

*Steven D. Grierson*

Electronically Filed  
Jun 25 2019 08:59 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1 Richard Allan Newsome #1194269

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

5 8<sup>th</sup> DISTRICT COURT  
6 CLARK COUNTY NEVADA

7  
8 Richard Allan Newsome,

9 Petitioner,

10 -v-

11 THE STATE OF NEVADA,

12 Respondent.

Case No. C-17-321043-1  
Dept.No. 21  
Docket \_\_\_\_\_

13  
14 NOTICE OF APPEAL

15 Notice is hereby given that the Petitioner, Richard Allan  
16 Newsome, 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 PETITION FOR WRIT OF HABEAS CORPUS  
19 (POSTCONVICTION).

20  
21 Dated this date, June 13, 2019.

22  
23 Respectfully Submitted,

24 *[Signature]*

25 In Proper Person

26  
27  
28  
RECEIVED  
JUN 17 2019  
CLERK OF THE COURT

**CERTIFICATE OF SERVICE BY MAILING**

I, Richard Allan Newsome, hereby certify, pursuant to NRCP 5(b), that on this 13  
day of June, 2019, I mailed a true and correct copy of the foregoing, "DE"

NOTICE OF APPEAL.

by depositing it in the High Desert State Prison, <sup>MAIL BOX</sup>~~Legal Library~~, First-Class Postage, fully prepaid,  
addressed as follows:

Steven Grierson, Clerk OF Court

208 Lewis Avenue, 3<sup>RD</sup> Floor  
Las Vegas, NV 89155-1160

DATED: this 13 day of June, 2019.

Richard Allan Newsome #1194269  
#1194269

/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 \_\_\_\_\_

Petition For WRIT OF HABEAS CORPUS (Postconviction)  
(Title of Document)

filed in District Court Case number C-17-321043-1

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

-OR-

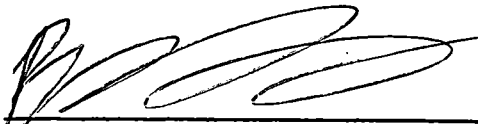
☐ Contains the social security number of a person as required by:

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

6-13-19  
\_\_\_\_\_  
Date

Richard Allan Newsome  
\_\_\_\_\_  
Print Name

Notice of Appeal  
\_\_\_\_\_  
Title

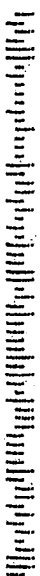
Richard Allen Newsome #1104269  
P.O. Box 650  
Indian Springs, NV 89070

HIGH DESERT STATE PRISON

JUN 13 2019  
UNIT 8 A/B

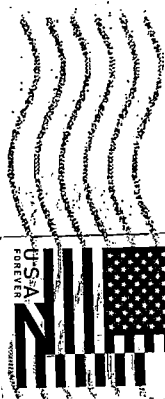
(Legal Mail)

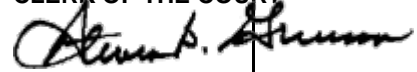
BS101-6300000



STEVEN D. GRIERSON, Clerk of Court  
200 Lewis Avenue, 3rd Floor  
Las Vegas, NV 89155-1160

LAS VEGAS NV 890  
14 JUN 2019 PM 3 L





1 ASTA

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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 RICHARD ALLAN NEWSOME, JR.  
14 aka RICHARD NEWSOME,

15 Defendant(s),

Case No: C-17-321043-1

Dept No: XXI

16  
17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Richard Allan Newsome

20 2. Judge: Valerie Adair

21 3. Appellant(s): Richard Allan Newsome

22 Counsel:

23 Richard Allan Newsome #1194269  
24 P.O. Box 650  
Indian Springs, NV 89070

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: February 2, 2017

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

Type of Judgment or Order Being Appealed: Writ of Habeas Corpus

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 18 day of June 2019.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Richard Allan Newsome

# CASE SUMMARY

## CASE NO. C-17-321043-1

State of Nevada  
vs  
Richard Newsome, Jr.

§  
§  
§  
§  
§  
§  
§  
§

Location: **Department 21**  
Judicial Officer: **Adair, Valerie**  
Filed on: **02/02/2017**  
Cross-Reference Case Number: **C321043**  
Defendant's Scope ID #: **5437116**  
Grand Jury Case Number: **16BGJ059X**  
ITAG Case ID: **1853041**

### CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. MURDER (SECOND DEGREE ) WITH USE OF A DEADLY WEAPON	200.030.2	F	01/14/2017	Case Status:	<b>03/05/2018 Closed</b>
<i>Filed As:</i> MURDER WITH USE OF A DEADLY WEAPON	F		2/2/2017		
2. ASSAULT WITH A DEADLY WEAPON	200.471.2b	F	01/14/2017		

#### Related Cases

A-19-788618-W (Writ Related Case)  
C-17-321043-2 (Multi-Defendant Case)

#### Statistical Closures

03/05/2018 Guilty Plea with Sentence (before trial) (CR)

#### Warrants

Indictment Warrant - Newsome, Richard Allan, Jr. (Judicial Officer: Johnson, Eric )  
02/09/2017 11:45 AM Returned - Served  
Hold Without Bond

Indictment Warrant - Newsome, Richard Allan, Jr. (Judicial Officer: Gonzalez, Elizabeth )  
02/09/2017 11:45 AM Returned - Served  
Hold Without Bond

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number	C-17-321043-1
Court	Department 21
Date Assigned	02/02/2017
Judicial Officer	Adair, Valerie

### PARTY INFORMATION

		Lead Attorneys
<b>Defendant</b>	<b>Newsome, Richard Allan, Jr.</b>	<b>Momot, John Joseph</b> <i>Retained</i> 7023857170(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)

### DATE

### EVENTS & ORDERS OF THE COURT

### INDEX

#### EVENTS

02/02/2017	 Indictment <i>Indictment</i>
02/02/2017	 Warrant


**CASE SUMMARY**  
**CASE NO. C-17-321043-1**


*Indictment Warrant*


02/03/2017	 Bench Warrant Return
02/08/2017	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, February 1, 2017</i>
02/09/2017	 Warrant <i>Superseding Indictment Warrant</i>
02/09/2017	 Indictment <i>Superseding Indictment</i>
02/15/2017	 Media Request and Order <i>Media Request And Order KSNV</i>
02/15/2017	 Media Request and Order <i>Media Request And Order KTNV</i>
02/16/2017	 Waiver <i>Waiver of Potential and/or Actual Conflict</i>
02/28/2017	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Superseding Indictment, February 8, 2017</i>
03/20/2017	 Ex Parte Application <i>Ex Parte Application for Court Approval of Payment of Specific Categories of Ancillary Defense Costs</i>
04/04/2017	 Order <i>Order Declaring the Defendant Indigent for Purpose of Authorizing Payment of Specific Categories of Ancillary Defense Costs</i>
05/12/2017	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses and/or Expert Witnesses</i>
05/12/2017	 Motion Filed By: Defendant Newsome, Richard Allan, Jr. <i>Defendant's Motion to Continue Trial Date</i>
09/15/2017	 Motion Filed By: Defendant Newsome, Richard Allan, Jr. <i>Defendant's Motion to Continue Trial Date</i>
12/14/2017	 Guilty Plea Agreement
12/14/2017	 Superseding Indictment <i>Second Amended Superseding Indictment</i>
01/25/2018	 PSI
01/25/2018	 PSI - Victim Impact Statements





**CASE SUMMARY**  
**CASE NO. C-17-321043-1**


02/05/2018  Memorandum  
Filed By: Plaintiff State of Nevada  
*Sentencing Memorandum*


02/07/2018  Exhibits  
Filed By: Defendant Newsome, Richard Allan, Jr.  
*DEFENDANTS SENTENCING MEMORANDUM AND EXHIBITS IN AID OF SENTENCING*


03/05/2018  Judgment of Conviction  
*JUDGMENT OF CONVICTION (PLEA OF GUILTY)*


03/05/2018  Criminal Order to Statistically Close Case  
*Criminal Order to Statistically Close Case*


09/17/2018  Motion to Withdraw As Counsel  
Filed By: Defendant Newsome, Richard Allan, Jr.  
*Motion to Withdraw Counsel*


09/17/2018  Notice of Motion  
Filed By: Defendant Newsome, Richard Allan, Jr.

04/05/2019  Recorders Transcript of Hearing  
*Recorder's Transcript of Hearing: Sentencing 02.08.18*

04/12/2019  Order  
Filed By: Plaintiff State of Nevada  
*Order for Transcript*

05/16/2019  Recorders Transcript of Hearing  
*Recorder's Transcript of Hearing Re: Status Check: Trial Readiness. December 14, 2017.*

06/17/2019  Notice of Appeal (criminal)  
Party: Defendant Newsome, Richard Allan, Jr.  
*Notice of Appeal*

06/18/2019  Case Appeal Statement  
*Case Appeal Statement*

**DISPOSITIONS**

12/14/2017 **Plea** (Judicial Officer: Adair, Valerie)  
1. MURDER (SECOND DEGREE ) WITH USE OF A DEADLY WEAPON  
Guilty  
PCN: Sequence:

12/19/2017 **Disposition** (Judicial Officer: Adair, Valerie)  
2. ASSAULT WITH A DEADLY WEAPON  
Amended Information Filed/Charges Not Addressed  
PCN: Sequence:

02/08/2018 **Disposition** (Judicial Officer: Adair, Valerie)  
1. MURDER (SECOND DEGREE ) WITH USE OF A DEADLY WEAPON  
Guilty

**CASE SUMMARY****CASE NO. C-17-321043-1**

PCN: Sequence:

02/08/2018 **Adult Adjudication** (Judicial Officer: Adair, Valerie)  
 1. MURDER (SECOND DEGREE ) WITH USE OF A DEADLY WEAPON  
 01/14/2017 (F) 200.030.2 (DC50011)  
 PCN: Sequence:

---

Sentenced to Nevada Dept. of Corrections  
 Term: Life with the possibility of parole after:10 Years  
 Consecutive Enhancement: Minimum:96 Months, Maximum:240 Months  
 Other Fees  
 1. , \$864.61 To Victim's of Crime  
 2. , \$20,612.47 To the victim's family  
 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

02/15/2018 **Amended Adult Adjudication** (Judicial Officer: Adair, Valerie) Reason: Amended  
 1. MURDER (SECOND DEGREE ) WITH USE OF A DEADLY WEAPON  
 01/14/2017 (F) 200.030.2 (DC50011)  
 PCN: Sequence:


---

Sentenced to Nevada Dept. of Corrections  
 Term: Life with the possibility of parole after:10 Years  
 Consecutive Enhancement: Minimum:96 Months, Maximum:240 Months  
 Credit for Time Served: 394 Days  
 Other Fees  
 1. , \$864.61 To Victim's of Crime  
 2. , \$20,612.47 To the victim's family  
 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

 Comment (2/15/18 - Defendant to receive 394 Days Credit for Time Served)

**HEARINGS**

02/02/2017  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Gonzalez, Elizabeth)

**MINUTES****Warrant**

Inactive Indictment Warrant

Matter Heard;

Journal Entry Details:

*John Blackwell, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 16BGJ059X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-17-321043-1, Department XXI. Ms. Jones requested a warrant, no bail, and advised Deft is in custody on a no bail hold. COURT ORDERED, INDICTMENT WARRANT ISSUED, NO BAIL, and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibits 1 - 16 to be lodged with the Clerk of the Court. At request of the State, Las*

**CASE SUMMARY**  
**CASE NO. C-17-321043-1**


*Vegas Justice Court Case No. 17F00941X DISMISSED. I.W. (CUSTODY) 2-9-17 9:30 AM INITIAL ARRAIGNMENT (DEPT XXI) ;*


**SCHEDULED HEARINGS**

**Initial Arraignment** (02/09/2017 at 9:30 AM) (Judicial Officer: Adair, Valerie)

02/09/2017 **Initial Arraignment** (9:30 AM) (Judicial Officer: Adair, Valerie)  
Matter Heard;

02/09/2017 **Indictment Warrant Return** (9:30 AM) (Judicial Officer: Adair, Valerie)  
Matter Heard;

02/09/2017  **All Pending Motions** (9:30 AM) (Judicial Officer: Adair, Valerie)  
Matter Heard;  
Journal Entry Details:  
*INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN Mr. Momot requested the Court pass the matter for confirmation of counsel and the initial arraignment. Mr. Pesci made no objection and noted that a file-stamped copy of the Indictment and the Grand Jury transcripts were provided to the defense. Court CONTINUED MATTER. CUSTODY CONTINUED TO: 2/16/17 9:30 AM;*

02/09/2017  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Johnson, Eric)

**MINUTES**

**Warrant**

Inactive Indictment Warrant

Matter Heard;

Journal Entry Details:

*John Blackwell, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 16BGJ059A to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-17-321043-1, Department XXI. Ms. Jones requested a warrant, argued no bail be set for Mr. Newsome, and advised he is in custody. COURT ORDERED, INDICTMENT WARRANT ISSUED, NO BAIL, and matter SET for Arraignment. State advised Exhibits 1 - 16 were previously lodged with the Clerk of the Court. COURT FURTHER ORDERED, Exhibits 1a and 2a to be lodged with the Clerk of the Court. I.W. (CUSTODY) 2-16-17 9:30 AM INITIAL ARRAIGNMENT (DEPT XXI - Adair);*

**SCHEDULED HEARINGS**

**Initial Arraignment** (02/16/2017 at 9:30 AM) (Judicial Officer: Adair, Valerie)

02/16/2017 **Initial Arraignment** (9:30 AM) (Judicial Officer: Adair, Valerie)


**MINUTES**

Plea Entered;


Journal Entry Details:

*Mr. Momot CONFIRMED as counsel. DEFT. NEWSOME ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. CUSTODY 6/1/17 9:30 AM CALENDAR CALL 6/5/17 9:30 AM JURY TRIAL;*

**SCHEDULED HEARINGS**

 **All Pending Motions** (02/16/2017 at 9:30 AM) (Judicial Officer: Adair, Valerie)


02/16/2017 **Confirmation of Counsel** (9:30 AM) (Judicial Officer: Adair, Valerie)  
Counsel Confirmed;

02/16/2017  **All Pending Motions** (9:30 AM) (Judicial Officer: Adair, Valerie)  
Matter Heard;

04/04/2017 **CANCELED Motion** (9:30 AM) (Judicial Officer: Adair, Valerie)  
*Vacated - Moot*  
*Defendant's Ex Parte Application for Court Approval of Payment of Specific Categories of Ancillary Defense Costs*

05/30/2017

**CASE SUMMARY**  
**CASE NO. C-17-321043-1**

 **Motion to Continue Trial** (9:30 AM) (Judicial Officer: Adair, Valerie)  
*Defendant's Motion to Continue Trial Date*

**MINUTES**

Granted;

Journal Entry Details:

*Ms. Zheng requested the trial date be continued as there is an on-going exchange of discovery. Mr. Pesci made no objection. COURT CONTINUED TRIAL DATE. CUSTODY 10/12/17 9:30 AM CALENDAR CALL 10/16/17 9:30 AM JURY TRIAL;*

**SCHEDULED HEARINGS**

**CANCELED Calendar Call** (10/12/2017 at 9:30 AM) (Judicial Officer: Adair, Valerie)


*Vacated*

**CANCELED Jury Trial** (10/16/2017 at 9:30 AM) (Judicial Officer: Adair, Valerie)

*Vacated*

06/01/2017 **CANCELED Calendar Call** (9:30 AM) (Judicial Officer: Adair, Valerie)  
*Vacated*

06/05/2017 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer: Adair, Valerie)  
*Vacated*

09/26/2017  **Motion to Continue Trial** (9:30 AM) (Judicial Officer: Adair, Valerie)  
*Defendant's Motion to Continue Trial Date*


**MINUTES**

Granted;

Journal Entry Details:

*Colloquy regarding trial readiness. Ms. Zheng stated she was not going to be ready for trial because she was preparing for other trials. Upon inquiry of the Court, Ms. Zheng stated there were no offers extended, only discussion. Court directed the State to extend an offer within two weeks and Ms. Zheng to meet with the Deft's. Court CONTINUED matter. BOND CONTINUED TO: 10/17/17 9:30 AM 1/11/18 9:30 AM CALENDAR CALL 1/16/18 9:00 AM JURY TRIAL - FIRM;*

**SCHEDULED HEARINGS**

 **Status Check: Trial Readiness** (10/17/2017 at 9:30 AM) (Judicial Officer: Adair, Valerie)  
**10/17/2017, 10/31/2017, 11/14/2017, 11/30/2017, 12/14/2017**

*Trial Readiness/Negotiations*

**CANCELED Calendar Call** (01/11/2018 at 9:30 AM) (Judicial Officer: Adair, Valerie)


*Vacated*

**CANCELED Jury Trial - FIRM** (01/16/2018 at 9:00 AM) (Judicial Officer: Adair, Valerie)

*Vacated*

10/12/2017 **CANCELED Calendar Call** (9:30 AM) (Judicial Officer: Adair, Valerie)  
*Vacated*

10/16/2017 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer: Adair, Valerie)  
*Vacated*

10/17/2017  **Status Check: Trial Readiness** (9:30 AM) (Judicial Officer: Adair, Valerie)  
**10/17/2017, 10/31/2017, 11/14/2017, 11/30/2017, 12/14/2017**  
*Trial Readiness/Negotiations*

**MINUTES**

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Plea Entered;

Journal Entry Details:

*Second Amended Superseding Indictment FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. NEWSOME ARRAIGNED AND PLED GUILTY TO MURDER*

# CASE SUMMARY

CASE NO. C-17-321043-1

(SECOND DEGREE) WITH US 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. Ms. Zheng made an oral motion to allow the Deft's mother to visit him while he's incarcerated adding that she sent Mr. Pesci a text message and he replied that he would submit to the Court's decision. Court GRANTED the oral motion for visitation. NIC (COC-NDC) 2/8/18 9:30 AM SENTENCING;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Plea Entered;

Journal Entry Details:

Ms. Zheng stated the Guilty Plea Agreements were being prepared and requested the matter be continued to give her the opportunity to review them with the Defts. COURT ORDERED, MATTER CONTINUED. CUSTODY CONTINUED TO: 12/14/17 9:30 AM;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Plea Entered;

Journal Entry Details:

Upon inquiry of the Court, Ms. Zheng stated that the case was resolved and requested a continuance to execute the plea agreement. COURT ORDERED, MATTER CONTINUED. NIC (COC-NDC) CONTINUED TO: 11/30/17 9:30 AM;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Plea Entered;

Journal Entry Details:

Ms. Zheng stated she received an offer yesterday and requested additional time to review with the Defts. COURT ORDERED, MATTER CONTINUED. NIC (COC-NDC) CONTINUED TO: 11/14/17 9:30 AM;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Plea Entered;

Journal Entry Details:

Ms. Zheng stated that Mr. Pesci was working on an offer and intends on meeting with the victim's family to see if the offer is sufficient. Ms. Bluth stated that Mr. Pesci would be meeting with the family the following day. COURT ORDERED, MATTER CONTINUED. NIC (COC-NDC) CONTINUED TO: 10/31/17 9:30 AM;

## SCHEDULED HEARINGS



**Sentencing** (02/08/2018 at 9:30 AM) (Judicial Officer: Adair, Valerie)

01/11/2018 **CANCELED Calendar Call** (9:30 AM) (Judicial Officer: Adair, Valerie)  
Vacated

01/16/2018 **CANCELED Jury Trial - FIRM** (9:00 AM) (Judicial Officer: Adair, Valerie)  
Vacated

02/08/2018 **Sentencing** (9:30 AM) (Judicial Officer: Adair, Valerie)

Defendant Sentenced;



Journal Entry Details:

Court noted a sentencing memorandum was received from the State and reviewed. Ms. Zheng stated she also provided one for the Court. Court TRAILED MATTER to review it. MATTER RECALLED. Following a conference at the bench, Court advised parties that all sentencing memorandums were reviewed. Argument by counsel. Statement by Deft. Statement by victim speakers. DEFT NEWSOME ADJUDGED GUILTY of MURDER (SECOND DEGREE) WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$20,612.47 in restitution payable jointly and severally with the co-Deft. to the victim's family and \$864.61 to Victim's of Crime, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to LIFE with the possibility of parole after TEN (10) YEARS in the Nevada Department of Corrections (NDC) with a CONSECUTIVE TERM of a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC). BOND, if any,

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. C-17-321043-1**

	<i>EXONERATED. NDC CLERK'S NOTE: Matter placed back on calendar to have credit for time served ordered. jmc 2/8/18;</i>
02/15/2018	 <b>Further Proceedings</b> (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Add CTS to the Sentence</i> Matter Heard; Journal Entry Details: <i>Ms. Zheng stated the Deft. was in custody for 394 days. Mr. Pesci agreed. COURT ORDERED, DEFT. to receive THREE HUNDRED NINETY-FOUR (394) DAYS credit for time served. NDC;</i>
10/18/2018	 <b>Motion to Withdraw as Counsel</b> (9:30 AM) (Judicial Officer: Adair, Valerie) <i>Defendant's Pro Per Motion to Withdraw Counsel</i> Granted; Journal Entry Details: <i>COURT ORDERED, MOTION GRANTED. NDC;</i>

DATE	FINANCIAL INFORMATION	
	<b>Defendant</b> Newsome, Richard Allan, Jr.	
	Total Charges	194.50
	Total Payments and Credits	16.50
	<b>Balance Due as of 6/18/2019</b>	<b>178.00</b>

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 02, 2017**

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C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

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**February 02, 2017      11:45 AM      Grand Jury Indictment**

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

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Cooper, Jonathan      Attorney  
                 Jones, Tierra D.      Attorney  
                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- John Blackwell, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 16BGJ059X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-17-321043-1, Department XXI.

Ms. Jones requested a warrant, no bail, and advised Deft is in custody on a no bail hold. COURT ORDERED, INDICTMENT WARRANT ISSUED, NO BAIL, and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibits 1 - 16 to be lodged with the Clerk of the Court.

At request of the State, Las Vegas Justice Court Case No. 17F00941X DISMISSED.

I.W. (CUSTODY)

2-9-17      9:30 AM      INITIAL ARRAIGNMENT      (DEPT XXI)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 09, 2017**

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C-17-321043-1      State of Nevada  
                                 vs  
                                 Richard Newsome, Jr.

---

**February 09, 2017      9:30 AM      All Pending Motions**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

**PRESENT:**      Momot, John Joseph      Attorney  
                                 Newsome, Richard Allan, Jr.      Defendant  
                                 Pesci, Giancarlo      Attorney  
                                 State of Nevada      Plaintiff  
                                 Zheng, Yi Lin      Attorney

**JOURNAL ENTRIES**

- INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN

Mr. Momot requested the Court pass the matter for confirmation of counsel and the initial arraignment. Mr. Pesci made no objection and noted that a file-stamped copy of the Indictment and the Grand Jury transcripts were provided to the defense. Court CONTINUED MATTER.

CUSTODY

CONTINUED TO: 2/16/17 9:30 AM



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 09, 2017**

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C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

---

**February 09, 2017      11:45 AM      Grand Jury Indictment**

**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 10B

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cooper, Jonathan	Attorney
	Jones, Tierra D.	Attorney
	Pesci, Giancarlo	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- John Blackwell, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 16BGJ059A to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-17-321043-1, Department XXI.

Ms. Jones requested a warrant, argued no bail be set for Mr. Newsome, and advised he is in custody. COURT ORDERED, INDICTMENT WARRANT ISSUED, NO BAIL, and matter SET for Arraignment. State advised Exhibits 1 - 16 were previously lodged with the Clerk of the Court. COURT FURTHER ORDERED, Exhibits 1a and 2a to be lodged with the Clerk of the Court.

I.W. (CUSTODY)

2-16-17      9:30 AM      INITIAL ARRAIGNMENT      (DEPT XXI - Adair)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 16, 2017**

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C-17-321043-1      State of Nevada  
                                 vs  
                                 Richard Newsome, Jr.

---

**February 16, 2017      9:30 AM      Initial Arraignment**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

**PRESENT:**      Jones, Tierra D.      Attorney  
                         Momot, John Joseph      Attorney  
                         Newsome, Richard Allan, Jr.      Defendant  
                         State of Nevada      Plaintiff  
                         Zheng, Yi Lin      Attorney

**JOURNAL ENTRIES**

- Mr. Momot CONFIRMED as counsel. DEFT. NEWSOME ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial.

**CUSTODY**

6/1/17 9:30 AM CALENDAR CALL

6/5/17 9:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 30, 2017**

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C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

---

**May 30, 2017      9:30 AM      Motion to Continue Trial**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

**PRESENT:**      Newsome, Richard Allan, Jr.      Defendant  
Pesci, Giancarlo      Attorney  
State of Nevada      Plaintiff  
Zheng, Yi Lin      Attorney

**JOURNAL ENTRIES**

- Ms. Zheng requested the trial date be continued as there is an on-going exchange of discovery. Mr. Pesci made no objection. COURT CONTINUED TRIAL DATE.

**CUSTODY**

10/12/17 9:30 AM CALENDAR CALL  
10/16/17 9:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 26, 2017**

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C-17-321043-1      State of Nevada  
                                 vs  
                                 Richard Newsome, Jr.

---

**September 26, 2017    9:30 AM      Motion to Continue Trial**

**HEARD BY:**    Adair, Valerie      **COURTROOM:**    RJC Courtroom 11C

**COURT CLERK:**    Jill Chambers

**RECORDER:**    Susan Schofield

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Newsome, Richard Allan, Jr.	Defendant
	Overly, Sarah	Attorney
	State of Nevada	Plaintiff
	Zheng, Yi Lin	Attorney

**JOURNAL ENTRIES**

- Colloquy regarding trial readiness. Ms. Zheng stated she was not going to be ready for trial because she was preparing for other trials. Upon inquiry of the Court, Ms. Zheng stated there were no offers extended, only discussion. Court directed the State to extend an offer within two weeks and Ms. Zheng to meet with the Deft's. Court CONTINUED matter.

BOND

CONTINUED TO: 10/17/17 9:30 AM

1/11/18 9:30 AM CALENDAR CALL  
1/16/18 9:00 AM JURY TRIAL - FIRM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Felony/Gross Misdemeanor

# COURT MINUTES

**October 17, 2017**

C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

**October 17, 2017      9:30 AM      Status Check: Trial  
Readiness**

**HEARD BY:** Adair, Valerie

**COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield  
Gail Reiger

**REPORTER:**

## PARTIES

<b>PRESENT:</b>	Bluth, Jacqueline	Attorney
	Newsome, Richard Allan, Jr.	Defendant
	State of Nevada	Plaintiff
	Zheng, Yi Lin	Attorney

## JOURNAL ENTRIES

- Ms. Zheng stated that Mr. Pesci was working on an offer and intends on meeting with the victim's family to see if the offer is sufficient. Ms. Bluth stated that Mr. Pesci would be meeting with the family the following day. COURT ORDERED, MATTER CONTINUED.

NIC (COC-NDC)

CONTINUED TO: 10/31/17 9:30 AM



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 14, 2017**

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C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

---

**November 14, 2017      9:30 AM      Status Check: Trial  
Readiness**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bluth, Jacqueline	Attorney
	Newsome, Richard Allan, Jr.	Defendant
	State of Nevada	Plaintiff
	Zheng, Yi Lin	Attorney

**JOURNAL ENTRIES**

- Upon inquiry of the Court, Ms. Zheng stated that the case was resolved and requested a continuance to execute the plea agreement. COURT ORDERED, MATTER CONTINUED.

NIC (COC-NDC)

CONTINUED TO: 11/30/17 9:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 30, 2017**

---

C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

---

**November 30, 2017      9:30 AM      Status Check: Trial  
Readiness**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Newsome, Richard Allan, Jr.	Defendant
	Pesci, Giancarlo	Attorney
	State of Nevada	Plaintiff
	Zheng, Yi Lin	Attorney

**JOURNAL ENTRIES**

- Ms. Zheng stated the Guilty Plea Agreements were being prepared and requested the matter be continued to give her the opportunity to review them with the Defts. COURT ORDERED, MATTER CONTINUED.

CUSTODY

CONTINUED TO: 12/14/17 9:30 AM



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 14, 2017**

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C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

---

**December 14, 2017      9:30 AM      Status Check: Trial  
Readiness**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

**PRESENT:**      Newsome, Richard Allan, Jr.      Defendant  
Pesci, Giancarlo      Attorney  
State of Nevada      Plaintiff  
Zheng, Yi Lin      Attorney

**JOURNAL ENTRIES**

- Second Amended Superseding Indictment FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. NEWSOME ARRAIGNED AND PLED GUILTY TO MURDER (SECOND DEGREE) WITH US 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.

Ms. Zheng made an oral motion to allow the Deft's mother to visit him while he's incarcerated adding that she sent Mr. Pesci a text message and he replied that he would submit to the Court's decision. Court GRANTED the oral motion for visitation.

NIC (COC-NDC)

2/8/18 9:30 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 08, 2018**

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C-17-321043-1      State of Nevada  
                                 vs  
                                 Richard Newsome, Jr.

---

**February 08, 2018      9:30 AM      Sentencing**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

**PRESENT:**      Newsome, Richard Allan, Jr.      Defendant  
                         Pesci, Giancarlo      Attorney  
                         State of Nevada      Plaintiff  
                         Zheng, Yi Lin      Attorney

**JOURNAL ENTRIES**

- Court noted a sentencing memorandum was received from the State and reviewed. Ms. Zheng stated she also provided one for the Court. Court TRAILED MATTER to review it.

MATTER RECALLED.

Following a conference at the bench, Court advised parties that all sentencing memorandums were reviewed. Argument by counsel. Statement by Deft. Statement by victim speakers.

DEFT NEWSOME ADJUDGED GUILTY of MURDER (SECOND DEGREE) WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$20,612.47 in restitution payable jointly and severally with the co-Deft. to the victim's family and \$864.61 to Victim's of Crime, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED to LIFE with the possibility of parole after TEN (10) YEARS in the Nevada Department of Corrections (NDC) with a CONSECUTIVE TERM of a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED

FORTY (240) MONTHS in the Nevada Department of Corrections (NDC).

BOND, if any, EXONERATED.

NDC

CLERK'S NOTE: Matter placed back on calendar to have credit for time served ordered. jmc 2/8/18

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 15, 2018**

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C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

---

**February 15, 2018      9:30 AM      Further Proceedings**

**HEARD BY:** Adair, Valerie      **COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Newsome, Richard Allan, Jr.	Defendant
	Pesci, Giancarlo	Attorney
	State of Nevada	Plaintiff
	Zheng, Yi Lin	Attorney

**JOURNAL ENTRIES**

- Ms. Zheng stated the Deft. was in custody for 394 days. Mr. Pesci agreed. COURT ORDERED, DEFT. to receive THREE HUNDRED NINETY-FOUR (394) DAYS credit for time served.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 18, 2018**

---

C-17-321043-1      State of Nevada  
vs  
Richard Newsome, Jr.

---

**October 18, 2018      9:30 AM      Motion to Withdraw as  
Counsel**

**HEARD BY:** Adair, Valerie

**COURTROOM:** RJC Courtroom 11C

**COURT CLERK:** Jill Chambers

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, MOTION GRANTED.

NDC

**GRAND JURY INDICTMENTS RETURNED IN OPEN COURT FEBRUARY 2, 2017**  
(From Grand Jury sessions held on February 1, 2017)

**JUDGE ELIZABETH GONZALEZ**  
**FOREPERSON JOHN BLACKWELL**

**CHIEF DEPUTY DISTRICT ATTORNEY GIANCARLO PESCI (007135)**  
**DEPUTY DISTRICT ATTORNEY TIERRA JONES (010094)**  
**CHIEF DEPUTY DISTRICT ATTORNEY CHRISTOPHER HAMNER (011390)**  
**CHIEF DEPUTY DISTRICT ATTORNEY STACEY KOLLINS (005391)**

**CASE NO. C-17-321043-1**  
**DEPT. NO. XXI**  
**CDDA GIANCARLO PESCI (MVU)**

**Defendant(s): RICHARD ALLAN NEWSOME, JR., aka, Richard Newsome, #5437116**

**Case No(s): 16BGJ059X (RANDOMLY TRACKS TO DC V & XXI)**

**Charge(s): (1) CT - MURDER WITH USE OF A DEADLY WEAPON (Category A Felony - NRS 200.010, 200.030, 193.165 - NOC 50001) and**  
**(1) CT - ASSAULT WITH A DEADLY WEAPON (Category B Felony - NRS 200.471 - NOC 50201)**

**Def. Counsel(s): WILLIAM TERRY**

**WARRANT (1 WEEK): NO BAIL 2/9 930 DC21**

**DEFT IS IN CUSTODY @ CCDC (17F00941X - PH 2/6 IN JC 12)**

**LVJC CASE TO BE DISM'D: 17F00941X**

**Exhibits:**

- |                        |                  |
|------------------------|------------------|
| 1. Proposed Indictment | 9. Photo         |
| 2. Jury Instructions   | 10. Photo        |
| 3. Photo               | 11. Photo        |
| 4. Photo               | 12. Photo        |
| 5. Photo               | 13. Photo        |
| 6. Photo               | 14. Photo lineup |
| 7. Photo               | 15. Photo Lineup |
| 8. Photo               | 16. Photo        |

**Exhibits 1 - 16 to be lodged with the Clerk of the Court.**

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**Exhibits:**

- 1. Proposed Indictment**
- 1a. Proposed Superseding Ind**
- 2. Jury Instructions**
- 2a. Jury Instructions**
- 3. Photo**
- 4. Photo**
- 5. Photo**
- 6. Photo**
- 7. Photo**
- 8. Photo**
- 9. Photo**
- 10. Photo**
- 11. Photo**
- 12. Photo**
- 13. Photo**
- 14. Photo lineup**
- 15. Photo Lineup**
- 16. Photo**

**Exhibits 1 – 16 were previously lodged with the Clerk of the Court.**

**Exhibits 1a & 2a to be lodged with the Clerk of the Court.**

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

RICHARD ALLAN NEWSOME #1194269  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070

DATE: June 18, 2019  
CASE: C-17-321043-1

**RE CASE:** STATE OF NEVADA vs. RICHARD ALLAN NEWSOME, JR. aka RICHARD NEWSOME

NOTICE OF APPEAL FILED: June 17, 2019

**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

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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; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

RICHARD ALLAN NEWSOME, JR.  
aka RICHARD NEWSOME,

Defendant(s).

Case No: C-17-321043-1

Dept No: XXI

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



Heather Ungermann, Deputy Clerk

