

Steven D. Grierson

Electronically Filed
Jun 25 2019 08:28 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Ronny Powe #1173457
Appeal In Proper Person
P.O. Box 650 H.D.S.P.
Indian Springs, Nevada 89018

8th DISTRICT COURT
Clark COUNTY NEVADA

Ronny Powe
Appellant
-v-
State of Nevada
Respondent

Case No. C-308371-1
Dept. No. XII
Docket _____

NOTICE OF APPEAL

Notice is hereby given that the Appellant Ronny
Powe, by and through himself in proper person, does now appeal
to the Supreme Court of the State of Nevada, the decision of the District
Court Denial of Powe's Motion for Correction of
Illegal Sentence

Dated this date, 6/12/19.

Respectfully Submitted,

R Powe #1173457

In Proper Person

CLERK OF THE COURT

RECEIVED
JUN 17 2019

CERTIFICATE OF SERVICE BY MAILING

I, Ronny Powe, hereby certify, pursuant to NRCP 5(b), that on this 12
day of June, 2019, I mailed a true and correct copy of the foregoing, "Notice
of Appeal"
by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,
addressed as follows:

Steven D. Grierson
Clerk of the Court
200 Lewis Ave 3rd floor
Las Vegas, NV. 89155-1160

DATED: this 12 day of June, 2019.

R Powe # 1173457
Ronny Powe #
Appellant /In Propria Persona
Post Office box 650 [HDSP]
Indian Springs Nevada 89018

AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Notice

of appeal

(Title of Document)

filed in District Court Case number C-308371-1

☒ Does not contain the social security number of any person.

-OR-

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

A. A specific state or federal law, to wit:

(State specific law)

-or-

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

Signature RD Powell # 1173457

6/12/19
Date

Ronny Powe
Print Name

Pro Per
Title

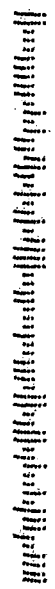
Ronny Pove #1173457
USC P.O. Box 7007
Carson City, NV. 89702

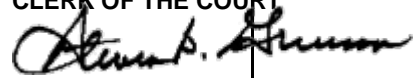
RENO NV 895
13 JUN 2019 PM 2 L



Steven D. Grierson, Clerk of the Court
200 Lewis Ave 3rd Floor
Las Vegas, NV. 89155-1160

89101-6300





1 ASTA

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5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 RONNY POWE
14 aka RONNY DARROW POWE,

15 Defendant(s),

Case No: C-15-308371-1

Dept No: XII

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Ronny Powe

20 2. Judge: Michelle Leavitt

21 3. Appellant(s): Ronny Powe

22 Counsel:

23 Ronny Powe #1173457
24 P.O. Box 7007
Carson City, NV 89702

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.

Las Vegas, NV 89101
(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: July 29, 2015

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 72840, 76654, 76655

12. Child Custody or Visitation: N/A

Dated This 18 day of June 2019.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Ronny Powe

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-15-308371-1

**State of Nevada
vs
RONNY POWE**

§	Location:	Department 12
§	Judicial Officer:	Leavitt, Michelle
§	Filed on:	07/29/2015
§	Cross-Reference Case	C308371
§	Number:	
§	Defendant's Scope ID #:	1415128
§	ITAG Booking Number:	0
§	ITAG Case ID:	1699814
§	Lower Court Case # Root:	15F08992
§	Lower Court Case Number:	15F08992A
§	Metro Event Number:	1506172303
§	Supreme Court No.:	72840
§		76654
§		76655

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court					
1. FIRST DEGREE KIDNAPPING WITH THE USE OF A DEADLY WEAPON PCN: 0029599020 ACN: 1506172303 <i>Filed As:</i> FIRST DEGREE KIDNAPPING WITH USE OF SUBSTANTIAL BODILY HARM RESULTING IN SUBSTANTIAL BODILY HARM Arrest: 07/09/2015 MET - Metro	200.310.1	F	06/16/2015	Case Status:	02/24/2017 Closed
2. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON	200.010	F	06/16/2015		
3. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC...	200.481.2e	F	06/16/2015		
4. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC ...	200.481.2e	F	06/16/2015		
5. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC...	200.481.2e	F	06/16/2015		
6. BATTERY CONSTITUTING DOMESTIC VIOLENCE - STRANGULATION	200.485.2	F	06/16/2015		
7. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC...	200.481.2e	F	06/16/2015		

Related Cases

C-15-308371-2 (Multi-Defendant Case)

Statistical Closures

02/24/2017 Guilty Plea with Sentence (before trial) (CR)

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	C-15-308371-1
Court	Department 12
Date Assigned	07/29/2015
Judicial Officer	Leavitt, Michelle

CASE SUMMARY

CASE NO. C-15-308371-1

















PARTY INFORMATION

Defendant	POWE, RONNY	<i>Lead Attorneys</i>
Plaintiff	State of Nevada	Pro Se Wolfson, Steven B 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
07/29/2015	 Criminal Bindover Packet Las Vegas Justice Court	
07/30/2015	 Information <i>Information</i>	
08/10/2015	 Reporters Transcript <i>Reporter's Transcript of Waiver of Preliminary Hearing 07-29-15</i>	
09/02/2015	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses (NRS 174.234(2))</i>	
09/02/2015	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>	
09/22/2015	 Supplemental Witness List <i>Supplemental Notice of Expert Witnesses</i>	
11/03/2015	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>	
12/11/2015	 Notice <i>Defendant Ronny Powe's Notice and Request for Joinder</i>	
12/14/2015	 Motion <i>Defendant Ronny Powe's Motion for Discovery</i>	
03/14/2016	 Motion to Continue Filed By: Plaintiff State of Nevada <i>Notice of Motion and Motion to Continue</i>	
03/16/2016	 Notice <i>Defendant Ronny Powe's Notice of Expert Witness</i>	
11/17/2016	 Motion <i>Motion To Dismiss Counsel And Appoint Alternate Counsel</i>	
12/20/2016	 Supplemental Witness List <i>Second Supplemental Notice Of Witnesses</i>	
12/20/2016	 Notice	

CASE SUMMARY
CASE NO. C-15-308371-1

Notice of Intent to Introduce Records Made in the Course of a Regularly Conducted Activity [NRS 52.260]

12/20/2016	 Supplemental Witness List <i>Supplemental Notice of Witnesses</i>
12/22/2016	 Amended Information <i>Amended Information</i>
12/22/2016	 Guilty Plea Agreement
01/30/2017	 PSI
02/17/2017	 Judgment of Conviction <i>JUDGMENT OF CONVICTION (PLEA OF GUILTY)</i>
02/24/2017	 Criminal Order to Statistically Close Case <i>Criminal Order To Statistically Close Case</i>
04/13/2017	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
04/14/2017	 Case Appeal Statement
06/20/2017	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
12/06/2017	 Notice of Motion Filed By: Defendant POWE, RONNY <i>Notice of Motion</i>
12/06/2017	 Motion to Withdraw As Counsel Filed By: Defendant POWE, RONNY <i>Motion to Withdraw Counsel</i>
02/21/2018	 Notice of Motion Filed By: Defendant POWE, RONNY <i>Notice of Motion; Motion for Modification of Sentence</i>
03/14/2018	 Notice of Motion Filed By: Defendant POWE, RONNY <i>Notice of Motion</i>
03/14/2018	 Motion Filed By: Defendant POWE, RONNY <i>Motion for Production of Documents, Papers, Pleadings and Tangible Property of Defendant</i>
05/15/2018	 Response <i>State's Response To Defendant's Motion To Modify Sentence</i>
06/21/2018	 Motion Filed By: Defendant POWE, RONNY <i>Motion for Reconsideration</i>

CASE SUMMARY
CASE NO. C-15-308371-1

06/21/2018	 Motion Filed By: Defendant POWE, RONNY <i>Motion for Leave to File a Late Motion for Reconsideration</i>
06/21/2018	 Motion Filed By: Defendant POWE, RONNY <i>Notice of Motion and Motion for Transcripts at State Expense</i>
06/21/2018	 Notice of Motion Filed By: Defendant POWE, RONNY <i>Notice of Motion</i>
06/21/2018	 Memorandum of Points and Authorities Filed By: Defendant POWE, RONNY <i>Memorandum of Points and Authorities in Support of Request for Transcripts at State Expense</i>
07/02/2018	 Order <i>Order Denying Defendant's Motion To Modify Sentence</i>
08/07/2018	 Notice of Appeal (criminal) Party: Defendant POWE, RONNY <i>Notice of Appeal</i>
08/07/2018	 Notice of Appeal (criminal) Party: Defendant POWE, RONNY <i>Notice of Appeal</i>
08/09/2018	 Case Appeal Statement <i>Case Appeal Statement</i>
08/09/2018	 Case Appeal Statement <i>Case Appeal Statement</i>
08/22/2018	 Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion for Transcripts at State Expense, Motion for Reconsideration, and Motion for Leave to File a Late Motion for Reconsideration</i>
10/16/2018	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
10/16/2018	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
11/14/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Sentencing, Tuesday, February 14, 2017</i>
12/03/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Entry of Plea, Thursday, December 22, 2016</i>
04/01/2019	 Notice of Motion Filed By: Defendant POWE, RONNY

CASE SUMMARY
CASE NO. C-15-308371-1

04/01/2019  Motion to Modify Sentence
Filed By: Defendant POWE, RONNY
Motion for Correction of Illegal Sentence

05/02/2019  Opposition
Filed By: Plaintiff State of Nevada
State's Opposition to Defendant's Motion to Correct Illegal Sentence

06/06/2019  Notice of Change of Address
Change of Address

06/14/2019  Order
Filed By: Plaintiff State of Nevada
Order Denying Defendant's Pro Per Motion For Correction of Illegal Sentence

06/17/2019  Notice of Appeal (criminal)
Party: Defendant POWE, RONNY
Notice of Appeal

06/17/2019  Notice of Appeal (criminal)
Party: Defendant POWE, RONNY
Notice of Appeal

06/18/2019  Case Appeal Statement
Filed By: Defendant POWE, RONNY
Case Appeal Statement

06/18/2019  Case Appeal Statement
Filed By: Defendant POWE, RONNY
Case Appeal Statement

DISPOSITIONS

12/22/2016 **Disposition** (Judicial Officer: Leavitt, Michelle)

2. ATTEMPT MURDER WITH THE USE OF A DEADLY WEAPON
Amended Information Filed/Charges Not Addressed
PCN: Sequence:
3. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC...
Amended Information Filed/Charges Not Addressed
PCN: Sequence:
4. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC ...
Amended Information Filed/Charges Not Addressed
PCN: Sequence:
5. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC...
Amended Information Filed/Charges Not Addressed
PCN: Sequence:
6. BATTERY CONSTITUTING DOMESTIC VIOLENCE - STRANGULATION
Amended Information Filed/Charges Not Addressed
PCN: Sequence:

CASE SUMMARY
CASE NO. C-15-308371-1

7. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM
CONSTITUTING DOMESTIC...

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

12/22/2016 **Plea** (Judicial Officer: Leavitt, Michelle)

1. FIRST DEGREE KIDNAPPING WITH THE USE OF A DEADLY WEAPON

Guilty

PCN: 0029599020 Sequence:

02/14/2017 **Disposition** (Judicial Officer: Leavitt, Michelle)

1. FIRST DEGREE KIDNAPPING WITH THE USE OF A DEADLY WEAPON

Guilty

PCN: 0029599020 Sequence:

02/14/2017 **Adult Adjudication** (Judicial Officer: Leavitt, Michelle)

1. FIRST DEGREE KIDNAPPING WITH THE USE OF A DEADLY WEAPON

06/16/2015 (F) 200.310.1 (DC50055)

PCN: 0029599020 Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Life with the possibility of parole after:5 Years

Consecutive Enhancement:Use of Deadly Weapon, Minimum:60 Months, Maximum:150 Months


Credit for Time Served: 609 Days

Fee Totals:

Administrative	
Assessment Fee	25.00
\$25	
DNA Analysis Fee	150.00
\$150	
Genetic Marker	
Analysis AA Fee	3.00
\$3	

Fee Totals \$ 178.00

HEARINGS

07/31/2015  **Initial Arraignment** (10:00 AM) (Judicial Officer: Williams, Telia U.)

Plea Entered;

Journal Entry Details:

DEFT. POWE ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for status check regarding the setting of trial. CUSTODY 8/11/15 8:30 A.M. STATUS CHECK: TRIAL SETTING (DEPT. 12) ;

08/11/2015  **Status Check** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

STATUS CHECK: SETTING OF TRIAL (DEFT. INVOKED)

MINUTES

Plea Entered;

Journal Entry Details:

Discussions as to status of testing to be done by Metro lab, on the bullet fragments from the alleged incident. Mr. Drummond advised the lab results may be exculpatory evidence as to his client. COURT ORDERED, trial date SET. CUSTODY 10/06/15 8:30 A.M. CALENDAR CALL 10/13/15 1:30 P.M. TRIAL BY JURY ;



SCHEDULED HEARINGS

 **Calendar Call** (10/06/2015 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)

CANCELED Jury Trial (10/13/2015 at 1:30 PM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

CASE SUMMARY
CASE NO. C-15-308371-1

10/06/2015	 Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle) Trial Date Set; Journal Entry Details: <i>Attorney Nadine Morton, Esq., present on behalf of co-defendant. At the request of parties, COURT ORDERED trial date VACATED and RESET. Upon Court's inquiry, Deft. agreed to waive the 60 day rule. CUSTODY 12/17/15 8:30 AM CALENDAR CALL 1/5/16 1:30 PM JURY TRIAL ;</i>
10/13/2015	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i>
12/17/2015	Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle) MINUTES Vacated and Reset; SCHEDULED HEARINGS Calendar Call (03/15/2016 at 8:30 AM) (Judicial Officer: Leavitt, Michelle) CANCELED Jury Trial (03/22/2016 at 1:30 PM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i>
12/17/2015	Joinder (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant Ronny Powe's Notice and Request for Joinder</i> Matter Heard;
12/17/2015	Motion for Discovery (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant Ronny Powe's Motion for Discovery</i> Granted;
12/17/2015	 All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>APPEARANCES: Deputy District Attorney Tyler Smith, Esq., is present on behalf of State of Nevada. Attorney Nadine Morton, Esq., is present on behalf of Deft. Thaironya Breienne Powe, who is present in custody from Case C308371-2. Attorney Craig Drummond, Esq., is present on behalf of Deft. Ronny Powe who is also present in custody from Case C308371-1. Court advised it does not believe Deft. Ronny Powe can join in on the Motion to Sever, Mr. Drummond would have to make his own arguments, and it does not make sense to the Court the way the Motion was presented; however, Deft. can join on the other issue. Mr. Drummond advised the main issue he has, is within 30 days of this event happening, State requested the Court to determine competency on the named victim; State has not looked at the file on this, State has not produced the file, defense requested the file, and the Motion on the competency request has been set after the trial date. Additionally, defense for Deft. Ronny Powe will not be ready, and will be requesting the competency case information be provided to Court for in-camera review at a minimum, as defense may need a psychiatric expert retained, if records are released. Additionally, defense is not ready, until this Court can provide guidance. Discussions as to mental health case record information of alleged victim and civil procedures by District Attorney. Mr. Smith objected regarding relevancy. Mr. Smith argued he has not had time to answer Deft's other Motion due to when he received the pleadings; and State is ready for trial. Mr. Drummond argued he is alleging a discovery problem, and not impropriety. Additionally, defense had requested the information three months ago, State had indicated no case information is available, and defense has received documents regarding the victim and competency information. Further, State has a duty to inspect the files and evidence to determine if there is exculpatory evidence; defense believes every record available on this issue needs to be provided to Court at a minimum, and the alleged victim's mental health has to be determined, so defense may be able to properly impeach the victim witness. Mr. Drummond further argued State had this information in their possession, no one has looked at it, and defense does not see how further representations can be made. Mr. Smith argued as to legal 2000 procedure, and allegations. Discussions. Mr. Smith advised he will check again to see if there is a file on the legal 2000. Court stated Family Court may have the records. Court reviewed documents provided by Mr. Drummond in open Court. Mr. Drummond advised no additional court documents defense received were attached, due to the information being protected. Further discussions. Mr. Drummond advised the related documents are not from public proceedings, he has no access to the information either; however, defense can supplement if the Court needs more. Court stated the documents provided by defense counsel today does not show anything regarding competency status and it appears no further action may have been taken at Family Court. Mr. Smith argued these are mental health records, and defense counsel needs to show relevancy to their defense here, which State believes has not been done. Thereafter, Mr. Smith suggested a Court order be submitted. Defense agreed. COURT ORDERED, Mr. Drummond to submit an order granting his Motion for discovery, and to have the Family Court case information and records turned over to this Court for in-camera review. DEFT. THAIRONYA POWE'S MOTION TO DISMISS FOR FAILURE TO PRESERVE EVIDENCE Court stated this is a motion for failure to gather. Ms. Morton argued as to photo of a firearm found at scene, and State's failure to preserve</i>

CASE SUMMARY**CASE NO. C-15-308371-1**

the firearm. Ms. Morton also argued there was a duty to have the firearm tested. Mr. Smith opposed the Motion; and argued the firearm is different than the description given by the alleged victim, there is nothing to test the firearm against, and there were no bullet fragments collected including no fragments taken from the victim's leg. Mr. Smith additionally argued State is saying there is no issue with this weapon, and State does not believe it was the firearm used. Further arguments by Ms. Morton regarding defense not conceding to what type of gun was allegedly used to shoot the victim. **COURT ORDERED, Motion DENIED. DEFT. THAIRONYA POWE'S MOTION TO SEVER Ms. Morton argued in support of severing the case between Deft. and her father being Co-Deft. Ronny Powe. Counsel added State's opposition indicated Co-Deft. Ronny Powe did not make a statement about her client's whereabouts, which is inaccurate. Ms. Morton added in the voluntary statement, Co-Deft. had said her client did live at residence, which is significant; because if Thaironya Powe is saying she did not live there and was never there, this is mutually exclusive. Court stated defense has another witness who can testify to that, being the grandmother. Mr. Smith opposed the Motion; and argued there being no antagonistic defenses here, no Bruton issues, or no reason to sever this case. Ms. Morton argued Co-Deft. inculpatates her client by saying she lived there. Court stated it does not mean her client carried out these set of events. Further arguments by Ms. Morton. Upon Court's inquiry, Mr. Drummond advised he will not add anything to this, further noting he may be making a Motion later, as he has not listened to all the recorded jail calls due to being in a three week trial in another case. Additionally, defense may have issues if State is going to introduce some of these calls; however, the issues will be addressed at a later time with exhibits. SO NOTED. COURT ORDERED, Motion to sever DENIED at this time. CALENDAR CALL Mr. Drummond confirmed to Court defense is not ready for trial; and requested a status check hearing be set in thirty days for records to be provided by Family Court Clerk's office to Court, and to see if Court will be releasing these records. Further, if the Court does release the records, defense may need more time to retain an expert. Court noted, State can submit the order on this and have the records provided for in-camera review. COURT ORDERED, Motion to continue trial date GRANTED; trial date VACATED AND RESET. Mr. Smith requested defense counsel to provide a copy of any mental health records they had received, to the State. Mr. Drummond agreed to do so, and to also include Co-Deft's counsel on receiving copies. DEFT. RONNY POWE'S MOTION FOR DISCOVERY At request of Mr. Drummond, COURT ADDITIONALLY ORDERED, the pending Motion filed in Case C308371-1 being the discovery motion is VACATED, as the Court handled this Motion today. CUSTODY (BOTH) 3/15/16 8:30 A.M. CALENDAR CALL (BOTH) 3/22/16 1:30 P.M. TRIAL BY JURY (BOTH);**

01/05/2016 **CANCELED Jury Trial** (1:30 PM) (Judicial Officer: Leavitt, Michelle)
Vacated - per Judge

03/15/2016 **Calendar Call** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

MINUTES

Vacated and Reset;

SCHEDULED HEARINGS

Calendar Call (05/31/2016 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)

CANCELED Jury Trial (06/07/2016 at 1:30 PM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

03/15/2016 **Motion** (8:30 AM) (Judicial Officer: Leavitt, Michelle)
Plaintiff's Notice of Motion and Motion to Continue
Granted;

03/15/2016 **All Pending Motions** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

Journal Entry Details:

CALENDAR CALL...PLAINTIFF'S NOTICE OF MOTION AND MOTION TO CONTINUE Court provided courtesy copies of records to all parties in open Court. Court's Exhibits ADMITTED and ORDERED SEALED. Mr. Smith noted defense also needed time to go through records. **COURT ORDERED, State's motion to continue trial date GRANTED; trial date VACATED AND RESET. Discussions as to Court's general trial start time during the week. CUSTODY 5/31/16 8:30 A.M. CALENDAR CALL 6/07/16 1:30 P.M. TRIAL BY JURY;**

03/22/2016 **CANCELED Jury Trial** (1:30 PM) (Judicial Officer: Leavitt, Michelle)
Vacated - per Judge

05/31/2016 **Calendar Call** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

MINUTES

Vacated and Reset;


Journal Entry Details:

CASE SUMMARY


CASE NO. C-15-308371-1

Attorney Nadine Morton, Esq. is present on behalf of Co-Def. Thaironya Powe; and advised defense's gun expert is unable to travel in June, 2016, due to medical issues; and requested trial be reset in October, 2016. Mr. Drummond joined on the Motion, due to the expert being a joint expert for both Defs. Mr. Smith made no objection; and requested a firm setting. COURT ORDERED, Motion to continue trial date GRANTED; the June 9, 2016 hearing on the Motion is VACATED; trial date VACATED AND RESET. Court provided the weekly trial start times to parties. CUSTODY 10/04/16 8:30 A.M. CALENDAR CALL 10/11/16 1:30 P.M. TRIAL BY JURY ;


SCHEDULED HEARINGS

 **Calendar Call** (10/04/2016 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)
CANCELED Jury Trial (10/11/2016 at 1:30 PM) (Judicial Officer: Leavitt, Michelle)
 Vacated - per Judge

06/07/2016 **CANCELED Jury Trial** (1:30 PM) (Judicial Officer: Leavitt, Michelle)
 Vacated - per Judge


10/04/2016  **Calendar Call** (8:30 AM) (Judicial Officer: Leavitt, Michelle)
 Vacated and Reset;
 Journal Entry Details:
 Court TRAILED and RECALLED matter for Mr. Drummond to appear. Mr. Smith advised State will be objecting to defense asking for a trial continuance, further noting discovery and evidence were turned over to defense, and State is ready to go to trial. Additionally, an offer was made to Def, and it was rejected. Mr. Drummond advised the offer was made, which was different than what parties had originally, Def. declined, and now he is requesting a continuance. Discussions as to previous posture of the case, joint expert having communicated more with Co-Def's attorney Nadine Morton, Esq. about both matters, Co-Def. having accepted a plea deal, the Guilty Plea Agreement in Co-Def's case, and current change of posture having occurred in this case. Mr. Drummond added he is going to speak with the expert, and defense will request a trial continuance due to change of posture in this matter, further adding defense needs more time to prepare for trial. Court asked how much time is needed. Mr. Drummond advised he can be ready in thirty days, but he has other trials set, including a federal matter. Counsel added the expert may be testifying on some of the issues in this case, however, Co-Def. has now pled this morning, Ms. Morton and himself had split the duties while preparing on this case, and now he will be meeting and speaking with the expert more about this case. Mr. Smith argued the underlying facts of this case have not changed, the offer was lower for the Co-Def, and State is ready. Further objections were made regarding delay. COURT ORDERED, it will grant a short continuance. Court NOTED for the record this is the fifth continuance, and this matter either needs to get resolved, or go forward with trial. FURTHER, trial date VACATED AND RESET. Mr. Drummond advised defense will be ready to go on this new trial setting. CUSTODY 12/20/16 8:30 A.M. CALENDAR CALL 1/03/17 1:30 P.M. TRIAL BY JURY ;

10/11/2016 **CANCELED Jury Trial** (1:30 PM) (Judicial Officer: Leavitt, Michelle)
 Vacated - per Judge

12/08/2016  **Motion** (8:30 AM) (Judicial Officer: Leavitt, Michelle)
 Defendant's Motion to Dismiss Counsel and Appoint Alternate Counsel
 Denied;
 Journal Entry Details:
 Court advised Def. it reviewed the pleadings; and asked if he believes his attorney will not file a motion to set him free. Def. read a letter to the Court; and Court advised Def. he is not able to tell the Court what the motion is. Def. stated the Court keeps interrupting him every time he can speak. Court told Def. to go ahead, and stated he cannot answer the Court's question. Def. stated he asked for a Brady motion. Mr. Drummond advised he litigated a Brady issue back in December, 2015, and records were ordered to Chambers for inspection. Court confirmed this was done. Mr. Drummond stated if Def. wants to fire him, he does not care, and everything was provided to Def. as to discovery. Def. claimed after the fact. Upon Court's inquiry, Mr. Drummond confirmed he also did a file review with State, and he has no issues with discovery here. Def. stated he did not get everything, and he needs all materials and evidence to help him do his homework to beat the case, further noting he filed his motion in November, and just received a piece of information last Saturday. Court reminded Def. his attorney is giving him copies of the discovery. Def. interrupted the Court; and stated he was not finished speaking. Court stated it is finished; and told Def. he can stop talking. Mr. Drummond provided history of the case including Mr. Tomsheck and Department 3 proceedings. Def. stated his attorney just explained to him about his case five minutes ago, and he has lack of trust for him. Court advised Def. things can be explained to him if he just asks. Def. argued his life is at stake, Mr. Drummond is ineffective, and he would not be here if there are concerns. Mr. Smith advised he has had two file reviews with defense, and State has made sure Mr. Drummond received everything State had, further noting additional copies were made, and defense has every single of piece of everything. Def. stated he does not have it and he needs every document or evidence. Mr. Drummond clarified he has been providing everything to Def, and Def. did receive an entire copy of discovery of everything that there is. Additionally, the case file is not that big. Court advised Def. it does not know what else he wants his attorney to do. Def. stated there has been a complete collapse of the attorney client relationship. COURT

CASE SUMMARY
CASE NO. C-15-308371-1

ORDERED, Motion DENIED. State to prepare order. CUSTODY 12/20/16 8:30 A.M. CALENDAR CALL 1/03/17 1:30 P.M. TRIAL BY JURY ;

12/20/2016  **Calendar Call** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Trial Date Set;

Journal Entry Details:

Parties announced ready. Mr. Smith estimated 4-5 days for trial. Court TRAILED case to handle remaining Calendar Calls. MATTER RECALLED. COURT ORDERED, trial date SET. Mr. Drummond advised an offer was extended, and against his recommendation, Deft. is not inclined to take it, further noting defense made a counter offer, and State will not accept it. Upon Court's inquiry, Mr. Smith confirmed State will leave the offer open for 24 hours. Court canvassed Deft. on State's decision to leave the offer open for 24 hours; and advised Deft. if he decides to take the offer within 24 hours, Court will set this matter on calendar, and if he does not accept the offer, State will revoke it. Deft. acknowledged that he understood. CUSTODY 1/03/17 10:30 A.M. TRIAL BY JURY ;

12/22/2016  **Entry of Plea** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

MINUTES

Plea Entered;

Journal Entry Details:

Mr. Nelson not present. Mr. Holper appeared for Mr. Drummond on behalf of Deft; and requested Court to trail the case. Court TRAILED and RECALLED matter. Mr. Holper not present. Mr. Nelson advised Mr. Drummond is out of the jurisdiction, further noting this matter has resolved, and he went over the agreement with Deft, and is not attorney of record. SO NOTED. Amended Information FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. RONNY POWE ARRAIGNED AND PLED GUILTY TO FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Court ACCEPTED plea, and ORDERED, matter referred to the Division of Parole and Probation (P&P); and SET for sentencing; trial date VACATED. CUSTODY 2/14/17 8:30 A.M. SENTENCING;

SCHEDULED HEARINGS

 **Sentencing** (02/14/2017 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)

01/03/2017 **CANCELED Jury Trial** (10:30 AM) (Judicial Officer: Leavitt, Michelle)
Vacated - per Judge

01/03/2017 **CANCELED Jury Trial** (1:30 PM) (Judicial Officer: Leavitt, Michelle)
Vacated - per Judge


02/14/2017  **Sentencing** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

MINUTES

Defendant Sentenced;

Journal Entry Details:

DEFT. RONNY POWE ADJUDGED GUILTY of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Matter submitted. Statements by Deft. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to LIFE WITH A POSSIBILITY OF PAROLE after a MINIMUM of FIVE (5) YEARS is served in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE TERM of a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS in the Nevada Department of Corrections (NDC), for use of deadly weapon, with SIX HUNDRED NINE (609) DAYS CREDIT FOR TIME SERVED. TOTAL AGGREGATE SENTENCE is a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of LIFE in the Nevada Department of Corrections (NDC). BOND, if any, EXONERATED. NDC ;

01/02/2018  **Motion** (8:30 AM) (Judicial Officer: Leavitt, Michelle)




Defendant's Pro Per Motion to Withdraw Counsel

Granted;

Journal Entry Details:

Deft. not present; incarcerated in Nevada Department of Corrections (NDC). COURT ORDERED, Motion GRANTED; counsel WITHDRAWN. Court noted Deft. has until February 17, 2018, to file any post-conviction. Mr. Drummond advised he will send Deft. a letter regarding today's hearing and Court's ruling allowing him to withdraw as attorney of record from the case, further noting he will also include this post-conviction date in the letter. SO NOTED. NDC CLERK'S NOTE: A copy of the above minute order has been delivered by regular mail to: Ronny Powe, #1173457, High Desert State Prison, P.O. BOX 650, Indian Springs, Nevada 89018. /// sb;

CASE SUMMARY**CASE NO. C-15-308371-1**

03/15/2018	 Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) 03/15/2018, 05/17/2018 <i>Defendant's Motion For Modification Of Sentence</i> Matter Continued; Denied; Journal Entry Details: <i>Deft. not present; incarcerated in Nevada Department of Corrections (NDC). COURT ORDERED, Motion DENIED. State to prepare the order. NDC CLERK'S NOTE: A copy of the above minute order has been delivered by regular mail to: Ronny Powe #1173457, High Desert State Prison, P.O. BOX 650, Indian Springs, Nevada 89018. /// sb;</i> Matter Continued; Denied; Journal Entry Details: <i>Defendant not present. Court noted Ms. Luzaich indicated the State was not properly served and requested a continuance to respond, COURT SO ORDERED. NDC CONTINUED TO: 05/17/18 8:30;</i>
04/05/2018	 Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant's Pro Per Motion for Production of Documents, Papers, and Tangible Property of Defendant</i> Granted; Journal Entry Details: <i>Deft. not present; incarcerated in Nevada Department of Corrections (NDC). COURT ORDERED, Motion For Production Of Documents, Papers, Pleadings And Tangible Property Of Defendant GRANTED. State to prepare the order. Former counsel Craig Drummond, Esq., to forward a copy of the case file to Deft. NDC CLERK'S NOTE: A copy of the above minute order has been delivered by regular mail to: Ronny Powe, #1173457, High Desert State Prison, P.O. BOX 650, Indian Springs, Nevada 89018. /// sb CLERK'S NOTE: A copy of the above minute order was forwarded to Attorney Craig Drummond, Esq. /// sb;</i>
07/12/2018	Motion For Reconsideration (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Plaintiff Ronny Powe's Pro Per Motion for Reconsideration</i> Denied;
07/12/2018	Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Movant Ronny Powe's Pro Per Motion for Leave to File a Late Motion for Reconsideration</i> Denied;
07/12/2018	Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Plaintiff Ronny Powe's Pro Per Motion for Transcripts at State Expense</i> Denied;
07/12/2018	 All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>MOVANT RONNY POWE'S PRO PER MOTION FOR LEAVE TO FILE A LATE MOTION FOR RECONSIDERATION...PLAINTIFF RONNY POWE'S PRO PER MOTION FOR TRANSCRIPTS AT STATE EXPENSE...PLAINTIFF RONNY POWE'S PRO PER MOTION FOR RECONSIDERATION Deft. not present, incarcerated in the Nevada Department of Corrections (NDC). COURT ORDERED, MOTION FOR LEAVE TO FILE A LATE MOTION FOR RECONSIDERATION, DENIED, MOTION FOR TRANSCRIPTS AT STATE EXPENSE DENIED, and MOTION FOR RECONSIDERATION DENIED. Court DIRECTED the State to prepare the order. CLERK'S NOTE: A copy of this minute order was mailed to: Ronny Powe HDSP PO Box 650 Indian Springs NV 89018//ke 07/12/18;</i>
05/14/2019	 Motion to Modify Sentence (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant's Pro Per Motion for Correction of Illegal Sentence</i> Denied; Journal Entry Details: <i>Defendant not present. COURT STATED the Motion lacks merit and ORDERED, Motion DENIED; State to prepare the Order. NDC;</i>

DATE

FINANCIAL INFORMATION

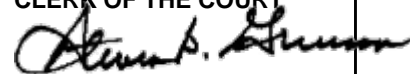
Defendant POWE, RONNY

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-15-308371-1

Total Charges	179.00
Total Payments and Credits	1.00
Balance Due as of 6/18/2019	178.00



ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
LINSEY MOORS
Deputy District Attorney
Nevada Bar #12232
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONNY POWE, aka, Ronny Darrow Powe,
#1415128

Defendant.

CASE NO: C-15-308371-1

DEPT NO: XII

ORDER DENYING DEFENDANT'S PRO PER MOTION
FOR CORRECTION OF ILLEGAL SENTENCE

DATE OF HEARING: May 14, 2019
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the
14th day of May, 2019, the Defendant not being present, IN PROPER PERSON, the Plaintiff
being represented by STEVEN B. WOLFSON, District Attorney, through LINSEY MOORS,

///

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///

RECEIVED

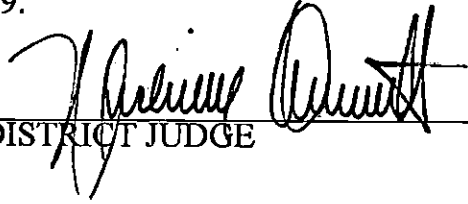
JUN 11 2019

DEPT. 12

1 Deputy District Attorney, without argument, based on the pleadings and good cause appearing
2 therefor,

3 IT IS HEREBY ORDERED that the Defendant's motion, shall be, and it is DENIED.

4 DATED this 11 day of June, 2019.

5
6 
DISTRICT JUDGE

7 STEVEN B. WOLFSON
8 Clark County District Attorney
Nevada Bar #001565

9
10 BY

 #10114
for

11 LINSEY MOORS
12 Deputy District Attorney
13 Nevada Bar #12232
14
15

CERTIFICATE OF SERVICE

16 I certify that on the 14th day of June 2019, I mailed a copy of the foregoing Order

17 to:

18 RONNY POWE
BAC #1173457

19 WSCC PO BOX 7007
20 CARSON CITY, NV 89702

21
22 BY


Secretary for the District Attorney's Office

23
24
25
26
27
28 15F08992X/mlb/dvu

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2015

C-15-308371-1 State of Nevada
vs
RONNY POWE

July 31, 2015 10:00 AM Initial Arraignment

HEARD BY: Williams, Telia U.

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Roshonda Mayfield

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: Percival, Brent D. Attorney
POWE, RONNY Defendant

JOURNAL ENTRIES

- DEFT. POWE ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for status check regarding the setting of trial.

CUSTODY

8/11/15 8:30 A.M. STATUS CHECK: TRIAL SETTING (DEPT. 12)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 11, 2015

C-15-308371-1 State of Nevada
vs
RONNY POWE

August 11, 2015 8:30 AM Status Check

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Drummond, Craig W.	Attorney
	POWE, RONNY	Defendant
	Smith, Tyler	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Discussions as to status of testing to be done by Metro lab, on the bullet fragments from the alleged incident. Mr. Drummond advised the lab results may be exculpatory evidence as to his client.
COURT ORDERED, trial date SET.

CUSTODY

10/06/15 8:30 A.M. CALENDAR CALL

10/13/15 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 06, 2015

C-15-308371-1 State of Nevada
 vs
 RONNY POWE

October 06, 2015 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart
 Natalie Ortega

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Drummond, Craig W.	Attorney
	Laurent, Christopher J	Attorney
	POWE, RONNY	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Attorney Nadine Morton, Esq., present on behalf of co-defendant.

At the request of parties, COURT ORDERED trial date VACATED and RESET. Upon Court's inquiry, Deft. agreed to waive the 60 day rule.

CUSTODY

12/17/15 8:30 AM CALENDAR CALL

1/5/16 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 17, 2015**

C-15-308371-1 State of Nevada
vs
RONNY POWE

December 17, 2015 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Drummond, Craig W.	Attorney
	POWE, RONNY	Defendant
	Smith, Tyler	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- APPEARANCES: Deputy District Attorney Tyler Smith, Esq., is present on behalf of State of Nevada. Attorney Nadine Morton, Esq., is present on behalf of Deft. Thaironya Breienne Powe, who is present in custody from Case C308371-2. Attorney Craig Drummond, Esq., is present on behalf of Deft. Ronny Powe who is also present in custody from Case C308371-1.

Court advised it does not believe Deft. Ronny Powe can join in on the Motion to Sever, Mr. Drummond would have to make his own arguments, and it does not make sense to the Court the way the Motion was presented; however, Deft. can join on the other issue. Mr. Drummond advised the main issue he has, is within 30 days of this event happening, State requested the Court to determine competency on the named victim; State has not looked at the file on this, State has not produced the file, defense requested the file, and the Motion on the competency request has been set after the trial date. Additionally, defense for Deft. Ronny Powe will not be ready, and will be requesting the competency case information be provided to Court for in-camera review at a minimum, as defense may need a psychiatric expert retained, if records are released. Additionally, defense is not ready, until this Court can provide guidance. Discussions as to mental health case

record information of alleged victim and civil procedures by District Attorney. Mr. Smith objected regarding relevancy. Mr. Smith argued he has not had time to answer Deft's other Motion due to when he received the pleadings; and State is ready for trial. Mr. Drummond argued he is alleging a discovery problem, and not impropriety. Additionally, defense had requested the information three months ago, State had indicated no case information is available, and defense has received documents regarding the victim and competency information. Further, State has a duty to inspect the files and evidence to determine if there is exculpatory evidence; defense believes every record available on this issue needs to be provided to Court at a minimum, and the alleged victim's mental health has to be determined, so defense may be able to properly impeach the victim witness. Mr. Drummond further argued State had this information in their possession, no one has looked at it, and defense does not see how further representations can be made. Mr. Smith argued as to legal 2000 procedure, and allegations. Discussions.

Mr. Smith advised he will check again to see if there is a file on the legal 2000. Court stated Family Court may have the records. Court reviewed documents provided by Mr. Drummond in open Court. Mr. Drummond advised no additional court documents defense received were attached, due to the information being protected. Further discussions. Mr. Drummond advised the related documents are not from public proceedings, he has no access to the information either; however, defense can supplement if the Court needs more. Court stated the documents provided by defense counsel today does not show anything regarding competency status and it appears no further action may have been taken at Family Court. Mr. Smith argued these are mental health records, and defense counsel needs to show relevancy to their defense here, which State believes has not been done. Thereafter, Mr. Smith suggested a Court order be submitted. Defense agreed. COURT ORDERED, Mr. Drummond to submit an order granting his Motion for discovery, and to have the Family Court case information and records turned over to this Court for in-camera review.

DEFT. THAIRONYA POWE'S MOTION TO DISMISS FOR FAILURE TO PRESERVE EVIDENCE

Court stated this is a motion for failure to gather. Ms. Morton argued as to photo of a firearm found at scene, and State's failure to preserve the firearm. Ms. Morton also argued there was a duty to have the firearm tested. Mr. Smith opposed the Motion; and argued the firearm is different than the description given by the alleged victim, there is nothing to test the firearm against, and there were no bullet fragments collected including no fragments taken from the victim's leg. Mr. Smith additionally argued State is saying there is no issue with this weapon, and State does not believe it was the firearm used. Further arguments by Ms. Morton regarding defense not conceding to what type of gun was allegedly used to shoot the victim. COURT ORDERED, Motion DENIED.

DEFT. THAIRONYA POWE'S MOTION TO SEVER

Ms. Morton argued in support of severing the case between Deft. and her father being Co-Deft. Ronny Powe. Counsel added State's opposition indicated Co-Deft. Ronny Powe did not make a statement about her client's whereabouts, which is inaccurate. Ms. Morton added in the voluntary statement, Co-Deft. had said her client did live at residence, which is significant; because if Thaironya

Powe is saying she did not live there and was never there, this is mutually exclusive. Court stated defense has another witness who can testify to that, being the grandmother. Mr. Smith opposed the Motion; and argued there being no antagonistic defenses here, no Bruton issues, or no reason to sever this case. Ms. Morton argued Co-Deft. inculpates her client by saying she lived there. Court stated it does not mean her client carried out these set of events. Further arguments by Ms. Morton. Upon Court's inquiry, Mr. Drummond advised he will not add anything to this, further noting he may be making a Motion later, as he has not listened to all the recorded jail calls due to being in a three week trial in another case. Additionally, defense may have issues if State is going to introduce some of these calls; however, the issues will be addressed at a later time with exhibits. SO NOTED. COURT ORDERED, Motion to sever DENIED at this time.

CALENDAR CALL

Mr. Drummond confirmed to Court defense is not ready for trial; and requested a status check hearing be set in thirty days for records to be provided by Family Court Clerk's office to Court, and to see if Court will be releasing these records. Further, if the Court does release the records, defense may need more time to retain an expert. Court noted, State can submit the order on this and have the records provided for in-camera review. COURT ORDERED, Motion to continue trial date GRANTED; trial date VACATED AND RESET.

Mr. Smith requested defense counsel to provide a copy of any mental health records they had received, to the State. Mr. Drummond agreed to do so, and to also include Co-Deft's counsel on receiving copies.

DEFT. RONNY POWE'S MOTION FOR DISCOVERY

At request of Mr. Drummond, COURT ADDITIONALLY ORDERED, the pending Motion filed in Case C308371-1 being the discovery motion is VACATED, as the Court handled this Motion today.

CUSTODY (BOTH)

3/15/16 8:30 A.M. CALENDAR CALL (BOTH)

3/22/16 1:30 P.M. TRIAL BY JURY (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 15, 2016

C-15-308371-1 State of Nevada
vs
RONNY POWE

March 15, 2016 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Drummond, Craig W.	Attorney
	POWE, RONNY	Defendant
	Smith, Tyler	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- CALENDAR CALL...PLAINTIFF'S NOTICE OF MOTION AND MOTION TO CONTINUE

Court provided courtesy copies of records to all parties in open Court. Court's Exhibits ADMITTED and ORDERED SEALED. Mr. Smith noted defense also needed time to go through records. COURT ORDERED, State's motion to continue trial date GRANTED; trial date VACATED AND RESET. Discussions as to Court's general trial start time during the week.

CUSTODY

5/31/16 8:30 A.M. CALENDAR CALL

6/07/16 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 31, 2016**

C-15-308371-1

State of Nevada

vs

RONNY POWE

May 31, 2016**8:30 AM****Calendar Call****HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Debbie Winn**REPORTER:****PARTIES****PRESENT:**

Drummond, Craig
POWE, RONNY
Smith, Tyler
State of Nevada

Attorney
Defendant
Attorney
Plaintiff

JOURNAL ENTRIES

- Attorney Nadine Morton, Esq. is present on behalf of Co-Def. Thaironya Powe; and advised defense's gun expert is unable to travel in June, 2016, due to medical issues; and requested trial be reset in October, 2016. Mr. Drummond joined on the Motion, due to the expert being a joint expert for both Defts. Mr. Smith made no objection; and requested a firm setting. COURT ORDERED, Motion to continue trial date GRANTED; the June 9, 2016 hearing on the Motion is VACATED; trial date VACATED AND RESET. Court provided the weekly trial start times to parties.

CUSTODY

10/04/16 8:30 A.M. CALENDAR CALL

10/11/16 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 04, 2016**

C-15-308371-1 State of Nevada
vs
RONNY POWE

October 04, 2016 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Drummond, Craig	Attorney
	POWE, RONNY	Defendant
	Smith, Tyler	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court TRAILED and RECALLED matter for Mr. Drummond to appear. Mr. Smith advised State will be objecting to defense asking for a trial continuance, further noting discovery and evidence were turned over to defense, and State is ready to go to trial. Additionally, an offer was made to Deft, and it was rejected. Mr. Drummond advised the offer was made, which was different than what parties had originally, Deft. declined, and now he is requesting a continuance. Discussions as to previous posture of the case, joint expert having communicated more with Co-Deft's attorney Nadine Morton, Esq. about both matters, Co-Deft. having accepted a plea deal, the Guilty Plea Agreement in Co-Deft's case, and current change of posture having occurred in this case. Mr. Drummond added he is going to speak with the expert, and defense will request a trial continuance due to change of posture in this matter, further adding defense needs more time to prepare for trial. Court asked how much time is needed. Mr. Drummond advised he can be ready in thirty days, but he has other trials set, including a federal matter. Counsel added the expert may be testifying on some of the issues in this case, however, Co-Deft. has now pled this morning, Ms. Morton and himself had split the duties while preparing on this case, and now he will be meeting and speaking with the expert more about this case. Mr. Smith argued the underlying facts of this case have not changed, the offer was lower for the

Co-Deft, and State is ready. Further objections were made regarding delay. COURT ORDERED, it will grant a short continuance. Court NOTED for the record this is the fifth continuance, and this matter either needs to get resolved, or go forward with trial. FURTHER, trial date VACATED AND RESET. Mr. Drummond advised defense will be ready to go on this new trial setting.

CUSTODY

12/20/16 8:30 A.M. CALENDAR CALL

1/03/17 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 08, 2016**

C-15-308371-1 State of Nevada
vs
RONNY POWE

December 08, 2016 8:30 AM Motion

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Drummond, Craig	Attorney
	POWE, RONNY	Defendant
	Smith, Tyler	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court advised Deft. it reviewed the pleadings; and asked if he believes his attorney will not file a motion to set him free. Deft. read a letter to the Court; and Court advised Deft. he is not able to tell the Court what the motion is. Deft. stated the Court keeps interrupting him every time he can speak. Court told Deft. to go ahead, and stated he cannot answer the Court's question. Deft. stated he asked for a Brady motion. Mr. Drummond advised he litigated a Brady issue back in December, 2015, and records were ordered to Chambers for inspection. Court confirmed this was done. Mr. Drummond stated if Deft. wants to fire him, he does not care, and everything was provided to Deft. as to discovery. Deft. claimed after the fact. Upon Court's inquiry, Mr. Drummond confirmed he also did a file review with State, and he has no issues with discovery here. Deft. stated he did not get everything, and he needs all materials and evidence to help him do his homework to beat the case, further noting he filed his motion in November, and just received a piece of information last Saturday. Court reminded Deft. his attorney is giving him copies of the discovery. Deft. interrupted the Court; and stated he was not finished speaking. Court stated it is finished; and told Deft. he can stop talking. Mr. Drummond provided history of the case including Mr. Tomsheck and Department 3 proceedings. Deft. stated his attorney just explained to him about his case five minutes ago, and he

has lack of trust for him. Court advised Deft. things can be explained to him if he just asks. Deft. argued his life is at stake, Mr. Drummond is ineffective, and he would not be here if there are concerns. Mr. Smith advised he has had two file reviews with defense, and State has made sure Mr. Drummond received everything State had, further noting additional copies were made, and defense has every single of piece of everything. Deft. stated he does not have it and he needs every document or evidence. Mr. Drummond clarified he has been providing everything to Deft, and Deft. did receive an entire copy of discovery of everything that there is. Additionally, the case file is not that big. Court advised Deft. it does not know what else he wants his attorney to do. Deft. stated there has been a complete collapse of the attorney client relationship. COURT ORDERED, Motion DENIED. State to prepare order.

CUSTODY

12/20/16 8:30 A.M. CALENDAR CALL

1/03/17 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 20, 2016

C-15-308371-1 State of Nevada
vs
RONNY POWE

December 20, 2016 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Drummond, Craig	Attorney
	POWE, RONNY	Defendant
	Smith, Tyler	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Parties announced ready. Mr. Smith estimated 4-5 days for trial. Court TRAILED case to handle remaining Calendar Calls. MATTER RECALLED. COURT ORDERED, trial date SET. Mr. Drummond advised an offer was extended, and against his recommendation, Deft. is not inclined to take it, further noting defense made a counter offer, and State will not accept it. Upon Court's inquiry, Mr. Smith confirmed State will leave the offer open for 24 hours. Court canvassed Deft. on State's decision to leave the offer open for 24 hours; and advised Deft. if he decides to take the offer within 24 hours, Court will set this matter on calendar, and if he does not accept the offer, State will revoke it. Deft. acknowledged that he understood.

CUSTODY

1/03/17 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 22, 2016**

C-15-308371-1 State of Nevada
vs
RONNY POWE

December 22, 2016 8:30 AM Entry of Plea

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Holper, Scott	Attorney
	Luong, Vivian	Attorney
	Nelson III, Roy L.	Attorney
	POWE, RONNY	Defendant
	Rogan, Jeffrey	Attorney
	Smith, Tyler	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Nelson not present. Mr. Holper appeared for Mr. Drummond on behalf of Deft; and requested Court to trail the case. Court TRAILED and RECALLED matter. Mr. Holper not present. Mr. Nelson advised Mr. Drummond is out of the jurisdiction, further noting this matter has resolved, and he went over the agreement with Deft, and is not attorney of record. SO NOTED. Amended Information FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. RONNY POWE ARRAIGNED AND PLED GUILTY TO FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Court ACCEPTED plea, and ORDERED, matter referred to the Division of Parole and Probation (P&P); and SET for sentencing; trial date VACATED.

CUSTODY

2/14/17 8:30 A.M. SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 14, 2017**

C-15-308371-1 State of Nevada
vs
RONNY POWE

February 14, 2017 8:30 AM Sentencing

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Clowers, Shanon	Attorney
	Drummond, Craig	Attorney
	POWE, RONNY	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT. RONNY POWE ADJUDGED GUILTY of FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F). Matter submitted. Statements by Deft. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to LIFE WITH A POSSIBILITY OF PAROLE after a MINIMUM of FIVE (5) YEARS is served in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE TERM of a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS in the Nevada Department of Corrections (NDC), for use of deadly weapon, with SIX HUNDRED NINE (609) DAYS CREDIT FOR TIME SERVED. TOTAL AGGREGATE SENTENCE is a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of LIFE in the Nevada Department of Corrections (NDC). BOND, if any, EXONERATED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 02, 2018

C-15-308371-1 State of Nevada
vs
RONNY POWE

January 02, 2018 8:30 AM Motion

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT: Clowers, Shanon Attorney
Drummond, Craig
State of Nevada Plaintiff

JOURNAL ENTRIES

- Deft. not present; incarcerated in Nevada Department of Corrections (NDC). COURT ORDERED, Motion GRANTED; counsel WITHDRAWN. Court noted Deft. has until February 17, 2018, to file any post-conviction. Mr. Drummond advised he will send Deft. a letter regarding today's hearing and Court's ruling allowing him to withdraw as attorney of record from the case, further noting he will also include this post-conviction date in the letter. SO NOTED.

NDC

CLERK'S NOTE: A copy of the above minute order has been delivered by regular mail to: Ronny Powe, #1173457, High Desert State Prison, P.O. BOX 650, Indian Springs, Nevada 89018. /// sb

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 15, 2018

C-15-308371-1 State of Nevada
 vs
 RONNY POWE

March 15, 2018 8:30 AM Motion

HEARD BY: Hardcastle, Kathy **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Clowers, Shanon Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present. Court noted Ms. Luzaich indicated the State was not properly served and requested a continuance to respond, COURT SO ORDERED.

NDC

CONTINUED TO: 05/17/18 8:30

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 05, 2018

C-15-308371-1 State of Nevada
vs
RONNY POWE

April 05, 2018

8:30 AM

Motion

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:

Clowers, Shanon
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Deft. not present; incarcerated in Nevada Department of Corrections (NDC). COURT ORDERED, Motion For Production Of Documents, Papers, Pleadings And Tangible Property Of Defendant GRANTED. State to prepare the order. Former counsel Craig Drummond, Esq., to forward a copy of the case file to Deft.

NDC

CLERK'S NOTE: A copy of the above minute order has been delivered by regular mail to: Ronny Powe, #1173457, High Desert State Prison, P.O. BOX 650, Indian Springs, Nevada 89018. /// sb

CLERK'S NOTE: A copy of the above minute order was forwarded to Attorney Craig Drummond, Esq. /// sb

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 17, 2018

C-15-308371-1 State of Nevada
 vs
 RONNY POWE

May 17, 2018

8:30 AM

Motion

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: State of Nevada Plaintiff
 Zadrowski, Bernard B. Attorney

JOURNAL ENTRIES

- Deft. not present; incarcerated in Nevada Department of Corrections (NDC). COURT ORDERED, Motion DENIED. State to prepare the order.

NDC

CLERK'S NOTE: A copy of the above minute order has been delivered by regular mail to: Ronny Powe #1173457, High Desert State Prison, P.O. BOX 650, Indian Springs, Nevada 89018. /// sb

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 12, 2018

C-15-308371-1 State of Nevada
vs
RONNY POWE

July 12, 2018

8:30 AM

All Pending Motions

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart
Kimberly Estala

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Dickerson, Michael Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- MOVANT RONNY POWE'S PRO PER MOTION FOR LEAVE TO FILE A LATE MOTION FOR RECONSIDERATION...PLAINTIFF RONNY POWE'S PRO PER MOTION FOR TRANSCRIPTS AT STATE EXPENSE...PLAINTIFF RONNY POWE'S PRO PER MOTION FOR RECONSIDERATION

Deft. not present, incarcerated in the Nevada Department of Corrections (NDC).

COURT ORDERED, MOTION FOR LEAVE TO FILE A LATE MOTION FOR RECONSIDERATION, DENIED, MOTION FOR TRANSCRIPTS AT STATE EXPENSE DENIED, and MOTION FOR RECONSIDERATION DENIED. Court DIRECTED the State to prepare the order.

CLERK'S NOTE: A copy of this minute order was mailed to: Ronny Powe HDSP PO Box 650 Indian Springs NV 89018/ /ke 07/12/18

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2019

C-15-308371-1 State of Nevada
vs
RONNY POWE

May 14, 2019

8:30 AM

Motion to Modify Sentence

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:

Moors, Lindsey
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Defendant not present. COURT STATED the Motion lacks merit and ORDERED, Motion DENIED;
State to prepare the Order.

NDC

calendar call

Date Offered	Objection	Date Admitted
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Court's Exhibit

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

RONNY POWE #1173457
P.O. BOX 7007
CARSON CITY, NV 89702

DATE: June 18, 2019
CASE: C-15-308371-1

RE CASE: STATE OF NEVADA vs. RONNY POWE aka RONNY DARROW POWE

NOTICE OF APPEAL FILED: June 17, 2019 (12:46 PM)

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

☐

Case Appeal Statement

- NRAP 3 (a)(1), Form 2

☐

Order

☒

Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; ORDER DENYING DEFENDANT'S PRO PER MOTION FOR CORRECTION
OF ILLEGAL SENTENCE; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF
DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

RONNY POWE
aka RONNY DARROW POWE,

Defendant(s).

Case No: C-15-308371-1

Dept No: XII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 18 day of June 2019.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk