,  
7 having been first duly sworn by the Foreperson of the  
8 Grand Jury to testify to the truth, the whole truth,  
9 and nothing but the truth, testified as follows:

03:23 10  
11 EXAMINATION  
12

13 BY MR. GIORDANI:

14 Q. Ma'am, do you work at the Pepe's Taco  
03:23 15 located at 2490 Fremont Street?

16 A. Yes.

17 Q. You can put your hand down.

18 Is that Pepe's Tacos located here in Clark  
19 County, Nevada?

03:23 20 A. Yes.

21 Q. I want to draw your attention back to  
22 September 28th of this year at 2:40 a.m. Were you  
23 working at that time on that date?

24 A. Yes.

03:23 25 Q. Around that time did two individuals come

03:23 1 into the store?

2 A. Yes.

3 Q. Describe what you remember, the first thing  
4 that caught your attention from those two individuals.

03:24 5 A. The first?

6 Q. Just describe what you remember about them  
7 coming in.

8 A. Just the shadow because I became all blind.

9 Q. Describe what happened when they came in.

03:24 10 A. I didn't see them enter.

11 Q. Once they were inside the store what  
12 happened?

13 A. He just took me from my freezer and took me  
14 to the registers.

03:25 15 Q. When the men first came into the store,  
16 were you up at the front register?

17 A. No, not me.

18 Q. Where were you?

19 A. In the refrigerator.

03:25 20 Q. Okay. And at what point did you see those  
21 two men enter the store? Was it while you were in the  
22 refrigerator?

23 A. Yes, it was one I saw when I was in the  
24 refrigerator. The other one I saw him when he pull

03:25 25 me --

03:25 1 Q. Okay.

2 A. -- over there to the registers.

3 Q. Let's start with the man that came back to

4 you when you were at the refrigerator. Can you describe

03:26 5 to the best of your ability what he was wearing, what he

6 looked like?

7 A. I don't remember.

8 Q. That's okay.

9 A. I don't remember.

03:26 10 Q. Could you see his face or was his face

11 covered?

12 A. I think that I only saw his eyes.

13 Q. Okay. Did he have a gun?

14 A. I don't remember seeing it but I mean, I

03:26 15 don't remember everything, everything went dark. I'm

16 sorry. I was already expecting it.

17 Q. Okay. So how is it that you got from the

18 refrigerator back up to the register?

19 A. With him behind me, he pulled me out.

03:27 20 Q. Did he pull you out by touching you

21 physically?

22 A. Yes.

23 Q. When he pulled you out, did he force you

24 out to the register at the front of the store?

03:27 25 A. Yes.

03:27 1 Q. Once you got up to the register did you see  
2 a second person there?

3 A. Yes.

4 Q. Do you remember if that person had a gun?

03:27 5 A. Yes.

6 Q. Do you remember anything about what that  
7 person looked like, what he was wearing?

8 A. No, I don't remember because the only thing  
9 that I remember is that he had the co-worker with the  
03:28 10 gun like this, he had him like kneeling.

11 Q. Okay. Is your co-worker Jose?

12 A. Yes. Yes, Jose.

13 Q. And that man had a gun to Jose and Jose was  
14 kneeling on the ground?

03:28 15 A. Yes, I saw him.

16 Q. Did the man that brought you up to the  
17 front, did you see him with a gun at some point?

18 A. I don't remember that because I was just  
19 feeling it.

03:28 20 Q. Okay. When you say feeling it, you keep  
21 making a hand gesture like a gun. Do you mean you felt  
22 a gun touching you?

23 A. Yes, behind.

24 Q. Okay. Understood.

03:29 25 Now that man, when he held the gun to you

03:29 1 or what you thought was a gun touching you from behind,  
2 did he order you or ask you to do something with the  
3 registers?

4 A. Yes, to open them.

03:29 5 Q. Did you do that?

6 A. Yes.

7 Q. Did he take money from the registers?

8 A. I put the password and it opened and I was  
9 telling him take it, take it, take it.

03:29 10 Q. When you said take it, take it, did he talk  
11 money from the registers?

12 A. Yes, both at the same time, his hands and  
13 my hands because he was getting me frustrated.

14 Q. Okay. So he took money from the register.

03:30 15 And then what did those two men do at that point?

16 A. He was putting it in here.

17 Q. Okay. And when you say putting it, you  
18 mean the money in his pocket is what you're pointing to?

19 A. No. He had a dark sweater. I don't

03:30 20 remember it. That he was put it inside.

21 Q. Okay. Inside his dark sweater and you're  
22 pointing to your stomach area?

23 A. It was a sweater.

24 Q. After taking the money from the registers

03:30 25 did those men leave?

03:30 1 A. No, we went to the next one. He said go,  
2 let's go to the next one.

3 Q. Okay. So you went to another register?

4 A. Yes.

03:31 5 Q. And did you open that for him?

6 A. Yes. Yes. I open it, I put the password.

7 Q. And did he take money from that register as  
8 well?

9 A. Yes. I told him the same, take it, take  
03:31 10 it. He was just very harsh in taking it.

11 Q. Did the men leave after that?

12 A. No, no, he will not leave. He was sure  
13 that there was more money. He wanted more money.

14 Q. Did you give him anymore money after that?

03:31 15 A. Yes, because I remember that underneath  
16 there was a bag with coins. It was \$40.

17 Q. Did he take that as well?

18 A. Yes. That's when they said yeah, he's  
19 going to get that and he's going to leave. Because I  
03:32 20 thought the bag was heavy. And yeah, actually he got  
21 the bag and then that's when I -- yeah.

22 Q. Okay.

23 A. He left.

24 Q. All right. And did you see them run away  
03:32 25 together?

03:32 1 A. No, because I bent down my head because I  
2 knew that the 911, I had the 911 here.

3 MR. GIORDANI: Okay. No further questions.  
4 Anyone have questions?

03:32 5 THE FOREPERSON: By law, these proceedings  
6 are secret and you are prohibited from disclosing to  
7 anyone anything that has transpired before us, including  
8 evidence and statements presented to the Grand Jury, any  
9 event occurring or statement made in the presence of the  
03:32 10 Grand Jury, and information obtained by the Grand Jury.

11 Failure to comply with this admonition is a  
12 gross misdemeanor punishable up to 364 days in the Clark  
13 County Detention Center and a \$2,000 fine. In addition,  
14 you may be held in contempt of court punishable by an  
03:32 15 additional \$500 fine and 25 days in the Clark County  
16 Detention Center.

17 Do you understand this admonition?

18 THE WITNESS: Yes.

19 THE FOREPERSON: Thank you. You're

03:33 20 excused.

21 Please raise your right hand.

22 You do solemnly swear the testimony you are  
23 about to give upon the investigation now pending before  
24 this Grand Jury shall be the truth, the whole truth, and  
03:35 25 nothing but the truth, so help you God?

03:36 1 THE WITNESS: Yes.

2 THE FOREPERSON: You can put your hand  
3 down.

4 You are advised that you are here today to  
03:36 5 give testimony in the investigation pertaining to the  
6 offenses of conspiracy to commit robbery, burglary while  
7 in possession of a deadly weapon, first degree  
8 kidnapping with use of a deadly weapon, robbery with use  
9 of a deadly weapon, and unlawful taking of vehicle,  
03:36 10 involving Lorenzo Pinkey and Adrian Powell.

11 Do you understand this advisement?

12 THE WITNESS: Yes.

13 THE FOREPERSON: Please state your first  
14 and last name and spell both for the record.

03:36 15 THE WITNESS: Raynetta Shine.

16 R-A-Y-N-E-T-T-A, last name Shine, S-H-I-N-E.

17 RAYNETTA SHINE,

18 having been first duly sworn by the Foreperson of the  
19 Grand Jury to testify to the truth, the whole truth,

03:36 20 and nothing but the truth, testified as follows:

21

22 EXAMINATION

23

24 BY MR. GIORDANI:

03:36 25 Q. Miss Shine, right off the bat, do you know



03:36 1 Larenzo Pinkey and Adrian Powell?

2 A. Yes.

3 Q. And how long have you known Larenzo for?

4 A. A few months.

03:36 5 Q. Without going into too much detail, do you

6 have somewhat of a personal relationship with Larenzo?

7 A. Yes.

8 Q. All right. Showing you Grand Jury

9 Exhibit 3. Who is that?

03:37 10 A. Larenzo.

11 Q. How about Adrian Powell, do you know him?

12 A. Somewhat.

13 Q. How long have you known him?

14 A. A few months.

03:37 15 Q. Do you have a friendly relationship or an

16 acquaintance relationship or how would you describe it?

17 A. Just if we see each other hi and bye.

18 Q. Okay. Showing you Grand Jury Exhibit

19 Number 2. Who is that?

03:37 20 A. Adrian.

21 Q. Do you use a nickname for Adrian and does

22 he use a nickname for himself?

23 A. AJ.

24 Q. I want to draw your attention back to a

03:37 25 specific day. Did you at some point on September 27th,

03:37 1 the evening of September 27th into the morning hours of  
2 September 28th, have Lorenzo and AJ over at your home?

3 A. Yes.

4 Q. Describe just generally when they showed up  
03:38 5 what you guys were doing and when they ultimately left.

6 A. Well, me and Lorenzo was already there with  
7 the kids sitting there watching TV. My leg started  
8 hurting, I took a pain pill. When I got ready to go to  
9 my room Adrian walked in as I was going to my room.

03:38 10 Q. Okay. Let me stop you real quick. Are we  
11 talking about the evening of the 27th?

12 A. The evening of the 27th we were -- no, the  
13 evening of the 27th we weren't together. Later on that  
14 day after I came from getting my hair done.

03:38 15 Q. So on that evening, are we talking about  
16 evening hours when they were at your home?

17 A. When they were at my home was about, maybe  
18 about 8:00 something, 9:00.

19 Q. P.M.?

03:38 20 A. P.M.

21 Q. Okay. And that would be September 27th is  
22 what I was referring to?

23 A. Yes.

24 Q. Okay.

03:38 25 A. I don't even remember what day it happened

03:38 1 but if that's the day it happened then.

2 Q. I guess we'll backtrack then in a moment.

3 A. Okay.

4 Q. At some point in time did you notice that  
03:39 5 your vehicle was gone from your home?

6 A. Yes.

7 Q. What type of vehicle is that?

8 A. A Chrysler 300.

9 Q. And is that your vehicle?

03:39 10 A. Yes.

11 Q. Yours and -- you're the owner of that  
12 vehicle?

13 A. Yes.

14 Q. Did you give permission to either Lorenzo

03:39 15 or --

16 A. No.

17 Q. All right. I've got to finish my question.

18 A. Oh, okay.

19 Q. Did you give permission to either Lorenzo

03:39 20 or Adrian or AJ to take that vehicle at any point?

21 A. No.

22 Q. You previously described you had some pain  
23 in your leg, took a pain pill and you were about to go  
24 to bed; correct?

03:39 25 A. Correct.

03:39 1 Q. When you were going to bed, at that point  
2 was your vehicle still at your home outside?

3 A. Yes.

4 Q. Where were your keys at?

03:39 5 A. On the counter in the kitchen.

6 Q. At some point in time did you wake up and  
7 realize that your car was gone?

8 A. Yes.

9 Q. Do you remember when that was?

03:39 10 A. I want to say maybe about 5:00 something,  
11 6:00. In between.

12 Q. At some point did you call the police and  
13 report your car missing?

14 A. Yes, I did, at about 6:45, 7:00 something.

03:40 15 Q. Okay. Now when was it, after you went to  
16 bed -- oh, I should ask this. I'm sorry. When you  
17 noticed your car was missing, were Adrian and Lorenzo  
18 also gone?

19 A. Yes.

03:40 20 Q. At some point in time did you see Adrian  
21 and Lorenzo again?

22 A. No. I, not -- you talking about when my  
23 car was gone?

24 Q. Yeah.

03:40 25 A. No.

03:40 1 Q. When was it that you next saw them?

2 A. I seen Lorenzo maybe, before I was going to

3 go get my car, to where my car was located at.

4 Q. How was it that you found out where your

03:40 5 car was located at?

6 A. Lorenzo. Lorenzo told me where my car was

7 at.

8 Q. How did he tell you?

9 A. On the phone.

03:40 10 Q. So at some point in the early morning hours

11 on the 28th did you receive a phone call from Lorenzo?

12 A. Yes.

13 Q. And in that phone call what did he say?

14 A. He told me where my car was located at.

03:41 15 Q. And where did he say it was?

16 A. 4480 Charleston.

17 Q. Are you familiar with that area?

18 A. Kind of. Well, since I've been over there

19 that day, yeah.

03:41 20 Q. Is that near Walgreens?

21 A. No, it was down a street from Walgreens.

22 Q. Okay. Yeah, I'm not saying it's parked at

23 a Walgreens but it's near a Walgreens area?

24 A. Yeah.

03:41 25 Q. Is that right?

03:41 1 A. Yes.

2 Q. When you had that phone conversation with  
3 him, did you then, had you called the police at that  
4 point yet?

03:41 5 A. Uhm, when I had, I had already reported it,  
6 if you're asking have I reported my car stolen before  
7 then?

8 Q. Yes.

9 A. Yes, I did.

03:41 10 Q. So you already reported it stolen?

11 A. Yes.

12 Q. Did you believe at the point that you  
13 reported it stolen that Lorenzo and Adrian had taken  
14 your car?

03:41 15 A. Yeah, because he was the only one there.

16 Q. You previously described the location. I'm  
17 showing you Grand Jury Exhibit 4. Can you see Lamb and  
18 Bonanza here?

19 A. Yes.

03:42 20 Q. Is that approximately where your car  
21 ultimately was found?

22 A. Not in that center but over that way.

23 Q. Okay. So do you see Lamb and Bonanza?

24 A. Uh-huh.

03:42 25 Q. And then there's a red little ping and

03:42 1 there's a residential like intersection --

2 A. That's where my car was.

3 Q. Okay. So your car was there.

4 A. Yes.

03:42 5 Q. When Lorenzo was telling you where your car  
6 was, how did you react to the fact that he had taken  
7 your car?

8 A. I was pissed off. Why would you steal my  
9 car and that car is for my kids, my car is not for

03:42 10 nobody to joy ride. I had just purchased that car so I  
11 was real pissed.

12 Q. Did you overhear Lorenzo say anything over  
13 the phone that you believe you weren't supposed to hear?

14 A. I'm going to hang up with her because I  
03:43 15 don't want her to see her car on that -- it was sitting  
16 on a rock, a big ass, sorry, a big rock.

17 Q. Do you recall telling detectives at some  
18 point, and I'll quote what I'm seeing and you tell me if  
19 this is accurate. As he's hanging up he's going to say  
03:43 20 "I don't even want to be on this phone with this bitch  
21 so she won't see her car lifted up like that."

22 A. Correct.

23 Q. Was that an accurate statement you were  
24 relying what you recall to the detectives?

03:43 25 A. Yeah, that's accurate.

03:43 1 Q. Okay. And did you ultimately go out to  
2 that location I showed you on the map?

3 A. Yes.

4 Q. And what shape was your car in at that  
03:43 5 point?

6 A. Lifted, it was lifted up on a rock.

7 Q. As though it had been wrecked there?

8 A. Yes.

9 Q. While you were at that location and you saw  
03:43 10 your car, were there also police officers around that  
11 area?

12 A. Yes.

13 Q. While you were in that location did you  
14 happen to see Lorenzo and/or Adrian at some point?

03:44 15 A. I didn't ever see Adrian, I seen Lorenzo.

16 Q. And describe how you saw them and what went  
17 on.

18 A. What do you mean, what went on, like what  
19 do you mean by that?

03:44 20 Q. As you're standing there what happens?

21 A. Oh. He went by. Lorenzo went by.

22 Q. How did he go by?

23 A. In a car.

24 Q. A different car, not yours obviously --

03:44 25 A. Yeah, not mine. Mine is wrecked still on



03:44 1 the rock.

2 Q. When you saw him go by in another car, was  
3 he with other people in that car?

4 A. Well, we couldn't really see who all was in  
03:44 5 the car but I'm sure it was other people in the car.

6 Q. And at that point did you say hey officers,  
7 there he is right there, the guy that took my car?

8 A. I kind of like grabbed my mouth like, and  
9 he asked what, and I pointed, and he just knew right  
03:45 10 then and then, like that's them, I'm like yeah.

11 Q. Did you observe, and if you did not that's  
12 okay, did you observe officers follow that vehicle and  
13 stop that vehicle?

14 A. Yeah, I seen them all hopping in their car  
03:45 15 and leaving.

16 Q. I want to ask you a little out of order.  
17 Did there come a point in time where you actually saw  
18 Lorenzo wearing some homeless man's pants?

19 A. He came by my house, it wasn't the same  
03:45 20 thing that I had seen him wearing when he had left.  
21 Before he had left the house, when he was at the house  
22 with me he had on basketball shorts.

23 Q. Okay. When was it that he came by the  
24 house?

03:45 25 A. In the morning, I want to say about 8:00

03:45 1 something because I had my neighbor take my kids to  
2 school because they go to the same school and that was  
3 probably like 8:58 because she took my kids to school  
4 and the school started at 9:00.

03:45 5 Q. Just so everyone is clear. Is this after  
6 you've already called the police to report your car  
7 stolen?

8 A. Yeah.

9 Q. Talked to him on the phone about where it  
03:46 10 was located?

11 A. Yeah. He pulled up and he thought he was  
12 coming to my house like everything was cool. It's not  
13 cool.

14 Q. When you say -- well, I guess it was my  
03:46 15 words, homeless man pants, why do you say that?

16 A. It was big, like big ass, sorry, big ass  
17 pants like where did you find them damn pants at, like,  
18 it looked like a homeless person.

19 Q. Did he try to get into your home?

03:46 20 A. He tried to walk up the stairs and I told  
21 him no, it's not going down.

22 Q. Were you pissed at that point?

23 A. The facial expression kind of looked like  
24 it but he didn't say anything.

03:46 25 Q. No, I mean you, were you angry at him?

03:46 1 A. Yeah, I was very angry.

2 Q. Did you actually take a swing at him?

3 A. I tried to swing, yeah, I did, I tried to  
4 knock his head off. I was mad.

03:46 5 Q. And then, correct me if I'm wrong, after  
6 that interaction at your home is when you go out to  
7 where he told you the vehicle was and that's when all  
8 that other stuff --

9 A. My neighbor had came back and I asked her  
03:47 10 where was she was going and I asked did she have  
11 something to do, if she could take me to where my car  
12 was. I hopped in the car with her and left. He was  
13 still there in the apartment building so at that point I  
14 don't know where he was at, but when I got there he was  
03:47 15 kind of there too so I don't know around what time he  
16 left.

17 Q. Did you see Adrian at that point?

18 A. No, I had never seen Adrian at all. I  
19 haven't seen Adrian since he had left my house, since  
03:47 20 they were at my house.

21 Q. The night before?

22 A. The night before.

23 Q. And then you go out and you see Larenzo  
24 drive by, you draw the cops attention to that and then  
03:47 25 ultimately is your car released to you after it's

03:47 1 processed?

2 A. Yes.

3 Q. Okay. You described a Chrysler 300, right?

4 A. Correct.

03:47 5 Q. At the point in time we're discussing did

6 you have a temporary license plate Nevada 368336?

7 A. Correct, that's correct.

8 Q. One other question. At some point when you

9 talked to Lorenzo either in person or on the phone, did

03:48 10 he indicate to you that he had left a cell phone or

11 something in the vehicle?

12 A. His phone was in the car.

13 Q. Why do you say that?

14 A. Cause I asked him where his phone was cause

03:48 15 I kept calling it.

16 Q. Okay. So how did he get ahold of you?

17 A. From somebody else's phone.

18 Q. Got it.

19 A. I don't know who phone.

03:48 20 Q. Understood. And when you went out to that

21 location you said it was near CVS and/or a Walgreens?

22 A. Correct.

23 MR. GIORDANI: I don't have any further

24 questions. Do any of the grand jurors have any

03:48 25 questions? Seeing no hands.

03:48 1 THE FOREPERSON: By law, these proceedings  
2 are secret and you are prohibited from disclosing to  
3 anyone anything that has transpired before us, including  
4 evidence and statements presented to the Grand Jury, any  
03:48 5 event occurring or statement made in the presence of the  
6 Grand Jury, and information obtained by the Grand Jury.

7 Failure to comply with this admonition is a  
8 gross misdemeanor punishable up to 364 days in the Clark  
9 County Detention Center and a \$2,000 fine. In addition,  
03:48 10 you may be held in contempt of court punishable by an  
11 additional \$500 fine and 25 days in the Clark County  
12 Detention Center.

13 Do you understand this admonition?

14 THE WITNESS: Yes.

03:49 15 THE FOREPERSON: Thank you. You're  
16 excused.

17 MR. GIORDANI: Thank you. All right. That  
18 concludes the presentation of evidence on this  
19 particular case today. I will be coming back to you at  
03:49 20 a later date with further witnesses on this case.

21 (Proceedings adjourned, to reconvene at a later,  
22 undetermined time.)

23 --oo0oo--

24

25

03:49 1 **REPORTER'S CERTIFICATE**

2  
3 **STATE OF NEVADA** )  
4 : ss  
5 **COUNTY OF CLARK** )

03:49 6 I, Danette L. Antonacci, C.C.R. 222, do  
7 hereby certify that I took down in Shorthand (Stenotype)  
8 all of the proceedings had in the before-entitled matter  
9 at the time and place indicated and thereafter said  
03:49 10 shorthand notes were transcribed at and under my  
11 direction and supervision and that the foregoing  
12 transcript constitutes a full, true, and accurate record  
13 of the proceedings had.

14 Dated at Las Vegas, Nevada,  
03:49 15 November 5, 2017.

16  
17 /s/ Danette L. Antonacci

18 \_\_\_\_\_  
19 Danette L. Antonacci, C.C.R. 222

03:49

1

## AFFIRMATION

2

Pursuant to NRS 239B.030

3

4

The undersigned does hereby affirm that the  
preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER  
17AGJ106X:

03:49

5

6

7

8

X Does not contain the social security number of any  
person,

9

03:49

10

-OR-

11

     Contains the social security number of a person as  
required by:

12

13

A. A specific state or federal law, to-  
wit: NRS 656.250.

14

-OR-

03:49

15

16

B. For the administration of a public program  
or for an application for a federal or  
state grant.

17

18

/s/ Danette L. Antonacci

19

\_\_\_\_\_  
Signature

11-5-17

Date

03:49

20

21

Danette L. Antonacci

Print Name

22

23

Official Court Reporter

Title

24

25

	5/1 68/18	4480 [1] 58/16
<b>BY MR. GIORDANI:</b>	<b>17AGJ106AB [1]</b>	<b>4:05 [1] 9/8</b>
<b>[6] 6/22 21/8</b>	5/13	<b>4:05 a.m [1]</b>
<b>32/22 40/1 46/11</b>	<b>17AGJ106X [2] 1/7</b>	21/19
<b>53/22</b>	68/5	<b>4:05 in [1] 9/24</b>
<b>MR. GIORDANI:</b>	<b>2</b>	<b>5</b>
<b>[10] 5/7 19/11</b>	<b>2017 [7] 1/14 2/1</b>	<b>5:00 [1] 57/10</b>
<b>30/11 31/4 32/14</b>	5/1 8/17 21/18	<b>6</b>
<b>44/4 44/24 52/2</b>	40/7 67/15	<b>656.250 [1] 68/13</b>
<b>65/22 66/16</b>	<b>222 [3] 1/25 67/6</b>	<b>6:00 [1] 57/11</b>
<b>THE FOREPERSON:</b>	67/18	<b>6:45 [1] 57/14</b>
<b>[33]</b>	<b>239B.030 [1] 68/2</b>	<b>7</b>
<b>THE INTERPRETER:</b>	<b>2490 [3] 32/25</b>	<b>7:00 [1] 57/14</b>
<b>[2] 31/8 31/12</b>	40/11 46/15	<b>8</b>
<b>THE WITNESS: [30]</b>	<b>25 [6] 19/25</b>	<b>8:00 [2] 55/18</b>
	30/24 38/18 44/18	62/25
<b>\$</b>	52/15 66/11	<b>8:00 a.m [1] 8/14</b>
<b>\$2,000 [6] 19/23</b>	<b>27th [6] 54/25</b>	<b>8:58 [1] 63/3</b>
<b>30/22 38/16 44/16</b>	55/1 55/11 55/12	<b>9</b>
<b>52/13 66/9</b>	55/13 55/21	<b>911 [2] 52/2 52/2</b>
<b>\$40 [1] 51/16</b>	<b>28 [2] 21/18 40/7</b>	<b>9:00 [2] 55/18</b>
<b>\$500 [6] 19/25</b>	<b>28th [5] 8/17</b>	63/4
<b>30/24 38/18 44/18</b>	33/6 46/22 55/2	<b>A</b>
<b>52/15 66/11</b>	58/11	<b>a.m [4] 8/14</b>
<b>-</b>	<b>2:17 [1] 1/15</b>	21/19 40/15 46/22
<b>--oo0oo [1] 66/23</b>	<b>2:40 a.m [2]</b>	<b>ability [3] 5/7</b>
<b>-OR [2] 68/10</b>	40/15 46/22	23/6 48/5
<b>68/14</b>	<b>2:40 in [2] 33/6</b>	<b>able [8] 12/5</b>
<b>/</b>	33/16	12/20 14/24 17/11
<b>/s [2] 67/17</b>	<b>3</b>	17/13 24/14 36/9
<b>68/18</b>	<b>30 feet [1] 13/20</b>	36/19
<b>1</b>	<b>300 [2] 56/8 65/3</b>	<b>about [32]</b>
<b>10 [2] 5/18 5/18</b>	<b>364 [6] 19/22</b>	<b>Abrianna [2] 8/21</b>
<b>10:00 [1] 8/14</b>	30/21 38/15 44/15	9/3
<b>11 [2] 5/18 5/19</b>	52/12 66/8	<b>access [1] 14/24</b>
<b>11-5-17 [1] 68/18</b>	<b>368336 [1] 65/6</b>	<b>accurate [6] 7/13</b>
<b>12 [2] 5/18 5/19</b>	<b>4</b>	25/13 60/19 60/23
<b>17 [4] 1/14 2/1</b>	<b>4470 [2] 7/2</b>	
	21/13	



<b>A</b>	<b>affirm [1]</b> 68/4	<b>American [1]</b> 11/10
<b>accurate... [2]</b> 60/25 67/12	<b>AFFIRMATION [1]</b> 68/1	<b>AMY [1]</b> 2/13
<b>accurately [1]</b> 5/6	<b>African [1]</b> 11/10	<b>and/or [2]</b> 61/14 65/21
<b>acquaintance [1]</b> 54/16	<b>after [17]</b> 18/25 27/14 29/1 29/2 29/15 29/17 34/5 36/16 43/20 50/24 51/11 51/14 55/14 57/15 63/5 64/5 64/25	<b>ANDERSON [1]</b> 2/7
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<b>well</b> [21] 22/25 23/23 24/18 26/7 26/11 27/9 31/12 33/9 34/11 34/18 34/24 35/4 35/8 36/19 37/13 51/8 51/17 55/6 58/18 62/4 63/14	<b>windows</b> [1] 13/24	<b>Xanax</b> [9] 24/24 25/17 25/18 25/23 25/25 26/2 26/9 26/22 29/1
<b>went</b> [25]	<b>wit</b> [1] 68/13	<b>Y</b>
<b>were</b> [64]	<b>withhold</b> [1] 45/1	<b>Y-E-N-I-R</b> [1] 6/17
<b>weren't</b> [3] 12/4 55/13 60/13	<b>within</b> [2] 9/18 22/17	<b>Y-U-L</b> [1] 31/13
<b>what</b> [71]	<b>Without</b> [1] 54/5	<b>yeah</b> [42]
<b>what's</b> [3] 9/11 33/9 33/14	<b>witness</b> [4] 19/13 32/17 38/7 44/6	<b>year</b> [2] 33/6 46/22
<b>when</b> [78]	<b>witnesses</b> [5] 3/1 5/13 5/17 5/19 66/20	<b>yelling</b> [1] 10/13
<b>where</b> [52]	<b>woman</b> [1] 34/12	<b>Yenir</b> [2] 6/16 6/18
<b>which</b> [4] 15/25 27/17 28/22 41/22	<b>won't</b> [1] 60/21	<b>yes</b> [139]
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<b>white</b> [2] 41/16 41/19	<b>words</b> [1] 63/15	<b>York</b> [4] 40/5 40/5 40/8 40/8
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**Y****you're...** [2]

61/20 66/15

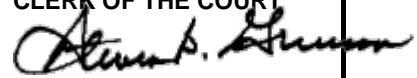
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61/24

**Yul** [2] 31/9

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**Z****ZAVALA** [1] 2/17



EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. ) GJ No. 17AGJ106AB  
 ) DC No. C327767  
LARENZO PINKEY, aka Lorenzo )  
Pinkney, ADRIAN POWELL, )  
 )  
Defendant. )

Taken at Las Vegas, Nevada

Tuesday, November 7, 2017

10:57 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

VOLUME 2

Reported by: Danette L. Antonacci, C.C.R. No. 222

RA 000091

12:00 1 GRAND JURORS PRESENT ON NOVEMBER 7, 2017  
2  
3 MORGAN DEVLIN, Foreperson  
4 SANDRA MOORE, Deputy Foreperson  
12:00 5 RAELYNN CASTANEDA, Secretary  
6 JANIS ROGERS, Assistant Secretary  
7 MARY ANDERSON  
8 DOMINIQUE CARDENAS  
9 IVAN CAYLOR  
12:00 10 JERRY DIVINCENZO  
11 MICHELLE FENDELANDER  
12 BOBBI FLORIAN  
13 AMY KNUDSON  
14 GREGORY KORNILOFF  
12:00 15 PATRICIA PRATHER  
16 LATANIS WATTS  
17 GUSTAVO ZAVALA  
18  
19 Also present at the request of the Grand Jury:  
12:00 20 John Giordani,  
Chief Deputy District Attorney (a.m.)  
21  
22 Michael Dickerson,  
Deputy District Attorney (p.m.)  
23  
24  
25

12:00

1

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2

Examined

3

4

TIFNIE BOBBITT

7

12:00

5

ANTONIO VALLEJO

19

6

RAYMUNDO CRUZ

26

7

KRISTINA THOMAS

31

8

KATHRYN AOYAMA

39

9

TULLIO PANDULLO

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12:00

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KYLE TOOMER

58

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KATHRYN AOYOMA

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12:00

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LAS VEGAS, NEVADA, NOVEMBER 7, 2017

2

\* \* \* \* \*

3

4

DANETTE L. ANTONACCI,

12:00

5

having been first duly sworn to faithfully

6

and accurately transcribe the following

7

proceedings to the best of her ability.

8

9

MR. GIORDANI: Good morning ladies and

10:57

10

gentlemen of the Grand Jury. John Giordani here on

11

behalf of the State of Nevada in the case of State

12

versus Lorenzo Pinkey and Adrian Powell, Grand Jury case

13

number 17AGJ106AB. Is there anyone who is present here

14

today that was not present for the last proceeding?

10:57

15

Seeing no hands.

16

Did you get a amendment?

17

A JUROR: It will be 1A.

18

MR. GIORDANI: Oh. I have marked a copy of

19

an amended proposed Indictment as Grand Jury Exhibit 1A.

10:57

20

For housekeeping purposes I'll let you know I have two

21

witnesses to present you to this morning and then we're

22

going to finalize the case this afternoon between 1:00

23

and 2:00 p.m.

24

THE FOREPERSON: Please raise your right

10:58

25

hand.

10:58 1 You do solemnly swear the testimony you are  
2 about to give upon the investigation now pending before  
3 this Grand Jury shall be the truth, the whole truth, and  
4 nothing but the truth, so help you God?

10:58 5 THE WITNESS: I do.

6 THE FOREPERSON: Please be seated.

7 You are advised that you are here today to  
8 give testimony in the investigation pertaining to the  
9 offenses of conspiracy to commit robbery, burglary while  
10:58 10 in possession of a deadly weapon, first degree  
11 kidnapping with use of a deadly weapon, robbery with use  
12 of a deadly weapon, and unlawful taking of vehicle,  
13 involving Lorenzo Pinkey and Adrian Powell.

14 Do you understand this advisement?

10:59 15 THE WITNESS: Yes.

16 THE FOREPERSON: Please state your first  
17 and last name and spell both for the record.

18 THE WITNESS: Tifnie Bobbitt. T-I-F-N-I-E,  
19 B-O-B-B-I-T-T.

10:59 20 TIFNIE BOBBITT,  
21 having been first duly sworn by the Foreperson of the  
22 Grand Jury to testify to the truth, the whole truth,  
23 and nothing but the truth, testified as follows:

24

10:59 25 ///

10:59

1

EXAMINATION

2

3

BY MR. GIORDANI:

4

Q. Ma'am, I want to draw your attention back

10:59

5

to September 28th of this year. Where were you working

6

at that time?

7

A. At Walgreens.

8

Q. Where is that Walgreens located?

9

A. 4470 East Bonanza Road.

10:59

10

Q. Is that here in Clark County, Nevada?

11

A. Yes.

12

Q. What do you do at the Walgreens?

13

A. I'm a cashier. Customer service

14

representative.

10:59

15

Q. Okay. So do you have access to the cashier

16

areas as well as the back office and rooms?

17

A. Yes.

18

Q. On that particular day did someone come

19

into your store that causes you to be here to testify

11:00

20

today?

21

A. Yes.

22

Q. Around what time did that occur?

23

A. About 4:00, 4:10, somewhere around there.

24

Q. 4:00 in the morning?

11:00

25

A. Yes.

11:00 1 Q. At that point in time do you recall if  
2 there were any customers in the store?

3 A. There was not.

4 Q. Were there other employees in the store?

11:00 5 A. Yes, there was.

6 Q. Do you recall which other employees were  
7 there at that time?

8 A. Yes.

9 Q. What are their names?

11:00 10 A. We have the pharmacist Darlene, we had  
11 Kathy, Abrianna and Yenir. Well, they call her Jane.

12 Q. Is it Y-E-N-E-I-R (sic)?

13 A. Yes.

14 Q. Where exactly were you when this individual  
11:00 15 or individuals came into the store?

16 A. I was in the break room I guess when the  
17 pharmacist had, had been going to the, had the first  
18 suspect.

19 Q. Okay. I don't want to go into what you may  
11:01 20 have heard from other employees.

21 A. Oh, I don't know, I was in the break room  
22 cause I was on my lunch.

23 Q. And what drew your attention that this  
24 person or persons came into the store?

11:01 25 A. When I was at the, at the door going in to

11:01 1 put my things away I heard a man like say the F word and  
2 I looked over and he didn't see me and so I walked in  
3 and knocked on the door cause I seen my other manager  
4 Kathy in the office.

11:01 5 Q. Okay.

6 A. And I told her there's something going on  
7 because I seen this guy crouching and walking behind  
8 Yenir when I came in.

9 Q. So let me break that down a little.

11:02 10 A. Okay.

11 Q. First off, how many people did you see  
12 ultimately inside the store?

13 A. Just the employees and the one guy. The  
14 one.

11:02 15 Q. So you only saw one?

16 A. Yes.

17 Q. When you saw that person initially, you  
18 indicated he didn't see you so you kind of hid?

19 A. Yeah, I kind of, I just punched the code in  
11:02 20 the door and walked in and knocked on the office door to  
21 tell my other manager what I heard.

22 Q. Got it. When you say I punched the code  
23 into the door, is that a room, I mean a door that goes  
24 into a back room area?

11:02 25 A. Yes.

11:02 1 Q. And then is there a subsequent door that  
2 goes into an office?

3 A. Yes.

4 Q. So there's two separate doors that you have  
11:02 5 to go through to get to the office?

6 A. Yes.

7 Q. Did you make it all the way through the  
8 second door?

9 A. Well, I can't get access to that door but I  
11:03 10 knocked on it and that's when I told my manager who I  
11 had seen and heard.

12 Q. What happened from there?

13 A. From there I, I stayed in the, in the place  
14 with the lockers and my manager didn't come back so  
11:03 15 before, I wasn't done with my lunch, sorry guys, I was,  
16 I looked out the window and I didn't see anybody in the  
17 store so I'm kind of absent minded so I'm thinking okay,  
18 nothing's going on, they took care of it. So when I  
19 walked out, because I didn't see anybody, it was because  
11:03 20 they were walking like this and they were behind a  
21 aisle, and I walked out here to finish the rest of my  
22 lunch and that's when the guy saw me the second time and  
23 he goes "Where the fuck do you think you're going,  
24 bitch?"

11:04 25 Q. Okay. To the best of your memory, and I



11:04 1 don't want you to guess, just to the best of your  
2 memory, can you describe anything about that person that  
3 said that to you?

4 A. He was just crouched over and he had the  
11:04 5 gun in his hand.

6 Q. Do you remember what the gun looked like?

7 A. I just, like I said I looked down and I  
8 just kind of threw my hands up when he asked me where I  
9 was going and I, and he wanted me to open registers and  
11:04 10 I, I didn't but, cause I was slow, whatever.

11 Q. We'll get to it in a second. What about  
12 his description, anything he was wearing or anything  
13 like that?

14 A. He had a red like cloth, I don't know if it  
11:04 15 was a handkerchief or whatever, and he had a hoodie, a  
16 dark hoodie.

17 Q. So when you say a cloth, are you talking  
18 about covering his entire face?

19 A. Yeah.

11:05 20 Q. Okay. Cause you indicated with your hands  
21 over your whole face.

22 A. Yeah. Yeah.

23 Q. Were you able to see his skin complexion or  
24 describe his race?

11:05 25 A. His hand, yeah. It was, he was a black

11:05 1 man.

2 Q. So you said you saw his hand. Does that  
3 mean he was not, this guy was not wearing gloves?

4 A. I didn't see him wearing gloves but I don't  
11:05 5 recall him touching like the registers or anything.

6 Q. That's okay. But you obviously saw his  
7 race from his hand?

8 A. Yeah.

9 Q. So once he says that to you does he point  
11:05 10 the gun at you?

11 A. You know honestly I don't know if he ever  
12 pointed the gun at me. I was, I was with my manager so  
13 I was just making sure she was okay.

14 Q. And your manager is who?

11:05 15 A. Yenir.

16 Q. Yenir. Okay. What happened from there  
17 once he confronted you and said where the F do you think  
18 you're going, what happened from there?

19 A. From there he was like help her get into  
11:06 20 the registers, and like I said I was too slow and Yenir  
21 was, she was doing that. And then I could feel him  
22 pushing, he goes where's the big money at, and Yenir  
23 said well, it's in the office, and like I said I don't  
24 know if he pointed the gun at me, I felt him push me

11:06 25 because he said we were walking too slow.

11:06 1 Q. Let me stop you. You indicated with your  
2 hand in the shape of a gun he pushed you. Do you mean  
3 he pushed you with the gun?

4 A. I have no idea. I really don't.

11:06 5 Q. So at this point in time you're in the  
6 front where the registers are, typical customer area  
7 that one would picture; is that right?

8 A. Yes.

9 Q. So then he directs you to the back office  
11:07 10 area again?

11 A. Yes.

12 Q. Does he take you back there by force?

13 A. Yes.

14 Q. Do you get back into the first room where  
11:07 15 you have to punch the code in?

16 A. We get in there, yes.

17 Q. What happens backs there?

18 A. Then from there he had Yenir open the door  
19 to the office.

11:07 20 Q. Did she do that?

21 A. Yes.

22 Q. And were you with her?

23 A. Yes.

24 Q. Did he force you back into that second  
11:07 25 portion, meaning the office?

11:07 1 A. Yes.

2 Q. What happened back there?

3 A. He would tell Yenir to get the safe key in

4 this big old thing of keys so she was fumbling and he

11:07 5 kept on jabbing the gun in her side.

6 Q. Did she end up getting into the safe?

7 A. Yes.

8 Q. And did he take items of property from the

9 safe or do you recall?

11:08 10 A. He just grabbed the hundreds and stuff,

11 it's in a plastic container.

12 Q. When you say the hundreds, do you mean US

13 currency, hundred dollar bills?

14 A. Yes, hundreds, ones, change.

11:08 15 Q. And what happened from there?

16 A. From there --

17 Q. After he took those.

18 A. -- he went out into the locker area and he

19 was doing something, I don't know what he was doing, but

11:08 20 he ended up taking a purse, trying to stuff the money in

21 it, and when he walked out of the door from both rooms

22 is when I told Yenir we need to call the cops. And

23 knowing that my other manager Kathy was in the stock

24 room and had called, contacted the cops.

11:08 25 Q. So did you stay back there and ultimately

11:09 1 he left the store?

2 A. Yeah, I watched as he was walking out cause  
3 there's a window.

4 Q. Got it. During the course of him taking  
11:09 5 the hundreds and everything, did he have the handgun on  
6 him throughout?

7 A. Yes.

8 Q. In his hand?

9 A. Yes.

11:09 10 Q. Did you feel threatened by that?

11 A. Yes.

12 Q. Is that why you didn't resist the taking of  
13 that property?

14 A. Yes.

11:09 15 MR. GIORDANI: I have no further questions  
16 for this witness. Do any of the grand jurors have any  
17 questions? Seeing no hands.

18 THE FOREPERSON: By law, these proceedings  
19 are secret and you are prohibited from disclosing to  
11:09 20 anyone anything that has transpired before us, including  
21 evidence and statements presented to the Grand Jury, any  
22 event occurring or statement made in the presence of the  
23 Grand Jury, and information obtained by the Grand Jury.

24 Failure to comply with this admonition is a  
11:09 25 gross misdemeanor punishable up to 364 days in the Clark

11:09 1 County Detention Center and a \$2,000 fine. In addition,  
2 you may be held in contempt of court punishable by an  
3 additional \$500 fine and 25 days in the Clark County  
4 Detention Center.

11:09 5 Do you understand this admonition?

6 THE WITNESS: Yes.

7 THE FOREPERSON: Thank you. You're  
8 excused.

9 THE WITNESS: Thank you.

11:10 10 MR. GIORDANI: All right. Ladies and  
11 gentlemen, before I bring in the next witness I'm going  
12 to do some amendments. I'm going to do this now because  
13 I don't know that I'm going to be present this afternoon  
14 to do it.

11:10 15 So after Count 10, page 5, after Count 10,  
16 I'm seeking to add one additional count of first degree  
17 kidnap with use of a deadly weapon. The pleading  
18 language would be the exact same as listed in Count 10  
19 except for I'm replacing the victim Yenir Hessing with  
11:10 20 the victim you just heard testify, Tifnie Bobbitt.

21 Then on the next page, page 6, after  
22 Count 11, seeking to add one count of robbery with use  
23 of a deadly weapon. The pleading language would mirror  
24 Count 11 except for instead of Yenir Hessing, the named  
11:11 25 victim would be Tifnie Bobbitt.

11:11 1 With that I'll bring my next witness in.  
2 (Recess.)  
3 MR. GIORDANI: Back on the record in State  
4 versus Pinkey and Powell.  
11:39 5 Come on in, sir. Remain standing, that's  
6 going to be your seat, and look down there.  
7 THE FOREPERSON: Please raise your right  
8 hand.  
9 You do solemnly swear the testimony you are  
11:40 10 about to give upon the investigation now pending before  
11 this Grand Jury shall be the truth, the whole truth, and  
12 nothing but the truth, so help you God?  
13 THE WITNESS: I swear.  
14 THE FOREPERSON: Please be seated.  
11:40 15 You are advised that you are here today to  
16 give testimony in the investigation pertaining to the  
17 offenses of conspiracy to commit robbery, burglary while  
18 in possession of a deadly weapon, first degree  
19 kidnapping with use of a deadly weapon, robbery with use  
11:40 20 of a deadly weapon, and unlawful taking of vehicle,  
21 involving Lorenzo Pinkey and Adrian Powell.  
22 Do you understand this advisement?  
23 THE WITNESS: Yes.  
24 THE FOREPERSON: Please state your first  
11:40 25 and last name and spell both for the record.

11:40 1 THE WITNESS: My name is Antonio Vallejo.  
2 Antonio, A-N-T-O-N-I-O, Vallejo, V-A-L-L-E-J-O.

3 MR. GIORDANI: Ladies and gentlemen, I'll  
4 draw your attention to Counts 2 and 4.

11:40 5 ANTONIO VALLEJO,  
6 having been first duly sworn by the Foreperson of the  
7 Grand Jury to testify to the truth, the whole truth,  
8 and nothing but the truth, testified as follows:

9

11:40 10 EXAMINATION

11

12 BY MR. GIORDANI:

13 Q. Sir, I want to draw your attention back to  
14 September 28th of this year. On that date were you at  
11:41 15 the Pepe's Tacos located at 2490 Fremont Street?

16 A. Yes, I was.

17 Q. Were you there with someone?

18 A. Yes, I was.

19 Q. Who?

11:41 20 A. You can say she was my girlfriend at the  
21 moment.

22 Q. What's her name?

23 A. Selena Graciano.

24 Q. What were you two doing there? Were you  
11:41 25 just eating?



11:41 1 A. We were just eating. While from there, we  
2 were getting ready to leave when I just felt something  
3 come from behind, set me down. I tried to turn back and  
4 then I just saw the gun pointed at my head. From there  
11:41 5 he snatched my chain and as soon as I tried to react for  
6 my chain he pointed it back at me and said to not move  
7 or something was going to happen to me.

8 Q. So let me back up a moment. So you're  
9 sitting there, you and Selena, and you said you felt  
11:41 10 something behind you. Was that something a person?

11 A. Yeah. Cause I was getting up from my chair  
12 and he just sat me back down. So he pushed me down.

13 Q. And you pushed down with your hand on your  
14 right shoulder; is that right?

11:42 15 A. Yeah.

16 Q. At that point in time were you able to look  
17 at that person?

18 A. At the moment I didn't until I turned  
19 around and I saw the gun pointed at my head.

11:42 20 Q. Can you describe the gun?

21 A. It was a black gun. I'm not sure if it was  
22 a 9-millimeter or a 40 caliber.

23 Q. But was it a semi-automatic?

24 A. It was a semi-automatic.

11:42 25 Q. Now when he pushed you back down and then

11:42 1 you looked at him and he pointed the gun at you, was it  
2 at that point that he took the chain?

3 A. Yes, it was.

4 Q. When you say snatched the chain, does that  
11:42 5 mean you were wearing it or he took it from your person?

6 A. I was wearing it. He just pulled it out of  
7 my neck.

8 Q. And to the best of your ability describe  
9 the chain for us.

11:42 10 A. It was a silver basically regular chain  
11 with a very thin cross on it.

12 Q. And you said he took that directly off your  
13 neck?

14 A. Yeah.

11:42 15 Q. So did he pull on it and it broke?

16 A. Yeah.

17 Q. At that point you indicated that he turned  
18 to Selena?

19 A. And he pulled the purse out of her hand and  
11:43 20 from right there that's when her phone fell and while he  
21 turned to go to the back to the registers I got, I stood  
22 up and I got her phone.

23 Q. Can you describe that person to the best of  
24 your ability?

11:43 25 A. It was, from what I remember he was wearing

11:43 1 a black hoodie with a, I'm not sure if it was a white or  
2 red bandanna with gray shorts. A very, a light, either  
3 a light black male or a dark Hispanic male.

4 Q. Okay. And when you were describing the  
11:43 5 bandanna you put your hand up over your face. Was he  
6 wearing the bandanna on his face?

7 A. He was wearing the bandanna like right  
8 here. So the only thing you could see was his eyes.

9 Q. Okay. And was he alone or was he with  
11:43 10 someone?

11 A. He was with somebody but the other person  
12 was in the back, in the register.

13 Q. And when you say the back, do you mean  
14 behind the registers where --

11:44 15 A. Yeah.

16 Q. -- the workers would be?

17 A. Behind the register with the workers.

18 Q. Once the one individual took your chain and  
19 took Selena's purse, what did he do from there?

11:44 20 A. He went to the back. He also went to the  
21 registers with the workers.

22 Q. Okay. And what happened from there?

23 A. From there we waited because we didn't want  
24 to react to anything. So as soon as they opened both  
11:44 25 registers they ran out and they took off.

11:44 1 Q. Okay. When you say they opened both  
2 registers, did they open them or were the employees  
3 opening them?

4 A. The employees opened them but they grabbed  
11:44 5 them to take out the money from there.

6 Q. Okay. Understood. At some point in time  
7 during the course of this was 911 called?

8 A. Yes, it was.

9 Q. By who?

11:44 10 A. By one of the employees. From what I  
11 understood the girl that was working in the back in the  
12 registers, she was in the cooler getting some --

13 Q. Let me stop you. I don't want you to go  
14 off of what you understood, just what you observed.

11:45 15 So you had Selena's phone but you weren't  
16 the one that called 911 at that point?

17 A. No, not at the moment.

18 Q. Okay. Understood. At some point do  
19 officers respond and take your statement?

11:45 20 A. Yes.

21 MR. GIORDANI: I have no further questions  
22 for this witness. Do any of the grand jurors have  
23 questions? Seeing no hands.

24 THE FOREPERSON: By law, these proceedings  
11:45 25 are secret and you are prohibited from disclosing to

11:45 1 anyone anything that has transpired before us, including  
2 evidence and statements presented to the Grand Jury, any  
3 event occurring or statement made in the presence of the  
4 Grand Jury, and information obtained by the Grand Jury.

11:45 5 Failure to comply with this admonition is a  
6 gross misdemeanor punishable up to 364 days in the Clark  
7 County Detention Center and a \$2,000 fine. In addition,  
8 you may be held in contempt of court punishable by an  
9 additional \$500 fine and 25 days in the Clark County  
11:45 10 Detention Center.

11 Do you understand this admonition?

12 THE WITNESS: Yes, I do.

13 THE FOREPERSON: Thank you. You're  
14 excused.

11:45 15 THE WITNESS: Thank you.

16 MR. GIORDANI: All right. Ladies and  
17 gentlemen, that concludes the presentation for this  
18 morning. Either myself or Mr. Dickerson will be back at  
19 1:00 p.m. to finish. Thank you very much.

11:46 20 (Recess.)

21 MR. DICKERSON: Ladies and gentlemen of the  
22 Grand Jury, my name is Michael Dickerson. I'm a deputy  
23 district attorney with the Clark County District  
24 Attorney's Office here with the continued presentation  
01:16 25 of Grand Jury case number 17AG106AB, State of Nevada

01:16 1 versus Lorenzo Pinkey and Adrian Powell. The record  
2 will reflect that we have marked as a Grand Jury exhibit  
3 Grand Jury instructions, that being Grand Jury  
4 Exhibit 6. I ask that you all review that. At this  
01:16 5 point in time does anybody have any questions about the  
6 charges as they are? The instructions?

7 Okay. State's first witness is going to be  
8 Officer Cruz.

9 THE FOREPERSON: Please raise your right  
01:16 10 hand.

11 You do solemnly swear the testimony you are  
12 about to give upon the investigation now pending before  
13 this Grand Jury shall be the truth, the whole truth, and  
14 nothing but the truth, so help you God?

01:17 15 THE WITNESS: I do.

16 THE FOREPERSON: Please be seated.

17 You are advised that you are here today to  
18 give testimony in the investigation pertaining to the  
19 offenses of conspiracy to commit robbery, burglary while  
01:17 20 in possession of a deadly weapon, first degree  
21 kidnapping with use of a deadly weapon, robbery with use  
22 of a deadly weapon, and unlawful taking of vehicle,  
23 involving Lorenzo Pinkey and Adrian Powell.

24 Do you understand this advisement?

01:17 25 THE WITNESS: Yes.

01:17 1 THE FOREPERSON: Please state your first  
2 and last name and spell both for the record.

3 THE WITNESS: Raymundo Cruz.  
4 R-A-Y-M-U-N-D-O, last name C-R-U-Z.

01:17 5 RAYMUNDO CRUZ,  
6 having been first duly sworn by the Foreperson of the  
7 Grand Jury to testify to the truth, the whole truth,  
8 and nothing but the truth, testified as follows:

01:17 10 EXAMINATION

11  
12 BY MR. DICKERSON:

13 Q. How are you employed, sir?

14 A. Police officer with Las Vegas Metro.

01:17 15 Q. What's your assignment?

16 A. I'm a patrol officer on Northeast 12  
17 graveyard.

18 Q. Drawing your attention to September 28,  
19 2017, around sometime after 4:00 or 5:00 a.m., did you  
01:17 20 respond to a robbery at the Walgreens at 4470 East  
21 Bonanza Road?

22 A. Yes, I did.

23 Q. That's located here in Las Vegas, Clark  
24 County, Nevada?

01:18 25 A. Yes.

01:18 1 Q. Please tell me about your arrival there,  
2 sir.

3 A. I was riding with a second officer. We  
4 both got there, we parked on the south side of the

01:18 5 Walgreens just in front of the entrance. As soon as we  
6 got out of the vehicle we saw a male, he exited the  
7 Walgreens, he was walking out, he fit the description of  
8 the person they said was robbing somebody wearing a  
9 hoodie with a mask over their face.

01:18 10 Q. And then what happened?

11 A. He turned away from us. He, I guess he was  
12 trying to walk away. Another officer was on the other  
13 side so he turned back towards us and that's when we  
14 drew our guns out on him and he started to run.

01:18 15 Q. What did you see happen next?

16 A. He ran north from the entrance of the  
17 Walgreens, ran around the Walgreens and then jumped into  
18 the backyard of the houses directly north of the  
19 Walgreens.

01:19 20 Q. Showing you here what's been marked as  
21 Grand Jury Exhibit 4. Does this appear to be the  
22 general location of that Walgreens and where he was  
23 running?

24 A. Yes.

01:19 25 Q. You indicated that it was approximately



01:19 1 this area over here?

2 A. Yes.

3 Q. Being in front of the Avery Park addresses?

4 A. Yes.

01:19 5 Q. Okay. And which direction did you see this

6 man run?

7 A. North. Towards Avery Park.

8 Q. Towards Avery Park?

9 A. Yes.

01:19 10 Q. What did this individual look like?

11 A. I couldn't see his face. The only thing I

12 was able to see, it was pretty dark out, was a hoodie.

13 He was covering his head, he had a mask on, I remember

14 it was red. Red mask over his face or something over

01:20 15 his face.

16 Q. And showing you here Grand Jury Exhibit 7.

17 Does that appear to be the Walgreens?

18 A. Yes.

19 Q. After this individual ran towards Avery

01:20 20 Park, what did you do?

21 A. There were other units arriving so we just

22 advised them of the direction he was running and we set

23 up a perimeter.

24 Q. Did in fact other units arrive?

01:20 25 A. Yes. As they arrived we were able to

01:20 1 establish a perimeter around the area.

2 Q. Did you have any further involvement in  
3 this case with catching that individual?

4 A. After this, no, sir, I took up a perimeter  
01:20 5 spot and that was it.

6 Q. All right. I appreciate it.

7 The State's next witness -- ladies and  
8 gentlemen, at this point in time the State has no  
9 further questions for this witness. Do you have any  
01:20 10 questions for him?

11 THE FOREPERSON: By law, these proceedings  
12 are secret and you are prohibited from disclosing to  
13 anyone anything that has transpired before us, including  
14 evidence and statements presented to the Grand Jury, any  
01:20 15 event occurring or statement made in the presence of the  
16 Grand Jury, and information obtained by the Grand Jury.

17 Failure to comply with this admonition is a  
18 gross misdemeanor punishable up to 364 days in the Clark  
19 County Detention Center and a \$2,000 fine. In addition,  
01:20 20 you may be held in contempt of court punishable by an  
21 additional \$500 fine and 25 days in the Clark County  
22 Detention Center.

23 Do you understand this admonition?

24 THE WITNESS: Yes.

01:21 25 THE FOREPERSON: Thank you. You are

01:21 1 excused.

2 MR. DICKERSON: State's next witness is  
3 going to be Kristina Thomas.

4 THE FOREPERSON: Please raise your right  
01:21 5 hand.

6 You do solemnly swear the testimony you are  
7 about to give upon the investigation now pending before  
8 this Grand Jury shall be the truth, the whole truth, and  
9 nothing but the truth, so help you God?

01:21 10 THE WITNESS: I do.

11 THE FOREPERSON: Please be seated.

12 You are advised that you are here today to  
13 give testimony in the investigation pertaining to the  
14 offenses of conspiracy to commit robbery, burglary while  
01:21 15 in possession of a deadly weapon, first degree  
16 kidnapping with use of a deadly weapon, robbery with use  
17 of a deadly weapon, unlawful taking of vehicle,  
18 involving Lorenzo Pinkey and Adrian Powell.

19 Do you understand this advisement?

01:22 20 THE WITNESS: Yes.

21 THE FOREPERSON: Please state your first  
22 and last name and spell both for the record.

23 THE WITNESS: Kristina Thomas.

24 K-R-I-S-T-I-N-A, T-H-O-M-A-S.

01:22 25 ///

01:22 1 KRISTINA THOMAS,  
2 having been first duly sworn by the Foreperson of the  
3 Grand Jury to testify to the truth, the whole truth,  
4 and nothing but the truth, testified as follows:

01:22 5  
6 EXAMINATION

7

8 BY MR. DICKERSON:

9 Q. How are you employed, ma'am?

01:22 10 A. I'm a senior crime scene analyst with the  
11 Las Vegas Metropolitan Police Department.

12 Q. Drawing your attention to September 28,  
13 2017, in the early morning hours, sometime just before  
14 7 o'clock a.m., did you respond to the surrounding area  
01:22 15 of a robbery near a Walgreens?

16 A. Yes, I did.

17 Q. And specifically where was it that you  
18 responded to?

19 A. I responded to a shopping complex nearby at  
01:22 20 4500 East Bonanza Road.

21 Q. I'm going to show you a map here, Grand  
22 Jury Exhibit 4. Does this appear to encompass that  
23 general area that you responded to?

24 A. Yes.

01:23 25 Q. Okay. And upon your response there, what

01:23 1 if anything did you do?

2 A. There was a group of items along the east  
3 exterior side of the building. I took note of what was  
4 there, I photographed it, and I collected it all as  
01:23 5 evidence.

6 Q. Okay. Do you recall which items?

7 A. I do.

8 Q. What items were there?

9 A. There was a suitcase with quite a few  
01:23 10 miscellaneous items in it. There was a mylar bag or  
11 envelope underneath the suitcase. There was a pair of  
12 sneakers, a pair of shorts, a necklace, and then  
13 miscellaneous US currency.

14 Q. All right. I have a group of photographs  
01:24 15 here that were taken from the scene. If you could take  
16 a look through these and tell me what if anything you  
17 recognize as being photos that you took.

18 A. Only these are mine.

19 Q. Great. Showing you here Grand Jury

01:24 20 Exhibit 12. What is this?

21 A. That is some of the money. Without it  
22 being in order I'm not sure if it's from the East  
23 Bonanza address or if it was from the housing community  
24 that was behind the original scene.

01:24 25 Q. Would that be Avery Park that you're

01:24 1 referring to?

2 A. Yes.

3 Q. So we see the East Bonanza address here in  
4 the area of North Lamb and East Bonanza; is that right?

01:25 5 A. Correct.

6 Q. Is that the shopping center where the Panda  
7 Express is actually marked in this map?

8 A. Yes.

9 Q. Okay. And behind that, or I guess above it  
01:25 10 on this map as we're looking at it is Avery Park Avenue;  
11 is that right?

12 A. That is correct.

13 Q. So you also responded to Avery Park Avenue?

14 A. To the north side of it. The south side of  
01:25 15 Avery Park Avenue was done by someone else.

16 Q. And throughout both of these scenes there  
17 was money strewn about?

18 A. Correct.

19 Q. Showing you here what's been marked as

01:25 20 Grand Jury Exhibit 13. What is that?

21 A. That's a picture from the 4500 East Bonanza  
22 Road.

23 Q. Depicting it looks like a green Nike?

24 A. Yes.

01:25 25 Q. Some shorts?

01:25 1 A. Correct.

2 Q. They're kind of a gradient from white to  
3 green; is that fair?

4 A. Correct.

01:26 5 Q. And money depicted there as well?

6 A. Correct.

7 Q. Grand Jury Exhibit 14, is that that same  
8 money?

9 A. It is.

01:26 10 Q. And Grand Jury Exhibit 15, those are the  
11 pants?

12 A. Those are the shorts, yes.

13 Q. The shorts I should say.

14 You also said there was a necklace found.

01:26 15 Was that at the first location that you went to?

16 A. It was actually mostly on top of those  
17 shorts.

18 Q. Okay. That necklace, is that depicted here  
19 in Grand Jury Exhibit 18?

01:26 20 A. It is, yes.

21 Q. That being a gold necklace with a gold  
22 dolphin charm?

23 A. Some yellow metal, yes.

24 Q. Some yellow metal, yeah, that's right.

01:26 25 So being that these are the items you found

01:26 1 primarily at the Bonanza address, what did you find when  
2 you went to the portion of Avery Park that you  
3 processed?

4 A. Next to one residence there was a pair of  
01:26 5 black socks and then at another residence there was  
6 money strewn about on the side stone area and then also  
7 in the rear yard.

8 Q. All right. Specifically the black sock was  
9 located on the ground on the exterior west side of 4458  
01:27 10 Avery Park?

11 A. That's correct.

12 Q. And that's just south of the gate leading  
13 to the yard?

14 A. Yes.

01:27 15 Q. And then there was two 5-dollar bills that  
16 were on the landscaping on the exterior of 4462 Avery  
17 Park Avenue?

18 A. That's correct.

19 Q. And there was additional US currency that  
01:27 20 were on the ground throughout the east side of the yard,  
21 the rear yard of that residence?

22 A. That's correct.

23 Q. That black sock, did you process that black  
24 sock?

01:27 25 A. No.



01:27 1 Q. Okay. In addition there was other money  
2 found at 4462 Avery Park. Do you know how much money in  
3 total that you found throughout your processing of these  
4 two scenes?

01:28 5 A. If I can read it off my impound, yes.

6 Q. If that will refresh your recollection and  
7 if that was prepared when it was fresh in mind at the  
8 time. Is it?

9 A. It would be \$40 from East Bonanza Road and  
01:28 10 then a total of 150 from Avery Park.

11 Q. Okay. And the denominations of those, what  
12 were you finding? \$5, \$10?

13 A. They were smaller. They were twenties,  
14 fives and ones.

01:28 15 Q. Okay. What other role if any did you play  
16 in the processing of the crime scenes related to this  
17 case?

18 A. None. I was actually the third CSA out  
19 there. I was just tying up the outer scenes.

01:28 20 Q. And the other CSAs out there were who?

21 A. Louise Renhard. She actually did the  
22 robbery scene and then the area of Avery Park that would  
23 have been directly north of that scene. And also Shawn  
24 Fletcher who did a car that was related to this case.

01:29 25 Q. And is that how you guys worked out the

01:29 1 assignments upon arrival at these scenes?

2 A. Louise was there I'd say two to three hours  
3 before me. We work graveyard, it was the end of shift,  
4 I went out there to give her a hand. And then Stephanie  
01:29 5 works day shift and came out to finish once we got to a  
6 stopping point.

7 MR. DICKERSON: Great.

8 Ladies and gentlemen, I have no further  
9 questions for this witness. Do you have any questions  
01:29 10 for her at this time?

11 THE FOREPERSON: By law, these proceedings  
12 are secret and you are prohibited from disclosing to  
13 anyone anything that has transpired before us, including  
14 evidence and statements presented to the Grand Jury, any  
01:29 15 event occurring or statement made in the presence of the  
16 Grand Jury, and information obtained by the Grand Jury.

17 Failure to comply with this admonition is a  
18 gross misdemeanor punishable up to 364 days in the Clark  
19 County Detention Center and a \$2,000 fine. In addition,  
01:29 20 you may be held in contempt of court punishable by an  
21 additional \$500 fine and 25 days in the Clark County  
22 Detention Center.

23 Do you understand this admonition?

24 THE WITNESS: I do.

01:30 25 THE FOREPERSON: Thank you. You're

01:30 1 excused.

2 THE WITNESS: Thank you.

3 MR. DICKERSON: State's next witness is  
4 Kathryn Aoyoma.

01:30 5 THE FOREPERSON: Please raise your right  
6 hand.

7 You do solemnly swear the testimony you are  
8 about to give upon the investigation now pending before  
9 this Grand Jury shall be the truth, the whole truth, and  
01:30 10 nothing but the truth, so help you God?

11 THE WITNESS: I do.

12 THE FOREPERSON: Please be seated.

13 You are advised that you are here today to  
14 give testimony in the investigation pertaining to the  
01:31 15 offenses of conspiracy to commit robbery, burglary while  
16 in possession of a deadly weapon, first degree  
17 kidnapping with use of a deadly weapon, robbery with use  
18 of a deadly weapon, and unlawful taking of vehicle,  
19 involving Lorenzo Pinkey and Adrian Powell.

01:31 20 Do you understand this advisement?

21 THE WITNESS: Yes.

22 THE FOREPERSON: Please state your first  
23 and last name and spell both for the record.

24 THE WITNESS: Kathryn Aoyama.

01:31 25 K-A-T-H-R-Y-N, A-O-Y-A-M-A.

01:31 1 KATHRYN AOYAMA,  
2 having been first duly sworn by the Foreperson of the  
3 Grand Jury to testify to the truth, the whole truth,  
4 and nothing but the truth, testified as follows:

01:31 5  
6 EXAMINATION

7

8 BY MR. DICKERSON:

9 Q. How are you employed, ma'am?

01:31 10 A. I'm a forensic scientist with the Las Vegas  
11 Metropolitan Police Department's forensic lab in the  
12 latent print unit.

13 Q. What sort of training and experience do you  
14 have to hold this position?

01:31 15 A. I have a degree from the University of  
16 California San Diego from the biology department,  
17 specifically in animal physiology. I went through an  
18 intensive 18-month training program learning all the  
19 aspects of comparisons of latent to known prints, also  
01:32 20 processing of evidence to attempt to recover latent  
21 prints of value for comparison. And I utilize the local  
22 and the national AFIS data bases in order to generate  
23 administrative leads for the detectives.

24 Q. So your job takes place in the laboratory?

01:32 25 A. Yes.

01:32 1 Q. And then does evidence get submitted to you  
2 to process for whatever or do an analysis for whatever  
3 it is you're looking for?

4 A. Yes. We get prints submitted by our  
01:32 5 personnel in the field, patrol service representatives,  
6 crime scene analysts, evidence to process for and  
7 recover latent prints.

8 Q. Specifically what involvement did you have  
9 on this case that brings you here today?

01:32 10 A. In this case I analyzed latent prints that  
11 were submitted to the lab for AFIS in order to generate  
12 leads for our detectives.

13 Q. Specifically this would be under Las Vegas  
14 Metropolitan Police Department event number 170928-0495?

01:33 15 A. Yes.

16 Q. And ultimately under that event number was  
17 there evidence that was collected and submitted to you  
18 for analysis?

19 A. Yes, there were.

01:33 20 Q. Among those were several items of  
21 medication, promethazine bottles; is that correct?

22 A. Not the bottles themselves but the powdered  
23 lifts from the bottles.

24 Q. Do you know when you do these analyses  
01:33 25 where those lifts have come from?

01:33 1 A. We just know the information that is stated  
2 on the outside of the package and then specifically on  
3 the inside of the package on each lift card.

4 Q. Specifically here you found that there were  
01:33 5 a number of lift cards that were appropriate for  
6 analysis or suitable for analysis?

7 A. Yes, there were.

8 Q. If you could go through those please.

9 A. Sure.

01:34 10 In this particular latent print packet, the  
11 crime scene analyst Louise Renhard submitted 11 lift  
12 cards and there were one, two, three, four, five, six  
13 lift cards that had AFIS quality latent prints on them.

14 Q. Of those several, that being one, two --  
01:34 15 four of those came back to fingers known to a Claudia  
16 O'Campo Abaraca?

17 A. Yes.

18 Q. That was specifically lift cards Q1, Q3, Q9  
19 and Q11?

01:34 20 A. That's correct.

21 Q. Can you tell me about the other lift cards,  
22 that being lift card Q2 first?

23 A. Q2 was a lift card from a bottle of MGP  
24 promethazine with dextromethorphan on the ground between  
01:35 25 4449 and 4445 Avery Park and it was labeled B as in boy.

01:35 1 Q. And what were your results and conclusions  
2 upon your analysis of that item?

3 A. I found one latent print on the card that  
4 was suitable for a search in AFIS and it was identified  
01:35 5 to the left thumb of Lorenzo Pinkney.

6 Q. And then going to lift card Q5, is that  
7 another lift card that you analyzed?

8 A. Yes.

9 Q. Can you tell me about that please?

01:35 10 A. Q5 was a lift card from the bottle of  
11 promethazine oral solution on the ground between 4449  
12 and 4445 at Avery Park, Labeled E as in Edward.

13 Q. And what were your results and conclusions  
14 as far as that lift card?

01:36 15 A. I found one latent print of value for  
16 search in AFIS and it was positive to the right palm of  
17 Lorenzo Pinkney.

18 Q. Have you done any further analysis related  
19 to this case at this point in time?

01:36 20 A. At the writing of this report, no.

21 MR. DICKERSON: Okay. Ladies and gentlemen  
22 of the Grand Jury, I have no further questions for this  
23 witness. Do you have any questions for her?

24 THE FOREPERSON: By law, these proceedings  
01:36 25 are secret and you are prohibited from disclosing to

01:36 1 anyone anything that has transpired before us, including  
2 evidence and statements presented to the Grand Jury, any  
3 event occurring or statement made in the presence of the  
4 Grand Jury, and information obtained by the Grand Jury.

01:36 5 Failure to comply with this admonition is a  
6 gross misdemeanor punishable up to 364 days in the Clark  
7 County Detention Center and a \$2,000 fine. In addition,  
8 you may be held in contempt of court punishable by an  
9 additional \$500 fine and 25 days in the Clark County  
01:36 10 Detention Center.

11 Do you understand this admonition?

12 THE WITNESS: Yes.

13 THE FOREPERSON: Thank you. You are  
14 excused.

01:39 15 MR. DICKERSON: State's next witness is  
16 Tullio Pandullo.

17 THE FOREPERSON: Please raise your right  
18 hand.

19 You do solemnly swear the testimony you are  
01:39 20 about to give upon the investigation now pending before  
21 this Grand Jury shall be the truth, the whole truth, and  
22 nothing but the truth, so help you God?

23 THE WITNESS: I do.

24 THE FOREPERSON: Please be seated.

01:39 25 You are advised that you are here today to



01:39 1 give testimony in the investigation pertaining to the  
2 offenses of conspiracy to commit robbery, burglary while  
3 in possession of a deadly weapon, first degree  
4 kidnapping with use of a deadly weapon, robbery with use  
01:39 5 of a deadly weapon, and unlawful taking of vehicle,  
6 involving Lorenzo Pinkey and Adrian Powell.

7 Do you understand this advisement?

8 THE WITNESS: Yes.

9 THE FOREPERSON: Please state your first  
01:39 10 and last name and spell both for the record.

11 THE WITNESS: First name is Tullio, it's  
12 T-U-L-L-I-O, last name Pandullo, P-A-N-D-U-L-L-O.

13 TULLIO PANDULLO,  
14 having been first duly sworn by the Foreperson of the  
01:39 15 Grand Jury to testify to the truth, the whole truth,  
16 and nothing but the truth, testified as follows:

17

18 EXAMINATION

19

01:39 20 BY MR. DICKERSON:

21 Q. How are you employed, sir?

22 A. As a detective with Las Vegas Metropolitan  
23 Police Department.

24 Q. What is your current assignment as a

01:40 25 detective?

01:40 1 A. Commercial robbery detail.

2 Q. Specifically the case that brings us here  
3 today, that being first a robbery of Pepe's Tacos under  
4 event number 170928-0314, is that one of them?

01:40 5 A. Yes, sir.

6 Q. And the next being a robbery at Walgreens  
7 at 4470 East Bonanza Road under 170928-0495, is that the  
8 other?

9 A. Yes.

01:40 10 Q. What is your involvement in the  
11 investigation of these crimes that brings you here  
12 today?

13 A. I responded initially to the Pepe's Tacos  
14 robbery.

01:40 15 Q. And did you also respond to the Walgreens  
16 robbery?

17 A. I did.

18 Q. Once you responded to the Walgreens  
19 robbery, that was the location there at Bonanza Road;

01:40 20 correct?

21 A. Correct.

22 Q. Did you have the opportunity to view  
23 surveillance system?

24 A. I did.

01:40 25 Q. Did you see that the surveillance system

01:40 1 appeared to be in working order?

2 A. Yes.

3 Q. And that the date and time stamps generally  
4 appeared to be consistent with the date and time that

01:41 5 you were sitting there watching it?

6 A. Yes.

7 Q. Did you go back in their system that day  
8 that you responded to the Walgreens and look at video  
9 from the robbery that had just occurred?

01:41 10 A. I did.

11 Q. And that date and time stamp appeared to  
12 match up correctly with what you had known of the facts  
13 of that robbery at the time?

14 A. Correct.

01:41 15 Q. I'm showing you here what has been marked  
16 as Grand Jury Exhibit 8. Do you recognize that?

17 A. I do.

18 Q. What do you recognize that to be?

19 A. That is a still photo of the entrance into  
01:41 20 the Walgreens.

21 Q. And is this a still photo from the date and  
22 time stamp when that robbery was alleged to have  
23 occurred?

24 A. Yes.

01:41 25 Q. What are we seeing here in Grand Jury

01:41 1 Exhibit 8?

2 A. The two suspects entering the Walgreens.

3 Q. So specifically we see two individuals

4 here?

01:41 5 A. Yes, sir.

6 Q. Both of them with their faces covered?

7 A. Correct.

8 Q. One appears to be wearing shorts?

9 A. Yes, sir.

01:42 10 Q. And it appears as though those shorts are a

11 few different colors or a gradient; is that fair?

12 A. Yeah.

13 Q. And the other individual is wearing a red

14 mask and appears to be wearing pants?

01:42 15 A. Yeah, like a charcoal grayish, light

16 grayish type jeans.

17 Q. Okay. From here, after that point that you

18 went and you viewed this video, what did you do next in

19 this investigation?

01:42 20 A. We were able through surveillance video

21 from both Pepe's and Walgreens to establish that they

22 were related, the suspects were wearing similar clothing

23 in both and similar type motive, then we were made aware

24 that there was a third scene just north of the Walgreens

01:42 25 where there was a vehicle.

01:42 1 Q. That vehicle, do you recall what it was?

2 A. Four door Chrysler 300.

3 Q. I'm going to show you here what has been

4 marked as Grand Jury Exhibit 22. Do you recognize that?

01:43 5 A. Yes.

6 Q. As well as Grand Jury Exhibit 21. Is that

7 that vehicle?

8 A. Yes, sir.

9 Q. And what was the general location of that

01:43 10 vehicle?

11 A. Directly north of the Walgreens off a

12 street called Avery Park which is a one way in, one way

13 out complex, and it was high centered just northeast of

14 Avery Park.

01:43 15 Q. Okay. Showing the members of the Grand

16 Jury Grand Jury Exhibit 21. And 22.

17 Do you know whether crime scene analysts

18 were called out to analyze that vehicle?

19 A. They were.

01:44 20 Q. In addition I want you to take a look

21 through some photographs I have. Tell me if you

22 recognize the items depicted in any of these, any

23 number.

24 A. This is a picture of the inside of the

01:44 25 Walgreens at the pharmacy where the codeine cough syrup

01:44 1 is typically kept.

2 This is on the side of the Walgreens which  
3 is like north of --

4 Q. We can just go through them. If you just  
01:44 5 tell me if you recognize it and then we'll go through  
6 each one. If you don't recognize one that's fine as  
7 well.

8 A. Yes, I recognize them all.

9 Q. You recognize all of them?

01:44 10 A. Correct.

11 Q. All right. First showing you Grand Jury  
12 Exhibit 9. This is the exhibit that you indicated was  
13 the counter at the Walgreens; is that correct?

14 A. Yes, sir.

01:44 15 Q. And that appears to be cough syrup bottles?

16 A. Yeah, codeine.

17 Q. Codeine. Grand Jury Exhibit 10?

18 A. I believe that's the north wall of the  
19 Walgreens which leads to the wall that goes to Avery  
01:45 20 Park.

21 Q. Grand Jury Exhibit 11?

22 A. A red cap that was located on the north  
23 with holes cut out for eyes.

24 Q. Is that that item right there?

01:45 25 A. Yes.

01:45 1 Q. In Grand Jury Exhibit 10?

2 A. Yes.

3 Q. Same item?

4 And Grand Jury Exhibit 16?

01:45 5 A. This is a backyard off of Avery Park where

6 we located codeine.

7 Q. Was codeine located in the backyard of a

8 residence of an Avery Park address; is that correct?

9 A. Yeah, a side back. It's kind of hard to

01:45 10 explain kind of how the yards are there because there's

11 not much of a backyard but.

12 Q. Grand Jury Exhibit 17?

13 A. Pneumatic firearm or a air pistol and

14 another bottle of codeine which was located just north

01:46 15 of the Walgreens in a backyard.

16 Q. Grand Jury Exhibit 19?

17 A. Closeup picture of the firearm.

18 Q. And it appears that the firearm is kind of

19 opened up?

01:46 20 A. Correct.

21 Q. Otherwise when it's closed it apparently

22 resembles an actual firearm?

23 A. Identical.

24 Q. You said this was a pneumatic firearm.

01:46 25 Does that fire with air pressure?

01:46 1 A. Yes.

2 Q. Would it fire a metal projectile?

3 A. Yeah, 1.77-millimeter.

4 Q. In this photo here, Grand Jury Exhibit 19,

01:46 5 do we actually see the air cartridge that would be used

6 to push that gas out?

7 A. Yes, sir.

8 Q. Grand Jury Exhibit 20?

9 A. Codeine bottles recovered on scene.

01:46 10 Q. And Grand Jury Exhibit 23?

11 A. These are IDs which were recovered and that

12 is one of the victims from the Pepe's which I did a tape

13 interview statement with.

14 Q. All right. So you're familiar with that

01:47 15 female depicted in those IDs?

16 A. Yes. She was a customer in the store and

17 she was actually the first person the robbers

18 encountered and committed a robbery on, an armed robbery

19 on.

01:47 20 Q. Sometime later during the same

21 investigation at the Walgreens, did you have an occasion

22 to find that there was another vehicle now involved?

23 A. I did.

24 Q. And how did this come about?

01:47 25 A. Myself and my partner and other detectives



01:47 1 were at the Chrysler 300 scene with a victim and as we  
2 were standing there the victim stated that the car that  
3 had just driven by on the street north of Avery Park was  
4 occupied by the suspects from the robbery.

01:48 5 Q. What did that cause you to do, if anything?

6 A. Jumped in my car, went after the car. We  
7 were able to locate the vehicle in the 4500 block of  
8 Bonanza which is just south of Avery Park.

9 Q. And were you with a marked patrol vehicle?

01:48 10 A. There was a marked patrol vehicle behind  
11 the vehicle also, yes.

12 Q. Where were you in relation to the marked  
13 patrol vehicle?

14 A. Just south of. So they were set up to go  
01:48 15 north at Bonanza and Nellis and we continued east,  
16 flipped around, came back west and then got behind the  
17 vehicle as it went north on Nellis.

18 Q. And then what happened?

19 A. We assured that we had enough units in case  
01:48 20 the suspects decided to run from the vehicle. We  
21 requested the air unit, we requested K-9. It was  
22 obvious that we were there due to the marked units.

23 They turned right on, or correction, east on Washington  
24 and then made a north, or correction, sorry, southbound  
01:49 25 turn on Ringe Road, at that time we decided to initiate

01:49 1 a traffic stop.

2 Q. Could you see how many times this vehicle  
3 was occupied at that point in time prior to the traffic  
4 stop?

01:49 5 A. I could.

6 Q. How many?

7 A. Five times.

8 Q. And then upon initiating the traffic stop  
9 what happened?

01:49 10 A. We did a high risk traffic stop believing  
11 that we had robbery suspects and they could be armed and  
12 then we had marked units and myself and my partner were  
13 in an unmarked unit, I did voice, I gave voice commands  
14 and simultaneous, or took people out of the vehicle one  
01:49 15 by one in a high risk type felony stop.

16 Q. And who did you find to be occupying that  
17 vehicle?

18 A. In the, I started with the rear of the  
19 vehicle because that's where the males were and I felt  
01:50 20 they were more of a threat or could be more of a threat  
21 and removed the driver's side rear passenger first.  
22 After we removed all people we identified two of the  
23 occupants as Powell and Pinkney.

24 Q. Okay. Showing you here Grand Jury

01:50 25 Exhibit 24. What does that appear to be?

01:50 1 A. That is a white Kia, the one that we  
2 stopped.

3 Q. And 25?

4 A. That is a wad of small denomination cash  
01:50 5 that was located in the center console of said vehicle.

6 Q. That white Kia?

7 A. Yes, sir.

8 Q. And you said Mr. Powell was located in that  
9 vehicle?

01:50 10 A. Yes.

11 Q. Do you recognize this individual depicted  
12 here?

13 A. I do.

14 Q. Who is that?

01:51 15 A. That's Mr. Powell.

16 Q. And that's Grand Jury Exhibit 2.

17 A. Yes.

18 Q. This is Mr. Powell? Where was he located?

19 A. The rear seat of the vehicle.

01:51 20 Q. And Mr. Pinkney you also indicated was also  
21 in this white Kia?

22 A. Correct.

23 Q. And I should specify for the ladies and  
24 gentlemen of the Grand Jury, Grand Jury Exhibit 24,  
01:51 25 that's the white Kia?

01:51 1 A. Yes, sir.

2 Q. That's how it appeared after you stopped it  
3 and conducted the stop?

4 A. That's -- the trunk wasn't open. That's  
01:51 5 after we cleared the vehicle, yes.

6 Q. Okay. And showing you here Grand Jury  
7 Exhibit 3. Do you recognize that individual?

8 A. Yes.

9 Q. Who's that?

01:51 10 A. Mr. Pinkney.

11 Q. And ladies and gentlemen of the Grand Jury,  
12 Grand Jury Exhibit 3.

13 Mr. Pinkney, where was he in the vehicle?

14 A. Also in the rear.

01:51 15 Q. Was anybody else occupying this vehicle?

16 A. There were.

17 Q. Who else was occupying this vehicle?

18 A. The registered owner, the female was the  
19 front seat passenger. Another female was the driver.

01:52 20 And then there was another much larger black male in the  
21 back seat.

22 Q. When you say larger black male, in  
23 comparison to who was he larger?

24 A. Pinkney and Powell.

01:52 25 Q. So he was noticeably larger than both of

01:52 1 these --

2 A. Significantly, yes.

3 Q. That third male, did he appear to match the  
4 description or what you saw on that surveillance image  
01:52 5 that we just talked about?

6 A. Not at all.

7 Q. Different size?

8 A. Much.

9 Q. And Grand Jury Exhibit 25, is that the  
01:52 10 money that was found stuffed in the center console?

11 A. Yes.

12 Q. As far as these two events that we've  
13 discussed and this traffic stop, did you have any other  
14 role in the investigation here?

01:52 15 A. Myself and Detective Toomer conducted  
16 interviews with all five occupants.

17 MR. DICKERSON: And I'll talk to Detective  
18 Toomer who is next up about that.

19 Ladies and gentlemen, I have no further  
01:53 20 questions for this witness. Do you have any questions  
21 for him at this time?

22 THE FOREPERSON: By law, these proceedings  
23 are secret and you are prohibited from disclosing to  
24 anyone anything that has transpired before us, including  
01:53 25 evidence and statements presented to the Grand Jury, any

01:53 1 event occurring or statement made in the presence of the  
2 Grand Jury, and information obtained by the Grand Jury.

3 Failure to comply with this admonition is a  
4 gross misdemeanor punishable up to 364 days in the Clark  
01:53 5 County Detention Center and a \$2,000 fine. In addition,  
6 you may be held in contempt of court punishable by an  
7 additional \$500 fine and 25 days in the Clark County  
8 Detention Center.

9 Do you understand this admonition?

01:53 10 THE WITNESS: Yes, ma'am.

11 THE FOREPERSON: Thank you. You're  
12 excused.

13 THE WITNESS: Thank you.

14 MR. DICKERSON: State's next witness is

01:54 15 Kyle Toomer.

16 THE FOREPERSON: Please raise your right  
17 hand.

18 You do solemnly swear the testimony you are  
19 about to give upon the investigation now pending before  
01:54 20 this Grand Jury shall be the truth, the whole truth, and  
21 nothing but the truth, so help you God?

22 THE WITNESS: I do.

23 THE FOREPERSON: Please be seated.

24 You are advised that you are here today to

01:54 25 give testimony in the investigation pertaining to the

01:54 1 offenses of conspiracy to commit robbery, burglary while  
2 in possession of a deadly weapon, first degree  
3 kidnapping with use of a deadly weapon, robbery with use  
4 of a deadly weapon, and unlawful taking of vehicle,  
01:54 5 involving Lorenzo Pinkey and Adrian Powell.

6 Do you understand this advisement?

7 THE WITNESS: Yes, I do.

8 THE FOREPERSON: Please state your first  
9 and last name and spell both for the record.

01:54 10 THE WITNESS: Detective Kyle Toomer.  
11 K-Y-L-E, T-O-O-M-E-R.

12 KYLE TOOMER,  
13 having been first duly sworn by the Foreperson of the  
14 Grand Jury to testify to the truth, the whole truth,  
01:54 15 and nothing but the truth, testified as follows:

16  
17 EXAMINATION

18  
19 BY MR. DICKERSON:

01:54 20 Q. How are you employed, sir?

21 A. By the Las Vegas Metropolitan Police  
22 Department.

23 Q. And what's your current assignment?

24 A. Detective in robbery.

01:55 25 Q. I want to draw your attention to the

01:55 1 specific case that brings us here, specifically under  
2 Las Vegas Metropolitan Police Department event number  
3 170928-0495. Are you familiar with this event?

4 A. Yes, I am.

01:55 5 Q. What is it?

6 A. It's a robbery from a Walgreens and a  
7 Pepe's.

8 Q. And what is your involvement with this  
9 particular robbery?

01:55 10 A. My involvement, I'm the lead detective on  
11 the series.

12 Q. Did you respond to the area around that  
13 Walgreens robbery, specifically a vehicle that was  
14 located out there?

01:55 15 A. Yes, I did.

16 Q. And what was that vehicle?

17 A. That was a, I think it was a 2006 Chrysler.

18 Q. That Chrysler, how was that Chrysler  
19 situated when you found it?

01:55 20 A. It was what you call centered, high  
21 centered. That's where a car, they tried to go over a  
22 curb and hit the curb and hit a couple of rocks and  
23 couldn't get over it. High centered the car so they  
24 couldn't get traction to keep moving. Do you guys

01:56 25 understand that?



01:56 1 A JUROR: Uh-huh.

2 BY MR. DICKERSON:

3 Q. Showing you here Grand Jury Exhibit 21, is

4 that that vehicle?

01:56 5 A. Yes, it is.

6 Q. Where is that located in relation to the

7 Walgreens?

8 A. I'd say that's probably about 800 meters or

9 so away. It's across the wall and down the street from

01:56 10 the robbery.

11 Q. And this was located shortly after the

12 robbery?

13 A. That's correct.

14 Q. Did you call out a crime scene analyst to

01:56 15 actually process that vehicle?

16 A. Yes, I did.

17 Q. Did that crime scene analyst, a crime scene

18 analyst by the name of Fletcher; is that correct?

19 A. That's correct.

01:56 20 Q. Did she process that vehicle under that

21 event number that we just talked about?

22 A. That's correct.

23 Q. And you became aware that there were latent

24 lift prints taken from that vehicle?

01:56 25 A. That's correct.

01:56 1 Q. Did you later submit those lift prints for  
2 analysis to the Las Vegas Metropolitan Police Department  
3 forensic lab?

4 A. Yes.

01:57 5 Q. Did you make contact with the owner of that  
6 vehicle?

7 A. Yes, I did.

8 Q. And who was that?

9 A. That was a Raynetta -- I forgot her last  
01:57 10 name. Raynetta --

11 Q. Smith?

12 A. Is that it? Look in the notes. I'm sorry.  
13 I should have said.

14 Q. Raynetta Shine, does that seem to ring a  
01:57 15 bell?

16 A. That's her.

17 Q. Did you determine whether Raynetta Shine  
18 had any relationship whatsoever with any of the two  
19 individuals that are the targets of this Grand Jury  
01:57 20 investigation?

21 A. Yes, I did.

22 Q. Specifically who?

23 A. It was Pinkney.

24 Q. And where was it that you first made  
01:57 25 contact with Miss Shine?

01:57 1 A. Okay. Out on the scene where the car was  
2 here, that's where I arrived on the scene at, and while  
3 we were doing our investigation you have people all over  
4 the place looking for evidence, you know, there's  
01:57 5 evidence sprawled out every place. And then what we  
6 received was a phone call from our dispatch stating  
7 there was a person that called in saying her car was  
8 stolen. Okay. And she identified who she was. So  
9 while we got that information, it was only like three to  
01:58 10 five minutes later this lady comes walking up saying I'm  
11 Raynetta so and so, that's my car. That's how we met  
12 her. That's how I got in contact with her.

13 Q. When you said that you indicated you were  
14 pointing. Is that what Miss Shine did when she pointed  
01:58 15 to the car?

16 A. She was saying that's my car.

17 Q. Did you talk to her at the scene?

18 A. Yes.

19 Q. What happened when you were talking to her?

01:58 20 A. She was talking, she said, she was very  
21 upset that her stuff was -- she said I just, she was  
22 very upset she said --

23 Q. I'm not going to ask you to tell us what  
24 she said except for anything that might be in direct  
01:58 25 relationship to something she observed right there.

01:58 1 A. Right. She explained her purpose of being  
2 there. I asked her did she want to do a statement on  
3 that. She did. While we were doing the statement, when  
4 she was telling me the whole reason her car being there  
01:59 5 and how she knew what, when and where, she goes there  
6 they are right there driving by. So she pointed them  
7 out. They drove past the scene.

8 Q. And what was the vehicle that she was  
9 pointing to when she said that?

01:59 10 A. It was a white Kia.

11 Q. Showing you here Grand Jury Exhibit 24.  
12 Does that appear to be that Kia?

13 A. That's it.

14 Q. And upon her pointing out that Kia did  
01:59 15 officers follow that vehicle?

16 A. Yes, they did.

17 Q. Did you ultimately respond to where that  
18 vehicle was stopped?

19 A. Yes, I did.

01:59 20 Q. Did you make contact with the occupants?

21 A. Yes, I did.

22 Q. One of those occupants specifically being  
23 Adrian Powell?

24 A. That's correct.

01:59 25 Q. And Lorenzo Pinkney?

01:59 1 A. That's correct.

2 Q. There was also three other occupants?

3 A. Yes.

4 Q. Two females?

01:59 5 A. Two females and one male.

6 Q. You interviewed all of these?

7 A. I interviewed all of them.

8 Q. Ultimately you decide to arrest Mr. Powell

9 and Mr. Pinkney?

02:00 10 A. That's correct.

11 Q. Why is it that you arrest these two?

12 A. Based off the information I discovered

13 during the interview with Miss Shine and based off the

14 information that I observed during the investigation,

02:00 15 looking at the size, physical descriptors of the persons

16 in the video surveillance of both robberies, based on

17 the clothing that they were wearing, the partial

18 clothing they were wearing during their, being taken

19 into custody.

02:00 20 Q. I'm showing you here Grand Jury Exhibit 8.

21 This is a still image from the Walgreens?

22 A. Right.

23 Q. And specifically I want to draw your

24 attention to the pants that are being worn by one of

02:00 25 these individuals.

02:00 1 A. That's correct.

2 Q. Did you recognize these pants outside of  
3 this image?

4 A. Yes, I did.

02:00 5 Q. Where did you see those pants?

6 A. The one with the red Spiderman mask,  
7 that's, he has on like a pair of like greenish drab  
8 color jeans with torn up holes in it, that style, that's  
9 the style. He was wearing, that was Adrian Powell, he  
02:01 10 was wearing those jeans.

11 Q. Mr. Powell was actually wearing those at  
12 the scene of the stop at the Kia?

13 A. That's correct.

14 Q. And you also noted Mr. Pinkney had on a  
02:01 15 black shirt; is that correct?

16 A. Right. Mr. Pinkney is the one wearing the  
17 shorts and the black jacket. Underneath that jacket is  
18 a black T-shirt that he wore. It's a black T-shirt --  
19 now a days they all sag and then while he's sagging he  
02:01 20 had on the longer T-shirt on it, that's the T-shirt he  
21 had on when we recovered him.

22 Q. How did you know he was wearing a black  
23 T-shirt?

24 A. Because I looked at all the surveillance  
02:01 25 videos. This particular still shot, if you look at the

02:01 1 actual video you'll see more of what I'm telling you.  
2 This is a still shot. You can see it on the video  
3 that's being shown.

4 Q. You also called crime scene analysts out to  
02:02 5 the area of that Walgreens?

6 A. Yes, I did.

7 Q. To process the Walgreens, the area around  
8 it where money was seen?

9 A. Money, clothing.

02:02 10 Q. Specific to clothing, some shorts?

11 A. The clothing that you see being worn right  
12 here, lots of those clothing was sprawled out all over  
13 the ground from their point of escape, from jumping the  
14 wall to running behind houses, dropping money, the  
02:02 15 evidence that they stole from the, the products that  
16 they stole from the drug store and clothing they were  
17 wearing, they just took it off and tried to run.

18 Q. The clothing that we're talking about, it  
19 appears as though there was a pair of shorts that were  
02:02 20 located?

21 A. Yes.

22 Q. Those shorts, are those consistent with  
23 what we're seeing here?

24 A. That's correct, that's the shorts that  
02:02 25 Powell was wearing. Check. That Pinkey's wearing.

02:02 1 Q. You then as you said had an opportunity to  
2 interview Mr. Powell and Mr. Pinkney?

3 A. Yes.

4 Q. Both of them after advising them of  
02:03 5 Miranda?

6 A. That's correct.

7 Q. Did either one of them say that they had  
8 any involvement with these robberies?

9 A. Not at all.

02:03 10 Q. So they denied having involvement?

11 A. They denied everything.

12 Q. As related to these two events, is there  
13 anything else that you find that you want to touch on as  
14 far as your investigation into these two robberies and  
02:03 15 these individuals?

16 A. Yes. How far do you want to go?

17 Q. As far as these two individuals,  
18 specifically these two robberies, what was it that you  
19 found there at the scene that led you to arrest these  
02:03 20 two individuals?

21 A. I'm only stalling because I only want to  
22 mention these two here.

23 Q. So let's stop right there. As far as the  
24 money that was inside the console of the Kia, was that  
02:03 25 consistent with other evidence that you found at the



02:03 1 scene?

2 A. That's correct, uh-huh.

3 Q. As far as money that was leading from the

4 Walgreens into the Avery Park area, is that consistent

02:04 5 with --

6 A. Yes.

7 Q. -- these vehicles being involved?

8 A. That's correct.

9 Q. Specifically the Chrysler?

02:04 10 A. Right. There was money from, there was

11 money and there was drug, drugs, when I talk about

12 product, it was drugs that were stolen from the

13 Walgreens. That was found sprawled out on the ground in

14 back of one of the residences, as well as clothing, as

02:04 15 well as money. It's all over the place.

16 Q. In addition you became aware that after

17 calling out crime scene analysts some of those bottles

18 of drugs that had been taken from the Walgreens was

19 processed for fingerprints?

02:04 20 A. That's correct.

21 Q. And you submitted those latent prints to

22 the lab for examination?

23 A. That's correct.

24 MR. DICKERSON: Ladies and gentlemen, I

02:04 25 have no further questions for this witness at this time.

02:04 1 Do you have any questions for him?

2 THE FOREPERSON: By law, these proceedings  
3 are secret and you are prohibited from disclosing to  
4 anyone anything that has transpired before us, including  
02:04 5 evidence and statements presented to the Grand Jury, any  
6 event occurring or statement made in the presence of the  
7 Grand Jury, and information obtained by the Grand Jury.

8 Failure to comply with this admonition is a  
9 gross misdemeanor punishable up to 364 days in the Clark  
02:04 10 County Detention Center and a \$2,000 fine. In addition,  
11 you may be held in contempt of court punishable by an  
12 additional \$500 fine and 25 days in the Clark County  
13 Detention Center.

14 Do you understand this admonition?

02:05 15 THE WITNESS: Yes, I do.

16 THE FOREPERSON: Thank you. You're  
17 excused.

18 MR. DICKERSON: State is recalling Kathryn  
19 Aoyoma.

02:05 20 THE FOREPERSON: You understand that you're  
21 still under oath?

22 THE WITNESS: Yes.

23 THE FOREPERSON: All right. You may be  
24 seated.

02:05 25 ///

02:05 1 KATHRYN AOYOMA,  
2 having been previously duly sworn by the Foreperson of  
3 the Grand Jury to testify to the truth, the whole truth,  
4 and nothing but the truth, testified as follows:

02:05 5  
6 FURTHER EXAMINATION

7  
8 BY MR. DICKERSON:

9 Q. Ma'am, you've already testified about your  
02:06 10 job with the Las Vegas Metropolitan Police Department  
11 forensic lab; correct?

12 A. Yes.

13 Q. Specific, when we last had you testify you  
14 testified to the first examination that you did in this  
02:06 15 case regarding a report that was issued on September 29,  
16 2017; is that right?

17 A. Yes, it is.

18 Q. Under Las Vegas Metropolitan event  
19 number 170928-0495?

02:06 20 A. Correct.

21 Q. And in addition to that there was another  
22 report that you issued; is that right?

23 A. Yes, there was.

24 Q. What was that report in reference to?

02:06 25 A. That report was a supplemental report for

02:06 1 three additional, the analysis of three additional  
2 latent print packets that were submitted after the first  
3 report was issued.

4 Q. If you could please go through those  
02:06 5 analyses and your results and conclusions one by one  
6 please.

7 A. Sure. In this case there were three  
8 additional latent print packets that were submitted.  
9 The first latent print packet was submitted by crime  
02:07 10 scene analyst Stephanie Fletcher and she processed a  
11 vehicle, a 2006 Chrysler 300, 4-door, VIN number, VIN  
12 number is --

13 Q. That's fine, you don't need --

14 A. Okay. She submitted 32 lift cards in that  
02:07 15 case and there were 15 that had AFIS quality latent  
16 prints on them.

17 Q. And so what did you do after determining  
18 that those 15 had AFIS quality prints?

19 A. I searched the latent prints in our AFIS  
02:07 20 data base, our Automated Fingerprint Identification  
21 System.

22 Q. And how is it that that works?

23 A. AFIS is a -- I apologize. AFIS is a data  
24 base of known prints. So if the known prints are in the  
02:08 25 system it could potentially hit against a latent print

02:08 1 that we're searching the system. But just because the  
2 known prints exist, they have various recordings of,  
3 some recordings are better than others of known prints,  
4 so just because something doesn't hit in AFIS doesn't

02:08 5 mean that the match isn't in the data base, it just  
6 means that it had missed it. But we do encode the  
7 latent print searching for a match and then we examine  
8 them side by side the latent lift card and the known  
9 exemplars to determine whether or not it's a match.

02:08 10 Q. And specifically here, first looking  
11 towards lift card Q14.

12 A. Q14 was a lift card from the exterior front  
13 left door window labeled number 3 and I searched it  
14 through AFIS and found, identified it to the left middle  
02:09 15 finger of Lorenzo Pinkney.

16 Q. Onto Q, card Q15.

17 A. Fifteen is from the exterior front left  
18 door window frame and that was labeled number 4 and it  
19 was identified to the left ring finger of Lorenzo  
02:09 20 Pinkney.

21 Q. And onto card Q16.

22 A. Q16 was from the exterior front left door  
23 window frame labeled number 5 and that was identified to  
24 the right middle finger of Adrian Powell.

02:09 25 Q. As far as Q18, what if anything did you

02:09 1 find?

2 A. Q18 was not identified. I searched it in

3 AFIS, it was negative.

4 Q. Okay. And on --

02:09 5 A. And compared to, did not much any of the

6 persons that I had to compare in this case that I had

7 previously identified in AFIS.

8 Q. Were there other cards that you had that

9 same result?

02:10 10 A. Correct.

11 Q. And that being Q25?

12 A. Yes.

13 Q. Q28?

14 A. No, Q28 was identified.

02:10 15 Q. Okay.

16 A. Q25 was not identified. Q35 was not

17 identified.

18 Q. Q36?

19 A. Q36 was not identified.

02:10 20 Q. Q --

21 A. That's all for that packet.

22 Q. Okay. And specifically the ones that were

23 identified, can we talk about those? Looking towards

24 Q20.

02:10 25 A. Q20 was a lift card that was taken from the

02:10 1 exterior rear left door window labeled number 9 and that  
2 was, there were two latent prints on the card that I  
3 labeled A and B. A was identified to the middle finger  
4 of Adrian Powell and B was identified to the ring finger  
02:11 5 of Adrian Powell.

6 Q. And lift card Q23?

7 A. Q23 was from the exterior left door frame  
8 labeled number 12 and that was searched in AFIS and  
9 identified to the right palm of Adrian Powell.

02:11 10 Q. And lift card Q29?

11 A. Q29 was from the exterior trunk lid labeled  
12 number 19 and that was searched in AFIS and identified  
13 to the left palm of Adrian Powell.

14 Q. And Q38?

02:11 15 A. Q38 was taken from the exterior trunk lid  
16 labeled number 28 and it was identified to the right  
17 index finger of Lorenzo Pinkney.

18 Q. And Q --

19 A. And then there were two additional packets.

02:11 20 Q. Okay.

21 A. That were submitted for analysis.

22 MR. DICKERSON: So based on that, ladies  
23 and gentlemen, I have no further questions for this  
24 witness. Do you have any questions for her at this  
02:12 25 time?

02:12 1 THE FOREPERSON: You're still under the  
2 admonition of not discussing what happened. Correct?  
3 THE WITNESS: Yes.  
4 THE FOREPERSON: You are excused.  
02:12 5 THE WITNESS: Thank you.  
6 MR. DICKERSON: At this time the State is  
7 going to ask you to withhold your deliberation and we  
8 will be back later this afternoon. Thank you.  
9 Never mind.  
02:13 10 Ladies and gentlemen, that concludes the  
11 presentation of evidence in the matter of Lorenzo  
12 Pinkney and Adrian Powell, Grand Jury case number  
13 17AGJ106AB. Is there any questions about the elements  
14 of the crimes as the crimes are charged including the  
02:13 15 additions from throughout the presentations of this case  
16 and earlier this morning and the way the elements have  
17 been instructed to you? Any questions about the  
18 evidence?  
19 Seeing no hands on either question. At  
02:13 20 this point in time the State submits this for your  
21 deliberation on each count and each count individually.  
22 Thank you.  
23 (At this time, all persons, other than  
24 members of the Grand Jury, exit the room at 2:13 p.m.  
02:13 25 and return at 2:18 p.m.)



02:18 1 THE FOREPERSON: Mr. District Attorney, by  
2 a vote of 12 or more grand jurors a true bill has been  
3 returned against defendant Lorenzo Pinkney and Adrian  
4 Powell charging the crimes of conspiracy to commit  
02:18 5 robbery, burglary while in possession of a deadly  
6 weapon, first degree kidnapping with use of a deadly  
7 weapon, robbery with use of a deadly weapon, and  
8 unlawful taking of vehicle, in Grand Jury case number  
9 17AGJ106AB. We instruct you to prepare an Indictment in  
02:18 10 conformance with the proposed Indictment previously  
11 submitted to us.

12 MR. DICKERSON: Thank you very much.

13 (Proceedings concluded.)

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02:18 1 **REPORTER'S CERTIFICATE**

2  
3 **STATE OF NEVADA** )  
4 : ss  
5 **COUNTY OF CLARK** )

02:18 6 I, Danette L. Antonacci, C.C.R. 222, do  
7 hereby certify that I took down in Shorthand (Stenotype)  
8 all of the proceedings had in the before-entitled matter  
9 at the time and place indicated and thereafter said  
02:18 10 shorthand notes were transcribed at and under my  
11 direction and supervision and that the foregoing  
12 transcript constitutes a full, true, and accurate record  
13 of the proceedings had.

14 Dated at Las Vegas, Nevada,  
02:18 15 November 21, 2017.

16  
17 /s/ Danette L. Antonacci

18 \_\_\_\_\_  
19 Danette L. Antonacci, C.C.R. 222

02:18

1

## AFFIRMATION

2

Pursuant to NRS 239B.030

3

4

The undersigned does hereby affirm that the  
preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER  
17AGJ106AB:

02:18

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8

X Does not contain the social security number of any  
person,

9

02:18

10

-OR-

11

\_\_\_ Contains the social security number of a person as  
required by:

12

13

A. A specific state or federal law, to-  
wit: NRS 656.250.

14

-OR-

02:18

15

16

B. For the administration of a public program  
or for an application for a federal or  
state grant.

17

18

/s/ Danette L. Antonacci

19

Signature

11-21-17

Date

02:18

20

21

Danette L. Antonacci

Print Name

22

23

Official Court Reporter

Title

24

25

	/	39/18
<b>A JUROR: [2]</b> 6/16 59/25	/s [2] 77/17 78/18	<b>19 [3]</b> 50/16 51/4 74/12
<b>BY MR. DICKERSON:</b> [7] 26/10 31/6 39/6 44/18 58/17 60/1 70/6	<b>0</b> <b>0314 [1]</b> 45/4 <b>0495 [4]</b> 40/14 45/7 59/3 70/19	<b>1:00 [1]</b> 6/22 <b>1:00 p.m [1]</b> 24/19
<b>BY MR. GIORDANI:</b> [2] 8/1 19/10	<b>1</b>	<b>1A [2]</b> 6/17 6/19
<b>MR. DICKERSON:</b> [13] 24/20 30/1 37/6 38/2 42/20 43/14 56/16 57/13 68/23 69/17 74/21 75/5 76/11	<b>1.77-millimeter</b> [1] 51/3 <b>10 [5]</b> 17/15 17/15 17/18 49/17 50/1	<b>2</b> <b>20 [1]</b> 51/8 <b>2006 [2]</b> 59/17 71/11
<b>MR. GIORDANI: [8]</b> 6/7 6/17 16/14 17/9 18/2 19/2 23/20 24/15	<b>10:57 [1]</b> 1/15 <b>11 [4]</b> 17/22 17/24 41/11 49/21	<b>2017 [7]</b> 1/14 2/1 6/1 26/19 31/13 70/16 77/15
<b>THE FOREPERSON:</b> [40]	<b>11-21-17 [1]</b> 78/18	<b>21 [4]</b> 48/6 48/16 60/3 77/15
<b>THE WITNESS: [35]</b>	<b>12 [4]</b> 26/16 32/20 74/8 76/2	<b>22 [2]</b> 48/4 48/16 <b>222 [3]</b> 1/25 77/6 77/18
<b>\$</b>	<b>13 [1]</b> 33/20 <b>14 [1]</b> 34/7 <b>15 [3]</b> 34/10 71/15 71/18	<b>23 [1]</b> 51/10 <b>239B.030 [1]</b> 78/2 <b>24 [3]</b> 53/25 54/24 63/11
<b>\$10 [1]</b> 36/12 <b>\$2,000 [7]</b> 17/1 24/7 29/19 37/19 43/7 57/5 69/10	<b>150 [1]</b> 36/10 <b>16 [1]</b> 50/4 <b>17 [2]</b> 50/12 78/18	<b>2490 [1]</b> 19/15 <b>25 [9]</b> 17/3 24/9 29/21 37/21 43/9 54/3 56/9 57/7 69/12
<b>\$40 [1]</b> 36/9 <b>\$5 [1]</b> 36/12 <b>\$500 [7]</b> 17/3 24/9 29/21 37/21 43/9 57/7 69/12	<b>170928-0314 [1]</b> 45/4 <b>170928-0495 [2]</b> 45/7 59/3 <b>17AG106AB [1]</b> 24/25	<b>28 [3]</b> 26/18 31/12 74/16 <b>28th [2]</b> 8/5 19/14
<b>-</b>	<b>17AGJ106AB [5]</b> 1/7 6/13 75/13 76/9 78/5	<b>29 [1]</b> 70/15 <b>2:00 p.m [1]</b> 6/23 <b>2:13 [1]</b> 75/24 <b>2:18 [1]</b> 75/25
<b>--oo0oo [1]</b> 76/14 <b>-OR [2]</b> 78/10 78/14	<b>18 [1]</b> 34/19 <b>18-month [1]</b>	<b>3</b> <b>300 [3]</b> 48/2 52/1 71/11 <b>32 [1]</b> 71/14

<b>3</b>	<b>9</b>	48/20 57/5 68/16 69/10 70/21 <b>additional [13]</b> 17/3 17/16 24/9 29/21 35/19 37/21 43/9 57/7 69/12 71/1 71/1 71/8 74/19 <b>additions [1]</b> 75/15 <b>address [4]</b> 32/23 33/3 35/1 50/8 <b>addresses [1]</b> 28/3 <b>administration [1]</b> 78/15 <b>administrative [1]</b> 39/23 <b>admonition [15]</b> 16/24 17/5 24/5 24/11 29/17 29/23 37/17 37/23 43/5 43/11 57/3 57/9 69/8 69/14 75/2 <b>ADRIAN [19]</b> 1/8 6/12 7/13 18/21 25/1 25/23 30/18 38/19 44/6 58/5 63/23 65/9 72/24 74/4 74/5 74/9 74/13 75/12 76/3 <b>advised [8]</b> 7/7 18/15 25/17 28/22 30/12 38/13 43/25 57/24 <b>advisement [7]</b> 7/14 18/22 25/24 30/19 38/20 44/7 58/6 <b>advising [1]</b> 67/4 <b>affirm [1]</b> 78/4
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<b>4</b>	<b>A</b>	
<b>4-door [1]</b> 71/11 <b>40 caliber [1]</b> 20/22 <b>4445 [2]</b> 41/25 42/12 <b>4449 [2]</b> 41/25 42/11 <b>4458 [1]</b> 35/9 <b>4462 [2]</b> 35/16 36/2 <b>4470 [3]</b> 8/9 26/20 45/7 <b>4500 [3]</b> 31/20 33/21 52/7 <b>4:00 [2]</b> 8/23 26/19 <b>4:00 in [1]</b> 8/24 <b>4:10 [1]</b> 8/23	<b>A-N-T-O-N-I-O [1]</b> 19/2 <b>A-O-Y-A-M-A [1]</b> 38/25 <b>a.m [4]</b> 1/15 2/20 26/19 31/14 <b>Abaraca [1]</b> 41/16 <b>ability [3]</b> 6/7 21/8 21/24 <b>able [6]</b> 12/23 20/16 28/12 28/25 47/20 52/7 <b>about [28]</b> <b>above [1]</b> 33/9 <b>Abrianna [1]</b> 9/11 <b>absent [1]</b> 11/17 <b>access [2]</b> 8/15 11/9 <b>accurate [1]</b> 77/12 <b>accurately [1]</b> 6/6 <b>across [1]</b> 60/9 <b>actual [2]</b> 50/22 66/1 <b>actually [8]</b> 33/7 34/16 36/18 36/21 51/5 51/17 60/15 65/11 <b>add [2]</b> 17/16 17/22 <b>addition [11]</b> 17/1 24/7 29/19 36/1 37/19 43/7	
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<b>5-dollar [1]</b> 35/15 <b>5:00 a.m [1]</b> 26/19		
<b>6</b>		
<b>656.250 [1]</b> 78/13		
<b>7</b>		
<b>7 o'clock [1]</b> 31/14		
<b>8</b>		
<b>800 meters [1]</b> 60/8		

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<b>again [1]</b> 14/10	<b>analyst [6]</b> 31/10 41/11 60/14 60/17 60/18 71/10	<b>appear [6]</b> 27/21 28/17 31/22 53/25 56/3 63/12
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<b>black [15]</b> 12/25 20/21 22/1 22/3 35/5 35/8 35/23 35/23 55/20 55/22 65/15 65/17 65/18 65/18 65/22	<b>C-R-U-Z [1]</b> 26/4 <b>C.C.R [3]</b> 1/25 77/6 77/18 <b>C327767 [1]</b> 1/7 <b>caliber [1]</b> 20/22 <b>California [1]</b> 39/16	51/5 <b>case [21]</b> 6/11 6/12 6/22 24/25 29/3 36/17 36/24 40/9 40/10 42/19 45/2 52/19 59/1 70/15 71/7 71/15 73/6 75/12 75/15 76/8 78/4
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<b>T-I-F-N-I-E [1]</b> 7/18	58/15 70/4 70/9 70/14	<b>these [32]</b>
<b>T-O-O-M-E-R [1]</b> 58/11	<b>testify [11]</b> 7/22	<b>they [37]</b>
<b>T-shirt [5]</b> 65/18 65/18 65/20 65/20 65/23	8/19 17/20 19/7 26/7 31/3 39/3 44/15 58/14 70/3 70/13	<b>They're [1]</b> 34/2 <b>thin [1]</b> 21/11 <b>thing [3]</b> 15/4 22/8 28/11
<b>T-U-L-L-I-O [1]</b> 44/12	<b>testimony [14]</b> 7/1 7/8 18/9 18/16 25/11 25/18 30/6 30/13 38/7 38/14 43/19 44/1 57/18 57/25	<b>things [1]</b> 10/1 <b>think [3]</b> 11/23 13/17 59/17 <b>thinking [1]</b> 11/17
<b>Tacos [3]</b> 19/15 45/3 45/13	<b>than [3]</b> 55/25 72/3 75/23	<b>third [3]</b> 36/18 47/24 56/3
<b>take [6]</b> 14/12 15/8 23/5 23/19 32/15 48/20	<b>Thank [16]</b> 17/7 17/9 24/13 24/15 24/19 29/25 37/25 38/2 43/13 57/11 57/13 69/16 75/5 75/8 75/22 76/12	<b>this [114]</b> <b>Thomas [3]</b> 30/3 30/23 31/1 <b>those [25]</b> 15/17 34/10 34/12 34/16 36/11 40/20 40/25 41/8 41/14 41/15 47/10 51/15 61/1 63/22 65/5 65/10 65/11 66/12 66/22 66/22 68/17 68/21 71/4 71/18 73/23
<b>taken [7]</b> 1/13 32/15 60/24 64/18 68/18 73/25 74/15	<b>that [308]</b> <b>that's [54]</b> <b>their [6]</b> 9/9 27/9 46/7 47/6 64/18 66/13	<b>though [2]</b> 47/10 66/19
<b>takes [1]</b> 39/24	<b>them [18]</b> 23/2 23/3 23/4 23/5 28/22 41/13 45/4 47/6 49/4 49/8 49/9 63/6 64/7 67/4 67/4 67/7 71/16 72/8	<b>threat [2]</b> 53/20 53/20
<b>taking [11]</b> 7/12 15/20 16/4 16/12 18/20 25/22 30/17 38/18 44/5 58/4 76/8	<b>themselves [1]</b> 40/22	<b>threatened [1]</b> 16/10
<b>talk [4]</b> 56/17 62/17 68/11 73/23	<b>then [33]</b>	<b>three [7]</b> 37/2 41/12 62/9 64/2 71/1 71/1 71/7
<b>talked [2]</b> 56/5 60/21	<b>there [95]</b>	<b>threw [1]</b> 12/8
<b>talking [4]</b> 12/17 62/19 62/20 66/18	<b>there's [5]</b> 10/6 11/4 16/3 50/10	<b>through [11]</b> 11/5 11/7 32/16 39/17 41/8 47/20 48/21
<b>tape [1]</b> 51/12		
<b>targets [1]</b> 61/19		
<b>tell [9]</b> 10/21 15/3 27/1 32/16 41/21 42/9 48/21 49/5 62/23		
<b>telling [2]</b> 63/4 66/1		
<b>testified [10]</b>		

<b>T</b>	<b>traction [1]</b> 59/24	64/4 64/5 64/11 67/12 67/14 67/17 67/18 67/20 67/22 74/2 74/19
<b>through... [4]</b> 49/4 49/5 71/4 72/14	<b>traffic [5]</b> 53/1 53/3 53/8 53/10 56/13	<b>tying [1]</b> 36/19
<b>throughout [5]</b> 16/6 33/16 35/20 36/3 75/15	<b>training [2]</b> 39/13 39/18	<b>type [3]</b> 47/16 47/23 53/15
<b>thumb [1]</b> 42/5	<b>transcribe [1]</b> 6/6	<b>typical [1]</b> 14/6
<b>Tifnie [4]</b> 7/18 7/20 17/20 17/25	<b>transcribed [1]</b> 77/10	<b>typically [1]</b> 49/1
<b>time [27]</b>	<b>transcript [3]</b> 1/19 77/12 78/4	<b>U</b>
<b>times [2]</b> 53/2 53/7	<b>transpired [7]</b> 16/20 24/1 29/13 37/13 43/1 56/24 69/4	<b>uh [2]</b> 60/1 68/2
<b>Title [1]</b> 78/23	<b>tried [4]</b> 20/3 20/5 59/21 66/17	<b>uh-huh [2]</b> 60/1 68/2
<b>today [12]</b> 6/14 7/7 8/20 18/15 25/17 30/12 38/13 40/9 43/25 45/3 45/12 57/24	<b>true [2]</b> 76/2 77/12	<b>ultimately [5]</b> 10/12 15/25 40/16 63/17 64/8
<b>told [3]</b> 10/6 11/10 15/22	<b>trunk [3]</b> 55/4 74/11 74/15	<b>under [10]</b> 40/13 40/16 45/3 45/7 59/1 60/20 69/21 70/18 75/1 77/10
<b>too [2]</b> 13/20 13/25	<b>truth [45]</b>	<b>underneath [2]</b> 32/11 65/17
<b>took [14]</b> 11/18 15/17 21/2 21/5 21/12 22/18 22/19 22/25 29/4 32/3 32/17 53/14 66/17 77/7	<b>trying [2]</b> 15/20 27/12	<b>undersigned [1]</b> 78/4
<b>Toomer [5]</b> 56/15 56/18 57/15 58/10 58/12	<b>Tuesday [1]</b> 1/14	<b>understand [16]</b> 7/14 17/5 18/22 24/11 25/24 29/23 30/19 37/23 38/20 43/11 44/7 57/9 58/6 59/25 69/14 69/20
<b>top [1]</b> 34/16	<b>Tullio [3]</b> 43/16 44/11 44/13	<b>understood [4]</b> 23/6 23/11 23/14 23/18
<b>torn [1]</b> 65/8	<b>turn [2]</b> 20/3 52/25	<b>unit [3]</b> 39/12 52/21 53/13
<b>total [2]</b> 36/3 36/10	<b>turned [6]</b> 20/18 21/17 21/21 27/11 27/13 52/23	<b>units [5]</b> 28/21 28/24 52/19 52/22 53/12
<b>touch [1]</b> 67/13	<b>twenties [1]</b> 36/13	
<b>touching [1]</b> 13/5	<b>two [24]</b> 6/20 11/4 19/24 35/15 36/4 37/2 41/12 41/14 47/2 47/3 53/22 56/12 61/18	
<b>towards [6]</b> 27/13 28/7 28/8 28/19 72/11 73/23		

U	V	Walgreens [36]
<b>University [1]</b> 39/15	<b>V-A-L-L-E-J-O [1]</b> 19/2	<b>walk [1]</b> 27/12
<b>unlawful [8]</b> 7/12 18/20 25/22 30/17 38/18 44/5 58/4 76/8	<b>Vallejo [3]</b> 19/1 19/2 19/5	<b>walked [5]</b> 10/2 10/20 11/19 11/21 15/21
<b>unmarked [1]</b> 53/13	<b>value [2]</b> 39/21 42/15	<b>walking [6]</b> 10/7 11/20 13/25 16/2 27/7 62/10
<b>until [1]</b> 20/18	<b>various [1]</b> 72/2	<b>wall [4]</b> 49/18 49/19 60/9 66/14
<b>up [23]</b> 12/8 15/6 15/20 16/25 20/8 20/11 21/22 22/5 24/6 28/23 29/4 29/18 36/19 37/18 43/6 46/12 50/19 52/14 56/18 57/4 62/10 65/8 69/9	<b>Vegas [14]</b> 1/13 6/1 26/14 26/23 31/11 39/10 40/13 44/22 58/21 59/2 61/2 70/10 70/18 77/14	<b>want [13]</b> 8/4 9/19 12/1 19/13 22/23 23/13 48/20 58/25 63/2 64/23 67/13 67/16 67/21
<b>upon [12]</b> 7/2 18/10 25/12 30/7 31/25 37/1 38/8 42/2 43/20 53/8 57/19 63/14	<b>vehicle [44]</b> <b>vehicles [1]</b> 68/7 <b>versus [3]</b> 6/12 18/4 25/1	<b>wanted [1]</b> 12/9 <b>was [216]</b> <b>Washington [1]</b> 52/23
<b>upset [2]</b> 62/21 62/22	<b>very [6]</b> 21/11 22/2 24/19 62/20 62/22 76/12	<b>wasn't [2]</b> 11/15 55/4
<b>us [17]</b> 15/12 16/20 21/9 24/1 27/11 27/13 29/13 32/13 35/19 37/13 43/1 45/2 56/24 59/1 62/23 69/4 76/11	<b>victim [5]</b> 17/19 17/20 17/25 52/1 52/2	<b>watched [1]</b> 16/2 <b>watching [1]</b> 46/5 <b>WATTS [1]</b> 2/16
<b>use [18]</b> 7/11 7/11 17/17 17/22 18/19 18/19 25/21 25/21 30/16 30/16 38/17 38/17 44/4 44/4 58/3 58/3 76/6 76/7	<b>victims [1]</b> 51/12 <b>video [6]</b> 46/8 47/18 47/20 64/16 66/1 66/2	<b>way [4]</b> 11/7 48/12 48/12 75/16
<b>used [1]</b> 51/5	<b>videos [1]</b> 65/25	<b>we [60]</b>
<b>utilize [1]</b> 39/21	<b>view [1]</b> 45/22 <b>viewed [1]</b> 47/18 <b>VIN [2]</b> 71/11 71/11	<b>we'll [2]</b> 12/11 49/5
	<b>voice [2]</b> 53/13 53/13	<b>we're [5]</b> 6/21 33/10 66/18 66/23 72/1
	<b>VOLUME [1]</b> 1/21	<b>we've [1]</b> 56/12
	<b>vote [1]</b> 76/2	<b>weapon [26]</b> 7/10 7/11 7/12 17/17 17/23 18/18 18/19 18/20 25/20 25/21 25/22 30/15 30/16 30/17 38/16 38/17 38/18 44/3 44/4 44/5 58/2 58/3
	<b>W</b>	
	<b>wad [1]</b> 54/4	
	<b>waited [1]</b> 22/23	

<b>W</b>	49/2 49/19 50/14 51/11 51/12 52/8	56/20 57/14 68/25 74/24
<b>weapon...</b> [4] 58/4 76/6 76/7 76/7	<b>while</b> [14] 7/9 18/17 20/1 21/20 25/19 30/14 38/15	<b>witnesses</b> [2] 3/1 6/21
<b>wearing</b> [23] 12/12 13/3 13/4 21/5 21/6 21/25 22/6 22/7 27/8 47/8 47/13 47/14 47/22 64/17 64/18 65/9 65/10 65/11 65/16 65/22 66/17 66/25 66/25	44/2 58/1 62/2 62/9 63/3 65/19 76/5 <b>white</b> [7] 22/1 34/2 54/1 54/6 54/21 54/25 63/10	<b>word</b> [1] 10/1 <b>wore</b> [1] 65/18 <b>work</b> [1] 37/3 <b>worked</b> [1] 36/25 <b>workers</b> [3] 22/16 22/17 22/21
<b>well</b> [9] 8/16 9/11 11/9 13/23 34/5 48/6 49/7 68/14 68/15	<b>who</b> [15] 6/13 11/10 13/14 19/19 23/9 36/20 36/24 53/16 54/14 55/17 55/23 56/18 61/8 61/22 62/8	<b>working</b> [3] 8/5 23/11 46/1 <b>works</b> [2] 37/5 71/22
<b>went</b> [10] 15/18 22/20 22/20 34/15 35/2 37/4 39/17 47/18 52/6 52/17	<b>Who's</b> [1] 55/9 <b>whole</b> [17] 7/3 7/22 12/21 18/11 19/7 25/13 26/7 30/8 31/3 38/9 39/3 43/21 44/15 57/20 58/14 63/4 70/3	<b>worn</b> [2] 64/24 66/11 <b>would</b> [12] 14/7 15/3 17/18 17/23 17/25 22/16 32/25 36/9 36/22 40/13 51/2 51/5
<b>were</b> [78] <b>weren't</b> [1] 23/15 <b>west</b> [2] 35/9 52/16	<b>why</b> [2] 16/12 64/11	<b>writing</b> [1] 42/20
<b>what</b> [71] <b>what's</b> [5] 19/22 26/15 27/20 33/19 58/23	<b>will</b> [5] 6/17 24/18 25/2 36/6 75/8	<b>Y</b>
<b>whatever</b> [4] 12/10 12/15 40/2 40/2	<b>window</b> [6] 11/16 16/3 72/13 72/18 72/23 74/1	<b>Y-E-N-E-I-R</b> [1] 9/12
<b>whatsoever</b> [1] 61/18	<b>wit</b> [1] 78/13	<b>yard</b> [4] 35/7 35/13 35/20 35/21
<b>when</b> [38] <b>where</b> [29] <b>where's</b> [1] 13/22 <b>whether</b> [3] 48/17 61/17 72/9	<b>withhold</b> [1] 75/7 <b>Without</b> [1] 32/21 <b>witness</b> [16] 16/16 17/11 18/1 23/22 25/7 29/7 29/9 30/2 37/9 38/3 42/23 43/15	<b>yards</b> [1] 50/10 <b>yeah</b> [18] 10/19 12/19 12/22 12/22 12/25 13/8 16/2 20/11 20/15 21/14 21/16 22/15 34/24 47/12 47/15 49/16 50/9 51/3
<b>which</b> [10] 9/6 28/5 32/6 48/12		<b>year</b> [2] 8/5 19/14 <b>yellow</b> [2] 34/23 34/24 <b>Yenir</b> [11] 9/11

**Y****Yenir...** [10]

10/8 13/15 13/16

13/20 13/22 14/18

15/3 15/22 17/19

17/24

**yes** [116]**you** [330]**you'll** [1] 66/1**you're** [14] 11/23

13/18 14/5 17/7

20/8 24/13 32/25

37/25 40/3 51/14

57/11 69/16 69/20

75/1

**you've** [1] 70/9**your** [58]**Z****ZAVALA** [1] 2/17



Felony/Gross Misdemeanor

COURT MINUTES

July 30, 2018

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

---

July 30, 2018                      12:30 PM      Jury Trial

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

COURT CLERK: Klein, Kathy

RECORDER:      Chappell, Judy

REPORTER:

PARTIES PRESENT:

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

**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

07/31/18 11:00 AM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2018

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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: Klein, Kathy

RECORDER:      Chappell, Judy

REPORTER:

PARTIES PRESENT:

Adrian Powell	Defendant
John Giordani	Attorney for Defendant, Plaintiff
Michael C Kane	Attorney for Defendant
Michael Dickerson	Attorney for Plaintiff
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;

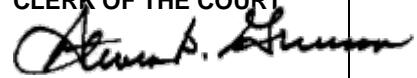
COUNTS 1 AND 8 - CONSPIRACY TO COMMIT ROBBERY (F)  
COUNTS 2 AND 9 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (F)  
COUNTS 3 AND 13 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F)  
COUNTS 4,5,6,7,10,11 AND 14 - ROBBERY WITH USE OF A DEADLY WEAPON (F)

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 &amp; 13 &amp; 14)



1 RTRAN

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5 STATE OF NEVADA,

6 Plaintiff,

7 vs.

8 LARENZO PINKEY,  
9 aka Lorenzo Pinkney, and  
10 ADRIAN POWELL,

11 Defendants.  
12

CASE NO. C-17-327767-1, 2

DEPT. XXVIII

13 BEFORE THE HONORABLE RONALD J. ISRAEL, DISTRICT COURT JUDGE

14 TUESDAY, JULY 31, 2018

15 **RECORDER'S TRANSCRIPT OF**  
16 **JURY TRIAL - DAY 2**  
17 **GUILTY PLEA AGREEMENTS**

18 APPEARANCES:

19 For the Plaintiff:

JOHN L. GIORDANI, III, ESQ.  
Chief Deputy District Attorney  
MICHAEL DICKERSON, ESQ.  
Deputy District Attorney

22 For Defendant Pinkney:

BENJAMIN DURHAM, ESQ.

23 For Defendant Powell:

MICHAEL KANE, ESQ.

24  
25 RECORDED BY JUDY CHAPPELL, COURT RECORDER

1 Tuesday, July 31, 2018 - Las Vegas, Nevada

2 [Proceedings begin at 1: 41 p.m.]

3 [Out of the presence of the Jury]

4  
5 THE MARSHAL: Remain seated. Come to order. The trial again is in  
6 session.

7 THE COURT: Okay. Case C327767, State of Nevada versus Lorenzo  
8 Pinkney and Adrian Powell. Let the record reflect Defendants are present.

9 Counsel, state your appearance.

10 MR. DURHAM: Ben Durham on behalf of Mr. Pinkney, Your Honor. He's  
11 present in custody.

12 MR. KANE: Michael Kane on behalf of Mr. Powell.

13 MR. GIORDANI: John Giordani and Mike Dickerson on behalf of the State.

14 THE COURT: Okay. It's my understanding that the Defendants have  
15 decided to accept a guilty plea agreement?

16 MR. DURHAM: That's correct, Your Honor. I can state briefly the  
17 substance of the negotiations, and I believe they're identical as to both.

18 MR. GIORDANI: Yes.

19 MR. DURHAM: Mister -- regarding Mr. Pinkney and Mr. Powell, they'll be  
20 entering guilty pleas to the counts as charged in the amended indictment. The  
21 State at the time of sentencing retains the full right to argue; however, they agree  
22 not to seek a life sentence on any of the counts that the Defendants are pleading  
23 guilty to.

24 The State will agree not to file charges on the ten separate event  
25 numbers that are listed on page 2 of the plea agreement, but the State does retain

1 the right to argue the facts and circumstances surrounding those events. The  
2 Defense will take no position at sentencing regarding those event numbers. These  
3 agreements are contingent upon Mr. Pinkney and Mr. Powell entering guilty pleas  
4 in this case.

5 MR. GIORDANI: And following through to sentencing and adjudication.

6 THE COURT: Okay. I'm going to do these one at a time and very,  
7 hopefully, carefully. Let's start off, Mr. Pinkey --

8 MR. DURHAM: Your Honor, for the record, his last name is Pinkney, with  
9 an N.

10 THE COURT: Oh.

11 MR. DURHAM: I'm guessing there was a typo along the way.

12 THE COURT: Pinkney? Okay. Then tell me how --

13 MR. DURHAM: Pinkney.

14 THE COURT: Tell me how it actually is spelled.

15 MR. DURHAM: Under the AKA in the caption, that's the correct spelling.

16 THE COURT: Oh. P-I-N-K-N-E-Y, Pinkney. Did I say that right this time?

17 MR. DURHAM: Yes, thank you.

18 THE COURT: Okay. Well, let's make it easy. Sir, state your full name and  
19 spell it.

20 DEFENDANT PINKEY: Lorenzo Pinkney, L-A-R-E-N-Z-O; last name  
21 Pinkney, P-I-N-K-N-E-Y.

22 THE COURT: And how old are you?

23 DEFENDANT PINKNEY: I'm 22, Your Honor.

24 THE COURT: How far did you go in school?

25 DEFENDANT PINKNEY: I never got my high school diploma or I never

1 got a GED, but I'm planning on getting that.

2 THE COURT: Do you have any sort of learning disability of any kind?

3 DEFENDANT PINKNEY: Yes, I grew up with a learning disability. I had  
4 an IEP, and I grew up with a lot like behavior, like my behavior. I got the  
5 information on that, too. Benjamin, he got status on that stuff, stating that type of  
6 stuff.

7 THE COURT: Okay. Do you read, write and understand the English  
8 language?

9 DEFENDANT PINKNEY: Yes.

10 THE COURT: And English your primary language?

11 DEFENDANT PINKNEY: Yes, sir.

12 THE COURT: Have you been treated recently for any mental illness or  
13 addiction of any kind?

14 DEFENDANT PINKNEY: I have in the past, but not recently.

15 THE COURT: Okay. Has anyone ever suggested to you that be treated for  
16 mental illness or an emotional condition?

17 DEFENDANT PINKNEY: Well, yeah, but -- and no. I say yeah and no.  
18 It's a yeah on the -- on the mental affect, it has been where they wanted me to get  
19 treated, but I just hadn't.

20 THE COURT: Okay. Are you currently under the influence of any drug,  
21 medication or alcoholic beverage?

22 DEFENDANT PINKNEY: No, sir.

23 THE COURT: Have you been on any medication during your time in jail?

24 DEFENDANT PINKNEY: No, sir.

25 THE COURT: Have you received a copy of the indictment -- or the guilty

1 plea agreement?

2 DEFENDANT PINKNEY: Yes, I have.

3 THE COURT: Have you discussed this case with your attorney?

4 DEFENDANT PINKNEY: Yes.

5 THE COURT: Are you satisfied with his representation and the advice  
6 given to you by your attorney?

7 DEFENDANT PINKNEY: Yes, I have. Or, yes, I am. Sorry.

8 THE COURT: Okay. And as to the guilty plea agreement, are you  
9 pleading guilty to Counts 1 through 8, conspiracy to commit robbery --

10 MR. GIORDANI: No, 1 and 8.

11 THE COURT: Oh, 1 and 8, sorry, conspiracy to commit robbery. Counts 2  
12 and 9, burglary while in possession of a deadly weapon, and Counts 3 and 13, first  
13 degree kidnapping with the use of a deadly weapon, and Counts 4, 5, 6, 7, 10, 11  
14 and 14, robbery with the use of a deadly weapon, and Count 12, unlawful taking of  
15 a vehicle?

16 DEFENDANT PINKNEY: Yes, I do.

17 THE COURT: And do you understand all the -- have you read a copy of  
18 the guilty plea agreement?

19 DEFENDANT PINKNEY: Yes, I read over it, sir.

20 THE COURT: And do you understand everything contained in the guilty  
21 plea agreement?

22 DEFENDANT PINKNEY: Yes.

23 THE COURT: And you had an opportunity to discuss this with your  
24 attorney?

25 DEFENDANT PINKNEY: Yes.

1 THE COURT: And if you had any questions, did he answer your  
2 questions?

3 DEFENDANT PINKNEY: Yes, he did.

4 THE COURT: Do you have any questions of me regarding that at this  
5 time?

6 DEFENDANT PINKNEY: No, Your Honor.

7 THE COURT: And as to the charges in the guilty plea agreement that I  
8 just discussed, how are you -- or how are you pleading?

9 DEFENDANT PINKNEY: Pleading guilty.

10 THE COURT: And is it because in truth and in fact you committed the  
11 charges listed in the guilty plea agreement?

12 DEFENDANT PINKNEY: Yes.

13 THE COURT: Are you making this plea freely and voluntarily?

14 DEFENDANT PINKNEY: Yes, I am, sir.

15 THE COURT: Has anyone forced or threatened you or anyone close to  
16 you to get you to enter this plea?

17 DEFENDANT PINKNEY: No, sir.

18 THE COURT: Has anyone made any promises other than what's stated in  
19 the guilty plea agreement to get you to answer this guilty plea agreement?

20 DEFENDANT PINKNEY: No.

21 THE COURT: And do you understand that as a part of the guilty plea  
22 agreement, although you are not admitting to these crimes, that the State will be  
23 allowed to argue these crimes as I'm about to list for you at the time of sentencing?  
24 And I'll go through these each, so you understand. They're all contained on page 2  
25 of the guilty plea agreement.



1 That, one, an armed robbery at 7-Eleven located 4800 West  
2 Washington on June 5th; two armed robbery at Roberto's located at 6650  
3 Las [sic] -- in Las Vegas on June 14th; three, an armed robbery at Pepe's Taco,  
4 1401 North Decatur on June 18th; four, an armed robbery at Roberto's located at  
5 2685 Eastern on July 1st; five, an armed robbery at Pizza Bakery located at 6475  
6 West Charleston on August 12th.

7 Six, an armed robbery at Terrible Herbst's located at 6380 West  
8 Charleston on August 17th; seven, an armed robbery at Rebel located at 6400  
9 West Lake Mead on August 17th; eight, an armed robbery at Roberto's located at  
10 6820 West Flamingo on August 24th; nine, an armed robbery at Roberto's located  
11 at 907 North Rainbow on August 24th; ten, an armed robbery at Pepe's Taco  
12 located at 1401 North Decatur on August 25th.

13 Do you understand by signing this guilty plea agreement, you're not  
14 admitting to these additional ten robberies, however, the State will be allowed to  
15 use those at time of sentencing? Do you understand that?

16 DEFENDANT PINKNEY: Yes.

17 THE COURT: And you're agreeable to the same? You're agreeable to  
18 that?

19 DEFENDANT PINKNEY: Yes, I am.

20 THE COURT: Okay. And I'm showing you a copy -- actually, the original --

21 THE CLERK: It's a copy. I have the original.

22 THE COURT: Okay. I'm showing you -- it's the wrong one. All right.  
23 That's the right one, yes. The original of the guilty plea agreement, and on page 7,  
24 is this your signature?

25 DEFENDANT PINKNEY: Yes, it is.

1 THE COURT: Okay. Before you signed it, again, did you read and discuss  
2 it with your attorney?

3 DEFENDANT PINKNEY: Yes.

4 THE COURT: And again, just to be clear, did you understand everything  
5 contained in the guilty plea agreement?

6 DEFENDANT PINKNEY: Yes, I did, sir.

7 THE COURT: Do you understand that the constitutional rights you're  
8 giving up by -- do you understand that there are constitutional rights you are giving  
9 up by entering a guilty plea agreement?

10 DEFENDANT PINKNEY: Yes, sir.

11 THE COURT: And do you understand that you have a right to appeal on  
12 reasonable constitutional, jurisdictional or other grounds that challenge the legality  
13 of the proceedings?

14 DEFENDANT PINKNEY: Yes, sir.

15 THE COURT: What's the range of punishment on this?

16 MR. GIORDANI: It's different for the different counts.

17 MR. DURHAM: Do you want me to state that or --

18 MR. GIORDANI: I can --

19 THE COURT: Yeah, go ahead and state the range.

20 MR. DURHAM: Your Honor, on Counts of 1 and 8, the sentencing range is  
21 1 to 6 years in the Nevada Department of Corrections. On the Counts of 2 and 9,  
22 burglary while in possession of a deadly weapon, the potential sentence is 2 to 15  
23 years in the Nevada Department of Corrections. First degree kidnapping with use  
24 of a deadly weapon, the potential sentence as set forth in the plea agreement is  
25 5 to life or 5 to 15, with an equal -- I'm sorry, with a consecutive 1 to 15 for the

1 deadly weapon enhancement.

2           On the robbery counts, the potential sentence is 2 to 15 years, plus a  
3 consecutive 1 to 15. And the unlawful taking of a vehicle is a gross misdemeanor,  
4 with a sentence of up to 364 days in the Clark County Detention Center.

5 I've -- for the record, I've explained to my client that the minimum possible  
6 sentence in this case that he could receive is six years on the bottom end.

7           THE COURT: And the maximum ?

8           MR. DURHAM: The maximum is a lot. We -- we didn't calculate that.

9           THE COURT: Because of the multiple counts?

10          MR. DURHAM: Correct.

11          THE COURT: Do you understand the range of punishment?

12          DEFENDANT PINKNEY: Yes, sir.

13          THE COURT: Okay. I think we better put that on max range in there.

14          MR. GIORDANI: If I may, Your Honor?

15          THE COURT: Go ahead.

16          MR. GIORDANI: As long as both Mr. Pinkney and Mr. Powell understand  
17 the range for each count --

18          THE COURT: Okay.

19          MR. GIORDANI: -- as just described by Mr. Durham as set forth.

20          THE COURT: Okay.

21          MR. GIORDANI: And then also they understand sentencing is completely  
22 up to the Court, and if the Court can count -- either run the counts concurrent or  
23 run the counts consecutive.

24          THE COURT: Okay. That's the next sentences of my script, even though  
25 I've got all this memorized. So you understand the individual range of punishments

1 on each of the counts?

2 DEFENDANT PINKNEY: I wasn't told the maximum, but I understand.

3 THE COURT: No, the range for each of the counts.

4 DEFENDANT PINKNEY: Yes, sir.

5 THE COURT: And do you understand that sentencing is entirely up to me?

6 DEFENDANT PINKNEY: Yes, sir.

7 THE COURT: I can -- it's at my discretion. And do you understand that the  
8 counts can be run consecutively or concurrently? Once again, that's up to me.

9 DEFENDANT PINKNEY: Yes, sir.

10 THE COURT: And no one is in an position to promise you probation,  
11 leniency or any special treatment; do you understand that?

12 DEFENDANT PINKNEY: Oh, yeah, I understand that, sir.

13 THE COURT: And in the -- do I need to restate the information, what  
14 exactly he did?

15 MR. DURHAM: Your Honor, pursuant to the plea agreement, we will be  
16 willing to stipulate to the factual basis as set forth in the amended indictment.  
17 From our perspective, it wouldn't be necessary.

18 THE COURT: Do you want me to go through it?

19 MR. GIORDANI: Or he could just say it in his own words. I mean, it  
20 encompasses two events over the course of like three hours, so --

21 THE COURT: Okay. What is it you did on or about -- where's the date?

22 MR. DURHAM: December 28th, 2017, Your Honor.

23 THE COURT: Thank you. What is it that you did to cause you to plead  
24 guilty?

25 DEFENDANT PINKNEY: I committed -- I went to an establishment, and I

1 committed two robberies, two more robberies, sir.

2 THE COURT: What were the establishments?

3 DEFENDANT PINKNEY: It was a Pepe's, and another one was  
4 Walgreen's, sir.

5 THE COURT: All right. Do you have any questions you'd like to ask me or  
6 your attorney before I accept this plea?

7 DEFENDANT PINKNEY: No, sir. Not questions, sir, no.

8 THE COURT: The Court finds the Defendant's plea of guilty is freely and  
9 voluntarily made, and the Defendant understands the nature of the offenses and  
10 the consequences of his plea and, therefore, accepts the guilty plea. The matter is  
11 referred to Parole & Probation for a PSI report.

12 MR. GIORDANI: Your Honor, before you move on, can I ask one more  
13 thing of the Court?

14 THE COURT: Sure.

15 MR. GIORDANI: Just with regard to your first few questions of Mr.  
16 Pinkney where he indicated he had an IEP, a learning program, learning disabilities  
17 growing up, can we just be clear on the record that Mr. Pinkney had sufficient time  
18 with his attorney -- it's been a couple hours, I think, since we broke and started  
19 really getting into the meat of this -- understood fully both the written words and,  
20 you know, the conversations that he had with his attorney.

21 MR. DURHAM: Your Honor, I signed the certificate of counsel, which  
22 indicates that I believe he's fully competent to enter the plea; that I went over it with  
23 him.

24 THE COURT: Okay.

25 MR. DURHAM: And so I would just ask the Court to adopt that as part of

1 the plea agreement.

2 THE COURT: That's fine, and I certainly think I've asked him three times at  
3 least now if he had any questions regarding this, and he's advised me that he does  
4 not. And you had plenty of time, for the record, to go over this with your attorney  
5 since it's now 1:30 and you first met with him approximately 11:00 a.m., correct?

6 DEFENDANT PINKNEY: Yes.

7 THE COURT: You had plenty of time to discuss this?

8 DEFENDANT PINKNEY: Yes, sir.

9 THE COURT: And once again, you have no questions regarding the  
10 agreement?

11 DEFENDANT PINKNEY: No, sir.

12 THE COURT: All right. Thank you.

13 MR. DURHAM: Thank you.

14 THE COURT: I find it's freely and voluntarily entered into. The Defendant  
15 is remanded. Okay. Now --

16 MR. DURHAM: Sorry, Your Honor, I didn't get the sentencing date.

17 THE CLERK: Do we want to do it together?

18 MR. GIORDANI: Yeah.

19 MR. DURHAM: Yeah.

20 MR. GIORDANI: Can we have 90?

21 THE CLERK: You want 90 days?

22 MR. GIORDANI: Yeah.

23 THE CLERK: Okay. Let me see what we've got here. 90 days would be  
24 the end of October. We can do October -- how about October 22nd? It's not quite  
25 90, but --

1 MR. GIORDANI: That works. October 22nd?

2 THE CLERK: 22nd, and sentencings are at 9:30.

3 THE COURT: Okay. Mr. Powell. Are you ready, counsel?

4 DEFENDANT POWELL: Yes, Your Honor.

5 [Court and Clerk confer]

6 THE COURT: Is Mr. Powell pleading also to the taking of the --

7 THE CLERK: Oh, okay. That's what I -- they just handed me this, so --

8 THE COURT: Okay.

9 THE CLERK: I need that on the original, though.

10 MR. DURHAM: Yeah.

11 THE COURT: Yeah.

12 THE CLERK: So we need to --

13 MR. KANE: Here are the originals.

14 THE CLERK: Yeah, and initial it.

15 MR. GIORDANI: And Madam Clerk, Mr. Powell has indicated he wants

16 about 50 days for sentencing. We're fine with that. We just --

17 THE CLERK: Oh, a different date?

18 MR. GIORDANI: I have a couple days to work around it. If you can get us

19 a 50-day date, and I'll tell you if that works.

20 THE CLERK: Okay.

21 MR. GIORDANI: Same date for both, I guess, if that's okay with Mister --

22 THE CLERK: Oh, you want the same day for both?

23 MR. GIORDANI: Yes. So forget what I said about 90 and just give us 50,

24 if you don't mind.

25 THE CLERK: Okay. Bless you.

1 MR. DICKERSON: Thank you.

2 THE CLERK: 50 days is going to be -- we can go to -- too October 1st,  
3 looks like, or does that sound good?

4 MR. GIORDANI: No. September 1st?

5 THE CLERK: No. 50 days, September -- okay. They have it our further.  
6 Okay. So you want September? Let me see what it looks like then. How about  
7 September 12th?

8 MR. GIORDANI: That works.

9 MR. DURHAM: Thank you, Madam Clerk.

10 THE CLERK: Is that good?

11 MR. GIORDANI: Yes.

12 MR. DURHAM: Yes.

13 THE CLERK: September 12th, and that's 9:30.

14 [Court and Clerk confer]

15 MR. KANE: An, Judge, just for the record, they are identical other than,  
16 obviously, the Defendants' names.

17 THE CLERK: The interlineation --

18 MR. GIORDANI: That's correct. We struck lines 22, 23, unlawful taking of  
19 a vehicle, he was never charged with that. Mr. Powell's never charged with that.

20 MR. DICKERSON: Both Defense counsel and myself have initialed the  
21 interlineation on the first page, Your Honor.

22 THE COURT: Okay. Fine. Mr. Powell, will you state and spell your name  
23 for the record.

24 DEFENDANT POWELL: Adrian Powell, A-D-R-I-A-N, P-O-W-E-L-L.

25 THE COURT: And --



1 MR. KANE: I'll come over here.

2 [Court and Court Recorder confer]

3 THE COURT: Sure. Okay. Mr. Powell, how hold are you?

4 DEFENDANT POWELL: I'm 23 years old. I'll be 24 on Thursday.

5 THE COURT: How far did you go in school?

6 DEFENDANT POWELL: I graduated high school.

7 THE COURT: And do you have any learning disability?

8 DEFENDANT POWELL: No, Your Honor.

9 THE COURT: Do you read, write and understand the English language?

10 DEFENDANT POWELL: Yes, Your Honor.

11 THE COURT: And is English your primary language?

12 DEFENDANT POWELL: Yes, Your Honor.

13 THE COURT: Have you been treated recently for any mental illness or

14 addiction of any kind?

15 DEFENDANT POWELL: No, Your Honor.

16 THE COURT: Has anyone ever suggested you should be treated for

17 mental health?

18 DEFENDANT POWELL: No, Your Honor.

19 THE COURT: Are you currently under the influence of any drug,

20 medication or alcohol?

21 DEFENDANT POWELL: No, Your Honor.

22 THE COURT: Have you been on any medication during your stay in jail?

23 DEFENDANT POWELL: Yes, Your Honor.

24 THE COURT: What medication?

25 DEFENDANT POWELL: Remeron.

1 THE COURT: What is -- what type of medication is that?  
2 DEFENDANT POWELL: It treats depression.  
3 THE COURT: How do you feel today?  
4 DEFENDANT POWELL: I feel excellent, Your Honor.  
5 THE COURT: Do you understand what's happening?  
6 DEFENDANT POWELL: Yes, Your Honor.  
7 THE COURT: Does the medication affect your ability to understand what's  
8 going on today?  
9 DEFENDANT POWELL: No, Your Honor.  
10 THE COURT: Are you under any other effects of the medication?  
11 DEFENDANT POWELL: No, Your Honor.  
12 THE COURT: Have you received a copy of the guilty plea agreement?  
13 DEFENDANT POWELL: Yes, Your Honor.  
14 THE COURT: Did you read the guilty plea agreement?  
15 DEFENDANT POWELL: Yes, Your Honor.  
16 THE COURT: Did you understand everything in the guilty plea agreement?  
17 DEFENDANT POWELL: Yes, Your Honor.  
18 THE COURT: Have you discussed this case with your attorney?  
19 DEFENDANT POWELL: Yes, Your Honor.  
20 THE COURT: Are you satisfied with the representation and advice given  
21 to you by your attorney?  
22 DEFENDANT POWELL: Yes, Your Honor.  
23 THE COURT: As to the charges in the guilty plea agreement, how do you  
24 plead?  
25 DEFENDANT POWELL: I plead guilty, Your Honor.

1 THE COURT: I'm making this plea freely and voluntarily?

2 DEFENDANT POWELL: Yes, Your Honor.

3 THE COURT: Has anyone forced or threatened you or anyone close to  
4 you to get you to enter this plea?

5 DEFENDANT POWELL: No, Your Honor.

6 THE COURT: Has anyone made any promises other than what's in the  
7 guilty plea agreement to get you to enter the plea?

8 DEFENDANT POWELL: No, Your Honor.

9 THE COURT: I have before me the guilty plea agreement, and I'm going to  
10 hold this up, on page 7, is this your signature?

11 DEFENDANT POWELL: Yes, Your Honor.

12 THE COURT: Did you understand everything contained in the guilty plea  
13 agreement?

14 DEFENDANT POWELL: Yes, Your Honor.

15 THE COURT: And do you understand that as part of the guilty plea  
16 agreement, although you are not pleading guilty to these alleged offenses, the  
17 State will be allowed to argue then at the time of sentencing?

18 DEFENDANT POWELL: Yes, Your Honor.

19 THE COURT: And I'm going to go through, again, all ten of these because  
20 the State will be allowed to discuss them at the time of sentencing. Number one,  
21 an armed robbery at 7-Eleven located on 4800 West Washington on June 5th.  
22 Number two, an armed robbery at Roberto's located at 6650 Vegas Drive on  
23 June 14th; armed robbery at Pepe's Taco located at 1401 North Decatur on June  
24 18th; an armed robbery at Roberto's located at 2685 South Eastern on July 1st; an  
25 armed robbery at Pizza Bakery located 6475 West Charleston on August 12th; an

1 armed robbery at Terrible Herbst's located at 6380 West Charleston on  
2 August 17th; an armed robbery at Rebel located at 6400 West Lake Mead on  
3 August 17; an armed robbery at Roberto's located at 6820 West Flamingo on  
4 August 24th; an armed robbery at Roberto's located at 907 North Rainbow on  
5 August 24th; an armed robbery at Pepe's Tacos located at 1401 North Decatur on  
6 August 25th. All of those were in 2017.

7 Do you understand that all of those may be argued at the time of  
8 sentencing, although you're not pleading guilty to those charges?

9 DEFENDANT POWELL: Yes, Your Honor.

10 THE COURT: So I don't know if I asked you, before you sign this plea  
11 agreement, did you read it and discuss it with your attorney?

12 DEFENDANT POWELL: Yes, Your Honor.

13 THE COURT: Do you understand everything contained in this agreement?

14 DEFENDANT POWELL: Yes, Your Honor.

15 THE COURT: You understand that there are certain constitutional rights  
16 that you're giving up by entering the guilty plea agreement?

17 DEFENDANT POWELL: Yes, Your Honor.

18 THE COURT: You understand that you have a right to appeal on  
19 reasonable constitutional, jurisdictional or other grounds that challenge the legality  
20 of the proceedings?

21 DEFENDANT POWELL: Yes, Your Honor.

22 THE COURT: And, again, do you understand the range of punishment?  
23 And counsel --

24 DEFENDANT POWELL: Yes, Your Honor.

25 THE COURT: Well, we're going to go through and put these on the record,

1 so it's clear.

2 MR. KANE: That's Counts 1 and 8, Your Honor. They carry with it a 1 to 6  
3 range; Counts 2 and 9, 2 to 15. Counts 3 and 13, 5 to life or 5 to 15, plus a  
4 consecutive term of 1 to 15 for deadly weapon enhancement. Counts 4, 5, 6, 7,  
5 10, 11 and 14, they're 2 to 15; a term of 1 to 15 for use of deadly weapon  
6 enhancement.

7 THE COURT: Do you understand the range for each of those counts?

8 DEFENDANT POWELL: Yes, Your Honor.

9 THE COURT: Do you understand that sentencing is entirely up to me?

10 DEFENDANT POWELL: Yes, Your Honor.

11 THE COURT: And do you understand that, again, it's up to me as to  
12 whether any or whether all of those counts run consecutively or concurrently?

13 DEFENDANT POWELL: Yes, Your Honor.

14 THE COURT: And no one is in a position to promise you leniency or  
15 special treatment of any kind?

16 DEFENDANT POWELL: Yes, Your Honor.

17 THE COURT: In the information in the indictment, it says -- or what is it  
18 that you did on the 28th of September to cause you to plead guilty?

19 DEFENDANT POWELL: I went into two establishments, Your Honor, and I  
20 committed the armed robbery.

21 THE COURT: And those establishments a -- is this Roberto's --

22 MR. KANE: Pepe's -- Pepe's and Walgreen's.

23 THE COURT: Pepe's and Walgreen's. Thank you. Pepe's and  
24 Walgreen's?

25 DEFENDANT POWELL: Yes, Your Honor.

1 THE COURT: You went in those establishments and committed the  
2 armed robberies?

3 DEFENDANT POWELL: Yes, Your Honor.

4 THE COURT: And do you have any questions you'd like to ask me or your  
5 attorney before I accept this plea?

6 DEFENDANT POWELL: No, Your Honor.

7 THE COURT: Anything that I left out?

8 MR. GIORDANI: No.

9 THE COURT: Okay. And also for the record, you had approximately two  
10 hours to discuss all of this -- maybe longer than that now -- with your attorney  
11 before accepting this?

12 DEFENDANT POWELL: Yes, Your Honor.

13 THE COURT: And without telling me what they were, your attorney  
14 answered all your questions regarding the guilty plea agreement?

15 DEFENDANT POWELL: Yes, Your Honor.

16 THE COURT: Okay. The Court finds the Defendant's plea of guilty is  
17 freely and voluntarily made and the Defendant understands the nature of the  
18 offenses and the consequences of his plea and, therefore, accepts the plea of  
19 guilty. The matter is referred to Department of Parole & Probation for a PSI.  
20 What's the date for sentencing?

21 THE CLERK: September 12th at 9:30.

22 THE COURT: Defendant is remanded into custody. So what I'm going to  
23 do after the Defendants leave is bring them in, release them. You guys all want to  
24 talk to them, you're free to do so. Anything else?

25 MR. GIORDANI: No, Your Honor. Thank you.

1 MR. DURHAM: No. Thank you, Your Honor.

2 THE COURT: All right. Thank you. And counsel and you guys were  
3 extremely professional, and I appreciate that, so --

4 MR. DICKERSON: Thank Your Honor. Thank you for your patience today.

5 THE COURT: No problem.

6 MR. KANE: Thank you, Judge.

7 [Proceeding concluded at 1:47 a.m.]  
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9  
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16

17 ATTEST: I do hereby certify that I have truly and correctly transcribed the  
18 audio-visual recording of the proceeding in the above entitled case to the  
19 best of my ability.

20   
21

22 \_\_\_\_\_  
23 Renee Vincent, Court Recorder/Transcriber  
24  
25

Felony/Gross Misdemeanor

COURT MINUTES

October 31, 2018

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

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October 31, 2018      09:30 AM      Sentencing

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

COURT CLERK: Thomas, Kathy

RECORDER:      Chappell, Judy

REPORTER:

PARTIES PRESENT:

Adrian Powell      Defendant

John Giordani      Attorney for Defendant, Plaintiff

Michael C Kane      Attorney for Defendant

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**

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.