

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Elizabeth A. Brown
Clerk of Supreme Court

RONNY DARROW POWE,
Appellant(s),

vs.

THE STATE OF NEVADA,
Respondent(s),

Case No: C-15-308371-1

Docket No: 79043

RECORD ON APPEAL VOLUME 2

ATTORNEY FOR APPELLANT

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

ATTORNEY FOR RESPONDENT

STEVEN B. WOLFSON,
DISTRICT ATTORNEY
200 LEWIS AVE.
LAS VEGAS, NV 89101

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The only thing The Court Had To go on was The Prosecutions Representation of The Facts. However, The Court Cannot Rely on The Prosecution For The FACTS That must Be Either, Plead To Beyond a Reasonable Doubt By a Defendant, or Proven By The state Beyond a Reasonable Doubt. The only other evidence in this case is The Radiology Photo's (X-Rays), which Cannot Be used.

Therefore, Because Powe's Plea Did not Prove, Beyond a Reasonable Doubt, That He used a weapon That was within NRS 193.165(6), or 202.253(2)'s Definition of Firearm, or any other Definition of "Deadly weapon", The Court Has To conclude That The States Evidence, on The Face of The Record, was Insufficient To support Powe's Deadly weapon Enhancement.

Dated This 26 Day of March 2019.

Respectfully Submitted

ss// R Powe
Ronny Powe #1173457
P.O. Box 650
Indian Springs, NV.
89070, in PRO Se

UNDER PENALTY OF PERJURY STATEMENT

"I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct in accordance with NRS 208.165 and 28 USCA § 1746. Executed on (date) 3/26/2019.

Rowe
(signature)

CERTIFICATE OF SERVICE BY MAILING

I, Ronny Powe, hereby certify, pursuant to NRCP 5(b), that on this 26
day of March, 2019, I mailed a true and correct copy of the foregoing, "MOTION FOR CORRECTION OF illegal Sentence."
by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,
addressed as follows:

CLERK, CLARK COUNTY COURT
200 Lewis Ave 3rd Floor
Las Vegas, NV. 89155

Office of District Attorney
200 Lewis Ave
Las Vegas, NV. 89155-2212

CC:FILE

DATED: this 26 day of March, 2019.

RPowe
Ronny Powe #1173457
movant /In Propria Personam
Post Office box 650 [HDSP]
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Motion For Correction Of Illegal Sentence
(Title of Document)

filed In District Court Case number C-15-308371-1

☒ 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.

PP [Signature]
Signature

3/26/2019
Date

Ronny Powe
Print Name

Pro Per
Title



1 RTRAN

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3
4 DISTRICT COURT
5 CLARK COUNTY, NEVADA

6 THE STATE OF NEVADA,)

7 Plaintiff,)

8 vs.)

9 RONNY POWE,)

10 aka, RONNY DARROW POWE,)

11 Defendant.)

CASE NO. C308371-1

DEPT. XII

12 BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

13 THURSDAY, DECEMBER 22, 2016

14 **RECORDER'S TRANSCRIPT RE:**
15 **ENTRY OF PLEA**

16 **APPEARANCES:**

17 For the Plaintiff:

JEFFREY S. ROGAN, ESQ.
Chief Deputy District Attorney

VIVIAN LUONG, ESQ.
Deputy District Attorney

20 For the Defendant:

SCOTT M. HOLPER, ESQ.
ROY L. NELSON, III, ESQ.

22
23
24 RECORDED BY: KRISTINE SANTI, COURT RECORDER
25

1 LAS VEGAS, NEVADA, THURSDAY, DECEMBER 22, 2016

2 * * * * *

3 [Case called at 10:21 a.m.]

4 THE COURT: State versus Ronny Powe, C308371, present in
5 custody.

6 Good morning, sir.

7 THE DEFENDANT: Good morning.

8 MR. HOLPER: Your Honor, my apologies. I received a message.
9 Mr. Drummond is out of town. Court's indulgence.

10 THE COURT: It's my understanding Mr. Powe was going to enter a
11 plea today.

12 THE DEFENDANT: Yes, but I wanted to speak to him. He said he
13 was going to talk to me for a brief minute or two so –

14 THE COURT: Okay. Mr. Drummond?

15 THE DEFENDANT: No. This – he can talk to me. He can answer my
16 questions.

17 THE COURT: Okay.

18 MR. HOLPER: Okay.

19 THE COURT: Go ahead.

20 MR. HOLPER: Thank you, my apologies.

21 [Case trailed and recalled at 11:15 a.m.]

22 THE COURT: State versus Ronny Powe, Case C308371.

23 MR. NELSON: Judge, he's present in custody. With your permission,
24 it's resolved this morning. I'm standing in for Mr. Drummond. He's going to
25 plead guilty to one count of First Degree Kidnapping with Use of a Deadly

1 Weapon. Both parties agree on the First Degree Kidnapping portion to a 5 to life
2 sentence. For the deadly weapon enhancement, it's a 5 to 12-and-a-half year
3 sentence to run consecutive, so, essentially, it equates to a 10 to life sentence.
4 I've interlineated on pages 5 and 6 to change the date from October to December
5 and I've gone over the Guilty Plea Agreement with him; although I'm not his
6 attorney of record.

7 THE COURT: Is this what you want to do today, sir?

8 THE DEFENDANT: Yes.

9 THE COURT: Your true and full name for the record?

10 THE DEFENDANT: Ronny D. Powe.

11 THE COURT: How old are you?

12 THE DEFENDANT: Fifty-seven.

13 THE COURT: How far did you go in school?

14 THE DEFENDANT: College.

15 THE COURT: Do you read, write and understand the English
16 language?

17 THE DEFENDANT: Yes.

18 THE COURT: You received a copy of the Amended Information in
19 this case charging you with First Degree Kidnapping with Use of a Deadly
20 Weapon?

21 THE DEFENDANT: Yes.

22 THE COURT: Do you understand this charge?

23 THE DEFENDANT: Yes, I do.

24 THE COURT: How do you plead to the charge in the Amended
25 Information?

1 THE DEFENDANT: [Unintelligible] guilty.
2 THE COURT: I'm sorry?
3 THE DEFENDANT: Guilty.
4 THE COURT: Are you entering into this plea today freely and
5 voluntarily?
6 THE DEFENDANT: Yes.
7 THE COURT: Anyone threaten or coerce you into entering into this
8 plea?
9 THE DEFENDANT: No.
10 THE COURT: Other than what's contained in this Guilty Plea
11 Agreement, anyone make you any promises to get you to enter into this
12 agreement?
13 THE DEFENDANT: No.
14 THE COURT: I have before me a Guilty Plea Agreement. Is this your
15 signature on page 5?
16 THE DEFENDANT: Yes.
17 THE COURT: Did you read it before you signed it?
18 THE DEFENDANT: Yes.
19 THE COURT: Did you understand it prior to signing it?
20 THE DEFENDANT: Yes.
21 THE COURT: Were all of your questions answered to your
22 satisfaction prior to signing it?
23 THE DEFENDANT: Yes.
24 THE COURT: Do you have any questions of the Court regarding this
25 Guilty Plea Agreement?

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THE DEFENDANT: No.

THE COURT: You understand that you have stipulated to do 5 years to life in the Nevada Department of Corrections on the Count of First Degree Kidnapping and that you stipulated to a sentence of 5 to 12-and-a-half years in the Nevada Department Corrections for the deadly weapon enhancement?

THE DEFENDANT: Yes.

THE COURT: So you understand you've stipulated to do 10 to life?

THE DEFENDANT: Yes.

THE COURT: And you understand that, correct?

THE DEFENDANT: Yes.

THE COURT: Do you have any questions about that?

THE DEFENDANT: No.

THE COURT: You understand the range of punishment for this offense is 5 – you understand that the range of punishment is 15 years with parole eligibility beginning after 5 years, plus the 5 to 15 for the deadly weapon enhancement – I'm sorry – plus a consecutive 1 to 20 years for the deadly weapon enhancement. Do you understand that?

THE DEFENDANT: Yes.

THE COURT: You also understand that the State could – I'm sorry – that the Court could sentence you to life in prison with the possibility of parole with eligibility beginning after a minimum of 5 years has been served?

THE DEFENDANT: Yes.

THE COURT: And you understand sentencing is completely within the discretion of the Court; that no one can make you any promises regarding what will happen at the time of sentencing?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: But you understand you have stipulated to do 10 to
3 life?

4 THE DEFENDANT: Yes.

5 THE COURT: Do you have any questions about that?

6 THE DEFENDANT: No.

7 THE COURT: You also understand you are giving up all of your trial
8 rights by entering into this plea today; that you do have a right to a speedy and
9 public trial; that if this matter went to trial the State would be required to prove
10 each of the elements as alleged in their charging document by proof beyond a
11 reasonable doubt. Did your attorney explain to you what the State would have to
12 prove?

13 THE DEFENDANT: I'm not sure.

14 Did you go over that part?

15 THE COURT: Did you –

16 MR. NELSON: Well –

17 THE COURT: You spoke to – you were getting ready to go to trial.

18 THE DEFENDANT: Yes.

19 THE COURT: And you and Mr. Drummond had an opportunity to
20 discuss what the State would have to prove if this matter went to trial, correct?

21 THE DEFENDANT: Yes.

22 THE COURT: You had a chance to discuss any defenses that you
23 would have to these charges?

24 THE DEFENDANT: Yes.

25

1 THE COURT: You understand at the time of trial you'd have the right
2 to testify, to remain silent, to have others come in and testify for you, to be
3 confronted by the witnesses against you and cross-examine them and to appeal
4 any conviction?

5 THE DEFENDANT: Yes.

6 THE COURT: You understand all of these rights?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: You understand that by entering into this plea today
9 that you will be giving up all of these rights?

10 THE DEFENDANT: Yes.

11 THE COURT: Do you have any questions about the rights you're
12 giving up?

13 THE DEFENDANT: No.

14 THE COURT: Do you have any questions about this Guilty Plea
15 Agreement?

16 THE DEFENDANT: The only thing I have a question about is when it
17 – hold on, just a second – it says everything is stipulated and then I go to page 2
18 when it says the 5 to life, plus a minimum of 1 year.

19 MR. NELSON: And a maximum of 20 years. I've explained to him
20 that –

21 THE COURT: Yeah.

22 MR. NELSON: – he could receive 40 percent of the maximum of 20,
23 which would be 8, which is higher than what he's stipulating to. I don't know –
24
25

1 THE COURT: That's correct. You could receive a higher – you could
2 receive a higher sentence than what you've stipulated to because it's completely
3 within the discretion of the Court as to how to sentence you.

4 THE DEFENDANT: Okay.

5 MR. NELSON: And what he's asking is the 1 isn't set in stone. In
6 other words, you could do more than 1. You could do 8. You could do 7. You
7 could do 6, etcetera.

8 THE COURT: Sure.

9 MR. NELSON: Okay.

10 THE COURT: The maximum would be 8 to 20.

11 THE DEFENDANT: Okay. I understand.

12 THE COURT: Do you understand that?

13 THE DEFENDANT: Yes.

14 MR. NELSON: So he was questioning – I said, you stipulated to 10 to
15 life. He was looking at the language from the second page that says 5 to life with
16 the potential of 1 to 20 running consecutive to it, but I explained there's a range
17 of punishment for the deadly weapon enhancement that he could – he would
18 potentially get less, but he could get a whole lot more as well. And that's –

19 THE COURT: Sure.

20 THE DEFENDANT: So there's no 6 to life and then a possibility of
21 parole?

22 THE COURT: Sorry?

23 THE DEFENDANT: Six to life, possibility of parole?

24 MR. NELSON: See, that's the way he's reading page 2. It's a 5 to life
25 for the First Degree Kidnapping –

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THE DEFENDANT: Five to life, plus the 1.

THE COURT: Okay.

MR. NELSON: – and 1 to 20.

THE COURT: You've stipulated to do 10 to life.

THE DEFENDANT: Yes. And then I'm looking at the other page
where –

THE COURT: I don't think that you should even contemplate that
someone is going to give you less than what you stipulated to do.

THE DEFENDANT: Yes. That's what threw me off. I'm not trying to
argue the point, but I just wanted it explained to me more clearly so I can
understand it.

THE COURT: Okay. I can tell you that as the consequences of your
plea the Court must sentence you to the Nevada Department of Prison for life
with the possibility of parole with parole eligibility beginning after a minimum of 5
years has been served or a definite term of 15 years with eligibility of parole
beginning after 5 years has been served, plus a consecutive minimum term of
not less than 1 year and a term of not more than 20 years for the use of the
deadly weapon enhancement.

THE DEFENDANT: Okay.

THE COURT: So whatever the original, so if it's 5 to 15, plus a
consecutive 1 to 20, the Court could sentence you to 12 to 30. The maximum
the Court could sentence you on the deadly weapon enhancement would be 8 to
20.

THE DEFENDANT: Okay.

THE COURT: Do you understand that?

1 THE DEFENDANT: Yes, I do.

2 THE COURT: Okay. Can you tell me what you did in Clark County,
3 Nevada, on or about the 16th day of June 2015, that makes you guilty of First
4 Degree Kidnapping with –

5 THE DEFENDANT: Everything –

6 THE COURT: – Use of a Deadly Weapon?

7 THE DEFENDANT: Everything that's on page 2 on Exhibit 1.

8 THE COURT: Did you willfully, unlawfully, and feloniously, seize,
9 confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away Ms.
10 Martin, a human being, with the intent to hold or detain her against her will, and
11 without her consent, for the purpose of killing and/or inflicting substantial bodily
12 harm on her, with the use of a deadly weapon: a firearm?

13 THE DEFENDANT: Yes.

14 THE COURT: Is the State satisfied?

15 MR. ROGAN: If the Defendant could just allocute as to who he did
16 the crime with.

17 THE COURT: Okay. And who did you do the crime with?

18 THE DEFENDANT: According to this, it says my daughter, Thaironya
19 Breinne –

20 THE COURT: And your daughter has already pled guilty –

21 THE DEFENDANT: Yes.

22 THE COURT: – correct?

23 THE DEFENDANT: Yes.

24 THE COURT: So Thyrona [phonetic] Poe [phonetic]?

25 THE DEFENDANT: No. It's Thaironya.

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THE COURT: Thaironya Poe [phonetic].

THE DEFENDANT: Powe.

THE COURT: Powe?

THE DEFENDANT: Yes.

THE COURT: That's who you did it with?

THE DEFENDANT: Yes.

THE COURT: Okay. Is the State satisfied with that?

MR. ROGAN: Yes.

THE COURT: At this time the Court is going to accept your plea,
make a finding you've entered into it freely and voluntarily; that you understand
the nature of the charges and the consequences of your plea. The matter will be
referred to Parole and Probation and it will be set for sentencing.

THE CLERK: Yes, Your Honor.

February 14, 8:30.

MR. NELSON: Thank you, Your Honor.

THE COURT: Thank you.

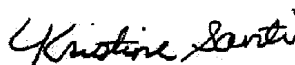
MR. ROGAN: Thank you, Your Honor.

THE COURT: Thank you.

[Proceedings concluded at 11:24 a.m.]

* * * * *

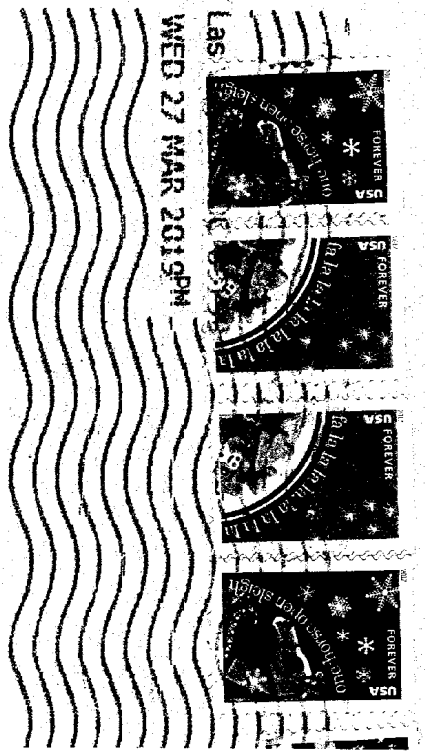
ATTEST: I hereby certify that I have truly and correctly transcribed the audio/visual
proceedings in the above-entitled case to the best of my ability.




KRISTINE SANTI
Court Recorder

Ronny Poewe #1173457
HDSP P.O. Box 650
Indian Springs, NV. 89070

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





1 **OPPS**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
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6 Chief Deputy District Attorney
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8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 RONNY POWE, aka, Ronny Darrow Powe
13 #1415128

14 Defendant.

CASE NO: C-15-308371-1

DEPT NO: XII

15 STATE'S OPPOSITION TO DEFENDANT'S MOTION TO
16 CORRECT ILLEGAL SENTENCE

17 DATE OF HEARING: MAY 14, 2018
18 TIME OF HEARING: 8:30 AM

19 COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County
20 District Attorney, through CHARLES W. THOMAN, Chief Deputy District Attorney, and
21 hereby submits the attached Points and Authorities in Opposition to Defendant's Motion to
22 Modify Sentence.

23 This response is made and based upon all the papers and pleadings on file herein, the
24 attached points and authorities in support hereof, and oral argument at the time of hearing, if
25 deemed necessary by this Honorable Court.

26 //

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28 //

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On July 30, 2015, Ronny Powe (hereinafter "Defendant") was charged by way of
4 Information as follows: Count 1 – First Degree Kidnapping With Use of a Deadly Weapon
5 Resulting in Substantial Bodily Harm; Count 2- Attempt Murder With Use of a Deadly
6 Weapon; Count 3 - Battery With Use of a Deadly Weapon Resulting in Substantial Bodily
7 Harm Constituting Domestic Violence; Count 4 - Battery With Use of a Deadly Weapon
8 Resulting in Substantial Bodily Harm Constituting Domestic Violence; Count 5 – Battery
9 With Use of a Deadly Weapon Resulting in Substantial Bodily Harm Constituting Domestic
10 Violence; Count 6 – Battery Constituting Domestic Violence – Strangulation; and Count 7 –
11 Battery With Use of a Deadly Weapon Resulting in Substantial Bodily Harm Constituting
12 Domestic Violence.

13 On July 31, 2015, Defendant was arraigned and plead not guilty.

14 On December 14, 2015, Defendant filed a Motion for Discovery. On December 17,
15 2015, this Court granted Defendant's Motion for Discovery.

16 On November 17, 2016, Defendant filed a Motion to Dismiss Counsel and Appoint
17 Alternate Counsel. On December 8, 2016, this Court denied Defendant's Motion to Dismiss
18 Counsel and Appoint Alternate Counsel.

19 On December 22, 2016, Defendant pleaded guilty to First Degree Kidnapping with Use
20 of a Deadly Weapon (Category A Felony – NRS 200.310, 200.320, 193.165 – NOC 50055).
21 The parties stipulated to a sentence of five (5) years to Life in the Nevada Department of
22 Corrections for First Degree Kidnapping. The parties also stipulated to a sentence of five (5)
23 years to twelve and one-half (12 ½) years in the Nevada Department of Corrections for the
24 deadly weapon enhancement. That same day, the State filed Amended Information reflecting
25 the charge in the Guilty Plea Agreement.

26 On February 14, 2017, Defendant was sentenced on the charge of First Degree
27 Kidnapping with Use of a Deadly Weapon as follows: Life, with the eligibility of parole after
28 serving a minimum of five (5) years, plus a consecutive term of one hundred fifty (150) months

1 with a minimum parole eligibility of sixty (60) months for the Use of a Deadly Weapon. The
2 aggregate total sentence imposed was Life, with a minimum of one hundred twenty (120)
3 months before eligibility for parole. Defendant received six hundred and nine (609) days credit
4 for time served. A Judgment of Conviction was filed on February 17, 2017.

5 On April 13, 2017, Defendant filed a Notice of Appeal. On May 19, 2017, the Nevada
6 Supreme Court filed an Order Dismissing Appeal. Remittitur issued June 14, 2017.

7 On March 14, 2018, Defendant filed a Motion for Production of Documents, Papers,
8 Pleadings and Tangible Property of Defendant. This Court granted Defendant's Motion for
9 Production of Documents, Papers, Pleadings and Tangible Property of Defendant on April 5,
10 2018.

11 On February 21, 2018, Defendant filed a Motion for Modification of Sentence. The
12 State filed a Response thereto on May 15, 2018. On May 17, 2018, the court denied
13 Defendant's Motion for Modification of Sentence.

14 On June 21, 2018, Defendant filed a Motion for Reconsideration of the denial of his
15 Motion for Modification of Sentence, along with a Motion for Leave to File a Late Motion for
16 Reconsideration. The court denied both motions on July 12, 2018. On August 7, 2018,
17 Defendant filed a Notice of Appeal. On October 16, 2018, the Nevada Supreme Court issued
18 an Order dismissing Defendant's appeal.

19 On April 1, 2019, Defendant filed the instant Motion to Correct Illegal Sentence. The
20 State's Opposition follows.

21 **ARGUMENT**

22 **I. DEFENDANT'S SENTENCE IS NOT FACIALLY ILLEGAL**

23 NRS 176.555 states that "[t]he court may correct an illegal sentence at any time." See
24 also Passanisi v. State, 108 Nev. 318, 321, 831 P.2d 1371, 1372 (1992). However, the grounds
25 to correct an illegal sentence are interpreted narrowly under a limited scope. See Edwards v.
26 State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996); see also Haney v. State, 124 Nev. 408,
27 411, 185 P.3d 350, 352 (2008). "A motion to correct an illegal sentence is an appropriate
28 vehicle for raising the claim that a sentence is facially illegal at any time; such a motion cannot

1 be used as a vehicle for challenging the validity of a judgment of conviction or sentence based
2 on alleged errors occurring at trial or sentencing.” Edwards, 112 Nev. at 708, 918 P.2d at 324.
3 Motions to correct illegal sentences evaluate whether the sentence imposed on the defendant
4 is “at variance with the controlling statute, or illegal in the sense that the court goes beyond
5 its authority by acting without jurisdiction or imposing a sentence in excess of the statutory
6 maximum provided.” Id. (quoting Allen v. United States, 495 A.2d 1145, 1149 (D.C. 1985)).
7 Other claims attacking the conviction or sentence must be raised by a timely filed direct appeal
8 or a timely filed Petition for a Post-Conviction Writ of Habeas Corpus per NRS 34.720-34.830,
9 or other appropriate motion. See id. “Bare” and “naked” allegations are not sufficient to
10 warrant post-conviction relief, nor are those belied and repelled by the record. Hargrove v.
11 State, 100 Nev. 498, 502, 686 P.2d 222, 225 (1984). “A claim is ‘belied’ when it is contradicted
12 or proven to be false by the record as it existed at the time the claim was made.” Mann v. State,
13 118 Nev. 351, 354, 46 P.3d 1228, 1230 (2002).

14 **A. DEFENDANT’S SENTENCE IS FACIALLY LEGAL**

15 Defendant was convicted of First Degree Kidnapping with Use of a Deadly Weapon
16 (Category A Felony – NRS 200.310, 200.320, 193.165 – NOC 50055). Pursuant to
17 negotiations, the parties stipulated to a sentence for First Degree Kidnapping to Life in the
18 Nevada Department of Corrections with the possibility of parole, with eligibility for parole
19 beginning when a minimum of 5 years have been served. Guilty Plea Agreement at 1. The
20 relevant potential penalties for First Degree Kidnapping as pertaining to the instant case
21 pursuant to NRS 200.320 are as follows:

22 NRS 200.320 Kidnapping in first degree: Penalties. A person
23 convicted of kidnapping in the first degree is guilty of a category A
24 felony and shall be punished:

25 2. Where the kidnapped person suffers no substantial bodily
26 harm as a result of the kidnapping, by imprisonment in the state
prison:

27 (a) For life with the possibility of parole, with eligibility for
parole beginning when a minimum of 5 years has been served; or

28 (b) For a definite term of 15 years, with eligibility for parole
beginning when a minimum of 5 years has been served.

1 Defendant's sentence of Life with the possibility of parole, with eligibility for parole
2 beginning when a minimum of 5 years have been served is within the statutory sentencing
3 range as set forth in NRS 200.320(2)(a); thus, this sentence is facially legal and needs no
4 "correction" pursuant to NRS 176.555. As to the Deadly Weapon sentencing enhancement
5 pursuant to NRS 193.165, the parties stipulated to a consecutive sentence of five (5) to twelve
6 and one-half (12 ½) years in the Nevada Department of Corrections. Guilty Plea Agreement
7 at 1. The relevant potential penalty for a Deadly Weapon sentencing enhancement is as
8 follows:

9 NRS 193.165 Additional penalty: Use of deadly weapon or tear gas
10 in commission of crime; restriction on probation.

11 1. Except as otherwise provided in NRS 193.169, any person who
12 uses a firearm or other deadly weapon or a weapon containing or
13 capable of emitting tear gas, whether or not its possession is permitted
14 by NRS 202.375, in the commission of a crime shall, in addition to
15 the term of imprisonment prescribed by statute for the crime, be
16 punished by imprisonment in the state prison for *a minimum term of*
17 *not less than 1 year and a maximum term of not more than 20 years.*

18 2. The sentence prescribed by this section:

19 (a) Must not exceed the sentence imposed for the crime; and

20 (b) Runs consecutively with the sentence prescribed by statute for
21 the crime.

22 Defendant's sentence of a minimum of five (5) and a maximum of twelve and one-half
23 (12.5) years falls well within the statutory range for the Deadly Weapon Enhancement
24 pursuant to NRS 193.165(1) and (2), as it is between a minimum of 1 year and a maximum of
25 20 years, does not exceed the sentence imposed for First Degree Kidnapping, and runs
26 consecutively to the First Degree Kidnapping charge as set forth in the Judgment of
27 Conviction. Therefore, Defendant's sentence on both the First Degree Kidnapping charge as
28 well as the Deadly Weapon enhancement are facially legal as they are not at variance with the
controlling statutes and do not exceed the statutory maximums. To the extent that Defendant's
claims in the instant motion could be construed as an argument that his sentence is facially
illegal, such a claim is without factual or legal merit and should be denied.

///

1 **B. DEFENDANT'S SENTENCE ENHANCEMENT FOR THE USE OF A**
2 **DEADLY WEAPON IS LEGAL**

3 In the instant Motion, Defendant alleges his sentence is illegal because the State never
4 proved that the firearm Defendant used was a "deadly weapon" as defined by NRS 193.165
5 and NRS 202.253. Motion at 4-5. Defendant misunderstands the application of NRS 193.165
6 to his sentence. Defendant also argues the State must establish that the firearm was a "firearm"
7 as defined by NRS 202.253(2), which states "'Firearm' means any device designed to be used
8 as a weapon from which a projectile may be expelled through the barrel by the force of any
9 explosion or other form of combustion." Defendant alleges that there was no evidence to show
10 that the firearm he used fit the definition of "firearm" as defined by NRS 202.253(2), therefore
11 was no evidence to show that he used a "deadly weapon" in the commission of his crime,
12 rendering his sentencing enhancement unlawful. Motion at 1-15. As set forth below,
13 Defendant's claim is belied by the record and is incorrect as a matter of law.

14 Defendant pled guilty to the following extensive and detailed recitation of facts as set
15 forth in the Amended Information attached to his Guilty Plea Agreement, which sets forth that
16 he used a hammer and a firearm to beat the victim and shoot her in her knee:

17 ...on or about the 16th day of June, 2015, within the County of Clark,
18 State of Nevada, contrary to the form, force and effect of statutes in
19 such cases made and provided, and against the peace and dignity of
20 the State of Nevada, did together with THARONYA BREINNE
21 POWE, aka, Thaironya Breienne Powe willfully, unlawfully, and
22 feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal,
23 kidnap, or carry away RANETTE MARTIN, a human being, with the
24 intent to hold or detain the said RANETTE MARTIN against her will,
25 and without her consent, for the purpose of killing and/or inflicting
26 substantial bodily harm, *with use of a deadly weapon*, to-wit: a a (sic)
27 *hammer and/or handgun* and/or gasoline and fire; the Defendants
28 being criminally liable under one or more of the following principles
 of criminal liability, to-wit: (1) by directly committing this crime;
 and/or (2) by aiding or abetting in the commission of this crime, with
 the intent that this crime be committed, by counseling, encouraging,
 commanding, inducing and/or otherwise procuring the other to
 commit the crime; and/or (3) pursuant to a conspiracy to commit this
 crime, with the intent that this crime be committed, Defendants aiding
 or abetting and/or conspiring in the following manner, to wit: by

1 entering into a course of conduct whereby Defendant RONNY POWE
2 placed RANETTE MARTIN in a chokehold and dragged her into the
3 garage and Defendant THAIRONYA BREINNE POWE prevented
4 RANETTE MARTIN from escaping by punching her and then
5 confined her in the garage by closing the door, Defendant
6 THAIRONYA BREINNE POWE struck RANETTE MARTIN about
7 the head and body and then duct taped RANETTE MARTIN'S ankles,
8 thereafter *Defendant RONNY POWE duct taped RANETTE*
9 *MARTIN'S wrists and struck her on the head with a hammer and/or*
10 *struck her in the mouth with a handgun and/or set her on fire,*
11 *thereafter Defendant RONNY POWE shot her in the knee, Defendant*
12 *THAIRONYA BREINNE POWE acting as confederate and/or*
13 *lookout throughout, Defendants acting in concert throughout.*

14 Amended Information at 1-2 (emphasis added).

15 During the entry of his plea, Defendant also agreed that he used a firearm—a deadly
16 weapon—in the commission of his crime:

17 THE COURT: Okay. Can you tell me what you did in Clark County,
18 Nevada, on or about the 16th day of June 2015, that makes you guilty
19 of First Degree Kidnapping with –

20 THE DEFENDANT: Everything –

21 THE COURT: – Use of a Deadly Weapon?

22 THE DEFENDANT: Everything that's on page 2 on Exhibit 1.

23 THE COURT: Did you willfully, unlawfully, and feloniously, seize,
24 confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry
25 away Ms. Martin, a human being, with the intent to hold or detain her
26 against her will, and without her consent, for the purpose of killing
27 and/or inflicting substantial bodily harm on her, *with the use of a*
28 *deadly weapon: a firearm?*

THE DEFENDANT: Yes.

Entry of Plea Transcript, filed Dec. 3, 2018, at 10 (emphasis added).

Further, as set forth in NRS 193.165, it is not necessary that the State prove a firearm
is a deadly weapon to enhance the Defendant's sentence when a firearm is used in the

1 commission of the crime, as “firearm” is separately delineated from deadly weapon in NRS
2 193.165(1):

3 NRS 193.165 Additional penalty: Use of deadly weapon or tear gas
4 in commission of crime; restriction on probation.

5 1. Except as otherwise provided in NRS 193.169, any person who
6 uses a *firearm* or other deadly weapon or a weapon containing or
7 capable of emitting tear gas, whether or not its possession is permitted
8 by NRS 202.375, in the commission of a crime shall, in addition to
the term of imprisonment prescribed by statute for the crime, be
punished by imprisonment in the state prison for a minimum term of
not less than 1 year and a maximum term of not more than 20 years.

9 (Emphasis added).

10 Further, NRS 193.165(6)(b) sets forth that a deadly weapon enhancement can be
11 rendered based on the use of *any* “deadly weapon,” or “[a]ny weapon, device, instrument,
12 material or substance which, under the circumstances in which it is used, attempted to be used
13 or threatened to be used, is readily capable of causing substantial bodily harm or death...”

14 Here, the State had no need to establish that the firearm used in the commission of the
15 Defendant’s crime was a “deadly weapon” pursuant to NRS 202.253(2) to enhance the
16 Defendant’s sentence under NRS 193.165(1). First, Defendant admitted at entry of plea that
17 he used a firearm in the commission of the crime, and that the firearm was a deadly weapon.
18 Entry of Plea at 10. Second, he admitted in his guilty plea that he used a firearm in the
19 commission of the crime; using a firearm in the commission of a crime renders Defendant
20 specifically eligible for the sentencing enhancement pursuant to NRS 193.165(1). Further,
21 Defendant admitted the firearm used in the commission of the crime was a device “designed
22 to be used as a weapon from which a projectile may be expelled through the barrel by the force
23 of any explosion or other form of combustion,” as he admitted he used that firearm to shoot
24 the victim in the knee, rendering his firearm a “firearm” under NRS 202.252(2). Finally, even
25 if somehow the firearm used in this case was neither a “firearm” or “deadly weapon” under
26 NRS 202.252(2) and NRS 193.165(1)—which the State does not concede—Defendant used a
27 second deadly weapon, a hammer, in the commission of his crime. By striking the victim on
28 the head with a hammer, Defendant indisputably used a “deadly weapon” in the commission

1 of his crime pursuant to NRS 193.165(6)(b), as a hammer used to strike someone in the head
2 would certainly qualify as a "weapon, device, instrument, material or substance which, under
3 the circumstances in which it is used, attempted to be used or threatened to be used, is readily
4 capable of causing substantial bodily harm or death." See Archanian v. State, 122 Nev. 1019,
5 1032, 145 P.3d 1008, 1018 (2006) ("The hammer lying next to Quiroga's body, covered in her
6 blood, coupled with evidence that she died from blunt force trauma to her head sufficiently
7 supports a finding that the hammer was readily capable of causing death and that it was used
8 to murder Quiroga. We conclude that the hammer constituted a deadly weapon under the
9 circumstances of this case.")

10 Thus, Defendant's claim that his deadly weapon enhancement is unlawful because he
11 did not use a "deadly weapon" is emphatically belied by the record and incorrect as a matter
12 of law for multiple independent reasons. Defendant's Motion to Correct Illegal Sentence is
13 thus without any legal or factual merit and should be denied in totality.

14 CONCLUSION

15 For the forgoing reasons, the State respectfully requests that Defendant's Motion to
16 Correct Illegal Sentence should be DENIED.

17 DATED this 2nd day of May, 2019.

18 Respectfully submitted,

19 STEVEN B. WOLFSON
20 Clark County District Attorney
Nevada Bar #001565

21 BY

22 Amy L. Ferrell #10347 for
23 CHARLES W. THOMAN meB
Chief Deputy District Attorney
Nevada Bar #12649

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CERTIFICATE OF MAILING

I hereby certify that service of the above and foregoing was made this ____ day of
May, 2019, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

RONNY POW
BAC #1173457
P.O. BOX 650 (HDSP)
INDIAN SPRINGS, NV, 89070

BY _____
Secretary for the District Attorney's Office

15F08992X/mlb/dvu

54

FILED

JUN 06 2019

John J. Williams
CLERK OF COURT

1 MISC
2 Name: Ronny Powe #1173457
3 Address: Wscf P.O. Box 7007
4 Carson City, NV. 89702
5 Telephone: _____
6 Email Address: _____
7 In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

9
10 State of Nevada
11 Plaintiff,
12 vs.
13 Ronny Powe
14 Defendant.

CASE NO.: C-15-308371-1
DEPT: 12

17 Change of Address
18 Title of Document

21 Respectfully submitted by:
22 (Your signature) R Powe
23 (Your name) RONNY POWE 1173457
24 ☐ Plaintiff / ☒ Defendant In Proper Person

C-15-308371-1
NCOA
Notice of Change of Address
4840794



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JUN - 6 2019

CLERK OF THE COURT

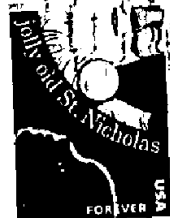
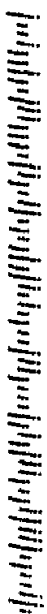
The Clark County Family Law Self-Help Center

h

Ronny Rose #1173457
USCJ P.O. Box 7007
Carson City, NV. 89702

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

8910136300



Steven D. Grierson

1 **ORDR**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 LINSEY MOORS
6 Deputy District Attorney
7 Nevada Bar #12232
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,

12 -vs-

13 RONNY POWE, aka, Ronny Darrow Powe,
14 #1415128

15 Defendant.

CASE NO: C-15-308371-1

DEPT NO: XII

16
17 **ORDER DENYING DEFENDANT'S PRO PER MOTION**
18 **FOR CORRECTION OF ILLEGAL SENTENCE**

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

21 THIS MATTER having come on for hearing before the above entitled Court on the
22 14th day of May, 2019, the Defendant not being present, IN PROPER PERSON, the Plaintiff
23 being represented by STEVEN B. WOLFSON, District Attorney, through LINSEY MOORS,

24 ///

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JUN 11 2019

DEPT. 12

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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

Steven D. Grierson

1 Ronny Powe # 1173457
2 Appellant In Proper Person
3 P.O. Box 650 H.D.S.P.
4 Indian Springs, Nevada 89018

5 8th DISTRICT COURT
6 Clark COUNTY NEVADA

7
8 Ronny Powe,
9 Appellant,
10 -v-
11 State of Nevada,
12 Respondent.

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

14 NOTICE OF APPEAL

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

20
21 Dated this date, 6/12/19.

23 Respectfully Submitted,

24 R Powe # 1173457

In Proper Person

25
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28
CLERK OF THE COURT

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.

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

AFFIRMATION

The undersigned does hereby affirm that the preceding Notice

of appeal

filed in District Court Case number



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

(State specific law)

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

RPowell # 1173457

6/12/19
Date

Ronny Powe
Print Name

Pro Per

273

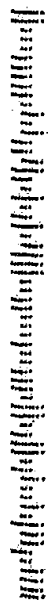
Ronny Poole #1173457
USCC P.O. Box 7007
Carson City, NV. 89702

RENO NV 895
13 JUN 2013 PM 2 L



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

89101-6300



Steven D. Grierson

1 Ronny Powe #1173457

2 In Proper Person
3 P.O. Box 650 H.D.S.P.
4 Indian Springs, Nevada 89018

5 8th DISTRICT COURT
6 Clark COUNTY NEVADA

7
8 Ronny Powe,
9 Appellant,

Case No. C-15-30837-1

Dept.No. XII

Docket _____

10 -v-
11 State of Nevada,
12 Respondent,
13 _____

14 NOTICE OF APPEAL

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

20
21 Dated this date, 6/10/19.

22
23 Respectfully Submitted,

24
25 RPowe #1173457

26 In Proper Person
27
28

RECEIVED

CLERK OF THE COURT

CERTIFICATE OF SERVICE BY MAILING

I, Ronny Powe, hereby certify, pursuant to NRCP 5(b), that on this 10
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:

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

DATED: this 10 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

(Title of Document)

filed in District Court Case number C-15-30837-1

☒ 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.

Bevel # 1173457
Signature

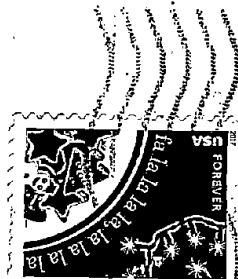
6/10/19
Date

Ronny Powe
Print Name

Pro Per
Title

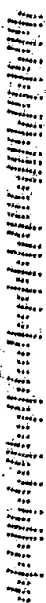
Ronny Fowe #1173457
USCC P.O. Box 7007
Carson City, NV 89702

RENO NV 895
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Steven D. Grierson
Clerk of the Court
200 Lewis Ave, 3rd Floor
Las Vegas, NV. 89155-1160

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**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

STATE OF NEVADA,

Plaintiff(s),

vs.

RONNY POWE
aka RONNY DARROW POWE,

Defendant(s),

Case No: C-15-308371-1

Dept No: XII

CASE APPEAL STATEMENT

1. Appellant(s): Ronny Powe

2. Judge: Michelle Leavitt

3. Appellant(s): Ronny Powe

Counsel:

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

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney
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



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**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

STATE OF NEVADA,

Plaintiff(s),

vs.

RONNY POWE
aka RONNY DARROW POWE,

Defendant(s),

Case No: C-15-308371-1

Dept No: XII

CASE APPEAL STATEMENT

1. Appellant(s): Ronny Powe

2. Judge: Michelle Leavitt

3. Appellant(s): Ronny Powe

Counsel:

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

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney
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

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**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

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Minutes Date: July 31, 2015

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	Attorney
	POWE, RONNY	Defendant
	Smith, Tyler	Attorney
	State of Nevada	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

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**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

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Minutes Date: July 31, 2015

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
State of Nevada

Attorney
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 Attorney
 State of Nevada 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 Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

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

NDC

Certification of Copy and Transmittal of Record

State of Nevada }
County of Clark } SS:

Pursuant to the Supreme Court order dated July 9, 2019, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises two volumes with pages numbered 1 through 404.

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 12 day of July 2019.

Steven D. Grierson, Clerk of the Court



Amber Lasby

Amber Lasby, Deputy Clerk