IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Sep 05 2019 10:39 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

JASON HILLIARD A/K/A MATTHEW DEAN GOODNER,
Appellant(s),

vs.

THE STATE OF NEVADA,
Respondent(s),

Case No: 07C236726-2

Docket No: 79321

RECORD ON APPEAL
VOLUME
1

ATTORNEY FOR APPELLANT
MATTHEW GOODNER # 74383,
PROPER PERSON
1200 PRISON RD.
LOVELOCK, NV 89419

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

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Dept. 5

2

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

FILED

2007 SEP -7 P 12: 44

STATE OF NEVADA, Plaintiff,	District Court Case No.: C236726
vs.	Justice Court Case No.: 07F13253B
BRIDGETT ANN CORDOVA	9-17-07 9 AM XIV
Defendant(s)	

CERTIFICATE

I hereby certify the foregoing to be a full, true and correct copy of the proceedings as the same appear in the above case.

Dated this September 5, 2007

William D. Jansen

Justice of the Peace, Las Vegas Township

RECEIVED
SEP 07 2007
CLERK OF THE COURT

Dept. 5

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

STATE OF NEVADA, Plaintiff, vs. BRIDGETT ANN CORDOVA Defendant(s)	District Court Case No.: Justice Court Case No.: 07F13253B

COMMITMENT and ORDER TO APPEAR

An Order having been made this day by me that **BRIDGETT ANN CORDOVA** be held to answer before the Eighth Judicial District Court, Department 14 upon the charge(s) of **CONSPIRACY TO COMMIT MURDER & MURDER WITH USE OF A DEADLY WEAPON**, committed in said Township and County, on or between JUNE 20, 2007 and JUNE 28, 2007.

IT IS FURTHER ORDERED that the Sheriff of the County of Clark is hereby commanded to receive her into custody, and detain her until she can be legally discharged, and that she be admitted to bail in the sum of 100,000/100,000 Dollars, and be committed to the custody of the Sheriff of said County, until such bail is given; and

IT IS FURTHER ORDERED that said defendant(s) is/are commanded to appear in the Eighth Judicial District Court, Regional Justice Center, Lower Level Arraignment Courtroom "A", Las Vegas, Nevada at 9:00 AM on the 17TH day of SEPTEMBER, 2007 for arraignment and further proceedings on the within charge(s).

Dated this September 5, 2007

William D. Janssen

Justice of the Peace, Las Vegas Township

Justice Court, Las Vegas Township

STATE VS. CORDOVA, BRIDGETT ANN CASE NO. 07F13253B
PAGE 2

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AUGUST 28, 2007 W. JANSEN P. WECKERLY, DA R. DRASKOVICH,ESQ. D. GREEN, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT **IN CUSTODY** CONTINUED BY STIPULATION OF COUNSEL – CONTINUED PRELIMINARY HEARING DATE DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	9-4-07 8:30 #5 LKF
SEPTEMBER 4, 2007 W. JANSEN N. NYIKOS, DA R. DRASKOVICH, ESQ. G. DELUCCA, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT **IN CUSTODY** PER NEGOTIATIONS: DEFENDANT UNCONDITIONALLY WAIVES THE RIGHT TO A PRELIMINARY HEARING DEFENDANT BOUND OVER TO DISTRICT COURT #14 AS CHARGED DEFENDANT TO APPEAR IN THE LOWER LEVEL ARRAIGNMENT COURTROOM A APPEARANCE DATE SET ~~DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF~~	SEPT. 17, 2007 9:00 AM DISTRICT COURT ARRAIGNMENT LKF
	CASE FORWARDED TO SEP - 7 2007 COUNTY CLERK'S OFFICE	

JC-1 (Criminal)
Rev. 10/96

Justice Court, Las Vegas Township

STATE VS. CORDOVA, BRIDGETT ANN CASE NO. 07F13253B

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES — HEARING	CONTINUED TO:
JULY 2, 2007	CRIMINAL COMPLAINT FILED: **COUNT 4 – CONSPIRACY TO COMMIT MURDER** **COUNT 6 – MURDER WITH USE OF A DEADLY WEAPON**	PTJ
JULY 3, 2007 W. JANSEN N. NYIKOS, DA D. GREEN, CR L. FOY, CLK	INITIAL ARRAIGNMENT DEFENDANT PRESENT IN COURT IN CUSTODY DEFENDANT ADVISED OF CHARGES/WAIVES READING OF COMPLAINT **COURT RESET BAIL: NO BAIL PER COUNT 4 & 6 – REMAND** PASSED BY COURT NOTIFY R. DRASKOVICH, ESQ/NOTIFIED DMC – SPOKE WITH ERICA 7/3/07 10:48 AM DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	7/5/07 7:30 #5 DMC
JULY 5, 2007 W. JANSEN P. WECKERLY, DA R. DRASKOVICH, ESQ. APPOINTED D. GREEN, CR L. FOY, CLK	DEFENDANT PRESENT IN COURT **IN CUSTODY** PRELIMINARY HEARING DATE SET COURT RESET BAIL: **NO BAIL** – EACH – COUNTS 4 & 6 DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	7-19-07 8:30 #5 LKF
JULY 19, 2007 W. JANSEN N. NYIKOS, DA R. DRASKOVICH, ESQ. D. GREEN, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING MOTION BY DEFENSE TO CONTINUE – MOTION GRANTED PRELIMINARY HEARING DATE RESET DEFENDANT REMANDED INTO THE CUSTODY OF THE SHERIFF	08/06/07 8:30 #5 SLS
JULY 23, 2007	MEDIA REQUEST AND ORDER ALLOWING CAMEERAS IN THE COURTROOM FILED (KVBC-TV)	
AUGUST 6, 2007 W. JANSEN P. WECKERLY, DA R. DRASKOVICH, ESQ. D. GREEN, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT IN CUSTODY MOTION BY STATE TO CONTINUE PER BUSTOS MOTION WITNESS NORMA SNEIDER NOT PRESENT IN COURT MOTION GRANTED PRELIMINARY HEARING DATE RESET MOTION BY DEFENSE FOR AN O/R RELEASE – OBJECTION BY STATE MOTION DENIED COURT RESET BAIL: $50,000/50,000 EACH COUNT IF BAIL POSTED, DEFENDANT TO BE PLACED ON HOUSE ARREST	08/28/07 8:30 #5 SLS

CASE FORWARDED TO
SEP - 7 2007
COUNTY CLERK'S OFFICE

JC-1 (Criminal)
Rev. 10/96

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

Matthew Goodner

JASON HILLIARD, aka,
Matthew Dean Goodner #1602010,
BRIDGETT ANN CORDOVA #1708984,

Defendants.

CASE NO: 07F13253A-B

DEPT NO: 5

CRIMINAL COMPLAINT

The Defendants above named having committed the crimes of GRAND LARCENY AUTO (Felony - NRS 205.228), CONSPIRACY TO COMMIT MURDER (Felony - NRS 200.010, 200.030, 199.480), MURDER WITH USE OF A DEADLY WEAPON (Felony - NRS 200.010, 200.030, 193.165), FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Felony - NRS 200.310, 200.320, 193.165), and POSSESSION OF STOLEN VEHICLE (Felony - NRS 205.273), in the manner following, to-wit: That the said Defendants, on or between June 20, 2007 and June 28, 2007, at and within the County of Clark, State of Nevada,

COUNT 1 - GRAND LARCENY AUTO

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 20, 2007, then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, having a value of $2,500.00, or more, in the possession of GABRIEL DESANTIAGO, to-wit: a 1992 Honda, bearing Nevada license No. 997RNA.

COUNT 2 - GRAND LARCENY AUTO

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 20, 2007, then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, having a value of $2,500.00, or more, in the possession of

P:\WPDOCS\COMPLT\FCOMP\713\71325301.DOC

GEORGE H. GRIMBLE, to-wit: a 1995 Acura, bearing Nevada License No. 219TJA.

COUNT 3 - GRAND LARCENY AUTO

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 20, 2007, then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, having a value of $2,500.00, or more, in the possession of JACOB MEYER and/or RACHEL MURRAY, to-wit: a 2007 cargo trailer, bearing Virginia License No. C489786.

COUNT 4 - CONSPIRACY TO COMMIT MURDER

Defendants did, on or about June 21, 2007, then and there meet with each other and between themselves, and each of them with the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit: murder, and in furtherance of said conspiracy, Defendants did commit the acts as set forth in Count 6, said acts being incorporated by this reference as though fully set forth herein.

COUNT 5 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

Defendant JASON HILLIARD, aka, Matthew Dean Goodner did, on or about June 21, 2007, wilfully, unlawfully, feloniously, and without authority of law, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JOEY GENE DEOM, a human being, with the intent to hold or detain the said JOEY GENE DEOM against his will, and without his consent, for the purpose of killing the said JOEY GENE DEOM, said Defendant using a deadly weapon, to-wit: a firearm, during the commission of said crime.

COUNT 6 - MURDER WITH USE OF A DEADLY WEAPON

Defendants did, on or about June 21, 2007, then and there wilfully, feloniously, without authority of law, and with premeditation and deliberation, and with malice aforethought, kill JOEY GENE DEOM, a human being, by shooting at and into the body of the said JOEY GENE DEOM, multiple times, with a deadly weapon, to-wit: a firearm, the Defendants being liable under one or more of the following principles of criminal liability, to-wit: (1) by willfully killing with premeditation and deliberation, and/or (2) by aiding and

abetting each other and/or another person with the intention that the said JOEL GENE DOEM be killed, by providing counsel or encouragement to each other, Defendants acting with premeditation and deliberation, Defendant JASON HILLIARD, aka, Matthew Dean Goodner shooting into the body of the said JOEY GENE DOEM and then, with the assistance of Defendant BRIDGETT ANN CORDOVA, and another person, concealing the said JOEY GENE DOEM, Defendant BRIDGETT ANN CORDOVA assisting in moving the said JOEY GENE DOEM after he was shot and assisting Defendant JASON HILLIARD, aka, Matthew Dean Goodner, by cleaning the location of the shooting and/or of disposing of physical evidence and/or (3) pursuant to a conspiracy to commit this crime.

COUNT 7 - POSSESSION OF STOLEN VEHICLE

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 21, 2007, then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GEORGE H. GRIMBLE, to-wit: a 1995 Acura, bearing Nevada License No. 219TJA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 8 - POSSESSION OF STOLEN VEHICLE

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 21, 2007, then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GABRIEL DESANTIAGO, to-wit: a 1992 Honda, bearing Nevada License No. 997RNA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 9 - POSSESSION OF STOLEN VEHICLE

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 21, 2007, then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from JACOB MEYER and/or RACHEL MURRAY, to-wit: a 2007 cargo trailer, bearing Virginia License No. C489786, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

///

COUNT 10 - GRAND LARCENY AUTO

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 28, 2007, then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, having a value of $2,500.00, or more, in the possession of RANBIR SIDHU, to-wit: a 1998 Honda, bearing Nevada License No. 782MFZ.

COUNT 11 - POSSESSION OF STOLEN VEHICLE

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 28, 2007, then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from RANBIR SIDHU, to-wit: a 1998 Honda, bearing Nevada License No. 7892MFZ, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

All of which is contrary to the form, force and effect of Statutes in such cases made and provided and against the peace and dignity of the State of Nevada. Said Complainant makes this declaration subject to the penalty of perjury.

7/2/2007

07F13253A-B/cas
LVMPD EV# 0706211678
(TK5)

Co Def "B"

Page 1 of 2

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
TEMPORARY CUSTODY RECORD

I.D. #: 1708184 Event #: 070621-1678

DATE OF ARREST: 06-29-07 TIME OF ARREST: ~0200

I.D. ESTAB. BY: SCOPE

INTAKE NAME (AKA, ALIAS, ETC.) Last	First	Middle	TRUE NAME Last	First	Middle
CORDOVA,	BRIDGETT	ANN	Cordova	Bridgett	Ann

ADDRESS NUMBER & STREET	BLDG./APT. #	CITY	STATE	ZIP
3440 TWILIGHT STAR		LAS VEGAS	NV	89117

DATE OF BIRTH	RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY #	Speak English?	PLACE OF BIRTH
01-28-82	W	F	4'11"	120	BLOND	BRO	[redacted]	☒ Yes ☐ No	HENDERSON, NV

LOCATION OF CRIME (# - Street - City - State - Zip)		Citizen Arrest	LOCATION OF ARREST	Sector/Beat	PCN #
3340 TWILIGHT STAR LVN 89117	☒ CC ☐ LV	Y (N)	3805 S. DEAN MARTIN, LVN	S-4	

BKG. CODE	CHARGE ORD / NRS #	M	GM	F	ARR TYPE*	EVENT NUMBER	WARR / NCIC NUMBER	COURT LV	JC	DC	OTHER
5045	MURDER W/ DEADLY WPN NO BAIL NRS 200.030-1	☐	☐	☒	PC	070621-1678	07F13253B	☒	☒	☐	☐
2114	CONSPIRACY TO MURDER NO BAIL NRS 199.480	☐	☐	☒	PC	070621-1678	JC-5	☐	☒	☐	☐
		☐	☐	☐				☐	☐	☐	☐
		☐	☐	☐				☐	☐	☐	☐
		☐	☐	☐				☐	☐	☐	☐
		☐	☐	☐				☐	☐	☐	☐

OTHER COURT:

*ARREST TYPE: PC – PROBABLE CAUSE BS – BONDSMAN SURRENDER BW – BENCH WARRANT WA – WARRANT RM – REMAND GJI – GRAND JURY IND.

Arresting Officer's Signature / (Print Name) J. ROSGEN / P # 4512 / Agency LVMPD

Transporting Officer's Signature / (Print Name) S/A GONZALES / P # 9202 / Agency LVMPD

APPROVAL CONTROL # FOR ADDITIONAL CHARGES:

Time Stamp at BOOKING

RECEIVED 07 JUL 29 06:32

☐ FOR PROBABLE CAUSE/NCIC HIT ARREST SEE PAGE TWO FOR DETAILS.

FIRST APPEARANCE: DATE: 6-30-07 TIME: 12pm

☐ BENCH WARRANT SERVED ON

COURT

☐ ~~STANDARD BAIL~~ S/C

☐ WARRANT SERVED ON

☒ JUSTICE

☐ O.R. RELEASE

☐ GRAND JURY INDICTMENT SERVED ON

☐ MUNICIPAL

☒ PROBABLE CAUSE

TYPE OF I.D. FOR VERIFICATION

☐ JUVENILE

☐ I.A.D.

CONFIDENTIAL

JUDGE J. Bennett Harro

FAXED: to PD. 6/29/07 BY:

P #:

LVMPD 22 (REV. 3-05) (2) COURT - ORIGINAL

#73 - 53151 / LVMPD Sid - 0311116

LVH#007

Pic 1-1 (2) 11/16 (9)(9)(9)

faxed to H.A. 7/1/07 9:27am AM

Page 2 of 2

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

DECLARATION OF ARREST

I.D. #: 1708984

True Name: CORDOVA, BRIDGETT ANN Date of Arrest: 06-29-07 Time of Arrest: 0200

OTHER CHARGES RECOMMENDED FOR CONSIDERATION:

CONSPIRACY TO COMMIT MURDER

THE UNDERSIGNED MAKES THE FOLLOWING DECLARATIONS SUBJECT TO THE PENALTY FOR PERJURY AND SAYS: That I am a peace officer with LVMPD (Department), Clark County, Nevada, being so employed for a period of 14 years (months). That I learned the following facts and circumstances which lead me to believe that the above named subject committed (or was committing) the offense of MURDER W/DEADLY WEAPON at the location of _____ (ADDRESS / CITY / STATE / ZIP) and that the offense occurred at approximately _____ hours on the _____ day of _____, _____, in the county of ☐ Clark or ☐ City of Las Vegas, NV.

DETAILS FOR PROBABLE CAUSE:

SEE ARREST REPORT

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are a misdemeanor).

Declarant must sign second page with original signature.

Declarant's Signature

J. ROSEN #4512

Print Declarant's Name P #

LVMPD 22 – A (REV. 6-01) (1) ORIGINAL – COURT

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

ARREST REPORT

☐ City ☒ County ☒ Adult ☐ Juvenile Sector/Beat R-3

ID/EVENT#	ARRESTEE'S NAME (Last, First, Middle)	S.S.#
070621-1678	CORDOVA, BRIDGETT ANN	530-39-3328

ARRESTEE'S ADDRESS (Number, Street, City, State, Zip Code): 3340 TWILIGHT STAR, LAS VEGAS, NV 89117

CHARGES: MURDER W/ DEADLY WEAPON AND CONSPIRACY TO COMMIT MURDER

OCCURRED: DATE	DAY OF WEEK	TIME	LOCATION OF ARREST (Number, Street, City, State, Zip Code)
06-20-07	WEDNESDAY	0030	5083 S. DEAN MARTIN, LAS VEGAS, NV 89117

RACE	SEX	D.O.B.	HT	WT	HAIR	EYES	PLACE OF BIRTH
W	F	01-28-1982	4' 11"	120	BLO	BRO	HENDERSON, NV

CIRCUMSTANCES OF ARREST

On 06-21-2007 Jacob Meyer and Rachel Murray reported their enclosed cargo trailer stolen under event number 070621-0898. The couple had recently moved to Las Vegas from West Virginia and the trailer contained nearly all of their possessions. The trailer was parked at 6505 Atwood Avenue and was last seen at that location on June 20, 2007 at approximately 1300 hours by Kenny Rios. The items inside the trailer included their household goods and personal items as well a Citi Card Platinum Select Mastercard in the name of Rachel Murray and a AT&T Universal Platinum Mastercard in the name of Rachel Murray. Murray wrote down a list of the locations and date and time of all uses or attempted uses of the two credit cards since they were stolen.

On 06-21-2007 at approximately 1349 hours Murray and Meyer found their white cargo trailer parked in the northeast corner of the Quail Tree Apartment complex located at 7100 W. Alexander and called it in to LVMPD dispatch. Patrol officers responded to that location and upon entering the trailer discovered a white, Acura Legend car bearing Nevada license plates 219TJA, that was reported stolen under event #070620-0845. The trunk of the vehicle was slightly open, but tied down with several pieces of gray nylon webbing and a yellow cargo strap with a come-along attached. Blood and other fluids had leaked out of the trunk and were on the floor of the trailer. Through the slightly open trunk lid, the body of a human was visible inside the trunk. Detectives from the Violent Crimes Detail responded and determined that Homicide Section needed to respond to further the investigation.

On 06-20-2007 at approximately 1030 hours, Gabriel DeSantiago reported his red 1992 Honda Accord with Nevada license plates 997RNA, stolen under LVMPD event #070620-1287.

On 06-20-2007 at approximately 1345 hours, George Grimble reported his white 1995 Acura Legend with Nevada license plates 219TJA, stolen under LVMPD event #070620-0845.

Detectives Rosgen, Andersen and Wallace, Sergeant Scott and Lieutenant Roberts responded to 7100 W. Alexander and were briefed by the detectives and police officers present. The scene was investigated by Detective Rosgen and crime scene analysts. The exterior and interior of the trailer was documented and then the white Acura was removed from inside it. The white Acura was photographed, sealed and taken to the LVMPD crime laboratory via a flat bed tow truck. The white Acura was processed for fingerprints, photographed and the body, in early stages of decomposition, was removed from the trunk. The body was clothed in a T-shirt and one sock and was naked other

ARRESTING OFFICER(S)	P#	APPROVED BY	CONNECTING RPTS. (Type or Event Number)
J. ROSGEN	4512	HERPOLSHEIMER 3817	TCR, DOA, Criminalistics reports, tows, property impounds, search warrants, etc...
T. THOWSEN	1487	06-29-07	

LVMPD 602 (REV. 12-99) - AUTOMATED/WP12

CONFIDENTIAL

than that. As the body was not identifiable at that time, Clark County Coroner's Investigator Warren McLeod named him John "Quail Tree" Doe. There was no obvious cause of death.

On 06-21-2007 at approximately 2244 hours, Detective Mike Wallace interviewed George Grimble reference the theft of his white Acura car. Grimble said he noticed the car was not where he had parked it at approximately 0800-0830 hours the day before (06-20-2007). He then called police and made a telephonic report of the theft of his car. While still at that apartment complex, Detective Wallace spoke with some people who indicated a red Honda was parked next to where the white Acura had been parked ever since the Acura disappeared. Detective Wallace went to that car and ran the plate to see if it was reported stolen. The red Honda had Nevada license plates 997RNA and had been reported stolen under event #070620-1287. The car was sealed and taken to the LVMPD crime laboratory via a flat bed tow truck. The red Honda was photographed and processed for latent fingerprints.

On 06-22-2007 at approximately 0900 hours, an autopsy was conducted by Dr. Telgenhoff of the Clark County Coroner's Office on the body of John "Quail Tree" Doe. The body had a gunshot wound to the left upper chest and one gunshot wound to the left side of the face. There were numerous linear pattern, blunt trauma wounds to the head which appeared to be post mortem. After conducting a complete autopsy, Dr. Telgenhoff determined the cause of death was gunshot wounds to the head and torso and the manner of death was homicide.

On 06-22-2007 at approximately 1330 hours, Detective Rosgen received a telephone call from David Brown, a Las Vegas defense attorney. Brown was calling on behalf of his client who claimed to be a witness to the murder involving the white trailer and Acura. He agreed to bring the witness in for an interview with detectives after he spoke with him in person.

On 06-22-2007 at approximately 1400 hours, Felicia Borla, an investigator with the Clark County Coroner's Office, called Detective Thowsen and told him John "Quail Tree" Doe had been identified by fingerprints as Joey Gene Deom AKA Joey Adams LVMPD ID #1675397.

On 06-22-2007 at approximately 1700 hours, Brown brought the subject, who will henceforth be referred to as Concerned Citizen due to fear of retribution and reprisals against him/her for providing this information. The identity of the Concerned Citizen is known to your affiant and will be revealed upon request by competent judicial authority. Concerned Citizen (CC) revealed the following: On Tuesday (06-19-2007) evening CC received a telephone call from an acquaintance named "Bear". CC has known "Bear" for several years, but does not know his real name. CC said "Bear's" real first name may be Matt, but is not sure. "Bear" asked CC to come over to his girlfriend, Bridgett's apartment located at 3440 Twilight Star and CC agreed to do so.

Upon CC's arrival at Bridgett's apartment, "Bear" told him that Bridgett's ex-boyfriend, "Joey D" was supposed to be getting out of jail later that night. CC was aware that Bridgett had a lot of problems with "Joey D" and had a Stalking Order issued against him. "Bear" told CC that he expected "Joey D" to come to Bridgett's apartment to try and hurt her and they were not going to let that happen. CC took that to mean that the two of them would either scare "Joey D" away or at most, would physically beat him up.

CC was at Bridgett's apartment a couple of hours and was going to the bathroom in the downstairs bathroom, when he/she heard the doorbell being rung repeatedly. CC then hears a noise which

sounded like the sliding glass door being forced open and pulled off-track. CC pulled up his/her pants and stepped out of the bathroom and into the dining/living room of the apartment. CC saw a large white male, he believed to be "Joey D" standing at the base of the staircase. "Bear" was standing at the top of the stairs and told "Joey D" to leave. "Bear" then fired a warning shot trying to scare "Joey D" away. Instead "Joey D" said something to the effect of "You're going to have to shoot me" and began to run up the stairs toward "Bear". "Bear" fired two additional shots and "Joey D" came back down the stairs and collapsed on the floor of the apartment, but was still alive. CC believed the weapon used to be a small caliber, possibly a .22, due to the sound it made and the small blood soaked area he/she observed on the upper left chest area of "Joey D's" shirt. CC ran around the apartment gathering his/her belongings (he/she brought dirty laundry to Bridgett's apartment and was washing it) in anticipation of leaving. After gathering all of his/her belongings up, CC noticed "Joey D" was no longer lying on the living room floor. "Bear" told CC to back his/her car up to the patio of the apartment. As CC went to move the car, he/she noticed "Joey D" lying on the patio, still alive. After backing the car up to the patio, "Bear" told CC to grab "Joey D's" feet and help place him in the back seat of the car. CC did as "Bear" requested and said he/she was scared of "Bear" and believed him to still be in possession of the weapon. CC said that he/she never saw the weapon and therefore can not describe it.

After placing "Joey D in the back seat of CC's car, CC and "Bear" drove to the area of the first scenic route sign while driving west on Charleston Boulevard approaching the Red Rock loop turn-off. CC pulled off of Charleston Boulevard onto the dirt shoulder and CC and "Bear" removed "Joey D" from the back seat and placed him on the ground. "Bear" told CC to come back and pick him up in five to ten minutes.

Approximately ten minutes later, CC returned to the area and saw "Bear" walking along the side of the road. "Bear" had been wearing a black tank top shirt, however, CC noticed he was not wearing the shirt when he/she picked him up on the side of Charleston Boulevard. CC and "Bear" then returned to the area of Bridgett's apartment and parked in the apartment complex to the west. CC's car was nearly out of gas at that time.

CC, "Bear" and Bridgett then got into Bridgett's black Honda and she drove the three of them to an apartment complex somewhere in the area of the far west end of Warm Springs Road. Bridgett asked "Bear" if "Joey D" was still alive when "Bear" left him in the desert. "Bear" told her that he was, but he then put three rounds in his face, so he was dead now. "Bear" got out of the car and returned a short time later driving a red Honda car. Bridgett and "Bear" took CC to his/her car with a gas can so he could put some gas in the tank. "Bear" told CC and Bridgett to meet him at Mel's house. Mel is a white female adult in her late thirties who lives in a trailer park in the area of N. Rainbow and Hartman and is a mutual acquaintance of theirs.

CC had agreed to make a collect call to Bridgett's house because "Bear" and Bridgett believed this would make it appear that "Joey D" was still alive as he regularly called Bridgett collect. CC stopped at a gas station and made a collect call to Bridgett's apartment. He then drove north on Rainbow to approximately the area of Lake Mead, where he/she stopped at a gas station and put air in a tire which was slowly going flat. CC estimates that "Bear" and Bridgett were approximately 10 minutes ahead of him/her. When CC arrived at Mel's trailer, Bridgett was there in her black Honda, but "Bear" was now driving a white Acura. CC asked "Bear" what happened to the red Honda and "Bear" said it was overheating so he got rid of it. CC then followed "Bear" as he headed back out W. Charleston to return to the "Joey D's" body. "Bear" pulled over on the side of Charleston prior to reaching the area

where "Joey D's" body was located and had CC park the car. CC put a gas can on the car to make it appear to be out of gas. "Bear" and CC then drove on to where "Joey D's" body was located.

"Bear" backed the white Acura up to the dirt berm on the west side of W. Charleston Boulevard. "Bear" and CC dragged "Joey D's" body to the trunk of the car and put him inside. CC said that "Joey D" was very stiff and didn't completely fit inside the trunk. "Bear" slammed the trunk lid down repeatedly on "Joey D's" head in an unsuccessful attempt to close the trunk lid. "Bear" tried to drive away but became stuck in the loose dirt. "Bear" told CC to get his/her car and help free the Acura. CC returned to his car and drove it up to where "Bear" had gotten the Acura stuck. Initially CC tried to push the bumper of the Acura with his car, but was unsuccessful. CC then intentionally collided into the left front corner of the Acura which freed it from where it was stuck. CC noticed when he returned to the Acura that the trunk lid was tied shut with seat belts which "Bear" had cut from the interior of the Acura. CC stated the sun was just beginning to come up as they drove away from the area of Red Rocks and headed back into town.

After having the intentional collision which freed the white Acura, a car pulls up near "Bear" and CC. "Bear" drove off and CC discovered that the car had a flat tire, which he/she changed and put on the donut spare. The donut went flat almost immediately. CC drove on the rim all the way to the Terrible's located at Charleston and Hualapai. CC informed the manager that the car had a flat and he/she would be leaving to go and get a replacement tire and rim. CC then called Bridgett who picked him/her up.

CC and Bridgett drove around for approximately two hours looking for "Bear". The two discovered "Bear" walking in the area of Rainbow and Cheyenne. They picked "Bear" up and went to Mel's trailer. When they got to Mel's, CC noticed a white, enclosed cargo trailer parked nearby. CC asked Mel if she had a 15" four lug wheel and tire and she said to look around in the backyard. CC located a wheel like that on an Acura car parked in Mel's backyard. One of the lug nuts had a lock on it and CC spent somewhere between two and four hours trying unsuccessfully to free the locking lug nut. During that time, "Bear" left and returned a couple of times. "Bear" then told CC, "Lets go."

"Bear" got into a black, Chevrolet or Ford pickup truck which was hooked up to the white trailer. CC and Mel followed in a brown or black Chevrolet or Ford pickup truck with Mel driving. They drove to an apartment complex somewhere in the area of Gowan. "Bear" called Mel and told her to tell CC that he would know what to look for and that meant the white Acura. Mel and CC found the white Acura and then "Bear" pulled up. "Bear" told CC to use a cargo strap to try and close the trunk on the Acura while "Bear" went and set up the trailer. "Bear" drove the white Acura into the trailer and closed it up. CC said the trailer was empty except for a screwdriver. "Bear" then drove off and CC and Mel followed him. CC got out of the truck with Mel at the front of the apartment complex, where the trailer was later discovered by police, because he was very thirsty. CC walked into the office of the complex and asked for a pamphlet. CC was embarrassed to ask for a drink because he/she didn't want to look like a bum. CC then walked to a nearby Sinclair gas station. A short time later "Bear" drove up to the Sinclair gas station in the black truck with Mel driving behind him in the same truck she had been driving.

"Bear" and CC returned to Bridgett's apartment. CC took a shower and called a friend to come and pick him/her up. CC's friend took CC to a tire shop and purchased a new tire and rim. They returned to where CC had left the car and changed the tire. CC and friend then went to an Extended Stay America Hotel and spent the night.

The next day, CC and friend went to a girl named Erica's house located in the area of Sahara and Decatur. "Bear" arrived at Erica's house about the same time as CC. At some point CC fell asleep and was awakened by "Bear" telling him that the trailer had been found by the police. "Bear" told CC that he was through because his prints were all over the car. CC asked "Bear" what he was going to do and "Bear" said "They're going to catch me." CC asked "Bear" if he was going "to take it" meaning take responsibility for killing "Joey D" and "Bear" said that CC's fingerprints were on the strap. CC didn't like "Bear's" response because it seemed that "Bear" wanted CC to accept the same amount of responsibility for killing "Joey D" as "Bear" had. CC stated that throughout this incident he/she was scared of what "Bear" would do to him/her if he/she failed to do as he said. CC never saw "Bear's" firearm, but assumed he had it on him the whole time.

CC then directed Detective Jeff Rosgen to the far end of W. Charleston near the entrance to the Red Rock Canyon Scenic Loop. In that area CC pointed out where "Bear" had gotten stuck in the white Acura and the drag marks leading from the berm on the side of the road out into the desert.

Detective Thowsen and CSA D. Proietto investigated that scene and located a pair of blue jeans and athletic shoes near the apparent drag marks. They also located an area which had a small amount of blood spatter on some rocks and a small blood soaked area in the sand. Small pieces of yellow plastic, consistent with turn signals and/or reflectors on cars, were located in the dirt on the shoulder of the road, where it appeared a car had been stuck. Blood samples, the blue jeans, athletic shoes, the small pieces of plastic and soil samples were impounded as evidence. Photographs were taken to document the scene.

CC then directed your affiant to Bridgett's apartment located in the area of Spring Mountain and El Capitan. CC pointed out the building and said it was the unit on the northeast corner. That unit's address is 3440 Twilight Star. On 06-26-2007 at approximately 1730 hours, a search warrant, signed by Clark County District Court Judge Susan Johnson, was served on 3340 Twilight Star. No on was present at the residence at the time it was served. A crude patch was present on both sides of the front door of the residence and there was a hole corresponding with the patches through the thick metal screen of the white security door in place outside the door. The hole in the thick metal screen of the security door was consistent with the size hole a small caliber bullet would make. A decorative, metal, cake serving spatula was discovered laying on the ground outside the sliding glass door of the residence. The spatula was bent as if it had been used to pry on something. A broken wooden dowel, approximately 1 ½ to 2 inches in diameter and approximately two feet long was discovered in the garage of the residence.

CC then directed Detective Jeff Rosgen to Mel's trailer located in the area of N. Rainbow and Hartman Street. The address to the trailer is 6517 Hartman Street. On 06-26-2007 at approximately 1450 hours, a search warrant, signed by Clark County District Court Judge Susan Johnson, was served on 6517 Hartman Street. The interior of the mobile home was crowded with an excessive amount of furniture, with many of the items matching the description of the property from inside the cargo trailer stolen under event #070621-0898. Other items matching the description of property taken from the cargo trailer were stacked on the south side of the mobile home, the east side of the mobile home and in the storage shed located in the southeast corner of the lot. The victims, Jacob Meyer and Rachel Murray were brought to 6517 Hartman Street and allowed to identify their items in and around that residence. Approximately 85% of the victims's property taken from the cargo trailer was recovered at the mobile home. Three individuals were present at the residence when the search warrant was executed. The three were: David Harsh ID#803081, Shane Estep ID#1676541, and Melodye Powell

ID#734737. Harsh, Estep and Powell were all booked for Possession of Stolen Property and outstanding warrants.

On 06-26-2007 at approximately 1748 hours, Linda Cordova was interviewed by Detective Mike Wallace. Cordova related the following: On the day Deom was released from the Clark County Detention Center (Tuesday), in the afternoon, her daughter Bridgett, "Little Bear" and "Butter" were all at her house located at 3340 Twilight Star. Linda tells the two men about how Deom had abused Bridgett. "Little Bear" told Linda something to the effect of "He won't put a hand on her while I'm around." Linda then left the house. The two men were still with Bridgett when she received a telephone call informing her that Deom was about to be released from jail. Bridgett left her house at that time and went to stay with her friend Norma. When Bridgett left, "Little Bear" and "Butter" were outside of her house and she left before they did. On Wednesday (06-20-2007) "Little Bear", "Butter" and Bridgett returned to her house. Linda noticed a small hole in the front door of their house and asked Bridgett what had happened. Bridgett said she had fired a dart gun and it went through the door. A short time later, when the two men were no longer present in the room, Linda again asked what happened and Bridgett indicated she couldn't talk about it at that time because of the two men present nearby. After the two men left, Bridgett confided in her mother that she had a bad feeling that something bad had happened. Bridgett said something to the effect of "Deom hasn't called me and there's a bullet hole in our front door." Linda told Detective Wallace that the hole in the door was now patched. Bridgett told Linda that "Little Bear" had re-entered their house, using a garage door opener and while in the house, the gun accidently went off and put a hole in the front door. Some time on Wednesday Linda received a telephone call from Deom's mother. Deom's mother inquired as to her son's whereabouts since she had dropped him off at Linda's house the night before. Linda asked why she would bring him over since they had a stalking order against him. Deom's mother said if he went to prison over the stalking order, she would kick Linda's ass.

On 06-26-2007 at approximately 1918 hours, Detective Tom Thowsen interviewed Norma Snyder where she related the following: She has known Bridgett for several years and Deom for approximately two years. On 06-20-07 at approximately 1700 hours, Snyder received a telephone call from Bridgett. Bridgett asked Snyder if they could meet at her (Snyder's) house and Snyder agreed. At approximately 1800 hours, Bridgett arrived at Snyder's residence driving her black Honda Civic and "Little Bear" was with her. Snyder believed "Little Bear's" real name was Matthew Goodner because when he has called her in the past that name was displayed on her phone. Bridgett stepped into a room to have a private conversation with Snyder and told her "Dude, last night we killed Joey." Snyder asked her who "we" was and Bridgett told her, "Me and homeboy, "Little Bear". Snyder asked her "What the hell happened? I thought you loved him? Bridgett then bragged about how the bullets had struck Deom, gesturing with her hand to indicate a downward trajectory. Snyder told Bridgett that she needed to go outside and get some air. "Little Bear" was sitting on the steps outside the door when the two walked out. Bridgett gave him a hug and he asked "Did you tell her? Is she going to cover?" Snyder asked them what the hell was going on and Bridgett told her the following story. Her son had answered the phone the night before and it was either the jail notifying her of Deom's release or a collect call from Deom. Bridgett told Gus to hang up the phone and go to bed. Bridgett, some other guy and "Little Bear" were upstairs when Deom's mother dropped him off at Bridgett's house. Deom broke into the house and "Little Bear" greeted him at the top of the stairs in front of her son's bedroom. "Little Bear" asked Deom, "Hey motherfucker, what do you want?" Deom answered, Where's my girlfriend?" "Little Bear" told him to "Get back down the fucking stairs." Deom responded with "Fuck you man. Do what you got to do. You wanna scrap? I'm talking to my girlfriend." "Little Bear" fired his weapon twice and Deom fell down the stairs. The last thing Deom said was, "Where's

Bridgett?" Bridgett said they put him in the trunk of a car and cleaned up the blood. She indicated it was a small amount of blood and they used paper towels. Bridgett said he was very heavy and she wasn't sure if he was dead or alive. Bridgett reiterated that they put him in the trunk of the car, but "His fat ass wouldn't even fit in the fucking trunk." Bridgett talked about stealing cars, stealing a trailer and taking Deom to the desert. Bridgett said the gun was a .22 caliber but she wasn't sure if it was a handgun or a rifle. Snyder asked about the desert and Bridgett said Deom was shot three more times in the head while at the desert. Snyder asked where Bridgett's son was during all of this and Bridgett said she stayed home with her son while the two men took Deom to the desert. Bridgett also told Snyder that when she told "Little Bear" that Deom was getting out of jail, "Little Bear" told her she should take her son and leave the house. "Little Bear" said he would stay there and take care of Deom. Bridgett didn't do that, however, and her and her son were at the house at the time of the shooting. Bridgett told Snyder there was a bullet hole in her front door and asked Snyder if she could lend her the money to fix it. Snyder said she didn't have any money. Bridgett then asked if Snyder had any diesel fuel as they wanted to burn the body. When Snyder said she didn't have any diesel fuel, Bridgett said that maybe she should get some jet fuel. Snyder asked her if she wanted to burn down half of the valley. "Little Bear" said something to the effect of "Yeah, we don't want any fires. Maybe we can bury him in a concrete slab." Bridgett also said she was going to pull Deom's teeth out so he couldn't be identified. Bridgett said if she pulled the teeth and burned the body the police wouldn't be able to get any DNA. Bridgett said all she cared about was her freedom. Bridgett told Snyder they wanted her to be their alibi. Bridgett said she knew she would eventually be questioned by police because Deom was dropped off at her house by his mother. At about 1830 hours, Bridgett and "Little Bear" leave Snyder's house. At approximately 1845 hours, Bridgett called Snyder and asked if she would watch her son for a while. Snyder agreed and kept Bridgett's son until 2230 hours. On 06-22-07 at approximately 1900-2000 hours, Bridgett tried to call Snyder from either 508 or 580 -2003. Snyder knows that number is Bridgett's mother's cellular telephone. Snyder called the number back and spoke with Bridgett. Bridgett said that she was at the police station and couldn't talk right then. A couple of minutes later, Bridgett called back and said she was leaving the police station after being questioned about Deom. Bridgett said I don't know why, I didn't say much of anything. She then told Snyder "Remember what we talked about. That I've been at your place." On Saturday, 06-23-07, in the afternoon, Bridgett called Snyder and asked if she had seen the news. Snyder said no, so Bridgett said "Ok, I'll hit you up." (I'll talk to you later). Later Saturday or perhaps on Sunday, Bridgett called and said she would come by and talk to her but she didn't have a car anymore. Snyder asked what happened to her car and Bridgett said "Nothing, I'll tell you in person." Snyder conveyed to Bridgett her concern for her and her family's safety because of "Little Bear" knowing where she lives. Bridgett responded with something like, "Girl, come on please. I would never put you in a position like that." That was the last contact Snyder had with Bridgett. Bridgett was shown a two photo lineups by Detective Thowsen. Snyder selected Bridgett Cordova ID# 1708984 and Matthew Goodner ID# 1602010 from their respective photo lineups.

On 06-26-2007 at approximately 2315 hours, a telephonic search warrant was obtained from Clark County District Court Judge Jackie Glass for 3825 S. Durango storage unit # 20 which is rented by Bridgett Cordova. Nothing of significance was found during the search of that storage unit.

On 06-28-2007 at approximately 1031 hours, Paula Adams was interviewed by Detective Tom Thowsen where she related the following: Joey Gene Deom is her son. Deom has been in a relationship with Bridgett Cordova for two years. Deom was released from the Clark County Detention Center on 06-19-2007. Adams picked her son up at the Clark County Detention Center at approximately 2300 hours. Deom told his mother he wanted to spend the night with Bridget so she

took him to Bridgett's apartment and dropped him off at approximately 2330 hours. She noticed the black Honda car parked next to the residence that she knew Bridgett drove and that the black Jeep Bridgett's mother drives was not parked next to it. This indicated to Adams that Bridgett was home and her mother was not. Deom told Adams that he would come home in the morning and they could go and get his son for a visit. That was the last time Adams saw her son alive. On 06-20-07 at approximately 1400 hours, Linda Cordova, Bridgett's mother, called Adams and relayed a message for Deom from Bridgett. The message was that Deom should stay away from Bridgett. Adams asked why, because Deom had been with Bridgett the previous night. Linda answered that Bridgett was not home the night before. Adams asked what car she drove and Linda told her the black Honda. Adams said that was impossible because she had seen the black Honda there when she dropped her son off the night before. Linda said in any case tell him to stay away.

On 06-26-2007 search warrants were obtained and executed on 3440 Twilight Star and 6517 Hartman. A patched hole in the front door with a corresponding hole in the outer security door was discovered at the Twilight Star address. A large amount of the household goods and personal property taken from inside the cargo trailer was discovered in and around the Hartman address.

On 06-28-07 at approximately 1400 hours, Detective Rosgen began to receive information from anonymous sources and other police officer's confidential informants about the current location of Matthew Goodner AKA "Little Bear" or "Bear" and Bridgett Cordova. On 06-29-2007 at approximately 0100 hours, Sergeant C. Leveque P#4376 called Detective Rosgen and informed him that he had his squad watching "Bear" and Cordova, that they had a stolen, green Honda, Nevada license plate 782MFZ and were trying to leave town, possibly for Utah. Detective Rosgen told Sergeant Leveque that he had probable cause to arrest the two for Murder with a Deadly Weapon and would respond to arrest them if the two were taken into custody. At approximately 0200 hours, Sergeant Leveque called Detective Rosgen and told him that they had detained "Bear" and Cordova. Sergeant Leveque's squad had watched "Bear" and Cordova in the stolen car and in room #215 of the Motel Six located at 5085 S. Dean Martin. The green Honda was reported stolen under LVMPD event #070628-1454.

Detectives Rosgen, Thowsen and Wallace responded to the Motel 6 located at 5085 S. Dean Martin. Detectives Rosgen and Thowsen had Cordova transported to the Clark County Detention Center where she was booked for Murder with a Deadly Weapon and Conspiracy to Commit Murder.

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE #	DEPT #	REQUESTED BY:
07F13253B	JC5	
NAME:	ID #	
Bridgett Cordova	1708984	

CHARGES:
MURDER WITH A DEADLY WEAPON, CONSP TO COMMIT MURDER

CURRENT BAIL:
50,000 **50,000**

VERIFIED: **ADDRESS:** **GRANDMOTHER REFUSED TO GIVE ADDRESS, , ,**
WITH WHOM/HOW LONG: **Cordova, Linda Parent / 8Y**

VERIFIED: **EMPLOYMENT STATUS:**
LENGTH: **4M**

VERIFIED: **RELATIVES - LOCAL :** **NOT LOCAL:**

FELONY/GROSS MISDEMEANOR CONVICTIONS: **0**

MISDEMEANOR CONVICTIONS: **3**

FAIL TO APPEAR: **2**

COMMENTS:

RECOMMENDATION: **No Release**

DATE: **08/28/2007** **PRETRIAL SERVICES:** **Katie White**

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE # 07F13253B
DEPT # JC5
REQUESTED BY:

NAME: Bridgett Cordova
ID # 1708984

CHARGES:
MURDER WITH A DEADLY WEAPON, CONSP TO COMMIT MURDER

CURRENT BAIL:
50,000 50,000

VERIFIED: ADDRESS: GRANDMOTHER REFUSED TO GIVE ADDRESS, , ,
WITH WHOM/HOW LONG: Cordova, Linda Parent / 8Y

VERIFIED: EMPLOYMENT STATUS:
LENGTH: 4M

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 0

MISDEMEANOR CONVICTIONS: 3

FAIL TO APPEAR: 2

COMMENTS:

RECOMMENDATION: No Release

DATE: 08/28/2007 **PRETRIAL SERVICES:** Katie White

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE # **07F13253B** | **DEPT # JC5** | **REQUESTED BY:**

NAME: **Bridgett Cordova** | **ID #** **1708984**

CHARGES:
MURDER WITH A DEADLY WEAPON, CONSP TO COMMIT MURDER
CURRENT BAIL: NO BAIL

VERIFIED: ADDRESS: GRANDMOTHER REFUSED TO GIVE ADDRESS, , ,
WITH WHOM/HOW LONG: Cordova, Linda Parent / 8Y

VERIFIED: EMPLOYMENT STATUS:
LENGTH: 4M

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 0

MISDEMEANOR CONVICTIONS: 3

FAIL TO APPEAR: 2

COMMENTS:

RECOMMENDATION: No Release

DATE: 07/02/2007 **PRETRIAL SERVICES: Cheryl Allen**

CONFIDENTI

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE # 07F13253B | DEPT # JC5 | REQUESTED BY:

NAME: Bridgett Cordova | ID # 1708984

CHARGES:
MURDER WITH A DEADLY WEAPON, CONSP TO COMMIT MURDER

CURRENT BAIL: NO BAIL

VERIFIED: ADDRESS: GRANDMOTHER REFUSED TO GIVE ADDRESS, , ,
WITH WHOM/HOW LONG: Cordova, Linda Parent / 8Y

VERIFIED: EMPLOYMENT STATUS:
LENGTH: 4M

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 0

MISDEMEANOR CONVICTIONS: 3

FAIL TO APPEAR: 2

COMMENTS:

RECOMMENDATION: No Release

DATE: 07/02/2007 PRETRIAL SERVICES: Cheryl Allen

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE # **07F13253B** | **DEPT # JC5** | **REQUESTED BY:**

NAME: **Bridgett Cordova** | **ID #** **1708984**

CHARGES:
MURDER WITH A DEADLY WEAPON, CONSP TO COMMIT MURDER

CURRENT BAIL: NO BAIL

VERIFIED: ADDRESS: GRANDMOTHER REFUSED TO GIVE ADDRESS, , ,
WITH WHOM/HOW LONG: Cordova, Linda Parent / 8Y

VERIFIED: EMPLOYMENT STATUS:
LENGTH: 4M

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 0

MISDEMEANOR CONVICTIONS: 3

FAIL TO APPEAR: 2

COMMENTS:

RECOMMENDATION: No Release

DATE: 07/02/2007 **PRETRIAL SERVICES: Cheryl Allen**

ORIGINAL

Justice Court, Las Vegas Township

CLARK COUNTY, NEVADA

RECEIVED JUL 27 2007 JUSTICE COURT #5 Chambers

8/6 8:30

THE STATE OF NEVADA

PLAINTIFF

-VS-

BRIDGETT ANN CORDOVA

DEFENDANT

CASE NO. 07F13253B

COPY

MEDIA REQUEST & ORDER ALLOWING CAMERAS IN THE COURTROOM

MIRIAM FIRESTONE of KVBC-TV Hereby requests

Permission to RECORD Proceedings on the above entitled case, in Courtroom No. 5 ROOM 8A

Judge WILLIAM D JANSEN Presiding, on the 6TH Day of AUGUST, 20 07

At the hour of 8:30A A.M.

I certify that I am familiar with the Supreme Court Rules 229-247 (inclusive) on Cameras and Electronic Media Coverage in the Courts. I also understand that this request must be submitted to the Court at least seventy-two (72) Hours before the proceedings commence unless good cause can be shown.

It is further understood any pooling arrangements necessitated among the media shall be the sole responsibility of the media and must be arranged prior to coverage, without calling upon the Court to mediate any disputes.

DATED this 2ND Day of JULY, 20 07

MIRIAM FIRESTONE, KVBC-TV, 1500 FOREMASTER LANE, LAS VEGAS NV 89101 702-657-3150

Media Representative, address & Telephone Number

IT IS HEREBY ORDERED by this Honorable Court that _____ be

Permitted to _____ In accordance with Supreme Court Rules 229-247 (inclusive)

And that this entry shall be made a part of the record of the proceedings in this case.

DATED this 25th Day of July, 2007

William D. Jansen

JUSTICE COURT JUDGE

Plaintiff Attorney Noticed N. Nyikos Date 7-25-07 11:41

Defendant Attorney Noticed R. Drachnovich Date 7-25-07 11:42

Media Noticed _____ Date _____

JC-18(Criminal) Rev. 04/01

8A-7

ORIGINAL

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

PLAINTIFF

-VS-

CORDOVA, BRIDGETT ANN

DEFENDANT

CASE NO: 07F13253B

DEPT. NO: 5

MEDIA REQUEST AND ORDER ALLOWING CAMERA ACCESS TO COURT PROCEEDINGS
* Please fax to (702) 671-4535 to ensure that the request will be processed as quickly as possible.)

JOYCE KOTNIK (name), of KVBC CH. 3 NBC AFFILIATE (media organization),

hereby requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in Dept. No. 5, the Honorable Judge WILLIAM D JANSEN Presiding, on the 19 day of JULY, 20 07.

I hereby certify that I am familiar with, and will comply with Supreme Court Rules 229-249, inclusive. If this request is being submitted less than seventy-two (72) hours before the above-described proceedings commence, the following facts provide good cause for the Court to grant the request on such short notice:

_____.

It is further understood that any media camera pooling arrangements shall be the sole responsibility of the media and must be arranged prior to coverage, without asking for the Court to mediate disputes.

Dated this _____ day of _____, 20____.

SIGNATURE: JOYCE KOTNIK PHONE: 702-657-3150

****

IT IS HEREBY ORDERED THAT:

[ ] The media request is **denied** because it was submitted less than 72 hours before the scheduled proceeding was to commence, and no "good cause" has been shown to justify granting the request on shorter notice.

[ ] The media request is **denied** for the following reasons: _____

_____.

[ ] The media request is **granted**. The requested media access will apply for each and every hearing in the above-entitled case, at the discretion of the Court, and unless otherwise notified. This Order is made in accordance with Supreme Court Rules 229-249, inclusive, at the discretion of the judge, and is subject to reconsideration upon motion of any party to the action. Media access may be revoked if it is shown that access is distracting the participants, impairing the dignity of the Court, or otherwise materially interfering with the administration of justice.

[ ] **OTHER:** _____.

IT IS FURTHER ORDERED that this document shall be made a part of the record of the proceedings in this case.

Dated this 9 day of July, 2007. William D. Jansen
JUSTICE OF THE PEACE

Any written objection to the Court's order should be filed at least 24 hours prior to the subject hearing.

ORIGINAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, PLAINTIFF -VS- CORDOVA, BRIDGETT ANN DEFENDANT	CASE NO: 07F13253B DEPT. NO.: 5 NOTIFICATION OF MEDIA REQUEST

TO: COUNSEL OF RECORD IN THE ABOVE-CAPTIONED CASE:

You are hereby notified pursuant to Supreme Court Rules 229-249, inclusive, that media representatives have requested to obtain permission to broadcast, televise, record or take photographs of all hearings in this case. Any objection should be filed at least 24 hours prior to the subject hearing.

DATED this 6th day of July, 2007.

McAlder

Las Vegas Township Justice Court

CERTIFICATE OF SERVICE BY FACSIMILE TRANSMISSION

I hereby certify that on the 6th day of July, 2007, service of the foregoing was made by facsimile transmission only, pursuant to Nevada Supreme Court Rules 229-249, inclusive, this date by faxing a true and correct copy of the same to each Attorney of Record addressed as follows:

Plaintiff	Defendant
DISTRICT ATTORNEY	ROBERT DRASKOVICH
455-2294	474-1320

McAlder

Las Vegas Township Justice Court

8A

RECEIVED
JUL 13 2007
JUSTICE COURT
#5 Chambers

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

BRIDGETTE CORDOVA

Defendant.

CASE NO.: 07F13253B
DEPT. NO.: 5

MEDIA REQUEST & ORDER

* Please fax to (702) 455-5975 to ensure that the request will be processed as quickly as possible.

K.C. HOWARD (name), of LVRJ (media organization), hereby requests permission to begin:

(CHECK ALL THAT APPLY:)

[ ] Televising/Recording [X] Photographing [ ] Broadcasting/Recording (audio only) [ ] Other:

proceedings in the above entitled case, in Department No. 5, on the 19 day of July, 2007, at the hour of 8:30 A.M.

I hereby certify that I am familiar with, and will comply with, the Supreme Court's "Rules on Cameras and Electronic Media Coverage in the Courts" (Supreme Court Rule 229-247, inclusive). If this request is being submitted less than seventy-two (72) hours before the above-described proceedings commence, the following facts provide good cause for the Court to grant the request on such short notice: KH

It is further understood that any pooling arrangements necessitated among the media shall be the sole responsibility of the media and must be arranged prior to coverage, without asking for the Court to mediate disputes.

Dated this 9 day of July, 2007.

SIGNATURE: K. Howard
ADDRESS: RJ

PHONE: 380-1039
FAX: 383-5006

****

IT IS HEREBY ORDERED THAT:

[ ] The media request is denied because it was submitted less than 72 hours before the scheduled proceeding was to commence, and no "good cause" has been shown to justify granting the request on shorter notice.

[ ] The media request is denied for the following reasons:

[ ] The media request is granted. The requested media access will apply for each and every hearing in the above-entitled case, at the discretion of the Court, and unless otherwise notified. This Order is made in accordance with Supreme Court Rules 229-247, inclusive, and is subject to reconsideration upon motion of any party to the action. Media access may be revoked if it is shown that access is distracting the participants, impairing the dignity of the Court, or otherwise materially interfering with the administration of justice.

[ ] OTHER:

IT IS FURTHER ORDERED that this document shall be made a part of the record of the proceedings in this case.

Dated this 19 day of July, 2007.

William D. Jensen
JUSTICE OF THE PEACE

****

Media noticed via _____ on the following date: _____ by: _____
Plaintiff's Attorney(s) noticed via _____ on the following date: _____ by: _____
Defendant's Attorney(s) noticed via _____ on the following date: _____ by: _____
The Court did not have contact information for the following individuals: _____

Any written objection to the Court's order should be filed at least 24 hours prior to the subject hearing.

ORIGINAL

ORDR
ROBERT M. DRASKOVCH, ESQ.
Nevada Bar No. 6275
DRASKOVICH & ORONOZ, P.C.
815 S. Casino Center Blvd.
Las Vegas, Nevada 89101-6718
702-474-4222
Attorney for Defendant

2007 JUL 17 A 9:38
SDM

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, STATE OF NEVADA

THE STATE OF NEVADA, Plaintiff, vs. BRIDGETT CORDOVA, Defendant.	Case No.: 07F13253B Dept. No. 5

NUNC PRO TUNC ORDER OF APPOINTMENT

IT IS HEREBY ORDERED that ROBERT M. DRASKOVICH, ESQ. be appointed as counsel to represent Defendant, Bridgett Cordova, in the proceedings against her, effective July 5, 2007, and that counsel be paid by the County of the Clark as set forth in NRS 7.125.

DATED AND DONE this 16th day of July 2007.

William D Janson
JUSTICE COURT JUDGE

Respectfully submitted,

DRASKOVICH & ORONOZ, P.C.

ROBERT M. DRASKOVICH, ESQ.
Nevada Bar No. 6275
815 S. Casino Center Blvd.
Las Vegas, Nevada 89101-6718
702-474-4222
Attorney for Defendant

ORIGINAL

FILED AFTER HOURS NOV 3 - 2007

RAO

Eighth Judicial District Court
Clark County, Nevada

RECEIVED IN EXPRESS BOX

2007 NOV -3 A 9:45

STATE OF NEVADA

Plaintiff,

vs.

Bridgett Cordova

Defendant

Case No.: 07-C-236798-C

Dept No.: CRIM

CLERK OF THE COURT

MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS

K. C. Howard of CVRJ, requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in the courtroom of Dept. No. 19, the Honorable Judge Mosier, commencing on the 18 day of Dec, 2007.

I certify that I am familiar with the contents of Nevada Supreme Court Rules 229-249, inclusive, and understand this form MUST be submitted to the Court at least SEVENTY-TWO (72) hours before the proceedings commence, unless good cause can be shown. IT IS FURTHER UNDERSTOOD that approved media must arrange camera pooling prior to any hearing, without asking this Court to mediate disputes.

DATED this 21 day of Nov, 2007.

K Howard
Media Representative

The Court determines camera access to proceedings, in compliance with the court's policy, ☐ WOULD ☑ WOULD NOT distract participants, impair the dignity of the court or otherwise materially interfere with the achievement of a fair trial or hearing herein;

Therefore, the Court hereby ☐ DENIES ☑ GRANTS permission for camera access to _____ of _____, as requested for each and every hearing on the above-entitled case, at the discretion of the judge, and unless otherwise notified. This Order is in accordance with Nevada Supreme Court Rules 229-249, inclusive, and is subject to reconsideration upon motion of any party to the action.

IT IS FURTHER ORDERED that this entry shall be made a part of the record of the proceedings in this case.

DATED this 28th day of November 2007.

Donald M. Mosier
District Court Judge

Fax form 72 hours prior to the hearing to (702) 671-4535

S11

ORIGINAL

Eighth Judicial District Court
Clark County, Nevada

State of Nevada Plaintiff, vs. Bridgett Cordova Defendant	)	Case No.: C236726C Dept No.: 14 **NOTIFICATION OF MEDIA REQUEST**

TO: COUNSEL OF RECORD IN THE ABOVE-CAPTIONED CASE:

You are hereby notified pursuant to Nevada Supreme Court Rules 229-249, inclusive, that media representatives have requested to obtain permission to broadcast, televise, record or take photographs of all hearings in this case. Any objection should be filed at least 24 hours prior to the subject hearing.

DATED this 27 day of Nov, 2007

E. h. Elkaney
Eighth Judicial District Court

CERTIFICATE OF SERVICE BY FACSIMILE TRANSMISSION

I hereby certify that on the 27 day of Nov, 2007, service of the foregoing was made by facsimile transmission only, pursuant to Nevada Supreme Court Rules 229-249, inclusive, this date by faxing a true and correct copy of the same to each Attorney of Record addressed as follows:

Plaintiff	Defendant
District Attorney	Robert Draskovich
455-2294	474-1320

E. h. Elkaney
Eighth Judicial District Court

Dept. 5

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

2007 NOV 13 P 5:49

C236726

STATE OF NEVADA, Plaintiff, vs. JASON HILLIARD, aka, Matthew Dean Goodner Defendant(s)	District Court Case No.: C~~326726~~ Justice Court Case No.: 07F13253A XIV 11-19-07 9:00

CERTIFICATE

I hereby certify the foregoing to be a full, true and correct copy of the proceedings as the same appear in the above case.

Dated this November 9, 2007

William D. Jansen

Justice of the Peace, Las Vegas Township

RECEIVED
NOV 13 2007
CLERK OF THE COURT

Dept. 5

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

STATE OF NEVADA, Plaintiff, vs. JASON HILLIARD, aka, Matthew Dean Goodner Defendant(s)	District Court Case No.: C~~326726~~ 236726 Justice Court Case No.: 07F13253A

COMMITMENT and ORDER TO APPEAR

An Order having been made this day by me that **JASON HILLIARD** be held to answer before the Eighth Judicial District Court, Department 14 upon the charge(s) of **GRAND LARCENY AUTO – 4 COUNTS; POSSESSION OF STOLEN VEHICLE – 4 COUNTS**, committed in said Township and County, on or between JUNE 20, 2007 and JUNE 28, 2007.

IT IS FURTHER ORDERED that the Sheriff of the County of Clark is hereby commanded to receive him into custody, and detain him until he can be legally discharged, and that he be admitted to bail in the sum of 24,000/24,000 Dollars, and be committed to the custody of the Sheriff of said County, until such bail is given; and

IT IS FURTHER ORDERED that said defendant(s) is/are commanded to appear in the Eighth Judicial District Court, Regional Justice Center, Lower Level Arraignment Courtroom "A", Las Vegas, Nevada at 9:00 AM on the 19TH day of NOVEMBER, 2007 for arraignment and further proceedings on the within charge(s).

Dated this November 9, 2007

William D. Jansen

Justice of the Peace, Las Vegas Township

Justice Court, Las Vegas Township

STATE VS. HILLIARD, JASON aka: MATTHEW DEAN GOODNER

CASE NO. 07F13253A
PAGE 3

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES -- HEARING	CONTINUED TO:
SEPTEMBER 27, 2007	**APPLICATION AND ORDER FOR A CONTACT VISIT FILED**	DMC
OCTOBER 11, 2007 W. JANSEN M. DIGIACOMO, DA P. PALM, SPD & C. CANO, SPD G. DELUCCA, CR L. FOY, CLK	DEFENDANT PRESENT IN COURT IN CUSTODY MOTION BY SPECIAL PUBLIC DEFENDER TO WITHDRAW - **MOTION DENIED AT THIS TIME** PASSED BY COURT FOR CONFIRMATION OF COUNSEL (PULBIC DEFENDER) DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	10/24/07 7:30 #5 DMC
OCTOBER 15, 2007 W. JANSEN P. WECKERLY, DA K. FRIZZELL, ESQ. APPOINTED G. DELUCCA, CR L. FOY, CLK	DEFENDANT PRESENT IN COURT IN CUSTODY MOTION BY SPECIAL PUBLIC DEFENDER TO WITHDRAW MOTION GRANTED PRELIMINARY HEARING DATE SET DEFENDANT REMANDED INTO THE CUSTODY OF THE SHERIFF ~~**COURT DATE OF OCTOBER 24, 2007 VACATED**~~	10/29/07 8:30 #5 SLS
OCTOBER 24, 2007 W. JANSEN C. OWENS, DA K. FRIZZELL, ESQ. G. DELUCCA, CR L. FOY, CLK	FURTHER PROCEEDINGS NOT CALENDARED DEFENDANT PRESENT IN COURT MOTION BY DEFENSE TO VACATE PRELIMINARY HEARING DATE OF 10/29/07 8:30 #5 – MOTION GRANTED PRELIMINARY HEARING DATE RESET MOTION BY STATE TO DISMISS COUNTS 4,5,6 – MOTION GRANTED DEFENDANT REMANDED INTO THE CUSTODY OF THE SHERIFF	11/07/07 8:30 #5 sls
NOVEMBER 7, 2007 W. JANSEN P. WECKERLY, DA K. FRIZZELL, ESQ. D. GREEN, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT **IN CUSTODY** PER NEGOTIATIONS: DEFENDANT UNCONDITIONALLY WAIVES THE RIGHT TO A PRELIMINARY HEARING DEFENDANT BOUND OVER TO DISTRICT COURT #14 AS CHARGED DEFENDANT TO APPEAR IN THE LOWER LEVEL ARRAIGNMENT COURTROOM A APPEARANCE DATE SET DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	NOV. 19, 2007 9:00 AM DISTRICT COURT ARRAIGNMENT

Justice Court, Las Vegas Township
FOR WITHDRAWN TO
NOV 13 2007
COUNTY CLERK'S OFFICE

JC-1 (Criminal)
Rev. 10/96

Justice Court, Las Vegas Township

STATE VS. HILLIARD, JASON aka Matthew Dean Goodner CASE NO. 07F13253A

PAGE 2

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES — HEARING	CONTINUED TO:
AUGUST 28, 2007 W. JANSEN P. WECKERLY, DA C. CANO, PD D. GREEN, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT **IN CUSTODY** CONTINUED BY STIPULATION OF COUNSEL – CONTINUED PRELIMINARY HEARING DATE DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	9-4-07 8:30 #5 LKF
SEPTEMBER 4, 2007 W. JANSEN N. NYIKOS, DA C. CANO, PD & P. PALM, PD G. DELUCCA, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT **IN CUSTODY** CONTINUED BY STIPULATION OF COUNSEL – CONTINUED DATE FOR STATUS CHECK – POSSIBLE NEGOTIATIONS DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	9-12-07 7:30 #5 LKF
SEPTEMBER 12, 2007 R. WALSH FOR W. JANSEN N. NYIKOS, DA C. CANO, PD & P. PALM, SPD G. DELUCCA, CR L. FOY, CLK	DEFENDANT PRESENT IN COURT IN CUSTODY MOTION BY DEFENSE TO CONTINUE – MOTION GRANTED STATUS CHECK ON POSSIBLE NEGOTIATIONS (TRAIL TO 8:30 CALENDAR) DEFENDANT REMANDED INTO THE CUSTODY OF THE SHERIFF	09/17/07 7:30 #5 SLS
SEPTEMBER 17, 2007 M. NELSON SEGEL FOR W. JANSEN H. LABOUZ, DA C. CANO, SPD & P. PALM, PD A. CAMPAGNA, CR L. FOY, CLK	DEFENDANT PRESENT IN COURT IN CUSTODY MOTION BY DEFENSE TO CONTINUE – MOTION GRANTED POSSIBLE NEGOTIATIONS DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	9/20/07 7:30 #5 DMC
SEPTEMBER 20, 2007 T. SHEETS FOR W. JANSEN P. WECKERLY, DA P. PALM, SPD D. GREEN, CR L. FOY, CLK	DEFENDANT PRESENT IN COURT IN CUSTODY MOTION BY DEFENSE TO CONTINUE – MOTION GRANTED POSSIBLE NEGOTIATIONS DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	9/27/07 7:30 #5 DMC
SEPTEMBER 27, 2007 W. JANSEN P. WECKERLEY, DA P. PALM, SPD D. GREEN, CR L. FOY, CLK	DEFENDANT PRESENT IN COURT IN CUSTODY MOTION BY DEFENSE TO CONTINUE – MOTION GRANTED POSSIBLE NEGOTIATIONS DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	10/11/07 7:30 #5 DMC

NOV 1 3 2007

JC-1 (Criminal)
Rev. 10/96

Justice Court, Las Vegas Township

STATE VS. HILLIARD, JASON aka: MATTHEW DEAN GOODNER CASE NO. 07F13253A

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES — HEARING	CONTINUED TO:
JULY 2, 2007	CRIMINAL COMPLAINT FILED: **COUNTS 1, 2, 3, & 10 – GRAND LARCENY AUTO** **COUNT 4 – CONSPIRACY TO COMMIT MURDER** **COUNT 5 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON** **COUNT 6 – MURDER WITH USE OF A DEADLY WEAPON** **COUNTS 7, 8, 9 & 11 – POSSESSION OF STOLEN VEHICLE**	PTJ
JULY 3, 2007 W. JANSEN N. NYIKOS, DA D. GREEN, CR L. FOY, CLK	INITIAL ARRAIGNMENT DEFENDANT NOT PRESENT IN COURT IN CUSTODY DEFENDANT WENT TO DEPARTMENT #10 **COURT RESET BAIL: NO BAIL – REMAND ALL COUNTS** PASS BY COURT NOTIFY SPECIAL PULBIC DEFENDER (D. SCHIECK) – NOTIFIED DMC SPOKE WITH DONNA 7/3/07 9:03 AM DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	7/5/07 7:30 #5 DMC
JULY 5, 2007 W. JANSEN P. WECKERLY, DA R. PIKE, SPD APPOINTED D. GREEN, CR L. FOY, CLK	DEFENDANT PRESENT IN COURT **IN CUSTODY** PRELIMINARY HEARING DATE SET COURT RESET BAIL: 3000/3000 – EACH – COUNTS 1-2-3-7-8-9-10-11 50,000/50,000 – COUNT 5 **NO BAIL** – EACH – COUNTS 4 & 6 DEFENDANT REMANDED TO THE CUSTODY OF THE SHERIFF	7-19-07 8:30 #5 LKF
JULY 19, 2007 W. JANSEN N. NYIKOS, DA C. CANO, SPD & P. PALM, SPD D. GREEN, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING MOTION BY DEFENSE TO CONTINUE – MOTION GRANTED PRELIMINARY HEARING DATE RESET DEFENDANT REMANDED INTO THE CUSTODY OF THE SHERIFF	08/06/07 8:30 #5 SLS
AUGUST 6, 2007 W. JANSEN P. WECKERLY, DA C. CANO, PD & P. PALM, PD D. GREEN, CR L. FOY, CLK	TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT **IN CUSTODY** MOTION BY STATE TO CONTINUE PER BUSTOS MOTION WITNESS NORMA SNEIDER NOT PRESENT IN COURT – OBJECTION BY DEFENSE – MOTION GRANTED PRELIMINARY HEARING DATE RESET DEFENDANT REMANDED INTO THE CUSTODY OF THE SHERIFF	08/28/07 8:30 #5 SLS
AUGUST 28, 2007	**MEDIA REQUEST AND ORDER ALLOWING CAMERA ACCESS TO COURT PROCEEDINGS FILED**	

JC-1 (Criminal)
Rev. 10/96

COPY

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

Matthew Goodner

JASON HILLIARD, aka,
Matthew Dean Goodner #1602010,
BRIDGETT ANN CORDOVA #1708984,

Defendants.

CASE NO: 07F13253A-B

DEPT NO: 5

CRIMINAL COMPLAINT

The Defendants above named having committed the crimes of GRAND LARCENY AUTO (Felony - NRS 205.228), CONSPIRACY TO COMMIT MURDER (Felony - NRS 200.010, 200.030, 199.480), MURDER WITH USE OF A DEADLY WEAPON (Felony - NRS 200.010, 200.030, 193.165), FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Felony - NRS 200.310, 200.320, 193.165), and POSSESSION OF STOLEN VEHICLE (Felony - NRS 205.273), in the manner following, to-wit: That the said Defendants, on or between June 20, 2007 and June 28, 2007, at and within the County of Clark, State of Nevada,

COUNT 1 - GRAND LARCENY AUTO

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 20, 2007, then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, having a value of $2,500.00, or more, in the possession of GABRIEL DESANTIAGO, to-wit: a 1992 Honda, bearing Nevada license No. 997RNA.

COUNT 2 - GRAND LARCENY AUTO

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 20, 2007, then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, having a value of $2,500.00, or more, in the possession of

GEORGE H. GRIMBLE, to-wit: a 1995 Acura, bearing Nevada License No. 219TJA.

COUNT 3 - GRAND LARCENY AUTO

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 20, 2007, then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, having a value of $2,500.00, or more, in the possession of JACOB MEYER and/or RACHEL MURRAY, to-wit: a 2007 cargo trailer, bearing Virginia License No. C489786.

COUNT 4 - CONSPIRACY TO COMMIT MURDER

Defendants did, on or about June 21, 2007, then and there meet with each other and between themselves, and each of them with the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit: murder, and in furtherance of said conspiracy, Defendants did commit the acts as set forth in Count 6, said acts being incorporated by this reference as though fully set forth herein.

COUNT 5 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

Defendant JASON HILLIARD, aka, Matthew Dean Goodner did, on or about June 21, 2007, wilfully, unlawfully, feloniously, and without authority of law, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away JOEY GENE DEOM, a human being, with the intent to hold or detain the said JOEY GENE DEOM against his will, and without his consent, for the purpose of killing the said JOEY GENE DEOM, said Defendant using a deadly weapon, to-wit: a firearm, during the commission of said crime.

COUNT 6 - MURDER WITH USE OF A DEADLY WEAPON

Defendants did, on or about June 21, 2007, then and there wilfully, feloniously, without authority of law, and with premeditation and deliberation, and with malice aforethought, kill JOEY GENE DEOM, a human being, by shooting at and into the body of the said JOEY GENE DEOM, multiple times, with a deadly weapon, to-wit: a firearm, the Defendants being liable under one or more of the following principles of criminal liability, to-wit: (1) by willfully killing with premeditation and deliberation, and/or (2) by aiding and

abetting each other and/or another person with the intention that the said JOEL GENE DOEM be killed, by providing counsel or encouragement to each other, Defendants acting with premeditation and deliberation, Defendant JASON HILLIARD, aka, Matthew Dean Goodner shooting into the body of the said JOEY GENE DOEM and then, with the assistance of Defendant BRIDGETT ANN CORDOVA, and another person, concealing the said JOEY GENE DOEM, Defendant BRIDGETT ANN CORDOVA assisting in moving the said JOEY GENE DOEM after he was shot and assisting Defendant JASON HILLIARD, aka, Matthew Dean Goodner, by cleaning the location of the shooting and/or of disposing of physical evidence and/or (3) pursuant to a conspiracy to commit this crime.

COUNT 7 - POSSESSION OF STOLEN VEHICLE

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 21, 2007, then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GEORGE H. GRIMBLE, to-wit: a 1995 Acura, bearing Nevada License No. 219TJA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 8 - POSSESSION OF STOLEN VEHICLE

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 21, 2007, then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GABRIEL DESANTIAGO, to-wit: a 1992 Honda, bearing Nevada License No. 997RNA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 9 - POSSESSION OF STOLEN VEHICLE

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 21, 2007, then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from JACOB MEYER and/or RACHEL MURRAY, to-wit: a 2007 cargo trailer, bearing Virginia License No. C489786, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

///

COUNT 10 - GRAND LARCENY AUTO

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 28, 2007, then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, having a value of $2,500.00, or more, in the possession of RANBIR SIDHU, to-wit: a 1998 Honda, bearing Nevada License No. 782MFZ.

COUNT 11 - POSSESSION OF STOLEN VEHICLE

Defendant JASON HILLIARD, aka, Matthew Dean Goodner, did, on or about June 28, 2007, then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from RANBIR SIDHU, to-wit: a 1998 Honda, bearing Nevada License No. 7892MFZ, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

All of which is contrary to the form, force and effect of Statutes in such cases made and provided and against the peace and dignity of the State of Nevada. Said Complainant makes this declaration subject to the penalty of perjury.

7/2/2007

07F13253A-B/cas
LVMPD EV# 0706211678
(TK5)

P:\WPDOCS\COMPLT\FCOMP\713\71325301.DOC

Co Def A

W/H 012

Page 1 of 2

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
TEMPORARY CUSTODY RECORD

I.D. #: 160 2010 Event #: 070621-1678

DATE OF ARREST: 06-29-07 TIME OF ARREST: 0200

I.D. ESTAB. BY: SCOPE

INTAKE NAME (AKA, ALIAS, ETC.) Last	First	Middle	TRUE NAME Last	First	Middle
HILLIARD,	JASON		GOODNER,	MATTHEW	DEAN

ADDRESS NUMBER & STREET	BLDG./APT. #	CITY	STATE	ZIP
UNKNOWN	—	LAS VEGAS	NV	—

DATE OF BIRTH	RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	SOCIAL SECURITY #	Speak English?	PLACE OF BIRTH
07-23-80	W	M	6'	205	BRO	BRO	[redacted]	☒ Yes ☐ No	LAS VEGAS, NV

LOCATION OF CRIME (# - Street - City - State - Zip)	Citizen Arrest	LOCATION OF ARREST	Sector/Beat	PCN #
3440 TWILIGHT STAR LVN 89117 ☐ CC ☐ LV	Y (N)	5025 DEAN MARTIN LVN.	J-4	

BKG. CODE	CHARGE ORD / NRS #	M	GM	F	ARR TYPE*	EVENT NUMBER	WARR / NCIC NUMBER	COURT LV	COURT JC	COURT DC	COURT OTHER
45	MURDER W/ DEADLY WPN NRS 200.030-1	☐	☐	☒	PC	070621-1678	07F13253A	☐	☒	☐	☐
2114	CONSPIRACY MURDER NRS 200.030	☐	☐	☒	PC	" "	JC5	☐	☒	☐	☐
5042	KIDNAPPING W/ DEADLY WPN NRS 200.310	☐	☐	☒	PC	" "	—	☐	☒	☐	☐
5457	GRAND LARCENY AUTO (3 cts) NRS 205.228	☐	☐	☒	PC	" "	—	☐	☒	☐	☐
5214	RX FEL POSS OF F/A 202.360 BAIL $3000	☐	☐	☒	BW	JC1D	07F02768X	☐	☒	☐	☐
9534	POSS C/S W/INT TO SELL 453.337 NO BAIL	☐	☐	☒	BW		C231837	☐	☐	☒	☐

*ARREST TYPE: PC – PROBABLE CAUSE BS – BONDSMAN SURRENDER BW – BENCH WARRANT WA – WARRANT RM – REMAND GJI – GRAND JURY IND.

OTHER COURT:

Arresting Officer's Signature — J. ROIGEN (Print Name) — 4512 P # — LVMPD Agency

Transporting Officer's Signature — T. FISHER (Print Name) — 3204 P # — LVMPD Agency

APPROVAL CONTROL # FOR ADDITIONAL CHARGES:

Time Stamp at BOOKING

RECEIVED

P #:

☐ FOR PROBABLE CAUSE/NCIC HIT ARREST SEE PAGE TWO FOR DETAILS.

☐ BENCH WARRANT SERVED ON

☐ WARRANT SERVED ON

☐ GRAND JURY INDICTMENT SERVED ON

TYPE OF I.D. FOR VERIFICATION

CONFIDENTIAL

FIRST APPEARANCE: DATE: 6-30-07 TIME: 12pm

COURT

☒ JUSTICE

☐ MUNICIPAL

☐ JUVENILE

☐ ~~STANDARD BAIL~~

☐ O.R. RELEASE

☒ PROBABLE CAUSE

☐ I.A.D.

JUDGE: Kenneth Hara

faxed to HA 7/1/07 9:27am

FAXED to PD 6/29/07 BY:

LVMPD 22 (REV. 3-05) (2) COURT - ORIGINAL

TD-C18C04KMD3 Jcl - 0370010L

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LAS VEGAS METROPOLITAN POLICE DEPARTMENT

DECLARATION OF ARREST

I.D. #: 1602010

True Name: GOODNER, MATTHEW DEAN Date of Arrest: 06-29-07 Time of Arrest: 0200

OTHER CHARGES RECOMMENDED FOR CONSIDERATION:
CONSPIR MURDER, KIDNAPPING W/DW, GLA (3 cts)

THE UNDERSIGNED MAKES THE FOLLOWING DECLARATIONS SUBJECT TO THE PENALTY FOR PERJURY AND SAYS: That I am a peace officer with LVMPD (Department), Clark County, Nevada, being so employed for a period of 14 years (~~months~~). That I learned the following facts and circumstances which lead me to believe that the above named subject committed (or was committing) the offense of MURDER W/ DEADLY WEAPON at the location of 3440 TWILIGHT STAR (ADDRESS / CITY / STATE / ZIP) and that the offense occurred at approximately 0030 hours on the 20 day of JUNE, 2007, in the county of ☒ Clark or ☐ City of Las Vegas, NV.

DETAILS FOR PROBABLE CAUSE:

SEE ARREST REPORT

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are a misdemeanor).

Declarant must sign second page with original signature

Declarant's Signature

J. ROSSEN 4512

Print Declarant's Name P #

LVMPD 22 – A (REV. 6-01) (1) ORIGINAL – COURT

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

ARREST REPORT

07F13253A/5

[ ] City [x] County [x] Adult [ ] Juvenile Sector/Beat R-3

ID/EVENT#	ARRESTEE'S NAME (Last, First, Middle)	S.S.#
070621-1678	GOODNER, MATTHEW DEAN	530-45-8419

ARRESTEE'S ADDRESS (Number, Street, City, State, Zip Code): UNKNOWN, LAS VEGAS, NV

CHARGES: MURDER W/ DEADLY WEAPON, CONSPIRACY TO COMMIT MURDER, KIDNAPING W/ DEADLY WEAPON AND GRAND LARCENY AUTO (3 COUNTS)

OCCURRED: DATE	DAY OF WEEK	TIME	LOCATION OF ARREST (Number, Street, City, State, Zip Code)
06-20-07	WEDNESDAY	0030	5085 S. DEAN MARTIN, LAS VEGAS, NV 89117

RACE	SEX	D.O.B.	HT	WT	HAIR	EYES	PLACE OF BIRTH
W	M	07-23-80	6'	205	BRO	BRO	LAS VEGAS, NV

CIRCUMSTANCES OF ARREST

On 06-21-2007 Jacob Meyer and Rachel Murray reported their enclosed cargo trailer stolen under event number 070621-0898. The couple had recently moved to Las Vegas from West Virginia and the trailer contained nearly all of their possessions. The trailer was parked at 6505 Atwood Avenue and was last seen at that location on June 20, 2007 at approximately 1300 hours by Kenny Rios. The items inside the trailer included their household goods and personal items as well a Citi Card Platinum Select Mastercard in the name of Rachel Murray and a AT&T Universal Platinum Mastercard in the name of Rachel Murray. Murray wrote down a list of the locations and date and time of all uses or attempted uses of the two credit cards since they were stolen.

On 06-21-2007 at approximately 1349 hours Murray and Meyer found their white cargo trailer parked in the northeast corner of the Quail Tree Apartment complex located at 7100 W. Alexander and called it in to LVMPD dispatch. Patrol officers responded to that location and upon entering the trailer discovered a white, Acura Legend car bearing Nevada license plates 219TJA, that was reported stolen under event #070620-0845. The trunk of the vehicle was slightly open, but tied down with several pieces of gray nylon webbing and a yellow cargo strap with a come-along attached. Blood and other fluids had leaked out of the trunk and were on the floor of the trailer. Through the slightly open trunk lid, the body of a human was visible inside the trunk. Detectives from the Violent Crimes Detail responded and determined that Homicide Section needed to respond to further the investigation.

On 06-20-2007 at approximately 1030 hours, Gabriel DeSantiago reported his red 1992 Honda Accord with Nevada license plates 997RNA, stolen under LVMPD event #070620-1287.

On 06-20-2007 at approximately 1345 hours, George Grimble reported his white 1995 Acura Legend with Nevada license plates 219TJA, stolen under LVMPD event #070620-0845.

Detectives Rosgen, Andersen and Wallace, Sergeant Scott and Lieutenant Roberts responded to 7100 W. Alexander and were briefed by the detectives and police officers present. The scene was investigated by Detective Rosgen and crime scene analysts. The exterior and interior of the trailer was documented and then the white Acura was removed from inside it. The white Acura was photographed, sealed and taken to the LVMPD crime laboratory via a flat bed tow truck. The white Acura was processed for fingerprints, photographed and the body, in early stages of decomposition, was removed from the trunk. The body was clothed in a T-shirt and one sock and was naked other

ARRESTING OFFICER(S)	P#	APPROVED BY	CONNECTING RPTS. (Type or Event Number)
J. ROSGEN	4512	HERPOLSHEIMER 3817	TCR, DOA, Criminalistics reports, towa, property impounds, search warrants, etc...
T. THOWSEN	1467	06-29-07	

LVMPD 602 (REV. 12-60) - AUTOMATED/WP12

CONFIDENTIAL

than that. As the body was not identifiable at that time, Clark County Coroner's Investigator Warren McLeod named him John "Quail Tree" Doe. There was no obvious cause of death.

On 06-21-2007 at approximately 2244 hours, Detective Mike Wallace interviewed George Grimble reference the theft of his white Acura car. Grimble said he noticed the car was not where he had parked it at approximately 0800-0830 hours the day before (06-20-2007). He then called police and made a telephonic report of the theft of his car. While still at that apartment complex, Detective Wallace spoke with some people who indicated a red Honda was parked next to where the white Acura had been parked ever since the Acura disappeared. Detective Wallace went to that car and ran the plate to see if it was reported stolen. The red Honda had Nevada license plates 997RNA and had been reported stolen under event #070620-1287. The car was sealed and taken to the LVMPD crime laboratory via a flat bed tow truck. The red Honda was photographed and processed for latent fingerprints.

On 06-22-2007 at approximately 0900 hours, an autopsy was conducted by Dr. Telgenhoff of the Clark County Coroner's Office on the body of John "Quail Tree" Doe. The body had a gunshot wound to the left upper chest and one gunshot wound to the left side of the face. There were numerous linear pattern, blunt trauma wounds to the head which appeared to be post mortem. After conducting a complete autopsy, Dr. Telgenhoff determined the cause of death was gunshot wounds to the head and torso and the manner of death was homicide.

On 06-22-2007 at approximately 1330 hours, Detective Rosgen received a telephone call from David Brown, a Las Vegas defense attorney. Brown was calling on behalf of his client who claimed to be a witness to the murder involving the white trailer and Acura. He agreed to bring the witness in for an interview with detectives after he spoke with him in person.

On 06-22-2007 at approximately 1400 hours, Felicia Borla, an investigator with the Clark County Coroner's Office, called Detective Thowsen and told him John "Quail Tree" Doe had been identified by fingerprints as Joey Gene Deom AKA Joey Adams LVMPD ID #1675397.

On 06-22-2007 at approximately 1700 hours, Brown brought the subject, who will henceforth be referred to as Concerned Citizen due to fear of retribution and reprisals against him/her for providing this information. The identity of the Concerned Citizen is known to your affiant and will be revealed upon request by competent judicial authority. Concerned Citizen (CC) revealed the following: On Tuesday (06-19-2007) evening CC received a telephone call from an acquaintance named "Bear". CC has known "Bear" for several years, but does not know his real name. CC said "Bear's" real first name may be Matt, but is not sure. "Bear" asked CC to come over to his girlfriend, Bridgett's apartment located at 3440 Twilight Star and CC agreed to do so.

Upon CC's arrival at Bridgett's apartment, "Bear" told him that Bridgett's ex-boyfriend, "Joey D" was supposed to be getting out of jail later that night. CC was aware that Bridgett had a lot of problems with "Joey D" and had a Stalking Order issued against him. "Bear" told CC that he expected "Joey D" to come to Bridgett's apartment to try and hurt her and they were not going to let that happen. CC took that to mean that the two of them would either scare "Joey D" away or at most, would physically beat him up.

CC was at Bridgett's apartment a couple of hours and was going to the bathroom in the downstairs bathroom, when he/she heard the doorbell being rung repeatedly. CC then hears a noise which

sounded like the sliding glass door being forced open and pulled off-track. CC pulled up his/her pants and stepped out of the bathroom and into the dining/living room of the apartment. CC saw a large white male, he believed to be "Joey D" standing at the base of the staircase. "Bear" was standing at the top of the stairs and told "Joey D" to leave. "Bear" then fired a warning shot trying to scare "Joey D" away. Instead "Joey D" said something to the effect of "You're going to have to shoot me" and began to run up the stairs toward "Bear". "Bear" fired two additional shots and "Joey D" came back down the stairs and collapsed on the floor of the apartment, but was still alive. CC believed the weapon used to be a small caliber, possibly a .22, due to the sound it made and the small blood soaked area he/she observed on the upper left chest area of "Joey D's" shirt. CC ran around the apartment gathering his/her belongings (he/she brought dirty laundry to Bridgett's apartment and was washing it) in anticipation of leaving. After gathering all of his/her belongings up, CC noticed "Joey D" was no longer lying on the living room floor. "Bear" told CC to back his/her car up to the patio of the apartment. As CC went to move the car, he/she noticed "Joey D" lying on the patio, still alive. After backing the car up to the patio, "Bear" told CC to grab "Joey D's" feet and help place him in the back seat of the car. CC did as "Bear" requested and said he/she was scared of "Bear" and believed him to still be in possession of the weapon. CC said that he/she never saw the weapon and therefore can not describe it.

After placing "Joey D in the back seat of CC's car, CC and "Bear" drove to the area of the first scenic route sign while driving west on Charleston Boulevard approaching the Red Rock loop turn-off. CC pulled off of Charleston Boulevard onto the dirt shoulder and CC and "Bear" removed "Joey D" from the back seat and placed him on the ground. "Bear" told CC to come back and pick him up in five to ten minutes.

Approximately ten minutes later, CC returned to the area and saw "Bear" walking along the side of the road. "Bear" had been wearing a black tank top shirt, however, CC noticed he was not wearing the shirt when he/she picked him up on the side of Charleston Boulevard. CC and "Bear" then returned to the area of Bridgett's apartment and parked in the apartment complex to the west. CC's car was nearly out of gas at that time.

CC, "Bear" and Bridgett then got into Bridgett's black Honda and she drove the three of them to an apartment complex somewhere in the area of the far west end of Warm Springs Road. Bridgett asked "Bear" if "Joey D" was still alive when "Bear" left him in the desert. "Bear" told her that he was, but he then put three rounds in his face, so he was dead now. "Bear" got out of the car and returned a short time later driving a red Honda car. Bridgett and "Bear" took CC to his/her car with a gas can so he could put some gas in the tank. "Bear" told CC and Bridgett to meet him at Mel's house. Mel is a white female adult in her late thirties who lives in a trailer park in the area of N. Rainbow and Hartman and is a mutual acquaintance of theirs.

CC had agreed to make a collect call to Bridgett's house because "Bear" and Bridgett believed this would make it appear that "Joey D" was still alive as he regularly called Bridgett collect. CC stopped at a gas station and made a collect call to Bridgett's apartment. He then drove north on Rainbow to approximately the area of Lake Mead, where he/she stopped at a gas station and put air in a tire which was slowly going flat. CC estimates that "Bear" and Bridgett were approximately 10 minutes ahead of him/her. When CC arrived at Mel's trailer, Bridgett was there in her black Honda, but "Bear" was now driving a white Acura. CC asked "Bear" what happened to the red Honda and "Bear" said it was overheating so he got rid of it. CC then followed "Bear" as he headed back out W. Charleston to return to the "Joey D's" body. "Bear" pulled over on the side of Charleston prior to reaching the area

where "Joey D's" body was located and had CC park the car. CC put a gas can on the car to make it appear to be out of gas. "Bear" and CC then drove on to where "Joey D's" body was located.

"Bear" backed the white Acura up to the dirt berm on the west side of W. Charleston Boulevard. "Bear" and CC dragged "Joey D's" body to the trunk of the car and put him inside. CC said that "Joey D" was very stiff and didn't completely fit inside the trunk. "Bear" slammed the trunk lid down repeatedly on "Joey D's" head in an unsuccessful attempt to close the trunk lid. "Bear" tried to drive away but became stuck in the loose dirt. "Bear" told CC to get his/her car and help free the Acura. CC returned to his car and drove it up to where "Bear" had gotten the Acura stuck. Initially CC tried to push the bumper of the Acura with his car, but was unsuccessful. CC then intentionally collided into the left front corner of the Acura which freed it from where it was stuck. CC noticed when he returned to the Acura that the trunk lid was tied shut with seat belts which "Bear" had cut from the interior of the Acura. CC stated the sun was just beginning to come up as they drove away from the area of Red Rocks and headed back into town.

After having the intentional collision which freed the white Acura, a car pulls up near "Bear" and CC. "Bear" drove off and CC discovered that the car had a flat tire, which he/she changed and put on the donut spare. The donut went flat almost immediately. CC drove on the rim all the way to the Terrible's located at Charleston and Hualapai. CC informed the manager that the car had a flat and he/she would be leaving to go and get a replacement tire and rim. CC then called Bridgett who picked him/her up.

CC and Bridgett drove around for approximately two hours looking for "Bear". The two discovered "Bear" walking in the area of Rainbow and Cheyenne. They picked "Bear" up and went to Mel's trailer. When they got to Mel's, CC noticed a white, enclosed cargo trailer parked nearby. CC asked Mel if she had a 15" four lug wheel and tire and she said to look around in the backyard. CC located a wheel like that on an Acura car parked in Mel's backyard. One of the lug nuts had a lock on it and CC spent somewhere between two and four hours trying unsuccessfully to free the locking lug nut. During that time, "Bear" left and returned a couple of times. "Bear" then told CC, "Lets go."

"Bear" got into a black, Chevrolet or Ford pickup truck which was hooked up to the white trailer. CC and Mel followed in a brown or black Chevrolet or Ford pickup truck with Mel driving. They drove to an apartment complex somewhere in the area of Gowan. "Bear" called Mel and told her to tell CC that he would know what to look for and that meant the white Acura. Mel and CC found the white Acura and then "Bear" pulled up. "Bear" told CC to use a cargo strap to try and close the trunk on the Acura while "Bear" went and set up the trailer. "Bear" drove the white Acura into the trailer and closed it up. CC said the trailer was empty except for a screwdriver. "Bear" then drove off and CC and Mel followed him. CC got out of the truck with Mel at the front of the apartment complex, where the trailer was later discovered by police, because he was very thirsty. CC walked into the office of the complex and asked for a pamphlet. CC was embarrassed to ask for a drink because he/she didn't want to look like a bum. CC then walked to a nearby Sinclair gas station. A short time later "Bear" drove up to the Sinclair gas station in the black truck with Mel driving behind him in the same truck she had been driving.

"Bear" and CC returned to Bridgett's apartment. CC took a shower and called a friend to come and pick him/her up. CC's friend took CC to a tire shop and purchased a new tire and rim. They returned to where CC had left the car and changed the tire. CC and friend then went to an Extended Stay America Hotel and spent the night.

The next day, CC and friend went to a girl named Erica's house located in the area of Sahara and Decatur. "Bear" arrived at Erica's house about the same time as CC. At some point CC fell asleep and was awakened by "Bear" telling him that the trailer had been found by the police. "Bear" told CC that he was through because his prints were all over the car. CC asked "Bear" what he was going to do and "Bear" said "They're going to catch me." CC asked "Bear" if he was going "to take it" meaning take responsibility for killing "Joey D" and "Bear" said that CC's fingerprints were on the strap. CC didn't like "Bear's" response because it seemed that "Bear" wanted CC to accept the same amount of responsibility for killing "Joey D" as "Bear" had. CC stated that throughout this incident he/she was scared of what "Bear" would do to him/her if he/she failed to do as he said. CC never saw "Bear's" firearm, but assumed he had it on him the whole time.

CC then directed Detective Jeff Rosgen to the far end of W. Charleston near the entrance to the Red Rock Canyon Scenic Loop. In that area CC pointed out where "Bear" had gotten stuck in the white Acura and the drag marks leading from the berm on the side of the road out into the desert.

Detective Thowsen and CSA D. Proietto investigated that scene and located a pair of blue jeans and athletic shoes near the apparent drag marks. They also located an area which had a small amount of blood spatter on some rocks and a small blood soaked area in the sand. Small pieces of yellow plastic, consistent with turn signals and/or reflectors on cars, were located in the dirt on the shoulder of the road, where it appeared a car had been stuck. Blood samples, the blue jeans, athletic shoes, the small pieces of plastic and soil samples were impounded as evidence. Photographs were taken to document the scene.

CC then directed your affiant to Bridgett's apartment located in the area of Spring Mountain and El Capitan. CC pointed out the building and said it was the unit on the northeast corner. That unit's address is 3440 Twilight Star. On 06-26-2007 at approximately 1730 hours, a search warrant, signed by Clark County District Court Judge Susan Johnson, was served on 3340 Twilight Star. No on was present at the residence at the time it was served. A crude patch was present on both sides of the front door of the residence and there was a hole corresponding with the patches through the thick metal screen of the white security door in place outside the door. The hole in the thick metal screen of the security door was consistent with the size hole a small caliber bullet would make. A decorative, metal, cake serving spatula was discovered laying on the ground outside the sliding glass door of the residence. The spatula was bent as if it had been used to pry on something. A broken wooden dowel, approximately 1 ½ to 2 inches in diameter and approximately two feet long was discovered in the garage of the residence.

CC then directed Detective Jeff Rosgen to Mel's trailer located in the area of N. Rainbow and Hartman Street. The address to the trailer is 6517 Hartman Street. On 06-26-2007 at approximately 1450 hours, a search warrant, signed by Clark County District Court Judge Susan Johnson, was served on 6517 Hartman Street. The interior of the mobile home was crowded with an excessive amount of furniture, with many of the items matching the description of the property from inside the cargo trailer stolen under event #070621-0898. Other items matching the description of property taken from the cargo trailer were stacked on the south side of the mobile home, the east side of the mobile home and in the storage shed located in the southeast corner of the lot. The victims, Jacob Meyer and Rachel Murray were brought to 6517 Hartman Street and allowed to identify their items in and around that residence. Approximately 85% of the couple's property taken from the cargo trailer was recovered at the mobile home. Three individuals were present at the residence when the search warrant was executed. The three were: David Harsh ID#803081, Shane Estep ID#1676541, and Melodye Powell

ID#734737. Harsh, Estep and Powell were all booked for Possession of Stolen Property and outstanding warrants.

On 06-26-2007 at approximately 1748 hours, Linda Cordova was interviewed by Detective Mike Wallace. Cordova related the following: On the day Deom was released from the Clark County Detention Center (Tuesday), in the afternoon, her daughter Bridgett, "Little Bear" and "Butter" were all at her house located at 3340 Twilight Star. Linda tells the two men about how Deom had abused Bridgett. "Little Bear" told Linda something to the effect of "He won't put a hand on her while I'm around." Linda then left the house. The two men were still with Bridgett when she received a telephone call informing her that Deom was about to be released from jail. Bridgett left her house at that time and went to stay with her friend Norma. When Bridgett left, "Little Bear" and "Butter" were outside of her house and she left before they did. On Wednesday (06-20-2007) "Little Bear", "Butter" and Bridgett returned to her house. Linda noticed a small hole in the front door of their house and asked Bridgett what had happened. Bridgett said she had fired a dart gun and it went through the door. A short time later, when the two men were no longer present in the room, Linda again asked what happened and Bridgett indicated she couldn't talk about it at that time because of the two men present nearby. After the two men left, Bridgett confided in her mother that she had a bad feeling that something bad had happened. Bridgett said something to the effect of "Deom hasn't called me and there's a bullet hole in our front door." Linda told Detective Wallace that the hole in the door was now patched. Bridgett told Linda that "Little Bear" had re-entered their house, using a garage door opener and while in the house, the gun accidently went off and put a hole in the front door. Some time on Wednesday Linda received a telephone call from Deom's mother. Deom's mother inquired as to her son's whereabouts since she had dropped him off at Linda's house the night before. Linda asked why she would bring him over since they had a stalking order against him. Deom's mother said if he went to prison over the stalking order, she would kick Linda's ass.

On 06-26-2007 at approximately 1918 hours, Detective Tom Thowsen interviewed Norma Snyder where she related the following: She has known Bridgett for several years and Deom for approximately two years. On 06-20-07 at approximately 1700 hours, Snyder received a telephone call from Bridgett. Bridgett asked Snyder if they could meet at her (Snyder's) house and Snyder agreed. At approximately 1800 hours, Bridgett arrived at Snyder's residence driving her black Honda Civic and "Little Bear" was with her. Snyder believed "Little Bear's" real name was Matthew Goodner because when he has called her in the past that name was displayed on her phone. Bridgett stepped into a room to have a private conversation with Snyder and told her "Dude, last night we killed Joey." Snyder asked her who "we" was and Bridgett told her, "Me and homeboy, "Little Bear". Snyder asked her "What the hell happened? I thought you loved him? Bridgett then bragged about how the bullets had struck Deom, gesturing with her hand to indicate a downward trajectory. Snyder told Bridgett that she needed to go outside and get some air. "Little Bear" was sitting on the steps outside the door when the two walked out. Bridgett gave him a hug and he asked "Did you tell her? Is she going to cover?" Snyder asked them what the hell was going on and Bridgett told her the following story. Her son had answered the phone the night before and it was either the jail notifying her of Deom's release or a collect call from Deom. Bridgett told Gus to hang up the phone and go to bed. Bridgett, some other guy and "Little Bear" were upstairs when Deom's mother dropped him off at Bridgett's house. Deom broke into the house and "Little Bear" greeted him at the top of the stairs in front of her son's bedroom. "Little Bear" asked Deom, "Hey motherfucker, what do you want?" Deom answered, Where's my girlfriend?" "Little Bear" told him to "Get back down the fucking stairs." Deom responded with "Fuck you man. Do what you got to do. You wanna scrap? I'm talking to my girlfriend." "Little Bear" fired his weapon twice and Deom fell down the stairs. The last thing Deom said was, "Where's

Bridgett?" Bridgett said they put him in the trunk of a car and cleaned up the blood. She indicated it was a small amount of blood and they used paper towels. Bridgett said he was very heavy and she wasn't sure if he was dead or alive. Bridgett reiterated that they put him in the trunk of the car, but "His fat ass wouldn't even fit in the fucking trunk." Bridgett talked about stealing cars, stealing a trailer and taking Deom to the desert. Bridgett said the gun was a .22 caliber but she wasn't sure if it was a handgun or a rifle. Snyder asked about the desert and Bridgett said Deom was shot three more times in the head while at the desert. Snyder asked where Bridgett's son was during all of this and Bridgett said she stayed home with her son while the two men took Deom to the desert. Bridgett also told Snyder that when she told "Little Bear" that Deom was getting out of jail, "Little Bear" told her she should take her son and leave the house. "Little Bear" said he would stay there and take care of Deom. Bridgett didn't do that, however, and her and her son were at the house at the time of the shooting. Bridgett told Snyder there was a bullet hole in her front door and asked Snyder if she could lend her the money to fix it. Snyder said she didn't have any money. Bridgett then asked if Snyder had any diesel fuel as they wanted to burn the body. When Snyder said she didn't have any diesel fuel, Bridgett said that maybe she should get some jet fuel. Snyder asked her if she wanted to burn down half of the valley. "Little Bear" said something to the effect of "Yeah, we don't want any fires. Maybe we can bury him in a concrete slab." Bridgett also said she was going to pull Deom's teeth out so he couldn't be identified. Bridgett said if she pulled the teeth and burned the body the police wouldn't be able to get any DNA. Bridgett said all she cared about was her freedom. Bridgett told Snyder they wanted her to be their alibi. Bridgett said she knew she would eventually be questioned by police because Deom was dropped off at her house by his mother. At about 1830 hours, Bridgett and "Little Bear" leave Snyder's house. At approximately 1845 hours, Bridgett called Snyder and asked if she would watch her son for a while. Snyder agreed and kept Bridgett's son until 2230 hours. On 06-22-07 at approximately 1900-2000 hours, Bridgett tried to call Snyder from either 508 or 580 -2003. Snyder knows that number is Bridgett's mother's cellular telephone. Snyder called the number back and spoke with Bridgett. Bridgett said that she was at the police station and couldn't talk right then. A couple of minutes later, Bridgett called back and said she was leaving the police station after being questioned about Deom. Bridgett said I don't know why, I didn't say much of anything. She then told Snyder "Remember what we talked about. That I've been at your place." On Saturday, 06-23-07, in the afternoon, Bridgett called Snyder and asked if she had seen the news. Snyder said no, so Bridgett said "Ok, I'll hit you up." (I'll talk to you later). Later Saturday or perhaps on Sunday, Bridgett called and said she would come by and talk to her but she didn't have a car anymore. Snyder asked what happened to her car and Bridgett said "Nothing, I'll tell you in person." Snyder conveyed to Bridgett her concern for her and her family's safety because of "Little Bear" knowing where she lives. Bridgett responded with something like, "Girl, come on please. I would never put you in a position like that." That was the last contact Snyder had with Bridgett. Bridgett was shown a two photo lineups by Detective Thowsen. Snyder selected Bridgett Cordova ID# 1708984 and Matthew Goodner ID# 1602010 from their respective photo lineups.

On 06-26-2007 at approximately 2315 hours, a telephonic search warrant was obtained from Clark County District Court Judge Jackie Glass for 3825 S. Durango storage unit # 20 which is rented by Bridgett Cordova. Nothing of significance was found during the search of that storage unit.

On 06-28-2007 at approximately 1031 hours, Paula Adams was interviewed by Detective Tom Thowsen where she related the following: Joey Gene Deom is her son. Deom has been in a relationship with Bridgett Cordova for two years. Deom was released from the Clark County Detention Center on 06-19-2007. Adams picked her son up at the Clark County Detention Center at approximately 2300 hours. Deom told his mother he wanted to spend the night with Bridget so she

took him to Bridgett's apartment and dropped him off at approximately 2330 hours. She noticed the black Honda car parked next to the residence that she knew Bridgett drove and that the black Jeep Bridgett's mother drives was not parked next to it. This indicated to Adams that Bridgett was home and her mother was not. Deom told Adams that he would come home in the morning and they could go and get his son for a visit. That was the last time Adams saw her son alive. On 06-20-07 at approximately 1400 hours, Linda Cordova, Bridgett's mother, called Adams and relayed a message for Deom from Bridgett. The message was that Deom should stay away from Bridgett. Adams asked why, because Deom had been with Bridgett the previous night. Linda answered that Bridgett was not home the night before. Adams asked what car she drove and Linda told her the black Honda. Adams said that was impossible because she had seen the black Honda there when she dropped her son off the night before. Linda said in any case tell him to stay away.

On 06-26-2007 search warrants were obtained and executed on 3440 Twilight Star and 6517 Hartman. A patched hole in the front door with a corresponding hole in the outer security door was discovered at the Twilight Star address. A large amount of the household goods and personal property taken from inside the cargo trailer was discovered in and around the Hartman address.

On 06-28-07 at approximately 1400 hours, Detective Rosgen began to receive information from anonymous sources and other police officer's confidential informants about the current location of Matthew Goodner AKA "Little Bear" or "Bear" and Bridgett Cordova. On 06-29-2007 at approximately 0100 hours, Sergeant C. Leveque P#4376 called Detective Rosgen and informed him that he had his squad watching "Bear" and Cordova, that they had a stolen, green Honda, Nevada license plate 782MFZ and were trying to leave town, possibly for Utah. Detective Rosgen told Sergeant Leveque that he had probable cause to arrest the two for Murder with a Deadly Weapon and would respond to arrest them if the two were taken into custody. At approximately 0200 hours, Sergeant Leveque called Detective Rosgen and told him that they had detained "Bear" and Cordova. Sergeant Leveque's squad had watched "Bear" and Cordova in the stolen car and in room #215 of the Motel Six located at 5085 S. Dean Martin. The green Honda was reported stolen under LVMPD event #070628-1454.

Detectives Rosgen, Thowsen and Wallace responded to the Motel 6 located at 5085 S. Dean Martin. Detectives Rosgen and Thowsen had Goodner transported to the Clark County Detention Center where he was booked for Murder with a Deadly Weapon, Conspiracy to Commit Murder, KIDNAPING with a Deadly Weapon and Grand Larceny Auto (3 counts).

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE #	DEPT #	REQUESTED BY:
07F13253A	JC5	
NAME:	ID #	
Matthew Goodner	1602010	

CHARGES:
GRAND LARCENY-AUTO 4CTS, POSSESSION OF STOLEN VEHICLE 4CTS

CURRENT BAIL:
12,000 12,000

VERIFIED: ADDRESS: , , , NOT INTERVIEWED
WITH WHOM/HOW LONG: /

VERIFIED: EMPLOYMENT STATUS: /
LENGTH:

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 07 NV PCSWITS; 02 NV COERCION FORCE, GLA; 02 NV EVADE PO; 00 NV PSV, ATT GL

MISDEMEANOR CONVICTIONS: 2

FAIL TO APPEAR: 5

ALSO I/C ON: C231837 PCSWITS – PENDING NSP; C235682 XFEL POSS F/A;
DETAINERS: HENDERSON & NLV MUNI HOLDS

RECOMMENDATION:

DATE: 11/07/2007 PRETRIAL SERVICES: Katie White

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE #	DEPT #	REQUESTED BY:
07F13253A	JC5	
NAME:	ID #	
Matthew Goodner	1602010	

CHARGES:
MURDER WDW, CONSP MURDER WDW, KIDNAP 1ST DEGREE WDW, GRAND LARCENY-AUTO 4CTS, POSSESSION STOLEN VEHICLE 4CTS

CURRENT BAIL:

NB	NB	50,000	12,000	12,000

VERIFIED: ADDRESS: , , , NOT INTERVIEWED
WITH WHOM/HOW LONG: /

VERIFIED: EMPLOYMENT STATUS:
LENGTH:

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 07 NV PCSWITS; 02 NV COERCION FORCE, GLA; 02 NV EVADE PO; 00 NV PSV, ATT GL

MISDEMEANOR CONVICTIONS: 2

FAIL TO APPEAR: 5

DEFT ALSO I/C ON 07FH0347X PCSWITS DC7; 07F02768X XFEL POSS FA JC10;
DETAINERS: HEND & NLV MUNI

RECOMMENDATION:

DATE: 07/19/2007 PRETRIAL SERVICES: Katie White

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE #	DEPT #	REQUESTED BY:
07F13253A	JC5	
NAME:	ID #	
Matthew Goodner	1602010	

CHARGES:
MURDER WDW, CONSP MURDER WDW, KIDNAP 1ST DEGREE WDW, GRAND LARCENY-AUTO 4CTS, POSSESSION STOLEN VEHICLE 4CTS

CURRENT BAIL:

NB	NB	50,000	12,000	12,000

VERIFIED: ADDRESS: , , , NOT INTERVIEWED
WITH WHOM/HOW LONG: /

VERIFIED: EMPLOYMENT STATUS:
LENGTH:

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 07 NV PCSWITS; 02 NV COERCION FORCE, GLA; 02 NV EVADE PO; 00 NV PSV, ATT GL

MISDEMEANOR CONVICTIONS: 2

FAIL TO APPEAR: 5

DEFT ALSO I/C ON 07FH0347X PCSWITS DC7; 07F02768X XFEL POSS FA JC10;
DETAINERS: HEND & NLV MUNI

RECOMMENDATION:

DATE: 07/19/2007 PRETRIAL SERVICES: Katie White

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE #	DEPT #	REQUESTED BY:
07F13253A	JC5	
NAME:	ID #	
Matthew Goodner	1602010	

CHARGES:
MURDER WDW, CONSP MURDER WDW, KIDNAP 1ST DEGREE WDW, GRAND LARCENY-AUTO 4CTS, POSSESSION STOLEN VEHICLE 4CTS

CURRENT BAIL:

NB	NB	50,000	12,000	12,000

VERIFIED: ADDRESS: , , , NOT INTERVIEWED
WITH WHOM/HOW LONG: /

VERIFIED: EMPLOYMENT STATUS:
LENGTH:

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 07 NV PCSWITS; 02 NV COERCION FORCE, GLA; 02 NV EVADE PO; 00 NV PSV, ATT GL

MISDEMEANOR CONVICTIONS: 2

FAIL TO APPEAR: 5

DEFT ALSO I/C ON 07FH0347X PCSWITS DC7; 07F02768X XFEL POSS FA JC10;
DETAINERS: HEND & NLV MUNI

RECOMMENDATION:

DATE: 07/19/2007 PRETRIAL SERVICES: Katie White

CONFIDENTIAL

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE #	DEPT #	REQUESTED BY:
07F13253A	JC5	
NAME:	ID #	
Matthew Goodner	1602010	

CHARGES:
MURDER WDW, CONSP MURDER WDW, KIDNAP 1ST DEGREE WDW, GRAND LARCENY-AUTO 4CTS, POSSESSION STOLEN VEHICLE 4CTS

CURRENT BAIL:

NB	NB	50,000	12,000	12,000

VERIFIED: ADDRESS: , , , NOT INTERVIEWED
WITH WHOM/HOW LONG: /

VERIFIED: EMPLOYMENT STATUS:
LENGTH:

VERIFIED: RELATIVES - LOCAL : NOT LOCAL:

FELONY/GROSS MISDEMEANOR CONVICTIONS: 07 NV PCSWITS; 02 NV COERCION FORCE, GLA; 02 NV EVADE PO; 00 NV PSV, ATT GL

MISDEMEANOR CONVICTIONS: 2

FAIL TO APPEAR: 5

DEFT ALSO I/C ON 07FH0347X PCSWITS DC7; 07F02768X XFEL POSS FA JC10;
DETAINERS: HEND & NLV MUNI

RECOMMENDATION:

DATE: 07/19/2007 PRETRIAL SERVICES: Katie White

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE # 07F13253a | **DEPT # JC5** | **REQUESTED BY:**

NAME: Matthew Goodner | **ID #** 1602010

CHARGES:
MURDER WITH A DEADLY WEAPON, CONSP TO COMMIT MURDER, KIDNAP 1ST DEGREE WITH A DEADLY WEAPON, GRAND LARCENY-AUTO, GRAND LARCENY-AUTO, GRAND LARCENY-AUTO
CURRENT BAIL: NO BAIL

VERIFIED: **ADDRESS: NOT INTERVIEWED**
WITH WHOM/HOW LONG: /

VERIFIED: **EMPLOYMENT STATUS:**
LENGTH:

VERIFIED: **RELATIVES - LOCAL :** **NOT LOCAL:**

FELONY/GROSS MISDEMEANOR CONVICTIONS: NV: 07 PCSWITS; 02 COERCION FORCE, GLA; 02 EVADE PO; 00 PSV, ATT GL

MISDEMEANOR CONVICTIONS: 2

FAIL TO APPEAR: 5

ALSO IC: C231837 PCSWITS DC BW; 07F02768X XFEL POSS FA JC10; HEND & NLV MUNI DETAINERS

RECOMMENDATION:

DATE: 07/02/2007 **PRETRIAL SERVICES: Cheryl Allen**

CONFIDENTIAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

PRETRIAL SERVICES INFORMATION SHEET

CASE # 07F13253a | **DEPT # JC5** | **REQUESTED BY:**

NAME: Matthew Goodner | **ID #** 1602010

CHARGES:
MURDER WITH A DEADLY WEAPON, CONSP TO COMMIT MURDER, KIDNAP 1ST DEGREE WITH A DEADLY WEAPON, GRAND LARCENY-AUTO, GRAND LARCENY-AUTO, GRAND LARCENY-AUTO
CURRENT BAIL: NO BAIL

VERIFIED: **ADDRESS: NOT INTERVIEWED**
WITH WHOM/HOW LONG: /

VERIFIED: **EMPLOYMENT STATUS:**
LENGTH:

VERIFIED: **RELATIVES - LOCAL :** **NOT LOCAL:**

FELONY/GROSS MISDEMEANOR CONVICTIONS: NV: 07 PCSWITS; 02 COERCION FORCE, GLA; 02 EVADE PO; 00 PSV, ATT GL
MISDEMEANOR CONVICTIONS: 2

FAIL TO APPEAR: 5

ALSO IC: C231837 PCSWITS DC BW; 07F02768X XFEL POSS FA JC10; HEND & NLV MUNI DETAINERS

RECOMMENDATION:

DATE: 07/02/2007 **PRETRIAL SERVICES: Cheryl Allen**

8A

ORIGINAL

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

PLAINTIFF

-VS-

GOODNER, MATTHEW

DEFENDANT

CASE NO: 07F13253A

DEPT. NO: 5

MEDIA REQUEST AND ORDER ALLOWING CAMERA ACCESS TO COURT PROCEEDINGS
* Please fax to (702) 671-4535 to ensure that the request will be processed as quickly as possible.)

K.C. HOWARD (name), of R J (media organization),

hereby requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in Dept. No. 5, the Honorable Judge JANSEN Presiding, on the 28TH day of AUGUST, 20 07.

I hereby certify that I am familiar with, and will comply with Supreme Court Rules 229-249, inclusive. If this request is being submitted less than seventy-two (72) hours before the above-described proceedings commence, the following facts provide good cause for the Court to grant the request on such short notice:

_____.

It is further understood that any media camera pooling arrangements shall be the sole responsibility of the media and must be arranged prior to coverage, without asking for the Court to mediate disputes.

Dated this 24TH day of AUGUST, 20 07.

SIGNATURE: K.C. HOWARD **PHONE:** _____

****

IT IS HEREBY ORDERED THAT:

[ ] The media request is **denied** because it was submitted less than 72 hours before the scheduled proceeding was to commence, and no "good cause" has been shown to justify granting the request on shorter notice.

[ ] The media request is **denied** for the following reasons: _____

_____.

[ ] The media request is **granted**. The requested media access remains in effect for each and every hearing in the above-entitled case, at the discretion of the Court, and unless otherwise notified. This Order is made in accordance with Supreme Court Rules 229-249, inclusive, at the discretion of the judge, and is subject to reconsideration upon motion of any party to the action. Media access may be revoked if it is shown that access is distracting the participants, impairing the dignity of the Court, or otherwise materially interfering with the administration of justice.

[ ] **OTHER:** _____.

IT IS FURTHER ORDERED that this document shall be made a part of the record of the proceedings in this case.

Dated this 28th day of August, 2007. William D. Jansen
JUSTICE OF THE PEACE

Any written objection to the Court's order should be filed at least 24 hours prior to the subject hearing.

ORIGINAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, PLAINTIFF -VS- GOODNER, MATTHEW DEFENDANT	CASE NO: 07F13253A DEPT. NO.: 5 NOTIFICATION OF MEDIA REQUEST

TO: COUNSEL OF RECORD IN THE ABOVE-CAPTIONED CASE:

You are hereby notified pursuant to Supreme Court Rules 229-249, inclusive, that media representatives have requested to obtain permission to broadcast, televise, record or take photographs of all hearings in this case. Any objection should be filed at least 24 hours prior to the subject hearing.

DATED this 27th day of August, 2007.

C. Ayer

Las Vegas Township Justice Court

CERTIFICATE OF SERVICE BY FACSIMILE TRANSMISSION

I hereby certify that on the 27th day of August, 2007, service of the foregoing was made by facsimile transmission only, pursuant to Nevada Supreme Court Rules 229-249, inclusive, this date by faxing a true and correct copy of the same to each Attorney of Record addressed as follows:

Plaintiff	Defendant
David Roger	PUBLIC DEFENDER
455-2294	455-5112

C. Ayer

Las Vegas Township Justice Court

ORIGINAL

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

PLAINTIFF

-VS-

BRIDGETT ANN CORDOVA - B
Matthew Dean Goodner - A

DEFENDANT

CASE NO: 07F13253B/A

DEPT. NO: 5

MEDIA REQUEST AND ORDER ALLOWING CAMERA ACCESS TO COURT PROCEEDINGS
* Please fax to (702) 671-4535 to ensure that the request will be processed as quickly as possible.)

RECEIVED
JUSTICE COURT
07 AUG 14 A 2:51

VILMA VELAZQUEZ (name), of KVVU (media organization)

hereby requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in Dept. No. 5, the Honorable Judge JANSEN Presiding, on the 28TH day of AUGUST, 20 07. AT 8:30 AM

I hereby certify that I am familiar with, and will comply with Supreme Court Rules 229-249, inclusive. If this request is being submitted less than seventy-two (72) hours before the above-described proceedings commence, the following facts provide good cause for the Court to grant the request on such short notice:

_____.

It is further understood that any media camera pooling arrangements shall be the sole responsibility of the media and must be arranged prior to coverage, without asking for the Court to mediate disputes.

Dated this 6th day of AUGUST, 20 07.

SIGNATURE: VILMA VELAZQUEZ **PHONE:** _____

****

IT IS HEREBY ORDERED THAT:

[ ] The media request is **denied** because it was submitted less than 72 hours before the scheduled proceeding was to commence, and no "good cause" has been shown to justify granting the request on shorter notice.

[ ] The media request is **denied** for the following reasons: _____

_____.

[ ] The media request is **granted**. The requested media access remains in effect for each and every hearing in the above-entitled case, at the discretion of the Court, and unless otherwise notified. This Order is made in accordance with Supreme Court Rules 229-249, inclusive, at the discretion of the judge, and is subject to reconsideration upon motion of any party to the action. Media access may be revoked if it is shown that access is distracting the participants, impairing the dignity of the Court, or otherwise materially interfering with the administration of justice.

[ ] **OTHER:** _____.

IT IS FURTHER ORDERED that this document shall be made a part of the record of the proceedings in this case.

Dated this 14th day of August, 20 07. William D Jansen
JUSTICE OF THE PEACE

Any written objection to the Court's order should be filed at least <u>24 hours</u> prior to the subject hearing.

ORIGINAL

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, PLAINTIFF -VS- BRIDGETT ANN CORDOVA - B Matthew Dean Goodness - A DEFENDANT	CASE NO: 07F13253B/A DEPT. NO.: 5 NOTIFICATION OF MEDIA REQUEST

RECEIVED
2007 AUG 17 A 2:51
JUSTICE COURT

TO: COUNSEL OF RECORD IN THE ABOVE-CAPTIONED CASE:

You are hereby notified pursuant to Supreme Court Rules 229-249, inclusive, that media representatives have requested to obtain permission to broadcast, televise, record or take photographs of all hearings in this case. Any objection should be filed at least 24 hours prior to the subject hearing.

DATED this 14th day of AUGUST, 2007

C. Ayr
Las Vegas Township Justice Court

CERTIFICATE OF SERVICE BY FACSIMILE TRANSMISSION

I hereby certify that on the 14th day of August, 2007, service of the foregoing was made by facsimile transmission only, pursuant to Nevada Supreme Court Rules 229-249, inclusive, this date by faxing a true and correct copy of the same to each Attorney of Record addressed as follows:

Plaintiff	Defendant
David Roger	B: ROBERT DRASKOVICH JR
455-2294	474-1320
	A: PD 455-5112

C. Ayr
Las Vegas Township Justice Court

ORIGINAL

10\11

JUSTICE COURT

SEP 27 3 37 PM '07

LAS VEGAS TOWNSHIP, CLARK COUNTY, NEVADA

BY BP

THE STATE OF NEVADA, Plaintiff, vs. JASON HILLIARD, aka MATTHEW GOODNER, ID NO. 1602010 Defendant.	CASE NO. 07F13253A DEPT. NO. 5 DATE OF HEARING: TIME OF HEARING:

APPLICATION AND ORDER FOR A CONTACT VISIT

Comes now, Defendant Matthew Goodner, by and through his attorneys, DAVID M. SCHIECK, Special Public Defender, CHARLES A. CANO, Deputy Special Public Defender, and PATRICIA A. PALM, Deputy Special Public Defender, and hereby requests this Court for an order for a contact visit with his mother CYNTHIA MARIE OROPEL, DOB 2/28/59, SSN 393-70-8975 and his sister ANGELENA MARIE TREVINO, DOB 1/20/91, SSN 530-57-0890. The purpose of the visit is to assist counsel for Goodner with negotiations in this case.

DATED: 9/27/07

DAVID M. SCHIECK

SPECIAL PUBLIC DEFENDER

CHARLES A. CANO
PATRICIA A. PALM
Deputy Special Public Defenders
330 S. Third Street, Ste. 800
Las Vegas NV 89155
702-455-6265
Attorneys for Defendant

ORDER

BASED upon the ex-parte application of the above named Defendant, by and through his attorneys, DAVID M. SCHIECK, Special Public Defender, CHARLES A. CANO, Deputy

SPECIAL PUBLIC DEFENDER

CLARK COUNTY NEVADA

Special Public Defender, and PATRICIA A. PALM, Deputy Special Public Defender for an order allowing for a contact visit between Defendant, JASON HILLIARD aka MATTHEW GOODNER, ID No. 1602010 and his mother, CYNTHIA MARIE OROPEL, DOB 2/28/59, SSN 393-70-8975 and his sister ANGELENA MARIE TREVINO, DOB 1/20/91, SSN 530-57-0890, good cause appearing therefore.

IT IS HEREBY ORDERED that the Clark County Detention Center shall allow for a contact visit between inmate JASON HILLIARD aka MATTHEW GOODNER, ID No. 1602010 and his CYNTHIA MARIE OROPEL, DOB 2/28/59, SSN 393-70-8975 and his sister ANGELENA MARIE TREVINO, DOB 1/20/91, SSN 530-57-0890 on October 4, 2007 at 1:30 p. .m.

DATED this 27 day of September, 2007.

William D. Janssen
JUSTICE OF THE PEACE

SUBMITTED BY:

SPECIAL PUBLIC DEFENDER

CHARLES A. CANO
PATRICIA A. PALM
Deputy Special Public Defenders
330 S. Third Street, Ste. 800
Las Vegas NV 89155
702-455-6265
Attorneys for Defendant

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Application and Order for Contact Visit filed in Justice Court Case number 07F13253A does contain the social security number of the 2 persons requesting visit in compliance with Detention Center Policy and Procedures for visitation.

DATED: 9/27/07

DAVID M. SCHIECK

SPECIAL PUBLIC DEFENDER

CHARLES A. CANO
PATRICIA A. PALM
Deputy Special Public Defenders
330 S. Third Street, Ste. 800
Las Vegas NV 89155
702-455-6265
Attorneys for Defendant

Electronically Filed
11/16/2007 04:55:58 PM

CLERK OF THE COURT

INFO

DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

I.A. 11/19/07
9:00 A.M.
K. FRIZZELL

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 Defendant.	Case No: C236726 Dept No: XIV INFORMATION

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

DAVID ROGER, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That JASON HILLIARD, aka Matthew Dean Goodner, the Defendant(s) above named, having committed the crimes of POSSESSION OF STOLEN VEHICLE (Category B Felony - NRS 205.273), on or about the 21st day of June, 2007, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

COUNT 1 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GEORGE H. GRIMBLE, to-wit: a 1995 Acura, bearing Nevada

License No. 219TJA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 2 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GABRIEL DESANTIAGO, to-wit: a 1992 Honda, bearing Nevada License No. 997RNA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 3 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from JACOB MEYER and/or RACHEL MURRAY, to-wit: a 2007 cargo trailer, bearing Virginia License No. C489786, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

BY

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

DA#07F13253A/kjk
LVMPD EV#0706211678
PSV - F
(TK5)

ORIGINAL

4

GMEM
DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

FILED IN OPEN COURT
NOV 19 2007
CHARLES J. SCOTT
CLERK OF THE COURT
Sandra Anderson
SANDRA ANDERSON

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 Defendant.	CASE NO: C236726 DEPT NO: XIV

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: Counts 1, 2 & 3 - POSSESSION OF STOLEN VEHICLE (Category B Felony - NRS 205.273), as more fully alleged in the charging document attached hereto as Exhibit "1".

My decision to plead guilty is based upon the plea agreement in this case which is as follows:

The State and I stipulate to small habitual criminal treatment on all three counts of Possession of Stolen Vehicle and that I will receive a sentence of five (5) to twenty (20) years in the Nevada Department of Corrections on each count. The State and Defendant will retain the full right to argue whether the counts will run concurrent or consecutive at rendition of sentence.

CONSEQUENCES OF THE PLEA

I understand that by pleading guilty I admit the facts which support all the elements of

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the offense(s) to which I now plead as set forth in Exhibit "1".

I understand that as a consequence of my plea of guilty the Court must sentence me to imprisonment in the Nevada Department of Corrections as to each Count for a minimum term of not less than ONE (1) year and a maximum term of not more than TEN (10) years. The minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may also be fined up to $10,000. Further, I understand that if I am sentenced under the under the "small" habitual criminal enhancement, the Court must sentence me to a term not less than FIVE (5) years and a maximum of TWENTY (20) years in the Nevada Department of Corrections. I understand that if I am sentenced under the "large" habitual criminal enhancement the Court must sentence me to LIFE without the possibility of parole; life with the possibility of parole, parole eligibility begins after a minimum term of TEN (10) years has been served; OR a definite term of TWENTY FIVE (25) years, parole eligibility begins after a minimum of TEN (10) years has been served. I understand that the law requires me to pay an Administrative Assessment Fee.

I understand that, if appropriate, I will be ordered to make restitution to the victim of the offense(s) to which I am pleading guilty and to the victim of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any.

I understand that I am not eligible for probation for the offense to which I am pleading guilty.

I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences served concurrently or consecutively.

I also understand that information regarding charges not filed, dismissed charges, or charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

I have not been promised or guaranteed any particular sentence by anyone. I know

that my sentence is to be determined by the Court within the limits prescribed by statute.

I understand that if my attorney or the State of Nevada or both recommend any specific punishment to the Court, the Court is not obligated to accept the recommendation.

I understand that if the State of Nevada has agreed to recommend or stipulate a particular sentence or has agreed not to present argument regarding the sentence, or agreed not to oppose a particular sentence, or has agreed to disposition as a gross misdemeanor when the offense could have been treated as a felony, such agreement is contingent upon my appearance in court on the initial sentencing date (and any subsequent dates if the sentencing is continued). I understand that if I fail to appear for the scheduled sentencing date or I commit a new criminal offense prior to sentencing the State of Nevada would regain the full right to argue for any lawful sentence.

I understand if the offense(s) to which I am pleading guilty to was committed while I was incarcerated on another charge or while I was on probation or parole that I am not eligible for credit for time served toward the instant offense(s).

I understand that as a consequence of my plea of guilty, if I am not a citizen of the United States, I may, in addition to other consequences provided for by federal law, be removed, deported, excluded from entry into the United States or denied naturalization.

I understand that the Division of Parole and Probation will prepare a report for the sentencing judge prior to sentencing. This report will include matters relevant to the issue of sentencing, including my criminal history. This report may contain hearsay information regarding my background and criminal history. My attorney and I will each have the opportunity to comment on the information contained in the report at the time of sentencing. Unless the District Attorney has specifically agreed otherwise, then the District Attorney may also comment on this report.

WAIVER OF RIGHTS

By entering my plea of guilty, I understand that I am waiving and forever giving up the following rights and privileges:

1. The constitutional privilege against self-incrimination, including the right to refuse

to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.

2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense charged.

3. The constitutional right to confront and cross-examine any witnesses who would testify against me.

4. The constitutional right to subpoena witnesses to testify on my behalf.

5. The constitutional right to testify in my own defense.

6. The right to appeal the conviction, with the assistance of an attorney, either appointed or retained, unless the appeal is based upon reasonable constitutional jurisdictional or other grounds that challenge the legality of the proceedings and except as otherwise provided in subsection 3 of NRS 174.035.

VOLUNTARINESS OF PLEA

I have discussed the elements of all of the original charge(s) against me with my attorney and I understand the nature of the charge(s) against me.

I understand that the State would have to prove each element of the charge(s) against me at trial.

I have discussed with my attorney any possible defenses, defense strategies and circumstances which might be in my favor.

All of the foregoing elements, consequences, rights, and waiver of rights have been thoroughly explained to me by my attorney.

I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial would be contrary to my best interest.

I am signing this agreement voluntarily, after consultation with my attorney, and I am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement.

I am not now under the influence of any intoxicating liquor, a controlled substance or other drug which would in any manner impair my ability to comprehend or understand this agreement or the proceedings surrounding my entry of this plea.

My attorney has answered all my questions regarding this guilty plea agreement and its consequences to my satisfaction and I am satisfied with the services provided by my attorney.

DATED this 12 day of November, 2007.

JASON HILLIARD
aka Matthew Dean Goodner
Defendant

AGREED TO BY:

PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163

CERTIFICATE OF COUNSEL:

I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court hereby certify that:

1. I have fully explained to the Defendant the allegations contained in the charge(s) to which guilty pleas are being entered.

2. I have advised the Defendant of the penalties for each charge and the restitution that the Defendant may be ordered to pay.

3. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant.

4. To the best of my knowledge and belief, the Defendant:

a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement.

b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily.

c. Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time I consulted with the defendant as certified in paragraphs 1 and 2 above.

Dated: This 19 day of November, 2007.

ATTORNEY FOR DEFENDANT

kjk

INFO
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

I.A. 11/19/07
9:00 A.M.
K. FRIZZELL

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 Defendant.	Case No: C236726 Dept No: XIV INFORMATION

STATE OF NEVADA)
COUNTY OF CLARK) ss.

DAVID ROGER, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That JASON HILLIARD, aka Matthew Dean Goodner, the Defendant(s) above named, having committed the crimes of POSSESSION OF STOLEN VEHICLE (Category B Felony - NRS 205.273), on or about the 21st day of June, 2007, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

COUNT 1 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GEORGE H. GRIMBLE, to-wit: a 1995 Acura, bearing Nevada

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EXHIBIT 1

License No. 219TJA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 2 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GABRIEL DESANTIAGO, to-wit: a 1992 Honda, bearing Nevada License No. 997RNA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 3 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from JACOB MEYER and/or RACHEL MURRAY, to-wit: a 2007 cargo trailer, bearing Virginia License No. C489786, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

BY

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

DA#07F13253A/kjk
LVMPD EV#0706211678
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(TK5)

TRAN
CASE NO. C 236726

FILED
DEC 24 11 00 AM '07
CLERK OF THE COURT
ORIGINAL

IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP

COUNTY OF CLARK, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

JASON HILLIARD,

Defendant.

CASE NO. 07F13253A

REPORTER'S TRANSCRIPT OF
WAIVER OF PRELIMINARY HEARING

BEFORE THE HONORABLE WILLIAM D. JANSEN,
JUSTICE OF THE PEACE

WEDNESDAY, NOVEMBER 7, 2007 at 8:30 A.M.

APPEARANCES:

For the State: PAM WECKERLY, ESQ.,
DEPUTY DISTRICT ATTORNEY

For the Defendant: KENNETH G. FRIZZELL, ESQ.

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DEC 24 2007
CLERK OF THE COURT

Reported by: DIANA M. GREEN, CCR #264 (702)658-2630

1 LAS VEGAS, CLARK COUNTY, NEVADA,
2 WEDNESDAY, NOVEMBER 7, 2007 at 8:30 A.M.
3 P R O C E E D I N G S
4
5 THE COURT: Jason Goodner.
6 THE DEFENDANT: Matthew Goodner.
7 MR. FRIZZELL: Jason Hilliard a.k.a. Matthew
8 Goodner.
9 THE COURT: Right.
10 MR. FRIZZELL: Ken Frizzell on behalf of
11 Mr. Hilliard. The matter is resolved.
12 Your Honor, with the Court's permission, today my
13 client's going to be pleading guilty to what amounts to be
14 Counts VII, VIII and IX of the Complaint, which are three
15 possession of stolen vehicle charges.
16 He will stipulate to small habitual criminal
17 treatment. The State retains the right to argue. I believe
18 that's it, or a dismissal of -- I don't know the case
19 number, the ex-felon in possession case.
20 MS. WECKERLY: Your Honor, yes. This morning he's
21 unconditionally waiving his preliminary hearing.
22 In district court he will plead guilty to three
23 counts of possession of stolen vehicle, which are Counts
24 VII, VIII and IX in the Criminal Complaint.
25 He is stipulating to small habitual criminal

1 treatment as to all three counts. As Mr. Frizzell said,
2 both sides are retaining the right to argue for concurrent
3 or consecutive time.
4 THE COURT: On the three charges?
5 MS. WECKERLY: On the charges. Also he's correct,
6 Mr. Goodall has another case out there. I don't have the
7 number right now, ex-felon in possession of a firearm case.
8 THE COURT: I have it. It's a district court
9 case, C235682, ex-felon in possession of a firearm. And I
10 don't believe -- he has some detainers in Henderson and
11 Muni, I imagine traffic matters.
12 MS. WECKERLY: Those are traffic. Of course, that
13 we'll dismiss the ex-felon possession of a firearm.
14 THE COURT: It's already in district court.
15 MS. WECKERLY: Okay.
16 THE COURT: He has another district court case
17 pending at N.S.P., C231837, that's possession of controlled
18 substance with the intent to sell.
19 THE DEFENDANT: I was sentenced to 19 to 48.
20 THE COURT: You're probably already sentenced on
21 that; is that correct?
22 THE DEFENDANT: Yes, sir.
23 MS. WECKERLY: He's done.
24 THE COURT: Matthew, you heard the negotiations.
25 Are you in full agreement with the negotiations and fully

1 understand them?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: You know you do have a right to have a

4 preliminary hearing in the matters now pending before this

5 court. Is it your desire now to waive your right to have a

6 preliminary hearing?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: You understand now this will be an

9 unconditional bindover to district court, meaning this:

10 Meaning, once at District Court, if for some reason you

11 change your mind regarding these negotiations, then at

12 district court then you will go directly to trial on all the

13 charges in Case No. 07F13253.

14 Let me ask, the other charges, are you going to

15 dismiss those now and bind them over on the three or bind

16 over on all?

17 MS. WECKERLY: Bind over on all then dismiss the

18 remaining.

19 THE COURT: If you do change your mind, then you

20 go directly to trial on the charges so forth in your

21 criminal case, and those are the charges of grand larceny

22 auto in Count I and Count II and Count III. Count IV,

23 conspiracy to murder --

24 MS. WECKERLY: Correct, Counts IV, V and VI are

25 dismissed already.

1 THE COURT: Counts IV, V and VI are dismissed.
2 Count VII, Possession of Stolen Vehicle; Count VIII,
3 Possession of Stolen Vehicle, Count IX, Possession of Stolen
4 Vehicle, and Count X, Grand Larceny Auto, and that you will
5 not come back to this court for preliminary hearing in those
6 matters. Do you fully understand that?
7 THE DEFENDANT: Yes, sir.
8 THE COURT: You also understand that by agreeing
9 to an unconditional waiver, you are waiving your right at
10 this time to have the state produce what evidence or
11 witnesses they have against you, and waiving your right to
12 cross-examine their witnesses and challenge their evidence,
13 and you are waiving your right to produce any evidence or
14 witnesses in your own behalf and to testify in your own
15 behalf, if you so desire at a preliminary hearing only
16 before this court.
17 Do you fully understand that?
18 THE DEFENDANT: Yes, sir.
19 THE COURT: It appearing to me from the Complaint
20 on file herein that crimes were committed, and those are the
21 crimes I just stated, and the defendant having
22 unconditionally waived his right to a preliminary hearing, I
23 hereby order said defendant to be held to answer to the said
24 charges in the Eighth Judicial District Court of the State
25 of Nevada in and for the County of Clark.

1 THE CLERK: November 19th at 9:00 a.m. lower level
2 Courtroom A.
3 MR. FRIZZELL: Thank you very much.
4 THE COURT: You're welcome.
5
6 -oOo-
7
8 ATTEST: FULL, TRUE AND ACCURATE
9 TRANSCRIPT OF PROCEEDINGS.
10
11
12 DIANA M. GREEN, C.C.R. No. 264
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OPI
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
CHRISTOPHER J. LALLI
Assistant District Attorney
Nevada Bar #005398
200 Lewis Avenue
Las Vegas, Nevada, 89155-2211
(702) 671-2500
Attorney for Plaintiff

FILED
DEC 31 11 43 AM '07
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

C236726

THE STATE OF NEVADA, Plaintiff, -vs- See Attached Defendant.	)	Case No.	C235682 C239471 C236726 07F20051A C237323 07M01783X C238729 07M25314X C239131
	)	Dept No.	See Attached

ORDER FOR PRODUCTION OF INMATES

TO: Nevada Department of Correction, Central Transportation Division

TO: Douglas C. Gillespie, Sheriff of Clark County, Nevada

Upon the ex parte application of THE STATE OF NEVADA, Plaintiff, by DAVID ROGER, District Attorney, and good cause appearing therefor,

IT IS HEREBY ORDERED that Nevada Department of Correction, Central Transportation Division shall be, and is, hereby directed to produce the Defendants listed on the attached document at such time and place as is designated thereon.

IT IS FURTHER ORDERED that Douglas C. Gillespie, Sheriff of Clark County, Nevada, shall accept and retain custody of the said Defendants in the Clark County Detention Center, Las Vegas, Nevada, pending completion of said matter in Clark County, or until the further Order of this Court; or in the alternative shall make all arrangements for

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DEC 31 2007
CLERK OF THE COURT

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the transportation of the said Defendants to and from the Nevada Department of Corrections which are necessary to insure the Defendants' appearance in Clark County pending completion of said matter, or until further Order of this Court.

DATED this 26th day of December, 2007.

DISTRICT JUDGE

DAVID ROGER
Clark County District Attorney
Nevada Bar #002781

BY
CHRISTOPHER J. LALLI
Assistant District Attorney
Nevada Bar #005398

kjk

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LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Inter-Office Memorandum

To: All Personnel **Date:** December 21, 2007

From: Sgt. Rogers, Field Services Section

Subject: Pending court dates of inmates sentenced to NSP/HIGH DESERT and were transferred on Wednesday, December 26, 2007

The inmates listed below were transferred to Nevada State Prison and will have the following court dates.

	NAME/ACTION	ID#	CASE #	CRT DATE	DEPT #	
1	WASHINGTON, JAMES AKA:SMITH, JAMES STATUS CHECK STATUS CHECK	2647233	C237323 C238729	5-28-08 5-28-08	DC#8 DC#1	9am 9am
2	PHELAN, MICHAEL TAPP	930885	07M25314X	2-5-08	JC#10	7:45am
3	GOODNER, MATTHEW SENTENCING TAPP	1602010	C236726 C235681	1-23-08 1-24-08	DC#14 DC#7	9am 8:30am
4	BROWN, TERRANCE SENTENCING	1945445	~~C233661~~ C239131	2-8-08	DC#18	8:15am

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Inter-Office Memorandum

To: All Personnel **Date: December 19, 2007**

From: Sgt. Rogers, Field Services Section

Subject: Pending court dates of inmates sentenced to WOMEN'S PRISON and were transferred on : **Monday, December 24, 2007**

	NAME/ACTION	ID#	CASE #	CRT DATE	DEPT #	
1	WATSON, NICHELLE TAPP	1681864	07M01783X	3-27-08	JC#8	8am
2	GARRISON, DORIS FELONY ARRAIGNMENT	787343	07F20051A	1-15-07	JC#3	8am
3	COLE, CYNTHIA SENTENCING	1487019	C239471 ✓	1-28-07	DC#11	9am

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CLERK OF THE COURT

NOTC
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, Nevada 89155-2211
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 Defendant.	)	CASE NO: C236726 DEPT NO: XIV

NOTICE OF HABITUAL CRIMINALITY

COMES NOW, the STATE OF NEVADA, through DAVID ROGER, District Attorney, by and through PAMELA WECKERLY, Chief Deputy District Attorney, and hereby places Defendant JASON HILLIARD, aka Matthew Dean Goodner on notice of the State's intent to enhance the Defendant's punishment pursuant to the provisions of NRS 207.010 in the event of conviction of some or all of the counts charged in the Information. This notice is filed pursuant to the provisions of NRS 207.010 and 173.095.

DATED this 29th day of January, 2008.

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

BY /s/ CHRIS J. OWENS for
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163

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NOTICE OF HABITUAL CRIMINALITY

The instant notice is filed pursuant to the provisions of NRS 173.095(2) which provides "if an Indictment is found charging a primary offense upon which a charge of habitual criminality may be based, the District Attorney may file a notice of habitual criminality with the court." In addition, NRS 207.010(2) provides in relevant part, "It is within the discretion of the District Attorney whether or not to . . . file a notice of habitual criminality if an Indictment is found."

The procedure to be followed at the time of sentencing is set forth at NRS 207.016.

Defendant JASON HILLIARD, aka Matthew Dean Goodner has suffered the following prior felony convictions, to-wit:

1. That on the 25th day of July, 2000, the Defendant was convicted in the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the crime of POSSESSION OF STOLEN VEHICLE, in case no. C168697.
2. That on the 16th day of June, 2002, the Defendant was convicted in the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the crime of STOP REQUIRED ON SIGNAL OF POLICE OFFICER, in case no. C183436.
3. That on the 30th day of September, 2002, the Defendant was convicted in the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the crimes of GRAND LARCENY AUTO and POSSESSION OF FIREARM BY EX-FELON, in case no. C186140.

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4. That on the 30th day of September, 2002, the Defendant was convicted in the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the crime of COERCION, in case no. C186105.

DATED this 29th day of January, 2008.

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

BY /s/CHRIS J. OWENS for
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that service of Notice of Habitual Criminality, was made this 29th day of January, 2008, by facsimile transmission to:

KENNETH FRIZZELL, ESQ.
384-9961

/s/D.Daniels
Secretary for the District Attorney's Office

ORIGINAL

OPI
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, Nevada, 89155-2211
(702) 671-2500
Attorney for Plaintiff

FILED
JAN 31 4 20 PM '08
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,
-vs-
MATTHEW DEAN GOODNER, aka
JASON HILLIARD,
#1602010
Defendant.

Case No. C236726
Dept No. XIV

ORDER FOR PRODUCTION OF INMATE
MATTHEW DEAN GOODNER, BAC # 74383

DATE OF HEARING: 1/30/08
TIME OF HEARING: 9:00 AM

TO: DWIGHT NEVEN, Warden, High Desert State Prison

TO: DOUGLAS C. GILLESPIE, Sheriff of Clark County, Nevada

Upon the ex parte application of THE STATE OF NEVADA, Plaintiff, by DAVID ROGER, District Attorney, through PAMELA WECKERLY, Chief Deputy District Attorney, and good cause appearing therefor,

IT IS HEREBY ORDERED that DWIGHT NEVEN, Warden of High Desert State Prison shall be, and is, hereby directed to produce MATTHEW DEAN GOODNER, Defendant in Case No. C236726, on a charge of POSSESSION OF STOLEN VEHICLE

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JAN 31 2008
CLERK OF THE COURT

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wherein THE STATE OF NEVADA is the Plaintiff, inasmuch as the said Defendant is currently incarcerated in the High Desert State Prison located in Indian Springs, Nevada, and his presence will be required in Las Vegas, Nevada, commencing on 1/30/08, at the hour of 9:00 o'clock AM and continuing until completion of the prosecution's case against the said Defendant.

IT IS FURTHER ORDERED that DOUGLAS C. GILLESPIE, Sheriff of Clark County, Nevada, shall accept and retain custody of the said Defendant in the Clark County Detention Center, Las Vegas, Nevada, pending completion of said matter in Clark County, or until the further Order of this Court; or in the alternative shall make all arrangements for the transportation of the said Defendant to and from the Nevada Department of Corrections facility which are necessary to insure the Defendant's appearance in Clark County pending completion of said matter, or until further Order of this Court.

DATED this 30th day of January, 2008.

DISTRICT JUDGE

DAVID ROGER
Clark County District Attorney
Nevada Bar #002781

BY _____
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163

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FILED

FEB 7 3 27 PM '08

CLERK OF THE COURT

ORIGINAL

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JASON HILLIARD
aka Goodner, Matthew Dean
#1602010

Defendant.

CASE NO. C236726

DEPT. NO. XIV

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNTS 1 - 3 – POSSESSION OF STOLEN VEHICLE (Category B Felony) in violation of NRS 207.010(a); thereafter, on the 30th day of January, 2008, the Defendant was present in court for sentencing with his counsel, KENNETH G. FRIZZELL III, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses under the Small Habitual Criminal Statute and, in addition to the $25.00 Administrative Assessment Fee and $150.00 DNA Analysis Fee including testing to determine genetic

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FEB 07 2008

CLERK OF THE COURT

markers, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows: AS TO COUNT 1 - TO A MAXIMUM of TWENTY (20) YEARS with a MINIMUM parole eligibility of FIVE (5) YEARS; AS TO COUNT 2 - TO A MAXIMUM of TWENTY (20) YEARS with a MINIMUM parole eligibility of FIVE (5) YEARS. COUNT 2 to run CONCURRENT to COUNT 1; AS TO COUNT 3 - TO A MAXIMUM of TWENTY (20) YEARS and a MINIMUM parole eligibility of FIVE (5) YEARS, COUNT 3 to run CONSECUTIVE to COUNT 2, CASE to run CONSECUTIVE to C231837; with ZERO (0) DAYS credit for time served.

DATED this 4th day of February, 2008

DONALD M. MOSLEY
DISTRICT JUDGE

ORIGINAL

ORDR
LAW OFFICES OF KENNETH G. FRIZZELL, III
Kenneth G. Frizzell, III, Esq.
Nevada Bar No.:006303
509 South 6th Street
Las Vegas, NV 89101
(702) 366-1230
Attorney for Defendant

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FEB 12 8 46 AM '08
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 Defendant.	Case No.: C236726 Dept No.: XIV Date: Time:

ORDER APPOINTING COUNSEL

The above matter having been bound over from Justice Court Department 5, wherein KENNETH G. FRIZZELL, III, ESQ. had been previously appointed, and The Honorable Donald Mosley hearing, and good cause appearing:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that KENNETH G. FRIZZELL, III, ESQ., be appointed counsel for Defendant, JASON HILLIARD, at the District Court level, and that the same relate back to October 22, 2007.

DATED this 7th day of February, 2008.

DISTRICT COURT JUDGE

Submitted by:

KENNETH G. FRIZZELL, III, ESQ.
Attorney for Defendant

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FEB 12 2008
CLERK OF THE COURT

Matthew D. Goodner, #74383
P.O Box 650 (HDSP)
Indian Springs, NV. 89070-0650

Defendant In Proper Person

FILED

FEB 20 4-13-PM-'08

CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA
* * *

Matthew D. Goodner #74383 Defendant, Pro Se,	CASE NO: C236726
	DEPT NO: XIV
--vs--	
	↳ Hearing Date: _____
	↳ Hearing Time: _____
The State Of Nevada, Plaintiff.	

DEFENDANT'S NOTICE OF APPEAL (Direct)
* TO THE SUPREME COURT OF NEVADA
N.R.S. 177.015 & 177.045

↳ COMES NOW, Please Take Notice, The Defendant/Prisoner, Matthew D. Goodner #74383, by and through his Attorney of Record, Kenneth G. Frizzell III, Court Appointed Counsel, hereby moves this Court requesting to file and submit "Defendant's (Direct) Notice of Appeal" to the Supreme Court Of Nevada, N.R.S. 177.015 thru 177.045. Defendant's "Counsel of Record" has been placed on notice therefore (in writing) of defendant's intent to appeal his Sentences and his final judgment in case no. (C236726) within district court, department XIV on January 30th, 2008. In light of Defendant's "Right TO Appeal" and the facts of this case, this notice is therefore timely in this matter.

Respectfully Submitted By:
Dated: this 18th day February 2008.
x MATTHEW D. GOODNER #74383

P. 1 ///

1 *NOTICE of FAST TRACK APPEAL*

2 ↳ Defendant/Appellant filed this notice of appeal (proper person).
3 Based on the documents submitted in this appeal, it appears
4 that Appellant was represented by Court Appointed Counsel
5 during the lower court proceedings. Therefore, Trial Counsel
6 Of Reboord: Kenneth G. Fizzell, Esq, must comply fully
7 with the provisions of N.R.A.P. 3C. See NRAP, 3C (b),
8 3C (c) and 3C (d)(3).* If Transcripts have been
9 already prepared and are on file in the district court,
10 All parties may include such Transcripts in the appendix
11 without filing a "Transcript Request Form", See, eg,
12 NRAP 10 (b); NRAP 30(b)(1). Furthermore, Trial Counsel
13 of Record, shall file a fast track statement within (40)
14 days of this notice.

15 Thereafter, this appeal shall proceed in accordance
16 with N.R.A.P. (3C).

17

18 Dated this 18th day of February, 2008.

19

20 Issues For Appeal: By: *
21 (1) Sentences/Convictions MATTHEW D. GOODNER #74383
22 (2) Aggraviting Factors to POST OFFICE BOX 650 (HDSP)
23 Count (3). INDIAN SPRINGS, NV 89070

24 APPELLANT IN PROPER PERSON

25

26

27 BTN/MDG 2008

28 NOA/NFTA/SCN

P.2 /// *Proper Person Appeal*

CERTIFICATE
OF SERVICE

I HEREBY CERTIFY that on the 18th day of February, 2008, I did serve a true and accurate copy of the foregoing NOTICE OF APPEAL (DIRECT) and NOTICE OF FAST TRACK APPEAL, NRAP 3C, by depositing same in the U.S. Mail, postage pre-paid addressed to the following parties:

David Roger, Esq.
Clark County District Attorney
200 Lewis Avenue
Las Vegas, NV. 89155 (1)

Catherine Cortez-Masto, Esq.
Nevada Attorney General
100 North Carson Street
Carson City, Nevada. 89701-4717 (2)

Hon. Donald Mosley
District Court Dept. XIV
200 Lewis Avenue
Las Vegas, Nevada. 89155 (3)

Kenneth G. Frizzell, Esq
(Attorney Of Record)
509 South 6th Street
Las Vegas, Nevada. 89010 (4)

Submitted By:

* Mathew D. Goodner, #NDOC 74383

Dated this 18th day of February, 2008, @ H.D.S.P.

(BTN/MDG 2/7/2008)

Dear Clerk of the Court, 2/18/2008

Return Copies Please

Please Review and Read my motion for "Notice of Direct Appeal" and "Notice of Fast Track Appeal" to "the Supreme Court of Nevada". Please do file said Motions once recieved. Counsel of Record: Mr. Kenneth Frizzell, Esq is fully aware and on notice of these motions for appeal. I Thank You for filing said motions on my behalf.

2/18/08

May I Request the Following:

(1). Full copy of the Judment of Conviction, Matthew D. Goodner # 74383, Case No: C236726, in Dept XIV, Sentencing Date: 1/30/2008

(1). A Full Copy of Criminal Court Minutes in Dept XIV Case No. C236726.

I Thank You For Your Assistance in this matter.

x Matthew D. Goodner #74383
Post Office Box 650 H.D.S.P.
Indian Springs, NV 89070-0650

RECEIVED
FEB 20 2008
CLERK OF THE COURT

Matthew D. Goodner II 74383
Post Office Box 650 (H.D.S.P.)
Indian Springs, Nv 89070-0650

LAS VEGAS NV 890
19 FEB 2008 PM 4 T

"LET US DARE TO READ, THINK, SPEAK AND WRITE"
John Adams, 1765
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Return Service Requested

Charles J. Short
Clerk of the Court
200 Lewis Ave 3RD floor
Las Vegas, Nv 89155-1160

Legal Mail
H.D.S.P.

89155+0003

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CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA, Plaintiff(s), vs. JASON HILLIARD aka MATTHEW DEAN GOODNER, Defendant(s),	Case No: C236726 Dept No: XIV

CASE APPEAL STATEMENT

1. Appellant(s): MATTHEW D. GOODNER
2. Judge: DONALD M. MOSLEY
3. All Parties, District Court:

Plaintiff, THE STATE OF NEVADA

Defendant(s), JASON HILLIARD aka MATTHEW DEAN GOODNER; BRIDGETT A. CORDOVA

4. All Parties, Appeal:

Appellant(s), MATTHEW D. GOODNER

Respondent, THE STATE OF NEVADA

5. Appellate Counsel:

Appellant/Proper Person
Matthew Goodner #74383
P.O. Box 650
Indian Springs, NV 89070

Respondent
David Roger, District Attorney
200 Lewis Ave.
Las Vegas, NV 89101
(702) 671-2700

6. District Court Attorney, Retained

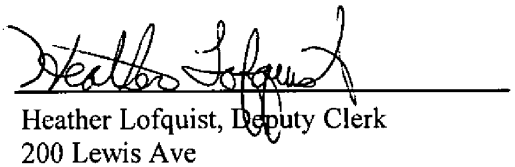
7. On Appeal, N/A

8. Forma Pauperis, N/A

9. Date Commenced in District Court: September 7, 2007

Dated This 22 day of February 2008.

Charles J. Short, Clerk of the Court

By: 

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

ORIGINAL

8

LAW OFFICES OF KENNETH G. FRIZZELL, III
Kenneth G. Frizzell, III, Esq.
Nevada Bar No.:006303
509 South 6th Street
Las Vegas, NV 89101
(702) 366-1230
Attorney for Defendant

CLERK OF THE COURT

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DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 Defendant.	Case No.: C236726 Dept No.: XIV Date: Time:

EX PARTE APPLICATION FOR ORDER FOR ATTORNEY FEES

COMES NOW, the Defendant, JASON HILLIARD, by and through his attorney, KENNETH G. FRIZZELL, III, ESQ., and hereby requests an Order for Payment of Fees for attorney representation.

DATED this 5 day of May, 2008.

KENNETH G. FRIZZELL, III, ESQ.
Nevada Bar No.:006303
509 South Sixth Street
Las Vegas, Nevada 89101
(702) 366-1230
Attorney for Defendant

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MAY 05 2008
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Nickname	Matthew Goodner/Jason Hilliard | 2		
Full Name	Matthew Goodner aka Jason Hilliard		
Address	CCDC Las Vegas NV 89101		
Phone		Fax	
Home		Other	
In Ref To			
Fees Arrg.	By billing value on each slip		
Expense Arrg.	By billing value on each slip		
Tax Profile	Exempt		
Last bill			
Last charge	2/20/2008		
Last payment		Amount	$0.00

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
10/22/2007 47	Kenneth G. Frizzell, III Court Appearance Appointing Case	100.00	1.00	100.00	Billable
10/29/2007 48	Kenneth G. Frizzell, III Prepare Documents Prepare for Prelim Hearing	100.00	1.50	150.00	Billable
10/29/2007 49	Kenneth G. Frizzell, III Court Appearance Prelim Hearing: Continued No Discovery	100.00	1.50	150.00	Billable
11/3/2007 50	Kenneth G. Frizzell, III Review Review Discovery	100.00	6.00	600.00	Billable
11/4/2007 51	Kenneth G. Frizzell, III Review Review Discovery Continued	100.00	7.00	700.00	Billable
11/5/2007 52	Kenneth G. Frizzell, III Review Review Audio Statements	100.00	6.50	650.00	Billable
11/6/2007 53	Kenneth G. Frizzell, III Plan and prepare for Plan & Prepare for Prelim Hearing	100.00	3.00	300.00	Billable
11/7/2007 54	Kenneth G. Frizzell, III Court Appearance Attend Prelim Hearing and Conference with DA Case Resolved	100.00	2.50	250.00	Billable
11/15/2007 55	Kenneth G. Frizzell, III Meeting Meeting with Client's Mother	100.00	1.00	100.00	Billable
11/19/2007 56	Kenneth G. Frizzell, III Court Appearance Arraignment	100.00	1.00	100.00	Billable

Matthew Goodner/Jason Hilliard:Matthew Goodner aka Jason Hilliard (continued)

Date ID	Timekeeper Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
12/3/2007 57	Kenneth G. Frizzell, III Phone Call w/DA Phone Call with Susan Burke RE: other ex-felon in possession	100.00	0.25	25.00	Billable
12/18/2007 58	Kenneth G. Frizzell, III Court Appearance Sentencing Continued	100.00	1.00	100.00	Billable
1/23/2008 59	Kenneth G. Frizzell, III Court Appearance Continued Sentencing	100.00	1.00	100.00	Billable
1/30/2008 60	Kenneth G. Frizzell, III Review Review PSI	100.00	0.50	50.00	Billable
1/30/2008 61	Kenneth G. Frizzell, III Court Appearance Attend Sentencing	100.00	1.00	100.00	Billable
2/5/2008 62	Kenneth G. Frizzell, III Draft/revise Draft/revise Order for Appointment of Counsel, Exparte Application and Order for Fees and Billing	100.00	1.50	150.00	Billable
2/20/2008 63	Kenneth G. Frizzell, III Meeting Meeting with Client's Mother	100.00	1.00	100.00	Billable
TOTAL	Billable Fees		37.25		$3,725.00

Total of billable expense slips $0.00

Calculation of Fees and Costs

	Amount	Total
Fees Bill Arrangement: Slips By billing value on each slip.		
Total of billable time slips	$3,725.00	
Total of Fees (Time Charges)		$3,725.00
Total of Costs (Expense Charges)		$0.00
Total new charges		$3,725.00

Matthew Goodner/Jason Hilliard:Matthew Goodner aka Jason Hilliard (continued)

	Amount	Total
New Balance		
Current	$3,725.00	
Total New Balance		$3,725.00

ORIGINAL

LAW OFFICES OF KENNETH G. FRIZZELL, III
Kenneth G. Frizzell, III, Esq.
Nevada Bar No.:006303
509 South 6th Street
Las Vegas, NV 89101
(702) 366-1230
Attorney for Defendant

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MAY 7 4 55 PM '08
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 Defendant.	Case No.: C236726 Dept No.: XIV Date: Time:

ORDER FOR PAYMENT OF ATTORNEY'S FEES

Based upon the Ex-parte Application for Order for Payment of Fees brought by Kenneth G. Frizzell, III, Esq., attorney for Defendant, JASON HILLIARD, and good cause appearing therefore;

IT IS HEREBY ORDERED AND ADJUDGED that KENNETH G. FRIZZELL, III, ESQ., appointed counsel for Defendant, be paid $ 3,725.00, which represents fees and costs incurred in this case.

DATED this 6th day of May, 2008.

DISTRICT COURT JUDGE

Submitted by:

KENNETH G. FRIZZELL, III, ESQ.
Attorney for Defendant

FILED
MAY 07 2008
CLERK OF THE COURT

CLARK COUNTY COURTS
EIGHTH JUDICIAL DISTRICT COURT
LAS VEGAS TOWNSHIP JUSTICE COURT

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE
LAS VEGAS, NEVADA 89155
(702) 671-4528

EDWARD A. FRIEDMAN
Clerk of the Court

Steven D. Grierson
Acting Assistant Clerk of Court

TO: KENNETH FRIZZELL
DATE: November 14, 2008
INMATE: MATTHEW GOODNER
CASE #: CC236726

Attached are pleadings received by the Office of the District Court Clerk on:

November 14, 2008

PLEADINGS: MOTION FOR ORDER COMPELLING KENNETH G. FRIZZELL TO COMPLY WITH N.S.C.R. 154 AND SUPPLY HIS CLIENT WITH DOCUMENTS PERTAINING TO HIS CASE AND APPEAL.

Rule 3.70. Papers which May Not be Filed

Except as may be required by the provisions of NRS34.730 to 34.830, inclusive, all motions, petitions, pleadings or other papers delivered to the clerk of the court by a defendant who has counsel of record will not be filed but must be marked with the date received and a copy forwarded to the attorney for such consideration as counsel deems appropriate. This rule does not apply to applications made pursuant to Rule 7.40(b)(2)(ii).

Deputy Clerk of the Court

#DC 21

Matthew Goodwin 74383
Ely State Prison
PO Box 1989
Ely, Nevada.
89301

District Court
Clark County Nevada

Matthew Goodwin ~~Defendant~~, vs. The State of Nevada ~~Plaintiff~~/Respondent.	Case # C236726 Dept. # XIV motion for order compelling Kenneth C. Frizell III Esq. to comply with NSCR 154 and supply his client with documents relating to his case and appeal.

Comes now ~~petitioner~~ Matthew Goodwin, pro per and respectfully moves this Honorable Court compelling Kenneth C. Frizell III esq. for the documents relating to his client's (Matthew Goodwin) appeal. This motion is made and based pursuant to NRS. 34.160. Further, this motion is supported by the attached points and authorities in support, as well as all papers pleadings and documents on file herein.

Points and authorities

I

Statement of the Case

On Feb. 26, 2008 ~~Defendant~~ filed his proper person notice of appeal in the Nevada Supreme Ct docket no. 08-~~04704~~. On April 16, 2008 counsel Kenneth C. Frizell III esq filed Defendants fast-track statement docket # 08-08492

on same date counsel filed Defendants fast track appendix docket #08-09493 in the Nev. Sup. Ct. on april 30, 2008 Defendants fast track response was filed in the N.S.C. Docket # 08-10743.

From april 30, 2008 to date, (Oct. 24, 2008) Defendant, Matthew Goodwin, has tried on multiple occasions to contact and request copies of the same documents docked as, 08-09492, 08-09493, 08-10743 pursuant to Nev. Sup. Ct. Rule 154. Defendant Matthew Goodwin has even on several occasions had his mother physicaly go into Kenneth G. Frizzell's office and hand deliver requests for documents concerning Defendants fast track appeal.

Counsel Kenneth G. Frizzell III will under no circumstances respond nor comply with his clients requests for information or copies of documents/motions filed in the fast track appeal.

Argument

The Nev. Supreme Court has clearly wrote in Nev. Sup. Ct. Rule 154; "A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information."

"A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation."

Defendant's requests for information and copies of 3 filed motions are certainly not unreasonable or forfeited. However counsel will not attempted to even communicate with his client concerning his appeal.

Conclusion

Wherefore Defendant prays this Honorable court [redacted] issue its order compelling Kenneth G. Frizzell III Esq. to comply with N.S.C.R. 154 and send copies of the motions he has [redacted] filed in Defendants fast track appeal. This issue is ongoing and only this court can put an end to it obviously.

Dated this 25 day of October, 2008

Respectfully submitted

Matthew Goodman
74383 ESP
PO Box 1989
Ely, Nevada 89301

Nevada Supreme Court Docket Sheet

Docket: 51148 GOODNER (MATTHEW) VS. STATE

MATTHEW DEAN GOODNER A/K/A JASON HILLIARD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 51148
Consolidated with:

Counsel

Kenneth G. Frizzell III(trial counsel), Las Vegas, NV, as counsel for Appellant

Attorney General Catherine Cortez Masto/Carson City, Carson City, NV, as counsel for Respondent

Clark County District Attorney David J. Roger, Las Vegas, NV \ Steven S. Owens, Chief Deputy District Attorney, as counsel for Respondent

Case Information

Panel: PANEL **Panel Members:** Unassigned
Disqualifications:
Case Status: Open **Category:** Criminal Appeal **Type:** Fast Track/Direct
Submitted: **Date Submitted:**
Oral Argument:
Sett. Notice Issued: **Sett. Judge:** **Sett. Status:**
Related Supreme Court Cases:

District Court Case Information

Case Number: C236726
Case Title: STATE VS. HILLIARD
Judicial District: Eighth **Division:** **County:** Clark Co.
Sitting Judge: Donald M. Mosley
Replaced By:
Notice of Appeal Filed: 02/20/08 Appeal **Judgment Appealed From Filed:** 02/07/08

Docket Entries

Date	Docket Entries	
02/26/08	Filing Fee Waived: Criminal.	
02/26/08	Filed Certified Copy of proper person Notice of Appeal. Appeal docketed in the Supreme Court this day. (Fast track notice mailed to trial counsel.)	08-04704
04/09/08	Filed Clerk's Order granting extension per telephonic request of appellant. Fast Track Statement and Appendix due: April 14, 2008.	08-08798
04/16/08	Filed Fast Track Statement.	08-09492
04/16/08	Filed Appellant's Fast Track Appendix	08-09493
04/30/08	Filed Fast Track Response.	08-10743

Wednesday, September 17, 2008 12:17 PM

MATTHEW Goodman
74583 ESP
PO Box 1989
Ely, Nevada.
89301

PROOF OF POSTAGE
GRASS SLIP #481014

LEGAL
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Judge Moses
District Court Dept XIV
200 Lewis Ave
LAS VEGAS, NEVADA [redacted]

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IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

MATTHEW DEAN GOODNER A/K/A JASON HILLIARD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 51148

2009 JAN 23 P 2:42

District Court Case No. C236726

CLERK OF THE COURT

CLERK'S CERTIFICATE

STATE OF NEVADA, ss.

I, Tracie Lindeman, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows: "ORDER the judgment of conviction AFFIRMED."

Judgment, as quoted above, entered this 24th day of December, 2008.

IN WITNESS WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court at my Office in Carson City, Nevada, this 20th day of January, 2009.

Tracie Lindeman, Supreme Court Clerk

By: A. Ingersoll
Deputy Clerk

SUPREME COURT STATE OF NEVADA
FIAT JUSTITIA

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JAN 22 2009
CLERK OF THE COURT

7

IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW DEAN GOODNER A/K/A JASON HILLIARD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 51148

FILED

DEC 24 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY [signature]
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, entered pursuant to a guilty plea, of three counts of possession of a stolen vehicle. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge. The district court adjudicated appellant Matthew Dean Goodner a habitual criminal and sentenced him to serve three prison terms of 5 to 20 years, with the first two terms to run concurrently with each other and consecutive to a sentence that Goodner was serving in another case, and the third term to run consecutive to the first two terms.

Goodner first contends that the district court violated his due process rights by considering unproven and dismissed charges at sentencing, and that such consideration led to the imposition of a consecutive sentence. We conclude that this contention lacks merit.

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CLERK OF THE COURT

08-32626

This court has consistently afforded the district court wide discretion in its sentencing decision.[1] We will refrain from interfering with the sentence imposed "[s]o long as the record does not demonstrate prejudice resulting from consideration of information or accusations founded on facts supported only by impalpable or highly suspect evidence."[2] The district court may "consider a wide, largely unlimited variety of information to insure that the punishment fits not only the crime, but also the individual defendant."[3] This information may include charges that were dismissed pursuant to a plea agreement.[4]

In exchange for Goodner's guilty plea, the State dismissed charges of murder with the use of a deadly weapon, first-degree kidnapping with the use of a deadly weapon, conspiracy to commit murder, and three counts of grand larceny auto. Goodner acknowledged in the guilty plea memorandum that "information regarding charges not filed, dismissed charges, or charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing." The district court's consideration of the dismissed charges at sentencing was not

---

[1]Houk v. State, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987).

[2]Silks v. State, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

[3]Martinez v. State, 114 Nev. 735, 738, 961 P.2d 143, 145 (1998); see also NRS 176.015(6).

[4]Ferris v. State, 100 Nev. 162, 677 P.2d 1066 (1984).

improper, and Goodner fails to allege any other information improperly relied upon by the district court.

Moreover, Goodner's sentence was within the parameters of the small habitual criminal statute.[5] The district court had the authority and the discretion to impose consecutive sentences.[6] In the guilty plea memorandum, Goodner stipulated to small habitual criminal treatment, agreed to a prison sentence of 5 to 20 years on each count, and acknowledged the State's right to argue for, and the district court's authority to impose, either concurrent or consecutive sentences.

Goodner also contends that his equal protection rights were violated when he received a sentence that was disproportionate to the treatment received by his codefendant. The codefendant's case, consisting of only the murder and conspiracy charges, was dismissed. We have stated that there is no legal requirement that codefendants receive identical punishment.[7] Moreover, Goodner's equal protection argument is cursory, and he does not assert that he is in a protected class or that the sentence imposed lacked a rational basis.[8] Accordingly, we conclude that this contention lacks merit.

---

[5]NRS 207.010(1)(a) (setting forth a term of 5 to 20 years).

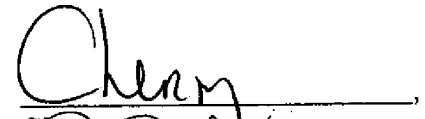
[6]NRS 176.035(1); Warden v. Peters, 83 Nev. 298, 303, 429 P.2d 549, 552 (1967).

[7]Nobles v. Warden, 106 Nev. 67, 787 P.2d 390 (1990).

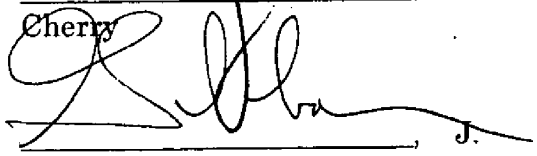
[8]See Gaines v. State, 116 Nev. 359, 371, 998 P.2d 166, 173 (2000) (setting forth the legal framework for an equal protection analysis).

Having considered Goodner's contentions and concluded that they are without merit, we

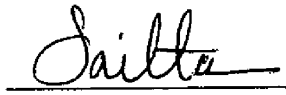
ORDER the judgment of conviction AFFIRMED.



_____, J.
Cherry



_____, J.
Gibbons



_____, J.
Saitta

cc: Hon. Donald M. Mosley, District Judge
Kenneth G. Frizzell III
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW DEAN GOODNER A/K/A JASON HILLIARD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 51148

District Court Case No. C236726

REMITTITUR

TO: Edward A. Friedland, Clark District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order.
Receipt for Remittitur.

DATE: January 20, 2009

Tracie Lindeman, Clerk of Court

By: A. Ingersoll
Deputy Clerk

cc (without enclosures):
Hon. Donald M. Mosley, District Judge
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Kenneth G. Frizzell III

RECEIPT FOR REMITTITUR

Received of Tracie Lindeman, Clerk of the Supreme Court of the State of Nevada, the REMITTITUR issued in the above-entitled cause, on JAN 23 2009.

HEATHER LOFQUIST
Deputy District Court Clerk

09-01083

Matthew D. Goodner, #74383
a/k/a Jason Hilliard
c/o Ely State Prison
P.O Box 1989
12000 N. Bothwick Rd.
Ely, NV 89301-1989

FILED

2009 MAR -5 A 7:31

CLERK OF THE COURT

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF CLARK

THE STATE OF NEVADA,

Plaintiff,

3-19-09

v. CASE NO: C236726

MATTHEW DEAN GOODNER, DEPT NO: XIV

a/k/a, JASON HILLIARD,

Defendant. /

MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD AND TRANSFER OF RECORDS

MCI

COMES NOW, the Defendant, Matthew Dean Goodner, in his proper person, and as countenanced in HAINES v. KERNER, 404 US 519, 92 S.Ct 594, 596 (1972), (pleadings filed by pro se litigants are to be held to less stringent standards than those filed by practicing attorneys), and respectfully requests this Honorable Court to withdraw KENNETH G. FRIZZELL, III, ESQ., of 509 S. 6th Street, Las Vegas, Nevada 89010, as his attorney of record, and further requests this Court order said attorney to transfer Defendant's case records to him at Defendant's current place of confinement above-listed.

RECEIVED MAR 3 2009 CLERK OF THE COURT

This MOTION is made and predicated upon NRS 7.055 (1) and (2), the attached Affidavit, as well as all other record papers in

this matter.

RESPECTFULLY SUBMITTED, this 26th day of Fabuary, 2009, by:

MATTHEW D. GOODNER,

Defendant, In Propria Persona

AFFIDAVIT OF MATTHEW GOODNER

STATE OF NEVADA)

) ss:

COUNTY OF WHITE PINE)

I, Matthew D. Goodner, do hereby depose and say, under the pains and penalties of perjury, as pursuant to NRS 208.165, that the following assertions are true and correct, as to the best of my knowledge, information, and belief:

1. That I am the Defendant in the afore-captioned matter;

2. That I have sent numerous requests to counsel in regard to providing me with a complete copy of my case file, records which I understand that I am entitled to pursuant to NRS 7.055 and NRS 174.235 through NRS 174.245, inclusive, in order to perfect and anticipated Post-Conviction Petition For Writ of Habeas Corpus;

3. That I have attempted on numerous occasions to communicate with counsel in order to understand the nature and status of my appeal, as well as to perfect said appeal;

4. That Attorney Frizzell, III, has failed to communicate;

pursuant to NV S.Ct Rule 154, with me in regard to averments numbered two (2) and three (3), above;

5. That I have attempted to file a MOTION TO COMPEL counsel to communicate and transfer records in this Court, and this Court failed to file the documents;

6. That I have filed the same MOTION TO COMPEL counsel in the NV Supreme Court, and said Court ordered me to seek relief in the District Court;

7. That I have filed a Complaint against Attorney Frizzell, III, with the NV Bar Association, and that I believe said complaint will cause a conflict of interest in said attorney's representation of me on appeal or in post-conviction proceedings;

8. That on the 16th day of Fabuary, 2009, which was at least five (5) days prior to the filing of the attached MOTION, I have mailed a NOTICE OF TERMINATION AND DEMAND FOR MATERIALS to Kenneth G. Frizzell, III, Esq.;

9. That I have received no response from said counsel, nor his office or representative concerning said request;

10. That the instant MOTION is submitted in good faith, and is so rendered because counsel has either ignored or disregarded my instructions in this matter, and I have no other recourse at law;

11. FURTHER, YOUR AFFIANT SAYETH NAUGHT.

EXECUTED and DATED, this 26th day of Fabuary, 2009, at the Ely State Prison, Ely, NV, by:

Matthew D. Goodner

Matthew D. Goodner

POINTS and AUTHORITIES

Although attorneys may not withdraw from on going litigation if doing so would materially and adversely affect the interest of the client, MADRID v. GOMEZ, 150 F3d 1030-39 (9th Cir, 1998), [a] party may terminate his counsel's representation at any time, KASHEFI-ZIHAGH v. I.N.S, 791 F.3d 708, 711 (9th Cir, 1986). This rule applies in Nevada as well under NRS 7.055, NV SCt Rules (SCR) 46 and 166, and Eighth Judicial District Court Rule 7.40(b)(2)(ii).

Upon being discharged by his client,

> [The] attorney who has been discharged by his client shall, upon demand and payment of the fee due from the client, immediately deliver to the client all papers, documents, pleadings, and items of tangible personal property which belong to or were prepared for the client. NRS 7.055(1) (emphasis added.

Defendant deems that due to conflict, counsel can be of no further assistance in this matter. Defendant has, pursuant to the mandates of NRS 7.055 (3), directed counsel to forward to Defendant all documents generated in this action, but counsel has failed to honor this instruction.

Counsel's refusal to withdraw himself and forward said documentation violates the letter and spirit of SCR 166(4), which directs a discharged attorney to "protect a client's interest" by "surrendering papers and property to which the client is entitled." Id. This rule governing attorney conduct is basic and one which the American Bar Association has required of all attorneys in Canon 2 of the Code of Professional Responsibility,

EC2-32 and Disciplinary Rule 2-110(A)(2), and as adopted by the NV S.Ct within SCR 150. See, also, JONES, WALDO, HOLBROOK, ETC. v. DAWSON, 923 P.2d 1366, 1376 (Utah, 1996).

Counsel has no legal basis for withholding Defendant's paperwork in this matter, as defendant owes Counsel NO Fees which would authorize counsel to maintain said paperwork under a general or retaining lien. FIGLIUZZI v. DISTRICT COURT, 890 P.2d 798, 800-802 (Nev, 1995).

THEREFORE, this Court is moved to exercise its jurisdiction in this matter and ORDER counsel to withdraw and deliver the entirety of documentation generated in the in the instant case to the Defendant. Id., See, also, MORSE v. EIGHTH JUD. DIST. COURT, 195 P.2d 199, 206-207 (Nev, 1948); and, N.R.S 7.055(2)

RESPECTFULLY SUBMITTED, this 26th day of Febuary, 2009, by:

Matthew D. Goodner, in proper

CERTIFICATE OF SERVICE

I, Matthew D. Goodner, do hereby CERTIFY, that on the date last-here-written, I have mailed a true and correct copy of the foregoing MOTION to Attorney Kenneth G. Frizzell, III at his office address.

EXECUTED and DATED, this 26th day of Febuary, 2009, at the Ely State Prison, Ely, Nevada, by:

Matthew D. Goodner

Matthew D. Goodner, # 74383
c/o Ely State Prison
P.O. Box 1989
12000 N. Bothwick Rd.
Ely, NV 89301-1989

Kenneth G. Frizzell, III, Esq.
509 South 6th Street
Las Vegas, NV 89010

26th February, 2009

RE: 8th J.D. Ct Case # C236726; NV SCt Case # 51148;
NOTICE OF YOUR WITHDRAWAL AS ATTORNEY OF RECORD AND DEMAND FOR TRANSFER OF RECORDS:

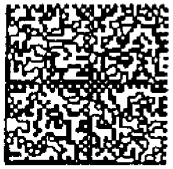
Dear Attorney Frizzell:

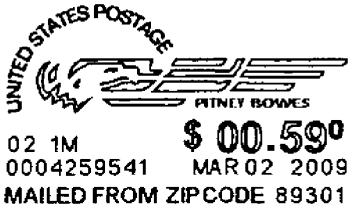
This letter is to serve as your NOTICE, pursuant to NRS 7.055, that you are hereby terminated as my counsel of record in the above-referenced cases. As such, I hereby demand delivery to me, at the above-listed address, copies of all records for the above-referenced case, including, but not limited to, all papers, documents, pleadings, and items of tangible personal property which belong to me or were prepared for me in the above-referenced case. As you were appointed to represent me in this matter, it should be noted that I owe you no fees in regard to your representation of me, and thus, no general or retaining lien is attached to said case material. Delivery of the requested information is demanded within a reasonable time, as proscribed by NRS 7.055, i.e., ten days.

In closing, I would like to thank you for your time and diligence in fulfilling my request, and I shall anticipate your expedient reply.

Sincerely Yours,
Matthew D. Goodner

Matthew Goodwin
ESP #74383
PO Box 1989
Ely, NV 89301





Proof of Postage
Brass Slip #1216 109
Confidential
Legal Mail
Privileged

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

PRISON
3 2 2009
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FILED
JUL -8 2009
CLERK OF COURT

56

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

MATTHEW DEAN GOODNER,
A/K/A JASON HILLIARD,
Petitioner,
v.
THE STATE OF NEVADA,
Respondent.

Case No. C235682 and C236736
Dept No. XIV / IV
Hearing Date:
Hearing Time:

7/21/09

MOTION TO COMPEL PRODUCTION OF DOCUMENTS

COMES NOW, the Petitioner, Matthew Dean Goodner, in his proper person, and as countenanced in HAINES v. KERNER, 404 US 519, 92 S.Ct 594 (1972), (pleadings filed by pro se litigants are to be held to less stringent standards than those filed by practicing attorneys), and moves this Honorable Court for its ORDER, compelling the Clark County District Attorney's Office to supply a copy of all Discoverable Evidence which it has in its possession, in regard to the above-referenced case number, as well as copies of all pleadings filed by the State and Defense, to the Petitioner, Matthew Dean Goodner, pursuant to NRS 174.235 through NRS 174.295, inclusive; and

FURTHER, Petitioner moves this Honorable Court for its ORDER, compelling the Court Reporter for the Eighth Judicial District Court, Department XIV, to prepare a rough draft transcript for each proceeding in the above-referenced

///

Matthew Dean Goodner, #74383
c/o Ely State Prison
P.O. Box 1989
12000 N. Bathwick Rd.
Ely, NV 89301-1989

05
MCI

RECEIVED
JUL 08 2009
CLERK OF THE COURT

case, and to deliver the same to Petitioner at his current place of imprisonment, within ten (10) days of this Honorable Court's Order.

This Motion To Compel is made and predicated upon the Affidavit of Defendant, the Minutes of this Court of March 19, 2009, and the Affidavit of Cynthia M. Trevino, attached hereto and made a part hereof by reference thereto.

Respectfully submitted, this 30th day of June, 2009, by:

MATTHEW GOODNER, Petitioner
In Propria Persona

AFFIDAVIT OF MATTHEW DEAN GOODNER

STATE OF NEVADA)
) ss:
COUNTY OF WHITE PINE)

I, Matthew Dean Goodner, do hereby depose and say, under the pains and penalties of perjury, as pursuant to NRS 208.165, that the following averments are true and correct, as to the best of my knowledge, information, and belief:

1) That I, Matthew Dean Goodner, am the Petitioner in the afore-mentioned Motion To Compel, and that I believe I am entitled to the relief requested therein;

2) That I am not trained in matters of the law;

3) That I wish to prepare and file a Petition For

///

1 Writ of Habeas Corpus in the instant case, but I am yet
2 unable to do so, as I have never been provided any
3 copies of records in the instant case;
4 4) That on numerous occasions, I have attempted
5 to obtain case records from my previous attorney, Kenneth
6 G. Frizzell, III, Esq., who now claims he does not have
7 any records of this case any longer; (See EXHIBIT "1");
8 5) That Attorney Frizzell, III, claims Petitioner's mother
9 has said records; however, Petitioner's mother never
10 took possession of said records; (See EXHIBIT "2");
11 6) That I allege that the Clark County District Atto-
12 rney's Office has a continuing duty to disclose, pursuant
13 to NRS 174.235 through NRS 174.295, inclusive; and,
14 that the Clark County District Attorney's Office has
15 failed to do so, despite Petitioner's Request; (See
16 EXHIBIT "3");
17 7) That I deem it necessary to have the requested
18 documentation from the Clark County District Attorney's
19 Office and the Court Reporter for Department XIV,
20 in order to construct his case record and to ade-
21 quately prepare and present his case for post-conviction
22 relief;
23 8) FURTHER, YOUR AFFIANT SAYETH NAUGHT!
24 EXECUTED and DATED, this 30th day of June, 2009, at the
25 Ely State Prison, Ely, White Pine County, Nevada, by:
26
27
28 ///

Matthew Goodner, Petitioner
In Propria Persona

CRIMINAL COURT MINUTES

07-C-236726-C STATE OF NEVADA vs Hilliard, Jason

CONTINUED FROM PAGE: 002

03/19/09 09:00 AM 00 DEFT'S PRO PER MTN FOR WITHDRAWAL OF ATTY OF RECORD AND TRANSFER OF RECORDS/4

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:			
		STATE OF NEVADA	Y
	009089	Krusey, Amanda K.	Y
	0002 D	Hilliard, Jason	N
	006303	Frizzell III, Kenneth G.	Y

Mr. Frizzell advised he has no objection to the Motion, however, he has previously sent 2 letters to Defendant in response to his file. Mr. Frizzell advised Defendant's file was a bankers box, he was in constant contact with Defendant's mother and was instructed to give the copy of the file to her. Mr. Frizzell advised he sent the box to Kinkos to be copied and that Defendant's mother not only picked up the copy, but the original, so he does not have the file and he has not been able to reach mom. Court advised Mr. Frizzell has done everything he can do and ORDERED, Motion GRANTED Mr. Frizzell is withdrawn as counsel of record.

NDC

COPY

COPY

EXH "I"

EXH "2"

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

MATTHEW DEAN GOODNER,
A/K/A JASON HILLIARD,
Petitioner,
v.
THE STATE OF NEVADA,
Respondent.

CASE No: C 236726
DEPT No: 14

AFFIDAVIT OF CYNTHIA MARIE TREVINO

STATE OF NEVADA }
COUNTY OF CLARK } SS: 393-70-8975

I, Cynthia M. TREVINO, do hereby depose and say, under the pains and penalties of perjury, that the following averments are true and correct, as to the best of my knowledge, information, and belief:

1. That I am an adult female individual, of sound mind and body, and that I reside in Clark County, Nevada;

2. That I am the mother of Matthew Dean Goodner, the Petitioner in the above-captioned action;

3. That during the pendency of the litigation in the above-caption action, Petitioner advised me as to all aspects of the case and his attorney's actions or

lack thereof;

4. That between November 12th and 17th, 2007, my son was appointed Kenneth Frizzell, III, Esquire as his attorney in this case;

5. That at that time my son requested a copy of his case file from Attorney Frizzell, and the attorney agreed to provide such;

6. That on November 19th, 2007, My son was back in Court in regard to a plea agreement, and still had not recieved a copy of his file from the attorney;

7. Upon again asking the attorney for his file, Mr. Frizzell asked my son if I would pick up the file if the attorney dropped it off at a local Kinko's for copying;

8. That my son and I agreed that I would pick up the file from Kinko's, however, at that time my son was considered indigent, and it was assumed that the copying costs would be covered by Attorney Frizzell;

9. At my son's court appearance on December 18, 2007, Mr. Frizzell advised my son to tell me to be ready for the phone call from Kinko's directing me to be available to pick up the copy of the file;

10. That shortly after December 26th, 2007, when I still had not received such a call, I went to Attorney Frizzell's office, where he informed me that my son should have all the court documents he would need;

however, he again agreed to take the File to Kinko's;

11. This was the first time I was able to talk to Attorey Frizzell after numerous calls, and at this time, I knew attorney Frizzell was being deceptive, as my son had no paperwork regarding his case as the time;

12. That on January 30th, 2008, my son went to sentencing, and again was told by attorney Frizzell that the file would be dropped at Kinko's;

13. That Approximately two weeks later, after not hearing from the attorney, my son sent a letter to attorney Frizzell, asking about his case file, and asking the attorney to file an appeal;

14. That my son received no answer to this letter, and so was forced to file his own NOTICE OF APPEAL on February 20th, 2008;

15. That my son served a copy of this NOTICE on the attorney and still received no response;

16. That finally, in March or April of 2008, I received a call from Kinko's, and they informed me I could pick up the copies of my son's File, but I would have to pay the $150.00 cost;

17. That I did not have the money to pay for this, and I called attorney Frizzell that I could not pay for this;

18. That after this, my son sent numerous letters to Attorney Frizzell asking for the file, and the responses went unanswered;

19. That my son filed motions in the District Court and Supreme Court requesting the courts to compel counsel to produce the file;

20. That when my son received no relief from the Courts, he filed a motion to dismiss counsel and transfer records;

21. That Attorney Frizzell misrepresented facts to the Court in stating that he sent letters to my son about his file, as well as in stating that I picked up the file copy and/or original from the Kinko's;

22. That as a result of Attorney Frizzell's malfeasance, there is currently no defense case file available for my son, and he must now recreate the case file from court filings and the District Attorney's discoverable files;

23. FURTHER, YOUR AFFIANT SAYETH NAUGHT!

EXECUTED and DATED, this 17th day of June, 2009, at Clark County, Nevada, by:

Cynthia M. Trevino
CYNTHIA MARIE TREVINO

Subscribed and Sworn to before me this 17th day of June, 2009.

Notary Public - State of Nevada
County of Clark
COLLEEN C. MALTBY
My Appointment Expires
November 13, 2012
No: 92-4457-1

Colleen C. Maltby
NOTARY PUBLIC

Matthew Goodwin
E.S.P. #74383
PO Box 1989
Ely, NV 89301

Re: State v Goodwin case num: Dct: 07-C-236726-C
AKA Jason Hilliard Set: 51148

Dear DA Pamela C. Weckerly:

I am writing to you to request a complete copy of the Discovery File that was provided to my previous attorney, Kenneth B. Frizzell, III pursuant to Chapter 174 of the NV Revised Statutes. Mr. Frizzell was recently discharged from my case and has lost my entire case file. As such, I must reconstruct my entire record to proceed in this matter. I am approaching by letter first to request you comply without court intervention. I would also note that I am indigent, and would request that the records be provided without Fee.

I thank you for your time and diligence in fulfilling my request, and I shall anticipate your expedient reply.

Sincerely Yours

Matthew D Goodwin #7438

EXH "3"

CERTIFICATE OF SERVICE

I, Matthew Dean Goodner, do hereby CERTIFY that, on the date last-here-written, I have served a true and correct copy of the Foregoing MOTION TO COMPEL and supporting documentation to the following parties at their respective addresses, by placing a copy of the same in sealed envelopes, with sufficient postage affixed, addressed as follows, and depositing the same in the U.S. Postal Service Mail:

1) Deputy District Attorney Pamela C. Weckerly
Clark County District Attorney's Office
200 Lewis Avenue
Las Vegas, NV 89155; and,

2) Court Reporter - Eighth Judicial Dist. Court
Department XIV
200 Lewis Avenue
Las Vegas, NV 89155

EXECUTED and DATED, this 30th day of June, 2009, at the Ely State Prison, Ely, White Pine County, Nevada, by:

Matthew Goodner, Petitioner
In Propria Persona

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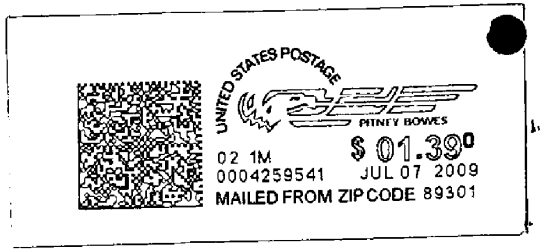
///
///
///

Matthew Rexlinger
#74383 E.S.N
PO Box 1989
Ely, NV 89301



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07/16/2009 09:36:28 AM

CLERK OF THE COURT

OPPS
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
H. LEON SIMON
Chief Deputy District Attorney
Nevada Bar #000411
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- MATTHEW DEAN GOODNER, #1602010 Defendant.	)	CASE NO: C236726 DEPT NO: XIV

STATE'S OPPOSITION TO DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS

DATE OF HEARING: 7/21/09
TIME OF HEARING: 9:00 AM

COMES NOW, the State of Nevada, by DAVID ROGER, District Attorney, through H. LEON SIMON, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in Opposition to Compel Production of Documents.

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

/ / /

/ / /

/ / /

POINTS AND AUTHORITIES

STATEMENT OF THE CASE

On November 16, 2007, Matthew Dean Goodner a.k.a. Jason Hillard ("Defendant") was charged by way of an Information with three (3) Counts of Possession of Stolen Vehicle (Felony – NRS 205.273). Then, on November 19, 2007, Defendant pled guilty by way of Guilty Plea Agreement to all three (3) Counts charged in the Information and stipulated to treatment as a small habitual criminal.

On January 30, 2008, Defendant was sentenced as a small habitual criminal and ordered to serve five (5) to twenty (20) years for each Count in the Nevada Department of Corrections, with Counts I and II to run concurrently and Count III to run consecutively with Count II. Judgment of Conviction was filed February 7, 2008.

On February 20, 2008 Defendant filed his notice of direct appeal with the Supreme Court of Nevada, and on December 24, 2008, the Supreme Court of Nevada affirmed Defendant's conviction. Remittitur issued on January 20, 2009. On July 8, 2009 Defendant filed the instant motion and the state responds as follows:

ARGUMENT

I. DEFENDANT IS NOT ENTITLED TO POST CONVICTION DISCOVERY AT THIS TIME

The statutes Defendant cites, NRS 174.235 through NRS 174.295, pertain to pre-trial litigation. As such, they are not applicable to the instant matter. Post conviction discovery only becomes available through NRS 34.780 on a showing of good cause after a writ has been granted, neither of which has happened yet in this case.

II. DEFENDANT IS NOT ENTITLED TO FREE TRANSCRIPTS

The United States Supreme Court has held, "We do not hold that a State must furnish a transcript in every case involving an indigent defendant." Eskridge v. Washington State Board of Prison Terms and Paroles, 357 U.S. 214, 216, 78 S. Ct. 1061, 1062 (1958) (citing Griffin v. Illinois, 351 U.S. 12, 76 S. Ct. 585 (1956)). The State is not required to furnish transcripts at its expense upon the unsupported request of a defendant claiming inability to

pay for them.

In Nevada, to be entitled to transcripts at the State's expense, an indigent defendant must set forth the grounds upon which the motion is based. Peterson v. Warden, 87 Nev. 134, 135, 483 P.2d 204, 204 (1971). In addition, the defendant must demonstrate that: (1) the points raised have merit; and (2) such merit will tend to be supported by a review of the record. Id. at 135-36, 205. Transcripts will not be furnished at the State's expense based upon "the mere unsupported request of a Defendant who is unable to pay for them." Id. at 135, 205. In Peterson, the Court stated:

> NRS 177.325, 177.335, and 177.345 do not contemplate that records will be furnished at state expense upon the mere unsupported request of a petitioner who is unable to pay for them. Just as the petitioner must show that the requested review is not frivolous before he may have an attorney appointed (NRS 177.345(2)), so must he satisfy the court that the points raised have merit and such merit will tend to be supported by a review of the record before he may have trial records supplied at state expense. He must specifically set forth grounds upon which the petition is based. Id
> .

In the present case, Defendant has failed to make the necessary threshold showing of the grounds upon which the motion is based. Defendant simply requests the transcripts with no supporting facts or reasons. He makes no assertion that he has any arguments with merit or that such arguments would be supported by the contents of the transcript. As such, Defendant has failed to show how the contents of the requested transcripts would support any of his arguments. In fact, he failed to state what, if any, arguments require the support of the requested transcripts. Thus, Defendant has failed to meet the threshold requirements of Nevada case-law and statute, and his motion for transcripts at the State's expense should be denied.

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CONCLUSION

Based on the arguments as set forth above, the State respectfully requests that the Court DENY Defendant's Motion to Compel Production of Documents.

DATED this 16th day of July, 2009.

Respectfully submitted,

DAVID ROGER
Clark County District Attorney
Nevada Bar #002781

BY /s/H. LEON SIMON
H. LEON SIMON
Chief Deputy District Attorney
Nevada Bar #000411

CERTIFICATE OF MAILING

I hereby certify that service of the above and foregoing, was made this 16th day of July, 2009, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

MATTHEW GOODNER, BAC#74383
PO BOX 1989
ELY, NV 89301

/s/A.HARDY
Secretary for the District Attorney's Office

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FILED
JUL 30 2009
CLERK OF COURT

1 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
2 IN AND FOR THE COUNTY OF CLARK
3
4 MATTHEW DEAN GOODNER, Case No(s): C235682 and
5 A/K/A JASON HILLIARD, C236724
6 Petitioner, Dept. No.: ~~XIV~~ XIV
7 v.
8 THE STATE OF NEVADA, Hearing Date: _____
9 Respondent. / Hearing Time: _____
10
11 PETITIONER'S REPLY TO STATE'S OPPOSITION TO DEFENDANT'S MOTIO
12 TO COMPEL PRODUCTION OF DOCUMENTS AND
13 TO STATE'S OPPOSITION TO DEFENDANT'S MOTION REQUESTING FREE
14 TRANSCRIPTS
15
16 COMES NOW, the Petitioner, Matthew Dean Goodner, in
17 his proper person, and as countenanced in HAINES v. KERNER,
18 404 US 519, 92 S.Ct 594 (1972), (pleadings filed by pro se litigant
19 are to be held to less stringent standards than those filed
20 by practicing attorneys), and brings this Honorable Court t
21 REPLY as titled above.
22 This reply is made and based upon all the papers a
23 pleadings on file herein, the attached points and authoritie
24 in support thereof, and oral argument at the time of hea
25 ing, if deemed necessary by this Honorable Court.
26 ///
27 ///
28 ///

Matthew Dean Goodner, #
% Ely State Prison
PO Box 1989
12000 N. Bathurick Rd.
Ely, NV 89301-1989

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JUL 30 2009
CLERK OF THE COURT

POINTS AND AUTHORIES

STATEMENT OF THE CASE

Petitioner agrees with the factual rendition of the case at bar as presented by the State, and adds no new facts germaine to the instant motion.

ARGUMENT

I. DEFENDANT DOES NOT SEEK POST-CONVICTION DISCOVERY FOR THE PURPOSE OF PRE-EVIDENTIARY HEARING FACT DEVELOPMENT AS PERMITTED UNDER NRS 34.780

Petitioner dismissed his trial attorney, with leave of this Court, pursuant to NRS 7.055. Pursuant to said statute, Petitioner is entitled by right to a complete copy of his entire case file, which he sought and seek for the purpose of fully determining grounds for a petition for writ of habeas corpus. The case file at issu has been lost by the attorney and contained all materials which were discoverable in the instant cases, pursuant t NRS 174.235 through 174.295. Because this file is necessary to facilitate post-conviction review, and was lost by the attorney due to no fault of Petitioner,

Petitioner asks this Honorable Court compel the State to produce and transfer a complete copy of the dis-coverable case materials to Petitioner, with costs borne on either the State or on Attorney Kenneth Frizzell, due to Petitioner's indigence, established circa April 12th, 2009.

///

II DEFENDANT IS ENTITLED TO FREE TRANSCRIPTS

Petitioner has filed, circa April 12th, 2009, a Motion for Leave to Proceed in Forma Pauperis. Said Motion provided substantiation that Petitioner is, in fact, indig and therefore the threshold support has been provided in that respect.

Petitioner intends to raise the following grou in a Petition for Writ of Habeas Corpus, at a minimu

A. Petitioner's plea was unknowing and involuntary where counsel failed to adequately communicate with Defendant, to review discovery/evidence with Defendant, to interview witnesses or to formulate a Defense strategy, or otherwise to prepare for trial with Defendant;

B. Plea was unknowing and involuntary where counsel was ineffective in explaining the terms of the plea agreement and the consequences of the plea;

C. Petitioner's sentence was affected by prosecutorial misconduct where the State misapprised the Court of facts as to Count III in the PSI;

D. The District Court abused its discretion in aggravating Petitioner's sentence where it misapprehended facts of Count III as per the PSI;

E. Despite Petitioner's requests, trial counsel

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failed to file a Notice of Appeal, causing Petitioner to have to initiate his own appeal;

F. Counsel lost Petitioner's records before becoming aware an appeal was filed by Defendant, and thus, was unable to perfect a proper appeal.

In addition to the above issues, the cumulative errors of counsel establish a pattern showing there may be more errors to be discovered in the requested records and transcripts. As the Court is aware, Petitioner must raise all issues in his habeas Petition in order to prevent their preclusion in higher courts. Thus, it is imperative this Honorable Court grant Petitioner's request to guarantee Petitioner full access to the Courts for post-conviction/appellate review.

RESPECTFULLY SUBMITTED, this 21st day of July, 2009, by:

Matthew Dean Goodner, Petitioner
In Propria Persona

CERTIFICATE OF SERVICE

I hereby certify that service of the above and foregoing was made to the Clark County District Attorney on July 21st, 2009, by depositing the same in the US Postal Service Mail, postage prepaid.

EXECUTED and DATED, this 21st day of July, 2009, at the Ely State Prison, Ely, Nevada, by:

Matthew Dean Goodner, Petitioner
In Propria Persona

ORIGINAL

ORDR

DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
H. LEON SIMON
Chief Deputy District Attorney
Nevada Bar #000411
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

FILED
AUG 20 12 45 PM '09

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW DEAN GOODNER,
#1602010

Defendant.

Case No. C236726
Dept No. XIV

ORDER

DATE OF HEARING: July 22, 2009
TIME OF HEARING: 9:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 22nd day of July, 2009, the Defendant not being present, in Proper Person, the Plaintiff being represented by DAVID ROGER, District Attorney, through ALICIA ALBRITTON, Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

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CLERK OF THE COURT

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IT IS HEREBY ORDERED that the Defendant's Motion to Compel Production of Documents, shall be, and it is DENIED.

DATED this 19th day of August, 2009.

DISTRICT JUDGE

8

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

H. LEON SIMON
Chief Deputy District Attorney
Nevada Bar #000411

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Original

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REQT

Matthew D. Goodner, #74383
c/o Ely State Prison
PO Box 1989
Ely, NV 89301-1989
Defendant, In Propria Persona

FILED
DEC 28 2009
CLERK OF COURT

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

THE STATE OF NEVADA,
Plaintiff,
v.
JASON HILLIARD, A/K/A
MATTHEW GOODNER,
Defendant. /

CASE No: C236726
DEPT No: XIV

REQUEST FOR RECONSIDERATION, TO INCLUDE ADDITIONAL FINDINGS OF FACT AND CONCLUSIONS AT LAW

DATE OF HEARING: _____
TIME OF HEARING: _____

COMES NOW, the Defendant, Jason Hilliard (A/K/A Matthew Goodner), in his proper person, and as countenanced in HAINES v. KERNER, 404 US 519, 92 S.Ct 594, 596 (1972), (Pleadings filed by pro se litigants are to be held to less stringent standards than those filed by practicing attorneys), and respectfully requests that this Honorable Court reconsider its Order of July 22, 2009, denying Defendant's Motion To Compel as

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CLERK OF THE COURT

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CLERK OF THE COURT

moot, and that it further issue a written order containing findings of fact and conclusions at law, and in support thereof, would aver and assert the following:

1. The Defendant submits and urges this Court to find that, although an Order was issued denying the aforementioned motion on July 22, 2009, the Court did not issue a written order. (See, Exh "A"). In fact, Defendant continued until December, 2009, requesting that the Court notify him of the status of this Motion (See, Exh "B"). It was not until December 9, 2009, that the Court Clerk mailed to Defendant a copy of the minutes concerning the denial of this motion. (See, Exh's "A" & "C".) Nevada Rules of Civil Procedure allow for fourteen (14) days from service of an Order of denial to file a request for rehearing. Defendant asserts that no Order was served upon him, and that this Court notified him for the first time of Denial of his Motion by mail, received December 14, 2009. Defendant, therefore urges this Court to find the instant request timely.

2. The Defendant submits and urges the Court to find that it has overlooked the following facts and/or overlooked or apprehended the following law, which arguably apply under the given facts and circumstances of the instant case.

3. This Court's minutes (see Exh's "A" & "C") cite that Defendant's Motion was denied as moot because

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Defendant's prior counsel dropped his file off at Kinko's for copies, and that attorney Frizzell claimed Defendant's mother picked up the copy and the original, leaving counselor Frizzell with no file.

4. The Defendant would submit that Attorney Frizzell may no longer have his case file. However, the Defendant's Motion to Compel was not filed to acquire the file from Attorney Frizzell, as this Court has previously established he no longer had said file. (See, Exh "A").

5. Defendant submitted his motion in order to recreate the file his attorney should have had, said motion including an Affidavit from Defendant's mother to establish she did not pick up said files, and his attorney's loss of his file was not Defendant's fault. Defendant's filing established that he finds it necessary to be aware of all files his attorney had access to in order to prepare a post-conviction filing.

6. Since no other known remedy at law exists, to Defendant's knowledge, to overcome the situation, the Defendant filed his Motion to:

a) Compel the District Attorney to provide copies of all those files provided to Attorney Kenneth G. Frizzell, in case numbers C235687, and C236726, which the District Attorney has previously provided as DISCOVERY, pursuant to NRS 174.235 to 174.295, inclusive, and,

b) Compel the Court Reporter to transcribe all hearings in the matter that Atty Kenneth G. Frizzell had access to;

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Defendant's premise with said Motion was that, given his indigent status (See, In Forma Pauperis Order of this Court), he would has been entitled to a complete copy of his file at state expense when his court-appointed attorney was dismissed.

7. Because no other recourse exists to obtain the file from said Attorney, Defendant has no option but to request the documents which would be in the attorney's file from their originating sources, i.e., the District Attorney and the Court Reporter, the expense being bourne by the County as it would have been even if the file was provided by court-appointed counsel.

CONCLUSION

WHEREFORE, Defendant Requests this Honorable Court review the above facts/laws and Grant the previously denied Motion To Compel Documents (EXH "D").

RESPECTFULLY SUBMITTED, this 21st day of December, 2009, by:

Matthew Goodner

Matthew Goodner, A/K/A
Jason Hilliard, Defendant

VERIFICATION

I, Matthew Dean Goodner, A.K.A. Jason Hilliard, do hereby depose and say, under the pains and penalties of perjury,

///

as pursuant to NRS 208.165, that the averments contained in the above REQUEST FOR RECONSIDERATION are true and correct, as to the best of my knowledge information, and belief.

EXECUTED and DATED, this 21st day of December, 2009, at the Ely State Prison, Ely, White Pine County, Nevada, by

Matthew Goodner, A/K/A
Jason Hilliard, Defendant

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CRIMINAL COURT MINUTES

07-C-236726-C STATE OF NEVADA vs Hilliard, Jason

CONTINUED FROM PAGE: 002

03/19/09 09:00 AM 00 DEFT'S PRO PER MTN FOR WITHDRAWAL OF ATTY OF RECORD AND TRANSFER OF RECORDS/4

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:

	STATE OF NEVADA	Y
009089	Krusey, Amanda K.	Y
0002 D	Hilliard, Jason	N
006303	Frizzell III, Kenneth G.	Y

Mr. Frizzell advised he has no objection to the Motion, however, he has previously sent 2 letters to Defendant in response to his file. Mr. Frizzell advised Defendant's file was a bankers box, he was in constant contact with Defendant's mother and was instructed to give the copy of the file to her. Mr. Frizzell advised he sent the box to Kinkos to be copied and that Defendant's mother not only picked up the copy, but the original, so he does not have the file and he has not been able to reach mom. Court advised Mr. Frizzell has done everything he can do and ORDERED, Motion GRANTED Mr. Frizzell is withdrawn as counsel of record.

NDC

07/21/09 09:00 AM 00 DEFT'S PRO PER MTN TO COMPEL PRODUCTION OF DOCUMENTS/5

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:

	STATE OF NEVADA	Y
009492	Albritton, Alicia A.	Y

Court noted Defendant is in prison and not present today; that this is post-conviction in nature and Defendant wants his file. Court advised prior counsel was Mr. Frizzell. As he could not be reached, COURT ORDERED, matter CONTINUED to tomorrow.

NDC

CONTINUED TO: 07/22/09 09:00 AM 01

CONTINUED ON PAGE: 004

EXHIBIT A

COPY

Matthew Dean Goodner, #74383
c/o Ely State Prison
P.O. Box 1989
Ely, NV 89301-1989

Clerk of Court
8th Judicial District Court
200 Lewis Avenue
Las Vegas, NV 89155

23rd November, 2009

Re: Case No(s): C235682 and C236726, (AKA Hilliard) GOODNER v. STATE; Dept XIV; MOTION TO COMPEL PRODUCTION OF DOCUMENTS;

Dear Clerk:

I am writing to you to request information on the status of the hearing and/or order on the above-mentioned motion. The motion was mailed to the Court for filing on June 30, 2009. The State authored and filed an Opposition on July 16, 2009. I mailed a Reply on July 21, 2009. I also note that although I mailed extra copies to be returned to me file-stamped, I never received said copies.

As of this date, I have not been notified of any disposition of this motion. As such, I am requesting a status update on resolution of this Motion, and if it has not already been so, I request that it be submitted to the Court for disposition.

I thank you for your time and diligence in fulfilling my request, and I shall anticipate your expedient reply.

Sincerely Yours,

EXHIBIT B

Matthew Dean Goodner

CRIMINAL COURT MINUTES

07-C-236726-C STATE OF NEVADA vs Hilliard, Jason

CONTINUED FROM PAGE: 003

07/22/09 09:00 AM 01 DEFT'S PRO PER MTN TO COMPEL PRODUCTION OF DOCUMENTS/5

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
009492 Albritton, Alicia A. Y

Court noted Defendant is in prison and not present today; that Mr. Frizzell contacted the office and advised he had taken the two banker boxes to Kinkos to be copied and Defendant's mother picked up the copy and the original, so he has nothing. COURT ORDERED, Motion is moot and DENIED.

NDC

EXHIBIT C

Matthew Dean Goodner, #74383
c/o Ely State Prison
P.O. Box 1989
12000 N. Bathurst Rd.
Ely, NV 89301-1989

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

	C235682 and
MATTHEW DEAN GOODNER,	Case No. C236726
A/K/A JASON HILLIARD,	Dept No. XIV
Petitioner,	
v.	Hearing Date: _____
THE STATE OF NEVADA,	Hearing Time: _____
Respondent. /	

MOTION TO COMPEL PRODUCTION OF DOCUMENTS

COMES NOW, the Petitioner, Matthew Dean Goodner, in his proper person, and as countenanced in HAINES v. KERNER, 404 US 92 S.Ct 594 (1972), (pleadings filed by pro se litigants are to be h to less stringent standards than those filed by practicing attorney and moves this Honorable Court for its ORDER, Compelling the Clark County District Attorney's Office to supply a copy of a Discoverable Evidence which it has in its possession, in regard to the above-referenced case number, as well as copies of al pleadings filed by the State and Defense, to the Petition Matthew Dean Goodner, pursuant to NRS 174.235 throug NRS 174.295, inclusive; and

FURTHER, Petitioner moves this Honorable Court for it ORDER, Compelling the Court Reporter for the Eighth Judi District Court, Department XIV, to prepare a rough dr transcript for each proceeding in the above-reference

///

EXHIBIT "D"

case, and to deliver the same to Petitioner at his curre place of imprisonment, within ten (10) days of this Hon able Court's Order.

This MOTION TO COMPEL is made and predicated upon the Affidavit of Defendant, the Minutes of this Court o March 19, 2009, and the Affidavit of Cynthia M. Trevino attached hereto and made a part hereof by reference the

RESPECTFULLY SUBMITTED, this 30th day of June, 2009.

MATTHEW GOODNER, Petitioner
In Propria Persona

AFFIDAVIT OF MATTHEW DEAN GOODNER

STATE OF NEVADA)
) SS:
COUNTY OF WHITE PINE)

I, Matthew Dean Goodner, do hereby depose and say under the pains and penalties of perjury, as pursuant to NRS 208.165, that the following averments are true correct, as to the best of my knowledge, information and belief:

1) That I, Matthew Dean Goodner, am the Petitioner in the afore-mentioned MOTION TO COMPEL, and that I believe I am entitled to the relief requested therein

2) That I am not trained in Matters of the law;

3) That I wish to prepare and file a Petition For

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writ of Habeas Corpus in the instant case, but I am yet unable to do so, as I have never been provided <u>any</u> copies of records in the instant case;

4) That on numerous occasions, I have attempted to obtain case records from my previous attorney, Henry G. Frizzell, III, Esq., who now claims he does not have any records of this case any longer, (See EXHIBIT "

5) That Attorney Frizzell, III, claims Petitioner's mother has said records; however, Petitioner's mother <u>never</u> took possession of said records; (See EXHIBIT "2")

6) That I allege that the Clark County District Attorney's Office has a continuing duty to disclose, pursuant to NRS 174.235 through NRS 174.295, inclusive, and, that the Clark County District Attorney's Office has failed to do so, despite Petitioner's Request; (See EXHIBIT "3");

7) That I deem it necessary to have the requested documentation from the Clark County District Attorney Office and the Court Reporter for Department XIV in order to construct his case record and to adequately prepare and present his case for post-conviction relief;

8) FURTHER, YOUR AFFIANT SAYETH NAUGHT!

EXECUTED and DATED, this 30th day of June, 2009, at the Ely State Prison, Ely, White Pine County, Nevada, by:

Matthew Goodner, Petitioner
In Propria Persona

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CRIMINAL COURT MINUTES

07-C-236726-C STATE OF NEVADA vs Hilliard, Jason

CONTINUED FROM PAGE: 00

03/19/09 09:00 AM 00 DEFT'S PRO PER MTN FOR WITHDRAWAL OF ATTY OF RECORD AND TRANSFER OF RECORDS/

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA
009089 Krusey, Amanda K
0002 D Hilliard, Jason
006303 Frizzell III, Kenneth C

Mr. Frizzell advised he has no objection to the Motion, however, he has previously sent 2 letters to Defendant in response to his file. Mr. Frizzell advised Defendant's file was a bankers box, he was in constant contact with Defendant's mother and was instructed to give the copy of the file to her. Mr. Frizzell advised he sent the box to Kinkos to be copied and that Defendant's mother not only picked up the copy but the original, so he does not have the file and he has not been able to reach mom. Court advised Mr. Frizzell has done everything he can do and ORDERED, Motion GRANTED Mr. Frizzell is withdrawn as counsel of record.

NDC

COPY

COPY

EXH "I"

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

MATTHEW DEAN GOODNER,
A/K/A JASON HILLIARD,
Petitioner,
v.
THE STATE OF NEVADA,
Respondent.

CASE No: C 236726
DEPT No: 14

AFFIDAVIT OF CYNTHIA MARIE TREVINO

STATE OF NEVADA }
COUNTY OF CLARK } SS: 393-70-8975

I, Cynthia M. TREVINO, do hereby depose and say, under the pains and penalties of perjury, that the following averments are true and correct, as to the best of my knowledge, information, and belief:

1. That I am an adult female individual, of sound mind and body, and that I reside in Clark County, Nevada;

2. That I am the mother of Matthew Dean Goodner, the Petitioner in the above-captioned action,

3. That during the pendency of the litigation in the above-caption action, Petitioner advised me as to all aspects of EXHIBIT "2" his attorney's actions or

lack thereof;

4. That between November 12th and 17th, 2007, my son was appointed Kenneth Frizzell, III, Esquire as his attorney in this case;

5. That at that time my son requested a copy of his case file from Attorney Frizzell, and the attorney agreed to provide such;

6. That on November 19th, 2007, my son was back in Court in regard to a plea agreement, and still had not recieved a copy of his file from the attorney;

7. Upon again asking the attorney for his file, Mr. Frizzell asked my son if I would pick up the file if the attorney dropped it off at a local Kinko's for copying;

8. That my son and I agreed that I would pick up the file from Kinko's, however, at that time my son was considered indigent, and it was assumed that the copying costs would be covered by Attorney Frizzell;

9. At my son's court appearance on December 18, 2007, Mr. Frizzell advised my son to tell me to be ready for the phone call from Kinko's directing me to be available to pick up the copy of the file;

10. That shortly after December 26th, 2007, when I still had not received such a call, I went to Attorney Frizzell's office, where he informed me that my son should have all the court documents he would need;

however, he again agreed to take the file to Kinko's;

11. This was the first time I was able to talk to Attorey Frizzell after numerous calls, and at this time, I knew attorney Frizzell was being deceptive, as my son had no paperwork regarding his case as the time;

12. That on January 30th, 2008, my son went to sentencing, and again was told by attorney Frizzell that the file would be dropped at Kinko's;

13. That Approximately two weeks later, after not hearing from the attorney, my son sent a letter to attorney Frizzell, asking about his case file, and asking the attorney to file an appeal;

14. That my son received no answer to this letter, and so was forced to file his own NOTICE OF APPEAL on February 20th, 2008;

15. That my son served a copy of this NOTICE on the attorney and still received no response;

16. That finally, in March or April of 2008, I received a call from Kinko's, and they informed me I could pick up the copies of my son's file, but I would have to pay the $150.00 cost;

17. That I did not have the money to pay for this, and I called attorney Frizzell that I could not pay for this;

18. That after this, my son sent numerous letters to Attorney Frizzell asking for the file, and the responses went unanswered;

19. That my son filed motions in the District Court and Supreme Court requesting the courts to compel counsel to produce the file;

20. That when my son received no relief from the Courts, he filed a motion to dismiss counsel and transfer records;

21. That Attorney Frizzell misrepresented facts to the Court in stating that he sent letters to my son about his file, as well as in stating that I picked up the file copy and/or original from the Kinko's;

22. That as a result of Attorney Frizzell's malfeasance, there is currently no defense case file available for my son, and he must now recreate the case file from court filings and the District Attorney's discoverable files;

23. FURTHER, YOUR AFFIANT SAYETH NAUGHT!

EXECUTED and DATED, this 17th day of June, 2009, at Clark County, Nevada, by:

Cynthia M. Trevino
CYNTHIA MARIE TREVINO

Subscribed and Sworn to before me this 17th day of June, 2009.

Notary Public - State of Nevada
County of Clark
COLLEEN C. MALTBY
My Appointment Expires
November 13, 2012
No: 92-4457-1

Colleen C. Maltby
NOTARY PUBLIC.

Matthew Goodwin
E.S.P. #74383
PO Box 1989
Ely, NV 89301

Re: State v Goodwin case num: Dct: 07-C-236726-C
AKA Jason Hilliard Sct: 51148

Dear DA Pamela C. Weckerly:

I am writing to you to request a complete cop of the Discovery File that was provided to my previ attorney, Kenneth A. Frizzell, III pursuant to Chapter 174 of the NV Revised Statutes. Mr. Frizzell was recently discharged from my case and has lost m entire case file. As such, I must reconstruct my entire record to proceed in this matter. I am approaching by letter first to request you comply wit out court intervention. I would also note that I am indigent, and would request that the records be provided without Fee.

I thank you for your time and diligence in fulfilling my request, and I shall anticipate your expedient reply.

Sincerely Yours

Matthew D. Goodwin #7

[redacted]

EXH "3" -

CERTIFICATE OF SERVICE

I, Matthew Dean Goodner, do hereby CERTIFY that, on the date last-here-written, I have served a true and correct copy of the Foregoing MOTION TO COMPEL and supporting documentation to the following parties at their respective addresses, by placing a copy of the same in sealed envelopes, with sufficient postage affixed, addressed as follows, and depositing the same in the U.S. Postal Service Mail:

1) Deputy District Attorney Pamela C. Weekerly
Clark County District Attorney's Office
200 Lewis Avenue
Las Vegas, NV 89155; and,

2) Court Reporter - Eighth Judicial Dist. Court
Department XIV
200 Lewis Avenue
Las Vegas, NV 89155

EXECUTED and DATED, this 30th day of June, 2009, the Ely State Prison, Ely, White Pine County, Nevada, by:

Matthew Goodner, Petitioner
In Propria Persona

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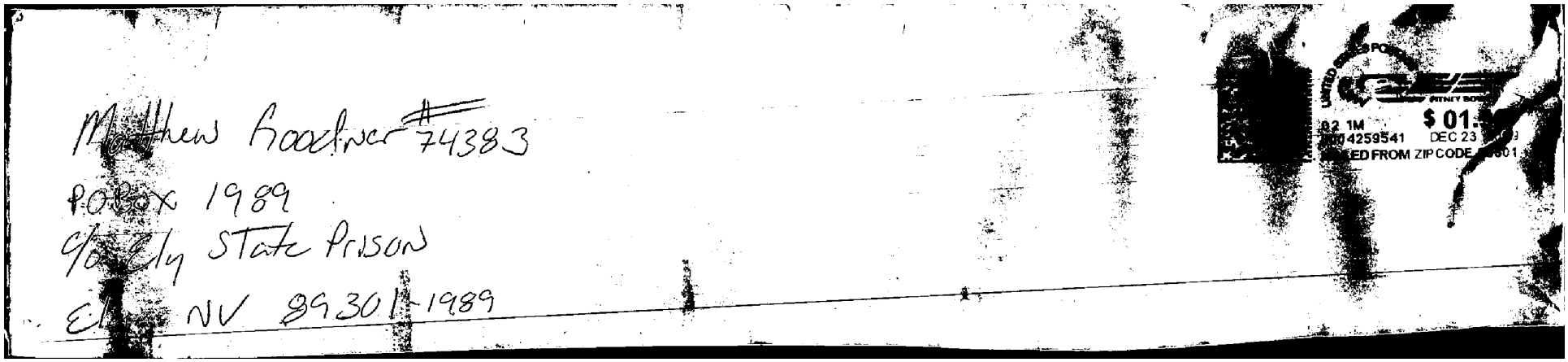
Matthew Goodwin #74383
P.O.Box 1989
c/o Ely State Prison
Ely NV 89301-1989
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DEC 23
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FILED
FEB 10 2010
CLERK OF COURT

REQT

Matthew D. Goodner, #74383
% Ely State Prison
P.O. Box 1989
Ely, NV 89301-1989
Defendant, In Propria Persona

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

THE STATE OF NEVADA,
Plaintiff,
v.
JASON HILLIARD, A/K/A
MATTHE GOODNER,
Defendant.

2/23/10

CASE NO: C236726
DEPT NO: XIV XV

MOTION and/or PETITION and/or REQUEST and/or APPLICATION FOR RECONSIDERATION, TO INCLUDE ADDITIONAL FINDINGS OF FACT AND CONCLUSIONS AT LAW

DATE OF HEARING: _____
TIME OF HEARING: _____

CMC

COMES NOW, the Defendant, Jason Hilliard (A/K/A Matthew Goodner), in his proper person, and as countenanced in HAINES v. KERNER, 404 US 519, 92 S. Ct. 594, 596 (1972), (pleadings filed by pro se litigants are to be held to less stringent standards than those filed by practicing attorneys), and respectfully requests that this Honorable Court reconsider its ORDER of July 22, 2009, denying DEFENDANT'S MOTION TO COMPEL as

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CLERK OF THE COURT

moot, and that it further issue a written order containing findings of fact and conclusions at law, and in support thereof, would aver and assert the following:

1. The Defendant submits and urges this Court to find that, although an Order was issued denying the aforementioned motion on July 22, 2009, the Court did not issue a written order. (See, Exh "A"). In fact, Defendant continued until December, 2009, requesting that the Court notify him of the status of this Motion (See, Exh "B"). It was not until December 9, 2009, that the Court Clerk mailed to Defendant a copy of the minutes concerning the denial of this motion. (See, Exh's "A" & "C".) Nevada Rules of Civil Procedure allow for fourteen (14) days from service of an Order of denial to file a request for rehearing. Defendant asserts that no Order was served upon him, and that this Court notified him for the first time of Denial of his Motion by mail, received December 14, 2009. Defendant, therefore urges this Court to find the instant request timely.

2. The Defendant submits and urges the Court to find that it has overlooked the following facts and/or overlooked or apprehended the following law, which arguably apply under the given facts and circumstances of the instant case.

3. This Court's minutes (See Exh's "A" & "C") cite that Defendant's Motion was denied as moot because

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Defendant's prior counsel dropped his file off at Kinko's for copies, and that attorney Frizzell claimed Defendant's mother picked up the copy and the original, leaving counselor Frizzell with no file.

4. The Defendant would submit that Attorney Frizzell may no longer have his case file. However, the Defendant's Motion to Compel was not filed to acquire the file from Attorney Frizzell, as this Court has previously established he no longer had said file. (See, EXH "A").

5. Defendant submitted his motion in order to recreate the file his attorney should have had, said motion including an Affidavit from Defendant's mother to establish she did not pick up said files, and his attorney's loss of his file was not Defendant's fault. Defendant's filing established that he finds it necessary to be aware of all files his attorney had access to in order to prepare a post-conviction filing.

6. Since no other known remedy at law exists, to Defendant's knowledge, to overcome the situation, the Defendant filed his Motion to:

a) Compel the District Attorney to provide copies of all those files provided to Attorney Kenneth G. Frizzell, in case numbers C235687, and C236726, which the District attorney has previously provided as DISCOVERY, pursuant to NRS 174.235 to 174.295, inclusive, and,

b) Compel the Court Reporter to transcribe all hearings in the matter, that Atty Kenneth G. Frizzell had access to;

///

Defendant's premise with said Motion was that, given his indigent status (See, In Forma Pauperis Order of this Court), he would has been entitled to a complete copy of his file at state expense when his court-appointed attorney was dismissed.

7. Because no other recourse exists to obtain the file from said Attorney, Defendant has no option but to request the documents which would be in the attorney's file from their originating sources, i.e., the District Attorney and the Court Reporter, the expense being bourne by the County as it would have been even if the file was provided by court-appointed counsel.

CONCLUSION

WHEREFORE, Defendant Requests this Honorable Court review the above facts/laws and Grant the previously denied Motion To Compel Documents (EXH "D").

RESPECTFULLY SUBMITTED, this 21st day of December, 2009, by:

Matthew Goodner, A/K/A
Jason Hilliard, Defendant

VERIFICATION

I, Matthew Dean Goodner, A.K.A. Jason Hilliard, do hereby depose and say, under the pains and penalties of perjury,

///

as pursuant to NRS 208.165, that the averments contained in the above REQUEST FOR RECONSIDERATION are true and correct, as to the best of my knowledge information, and belief.

EXECUTED and DATED, this 21st day of December, 2009, at the Ely State Prison, Ely, White Pine County, Nevada, by

Matthew Goodner, A/K/A
Jason Hilliard, Defendant

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CRIMINAL COURT MINUTES

07-C-236726-C STATE OF NEVADA vs Hilliard, Jason

CONTINUED FROM PAGE: 002

03/19/09 09:00 AM 00 DEFT'S PRO PER MTN FOR WITHDRAWAL OF ATTY OF RECORD AND TRANSFER OF RECORDS/4

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:

	STATE OF NEVADA	Y
009089	Krusey, Amanda K.	Y
0002 D	Hilliard, Jason	N
006303	Frizzell III, Kenneth G.	Y

Mr. Frizzell advised he has no objection to the Motion, however, he has previously sent 2 letters to Defendant in response to his file. Mr. Frizzell advised Defendant's file was a bankers box, he was in constant contact with Defendant's mother and was instructed to give the copy of the file to her. Mr. Frizzell advised he sent the box to Kinkos to be copied and that Defendant's mother not only picked up the copy, but the original, so he does not have the file and he has not been able to reach mom. Court advised Mr. Frizzell has done everything he can do and ORDERED, Motion GRANTED Mr. Frizzell is withdrawn as counsel of record.

NDC

07/21/09 09:00 AM 00 DEFT'S PRO PER MTN TO COMPEL PRODUCTION OF DOCUMENTS/5

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES:

	STATE OF NEVADA	Y
009492	Albritton, Alicia A.	Y

Court noted Defendant is in prison and not present today; that this is post-conviction in nature and Defendant wants his file. Court advised prior counsel was Mr. Frizzell. As he could not be reached, COURT ORDERED, matter CONTINUED to tomorrow.

NDC

CONTINUED TO: 07/22/09 09:00 AM 01

CONTINUED ON PAGE: 004

EXHIBIT A

COPY

Matthew Dean Goodner, #74585
Ely State Prison
P.O. Box 1989
Ely, NV 89301-1989

Clerk of Court
8th Judicial District Court
200 Lewis Avenue
Las Vegas, NV 89155

23rd November, 2009

Re: Case No(s): C235682 and C236726, (AKA Hilliard) GOODNER v. STATE; Dept XIV; MOTION TO COMPEL PRODUCTION OF DOCUMENTS;

Dear Clerk:

I am writing to you to request information on the status of the hearing and/or order on the above-mentioned motion. The motion was mailed to the Court for filing on June 30, 2009. The State authored and filed an Opposition on July 16, 2009. I mailed a Reply on July 21, 2009. I also note that although I mailed extra copies to be returned to me file-stamped, I never received said copies.

As of this date, I have not been notified of any disposition of this motion. As such, I am requesting a status update on resolution of this Motion, and if it has not already been so, I request that it be submitted to the Court for disposition.

I thank you for your time and diligence in fulfilling my request, and I shall anticipate your expedient reply

Sincerely Yours,

EXHIBIT B

Matthew Dean Goodner

CRIMINAL COURT MINUTES

07-C-236726-C STATE OF NEVADA vs Hilliard, Jason

CONTINUED FROM PAGE: 003

07/22/09 09:00 AM 01 DEFT'S PRO PER MTN TO COMPEL PRODUCTION OF DOCUMENTS/5

HEARD BY: Donald M. Mosley, Judge; Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA Y
009492 Albritton, Alicia A. Y

Court noted Defendant is in prison and not present today; that Mr. Frizzell contacted the office and advised he had taken the two banker boxes to Kinkos to be copied and Defendant's mother picked up the copy and the original, so he has nothing. COURT ORDERED, Motion is moot and DENIED.

NDC

EXHIBIT C

Matthew Dean Goodner, #74383
c/o Ely State Prison
P.O. Box 1989
12000 N. Bothwick Rd.
Ely, NV 89301-1989

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

MATTHEW DEAN GOODNER, A/K/A JASON HILLIARD, Petitioner,	Case No. C235682 and C236726
	Dept No. XIV
v.	Hearing Date: _____
THE STATE OF NEVADA, Respondent. /	Hearing Time: _____

MOTION TO COMPEL PRODUCTION OF DOCUMENTS

COMES NOW, the Petitioner, Matthew Dean Goodner, in his proper person, and as countenanced in HAINES v. KERNER, 404 US 92 S.Ct 594 (1972), (pleadings filed by pro se litigants are to be h to less stringent standards than those filed by practicing attorney and moves this Honorable Court for its ORDER, Compelling the Clark County District Attorney's Office to supply a copy of a Discoverable Evidence which it has in its possession, in regard to the above-referenced case number, as well as copies of al pleadings filed by the State and Defense, to the Petition Matthew Dean Goodner, pursuant to NRS 174.235 throug NRS 174.295, inclusive; and

FURTHER, Petitioner moves this Honorable Court for it ORDER, Compelling the Court Reporter for the Eighth Judi District Court, Department XIV, to prepare a rough dr transcript for each proceeding in the above-reference

///

EXHIBIT "D"

case, and to deliver the same to Petitioner at his curre place of imprisonment, within ten (10) days of this Hon able Court's Order.

This MOTION TO COMPEL is made and predicated upon the Affidavit of Defendant, the Minutes of this Court o March 19, 2009, and the Affidavit of Cynthia M. Trevino attached hereto and made a part hereof by reference ther

RESPECTFULLY SUBMITTED, this 30th day of June, 2009.

MATTHEW GOODNER, Petitioner
In Propria Persona

AFFIDAVIT OF MATTHEW DEAN GOODNER

STATE OF NEVADA)
) SS:
COUNTY OF WHITE PINE)

I, Matthew Dean Goodner, do hereby depose and say under the pains and penalties of perjury, as pursuant to NRS 208.165, that the following averments are true correct, as to the best of my knowledge, information and belief:

1) That I, Matthew Dean Goodner, am the Petitioner in the afore-mentioned MOTION TO COMPEL, and that I believe I am entitled to the relief requested therein

2) That I am not trained in Matters of the law;

3) That I wish to prepare and file a Petition For

///

1 Writ of Habeas Corpus in the instant case, but I am yet
2 unable to do so, as I have never been provided <u>any</u>
3 copies of records in the instant case;
4 4) That on numerous occasions, I have attempte
5 to obtain case records from my previous attorney, Henr
6 G. Frizzell, III, Esq., who now claims he does not ha
7 any records of this case any longer; (See EXHIBIT "
8 5) That Attorney Frizzell, III, claims Petitioner's moth
9 has said records; however, Petitioner's mother <u>neve</u>
10 took possession of said records; (See EXHIBIT "a")
11 6) That I allege that the Clark County District Atto
12 ney's Office has a continuing duty to disclose, pursua
13 to NRS 174.235 through NRS 174.295, inclusive; and,
14 that the Clark County District Attorney's Office has
15 failed to do so, despite Petitioner's Request; (See
16 EXHIBIT "3");
17 7) That I deem it necessary to have the requestec
18 documentation from the Clark County District Attorney
19 Office and the Court Reporter for Department XIV
20 in order to construct his case record and to ade-
21 quately prepare and present his case for post-convicti
22 relief;
23 8) FURTHER, YOUR AFFIANT SAYETH NAUGHT!
24 EXECUTED and DATED, this 30th day of June, 2009, at th
25 Ely State Prison, Ely, White Pine County, Nevada, by:
26
27
28 ///

Matthew Goodner, Petitioner
In Propria Persona

CRIMINAL COURT MINUTES

07-C-236726-C STATE OF NEVADA vs Hilliard, Jason

CONTINUED FROM PAGE: 00

03/19/09 09:00 AM 00 DEFT'S PRO PER MTN FOR WITHDRAWAL OF ATTY OF RECORD AND TRANSFER OF RECORDS/

HEARD BY: Donald M. Mosley, Judge Dept. 14

OFFICERS: Linda Skinner, Court Clerk
Maureen Schorn, Reporter/Recorder

PARTIES: STATE OF NEVADA
009089 Krusey, Amanda K
0002 D Hilliard, Jason
006303 Frizzell III, Kenneth G

Mr. Frizzell advised he has no objection to the Motion, however, he has previously sent 2 letters to Defendant in response to his file. Mr. Frizzell advised Defendant's file was a bankers box, he was in constant contact with Defendant's mother and was instructed to give the copy of the file to her. Mr. Frizzell advised he sent the box to Kinkos to be copied and that Defendant's mother not only picked up the copy but the original so he does not have the file and he has not been able to reach mom. Court advised Mr. Frizzell has done everything he can do and ORDERED, Motion GRANTED Mr. Frizzell is withdrawn as counsel of record.

NDC

COPY

COPY

EXH "I"

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVAD.
IN AND FOR THE COUNTY OF CLARK

MATTHEW DEAN GOODNER,
A/K/A JASON HILLIARD,
Petitioner,
v.
THE STATE OF NEVADA,
Respondent.

CASE No: C 236726
DEPT No: 14

AFFIDAVIT OF CYNTHIA MARIE TREVINO

STATE OF NEVADA
COUNTY OF CLARK } SS: 393-70-8975

I, Cynthia M. TREVINO, do hereby depose and say, under the pains and penalties of perjury, that the following averments are true and correct, as to the best of my Knowledge, information, and belief:

1. That I am an adult Female individual, of sound mind and body, and that I reside in Clark County, Nevada;

2. That I am the mother of Matthew Dean Goodner, the Petitioner in the above-captioned action,

3. That during the pendency of the litigation in the above-caption action, Petitioner advised me as to all aspects of the case and his attorney's actions OR

lack thereof;

4. That between November 12th and 17th, 2007, my son was appointed Kenneth Frizzell, III, Esquire as his attorney in this case;

5. That at that time my son requested a copy of his case file from Attorney Frizzell, and the attorney agreed to provide such;

6. That on November 19th, 2007, My son was back in Court in regard to a plea agreement, and still had not recieved a copy of his file from the attorney;

7. Upon again asking the attorney for his file, Mr. Frizzell asked my son if I would pick up the file if the attorney dropped it off at a local Kinko's for copying;

8. That my son and I agreed that I would pick up the file from Kinko's, however, at that time my son was considered indigent, and it was assumed that the copying costs would be covered by Attorney Frizzell;

9. At my son's court appearance on December 18, 2007, Mr. Frizzell advised my son to tell me to be ready for the phone call from Kinko's directing me to be available to pick up the copy of the file;

10. That shortly after December 26th, 2007, when I still had not received such a call, I went to Attorney Frizzell's office, where he informed me that my son should have all the court documents he would need;

however, he again agreed to take the file to Kinko's;

11. This was the first time I was able to talk to Attorey Frizzell after numerous calls, and at this time, I knew attorney Frizzell was being deceptive, as my son had no paperwork regarding his case as the time;

12. That on January 30th, 2008, my son went to sentencing, and again was told by attorney Frizzell that the file would be dropped at Kinko's;

13. That Approximately two weeks later, after not hearing from the attorney, my son sent a letter to attorney Frizzell, asking about his case file, and asking the attorney to file an appeal;

14. That my son received no answer to this letter, and so was forced to file his own NOTICE OF APPEAL on February 20th, 2008;

15. That my son served a copy of this NOTICE on the attorney and still received no response;

16. That finally, in March or April of 2008, I received a call from Kinko's, and they informed me I could pick up the copies of my son's file, but I would have to pay the $150.00 cost;

17. That I did not have the money to pay for this, and I called attorney Frizzell that I could not pay for this;

18. That after this, my son sent numerous letters to Attorney Frizzell asking for the file, and the responses went unanswered;

19. That my son filed motions in the District Court and Supreme Court requesting the courts to compel counsel to produce the file;

20. That when my son received no relief from the Courts, he filed a motion to dismiss counsel and transfer records;

21. That Attorney Frizzell misrepresented facts to the Court in stating that he sent letters to my son about his file, as well as in stating that I picked up the file copy and/or original from the Kinko's;

22. That as a result of Attorney Frizzell's malfeasance, there is currently no defense case file available for my son, and he must now recreate the case file from court filings and the District Attorney's discoverable files;

23. FURTHER, YOUR AFFIANT SAYETH NAUGHT!

EXECUTED and DATED, this 17th day of June, 2009, at Clark County, Nevada, by:

Cynthia M. Trevino
CYNTHIA MARIE TREVINO

Subscribed and Sworn to before me this 17th day of June, 2009.

Notary Public - State of Nevada
County of Clark
COLLEEN C. MALTBY
My Appointment Expires
November 13, 2012
No: 92-4457-1

Colleen C. Maltby
NOTARY PUBLIC.

Matthew Goodwin
E.S.P. #74383
PO Box 1989
Ely, NV 89301

Re: State v Goodwin case num: Dct: 07-C-236726-C
AKA Jason Hilliard Set: 51148

Dear DA Pamela C. Weckerly:

I am writing to you to request a complete cop of the Discovery File that was provided to my previ attorney, Kenneth B. Frizzell, III pursuant to Chapter 174 of the NV Revised Statutes. Mr. Frizzell was recently discharged from my case and has lost m entire case file. As such, I must reconstruct my entire record to proceed in this matter. I am approaching by letter first to request you comply wit out court intervention. I would also note that I am indigent, and would request that the records be provided without Fee.

I thank you for your time and diligence in fulfilling my request, and I shall anticipate your expedient reply.

Sincerely Yours

Matthew D Goodwin #7

[redacted]

EXH "3" -

CERTIFICATE OF SERVICE

I, Matthew Dean Goodner, do hereby CERTIFY that, on the date last-here-written, I have served a true and correct copy of the Foregoing MOTION TO COMPEL and supporting documentation to the following parties at their respective addresses, by placing a copy of the same in sealed envelopes, with sufficient postage affixed, addressed as follows, and depositing the same in the U.S. Postal Service Mail:

1) Deputy District Attorney Pamela C. Weckerly
Clark County District Attorney's Office
200 Lewis Avenue
Las Vegas, NV 89155; and,

2) Court Reporter - Eighth Judicial Dist. Court
Department XIV
200 Lewis Avenue
Las Vegas, NV 89155

EXECUTED and DATED, this 30th day of June, 2009, the Ely State Prison, Ely, White Pine County, Nevada, by:

Matthew Goodner, Petitioner
In Propria Persona

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Matt Roadner #74383
c/o Ely State Prison
PO Box 1989
Ely, NV 89301

Proof of Postage Brass Slip #1551124
Legal Mail
Confidential
Privileged

Clerk of the Court
8th Judicial District Court
200 Lewis Ave 3rd Floor
Las Vegas, NV 89155-1160

69155 4500

UNITED STATES POSTAGE
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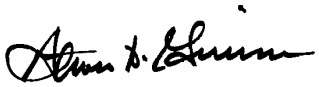

CLERK OF THE COURT

OPPS
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka, Matthew Dean Goodner #1602010 Defendant.	)	CASE NO: C236726 DEPT NO: XV

STATE'S OPPOSITION TO DEFENDANT'S MOTION AND/OR PETITION AND/OR REQUEST AND/OR APPLICATION FOR RECONSIDERATION TO INCLUDE ADDITIONAL FINDINGS OF FACT AND CONCLUSIONS OF LAW

DATE OF HEARING: 02-23-10
TIME OF HEARING: 9:00 A.M.

COMES NOW, the State of Nevada, by DAVID ROGER, District Attorney, through PAMELA WECKERLY, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in Opposition to Defendant's Motion and/or Petition and/or Request and/or Application for Reconsideration to Include Additional Findings of Fact and Conclusions of Law.

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

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/ / /

POINTS AND AUTHORITIES

STATEMENT OF THE CASE

On November 16, 2007, Jason Hilliard, aka Matthew Dean Goodner, hereinafter "Defendant," was charged by way of Information with three (3) counts of Possession of Stolen Vehicle (Felony – NRS 205.273). Thereafter, on November 19, 2007, pursuant to a Guilty Plea Agreement, Defendant pled guilty to all three (3) counts contained in the Information and stipulated to treatment as a small habitual criminal.

On January 30, 2008, the District Court sentenced Defendant to a minimum of five (5) years and a maximum of twenty (20) years for each of the three (3) counts. Count 1 and Count 2 to run concurrent to each other, while Count 3 to run consecutively to Count 2. Judgment of Conviction was filed on February 7, 2008.

On February 20, 2008, Defendant filed a Notice of Direct Appeal with the Nevada Supreme Court. On December 24, 2008, the Court affirmed Defendant's conviction. Remittitur issued on January 20, 2009.

On July 8, 2009, Defendant filed a Motion to Compel Production of Documents. The State filed its opposition on July 16, 2009. On July 22, 2009, the District Court found that the motion was moot and denied it.

On December 28, 2009, Defendant filed a Request for Reconsideration, to Include Additional Findings of Fact and Conclusions of Law, which has never been set for hearing. On February 10, 2010, Defendant filed the instant motion. The State's response is as follows.

ARGUMENT

A. MOTION IS NOT PROPERLY BEFORE THIS COURT

Pursuant to the Eighth Judicial District Court Rules, a movant must seek leave from the court to file a motion for reconsideration. EJDCR 2.24(a) states:

> No motion once heard and disposed of may be renewed in the same cause, nor may the same matters therein embraced be reheard, unless by leave of the court granted upon motion therefore, after notice of such motion to the adverse parties.

Here, Defendant has not moved for, nor received, leave from this Court to have his motion heard. Defendant's motion is not properly before the Court, as Defendant has failed to obtain this Court's approval pursuant to EJDCR 2.24(a). Thus, Defendant is not entitled to renew his request for relief.

B. MOTION IS UNTIMELY

Pursuant to EJDCR 2.24(b):

> (b) A party seeking reconsideration of a ruling of the court, other than any order which may be addressed by motion pursuant to NRCP 50(b), 52(b), 59, or 60, must file a motion for such relief within 10 days after service of written notice of the order or judgment unless the time is shortened or enlarged by order. A motion for rehearing or reconsideration must be served, noticed, filed and heard as is any other motion. A motion for reconsideration does not toll the 30-day period for filing a notice of appeal from a final order or judgment.

Thus, a defendant also must file such motion within 10 days. Accordingly, Defendant's motion is untimely as it has been longer than the requisite 10 days.

C. FINDINGS OF FACT ARE NOT NECESSARY IN THE INSTANT CASE

Defendant's primary complaint is that the Court did not issue Findings of Fact when it denied his Motion to Compel. However, pursuant to 34.830(1), such findings are only required when a court resolves a petition for a Post-conviction Writ of Habeas Corpus. Findings are not required for the denial of Defendant's Motion to Compel.

CONCLUSION

Based on the aforementioned arguments, the State respectfully requests that this honorable court DENY Defendant's Motion and/or Petition and/or Request and/or Application for Reconsideration to Include Additional Findings of Fact and Conclusions of Law.

DATED this 22nd day of February, 2010.

Respectfully submitted,

DAVID ROGER
Clark County District Attorney
Nevada Bar #002781

BY /s/ Pamela Weckerly
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163

CERTIFICATE OF MAILING

I hereby certify that service of the above and foregoing was made this 22nd day of February, 2010, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

MATTHEW GOODNER, #74383
ELY STATE PRISON
P.O. BOX 1989
ELY, NV 89301

BY: /s/ Jennifer Georges
Secretary for the District Attorney's Office

jg/MVU

FILED

MAR - 8 2010

CLERK OF COURT

RPLY
Matthew Goodner, #74383
% Ely State Prison
PO Box 1989
Ely, NV 89301-1989
In Proprio Persona

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

THE STATE OF NEVADA,
Plaintiff,
v.
JASON HILLIARD, aka,
Matthew Dean Goodner #1602010,
Defendant.

CASE NO: C236726
DEPT NO: XV

REPLY TO STATE'S OPPOSITION TO DEFENDANT'S MOTION AND/OR PETITION AND/OR REQUEST AND/OR APPLICATION FOR RECONSIDERATION TO INCLUDE ADDITIONAL FINDINDINGS OF FACT AND CONCLUSIONS OF LAW

DATE OF HEARING: 2-23-10
TIME OF HEARING: 9:00 AM

COMES NOW, the Defendant, JASON HILLIARD (a/k/a, Matthew Dean Goodner), in his proper person, and as countenanced in HAINES v. KERNER, 404 US 519, 92 S.Ct 594, 596 (1972)(pleadings filed by pro se litigants are to be held to less stringent standards than those filed by practicing attorneys), and hereby submits the attached in Reply to the State's Opposition, as listed above.

CLERK OF THE COURT

This Reply is based upon Defendant's initial Request/Petition/Motion/Application for reconsideration, all papers and pleadings otherwise on file herein, and any points and authorities attached thereto and made a part thereof by reference thereto.

POINTS AND AUTHORITIES

STATEMENT OF THE CASE

Defendant, for purposes of the instant APPLICATION, does not disagree with the State's rendition of the case at hand.

ARGUMENT

A. THE MOTION IS PROPERLY BEFORE THE COURT.

The State contends that the instant proceeding is not properly before the Court because the Defendant has "failed to obtain this Court's approval pursuant to EJDCR 2.24(a)." However, there are several problems with this argument.

First, Part 2 of the EJDCR's Govern practice and procedure in civil cases, not criminal cases, as the instant case obviously is. EJDCR 2.01. This case, and the pleading at issue, more properly fall into the category so covered by EJDCR 3.20 - "Motions in Criminal Cases," and said Rule does not limit Defendant from persuing the relief requested here.

Secondly, EJDCR 2.17(F) clearly states that EJDCR 2.22 through 2.28 (including 2.24) apply to "First Amendment Writs." This case is not a "First Amendment Writ," but rather a criminal prosecution in the early stages of post-conviction filings, in which the Defendant is merely ~~attempted~~ attempting to have this Honorable Court relieve him from the order denying his Motion to compel, due to facts mistaken by the Court, and to have the Court issue a corrected Order.

Thirdly, such relief from an Order issued by a Court under mistaken facts is governed by NRCP 60(b). This Rule clearly states that such relief shall be requested by motion to the Court that issued the order.

Therefore, pursuant to NRCP 60(b) and EJDCR 3.20, this Motion is properly before this Court.

B. THE MOTION IS NOT UNTIMELY

The State again cites EJDCR 2.24, this time to allege untimeliness of the instant Motion. However, as argued above, this Motion is for relief from a previous order, issued July 22, 2009, denying a Motion to Compel as moot, and reconsideration/correction due to mistake of facts. Such a Motion is governed by NRCP 60(b), and specifically excluded from the time restrictions of EJDCR 2.24(b). In fact, NRCP 60(b) allows application to be made within six (6) months of the date of the order. Though the Defendant did

not become aware of the Order and file the instant request for reconsideration until December 28, 2009, this was still within the time frame allotted by NRCP 60(b).

Further, under HAINES v. KERNER, supra., and progeny, the Defendant should not be penalized because he initially filed the motion as a REQUEST on December 28, 2009, and was forced by the Court Clerk to rewrite the first page, retitling the document as a motion, before the Clerk would submit it to the Court on February 10, 2010.

C. FINDINGS OF FACT ARE WARRANTED IN THE INSTANT CASE.

The State misconstrues Defendant's primary complaint. The Defendant's Complaint is that the Court did not issue a written, appealable Order on July 22, 2009, but rather, merely denied the motion as moot because counsel no longer had Defendant's file. However, Defendant's Motion To Compel had nothing to do whatsoever with prior counsel FRIZZELL.

In the Motion To Compel, Defendant sought to have the Court enjoin the Court Clerk, Court Reporter, and the Clark County District Attorney to provide Defendant with all those files which he would have been entitled to had counsel not lost them.

Because this is clearly an issue that precludes the Defendant from seeking meaningful post-conviction relief, in a timely manner, and it involves an issue of ineffectiveness of counsel, a written Order with

reasons for denial of Defendant's access of his records may not be required, but is warranted, in the interests of Justice to protect Defendant's appellate rights.

CONCLUSION

WHEREFORE, the ~~Petitioner~~ Defendant requests to appear at any hearing on this matter by telephone, and respectfully requests this Honorable Court order its clerk to make arrangements for my telephonic presence by contacting the Associate Warden of Programs, René Baker, of the Ely State Prison, at (775) 289-8800, no later than 24 hours before the scheduled hearing; and

WHEREFORE, based on the foregoing arguments, Defendant respectfully requests that this Honorable Court GRANT his Motion and/or Petition and/or Request and/or Application for Reconsideration to Include Additional Findings of Fact and Conclusions of Law.

RESPECTFULLY SUBMITTED, this 26th day of February, 2010, by:

MATTHEW GOODNER, Defendant
(A/K/A Jason Hilliard)

CERTIFICATE OF SERVICE

I, Matthew Goodner, do hereby certify that on the date last here-written, I have served a true and correct copy of

the aforementioned REPLY upon DDA Pamela Weckerly, by placing a copy of the same in a sealed envelope with sufficient postage affixed, addressed to her at her office, and placing the same in the US Postal Service Mail:

DDA Pamela Weckerly
Clark Co. DA's Office
200 Lewis Avenue
PO Box 552212
Las Vegas, NV 89150-2212

EXECUTED and DATED, this 26th day of February, 2010, at the Ely State Prison, Ely, White Pine County, Nevada, by

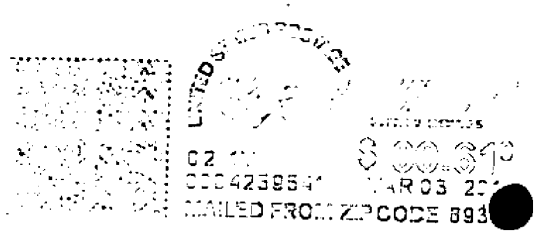
Matthew Goodner, Defendant
(A/K/A Jason Hilliard)

Matthew Goodwin #74383
c/o Ely State Prison
PO Box 1989
Ely, NV 89301

Proof of Postage
Box Slip #1482267

Legal Mail
Confidential
Privileged

Clerk of The Court
8th Judicial District Court
200 Lewis Ave 3rd Floor
Las Vegas, NV 89155-1160



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ORDR

DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

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CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JASON HILLIARD, aka
Matthew Dean Goodner,
#1602010

Defendant.

Case No. C236726
Dept No. XV

ORDER

DATE OF HEARING: 03/04/2010
TIME OF HEARING: 9:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 4th day of March, 2010, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by DAVID ROGER, District Attorney, through AARON NANCE, Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

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MAR 16 2010

IT IS HEREBY ORDERED that the DEFENDANT'S PRO PER MOTION AND/OR PETITION AND/OR REQUEST AND/OR APPLICATION FOR RECONSIDERATION TO INCLUDE ADDITIONAL FINDINGS OF FACT AND CONCLUSIONS OF LAW, shall be, and it is DENIED. The Defendant's motion is not properly before this Court pursuant to EDCR 2.24(a), Defendant must file a motion and the Court must grant such motion before Defendant may have his motion heard.

DATED this 19 day of March, 2010.

DISTRICT JUDGE
Abbi Silver

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

Pamela Weckerly
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163

jh/MVU

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JASON HILLIARD #74383
AKA GOODNER, MATTHEW DEAN
LOVELOCK, CORRECTIONAL CTR
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

FILED
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CLERK OF COURT

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DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, PLAINTIFF, VS. JASON HILLIARD, AKA; MATTHEW DEAN GOODNER, DEFENDANT.	CASE NO. 236726 DEPT NO. XIV MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT

DATE OF HEARING: June 11 2019
TIME OF HEARING: 8:30 AM

PLEASE TAKE NOTICE. THAT COMES NOW, DEFENDANT, JASON HILLIARD, AKA, MATTHEW DEAN GOODNER, IN PROPRIA PERSONA, AND WITHOUT THE ASSISTANCE OF COUNSEL IN THE ABOVE-ENTITLED ACTION MOVES THIS HONORABLE COURT FOR ITS ORDER VACATING JUDGMENT OF CONVICTION AND CORRECTING AN ILLEGAL SENTENCE ISSUED ON FEBRUARY 7, 2008. IN THE ABOVE ENTITLED CASE.

THIS MOTION IS MADE AND BASED UPON NEVADA REVISED STATUTES, NRS 176.555, NRS 176.565 AND CORRESPONDING CASE CASE LAW, ATTACHED POINTS AND AUTHORITIES, DEFENDANT'S CASE FILE AND ALL OTHER DOCUMENTS AND PAPERS ON FILE HEREIN AND EXHIBITS.

CLERK OF THE COURT
MAY 14 2019

I. FACTS

ON NOVEMBER 16, 2007, THE CLARK COUNTY DISTRICT ATTORNEY'S OFFICE FILED A CHARGING INFORMATION IN THE EIGHT JUDICIAL DISTRICT COURT CHARGING DEFENDANT JASON HILLIARD, AKA, MATTHEW DEAN GOODNER WITH THE FOLLOWING CRIMES: COUNT 1- POSSESSION OF A STOLEN VEHICLE; COUNT 2- POSSESSION OF A STOLEN VEHICLE AND COUNT 3- POSSESSION OF A STOLEN VEHICLE. SEE ATTACHED EXHIBIT NO. 1.

SHORTLY THEREAFTER, ON OR ABOUT NOVEMBER 19, 2007, DEFENDANT ENTERED INTO NEGOTIATIONS WITH THE STATE OF NEVADA. A PLEA AGREEMENT WAS FILED IN OPEN COURT WHICH CONTAINED THE TERMS OF THE NEGOTIATIONS. THE COURT ACCEPTED DEFENDANT HILLIARD/GOODNER'S PLEA AND REFERRED THE MATTER TO THE DIVISION OF PAROLE AND PROBATION (P&P) AND SET THE CASE OFF FOR SENTENCING FOR DECEMBER 18, 2007. SEE ATTACHED EXHIBIT NO. 2.

ON DECEMBER 18, 2007, DEFENDANT HILLIARD/GOODNER STOOD BEFORE THE COURT CONVICTED BY WAY OF HIS PLEA OF GUILTY(S) TO THE FOLLOWING OFFENSES: COUNTS 1, 2 AND 3 - POSSESSION OF A STOLEN VEHICLE. A VIOLATION OF THE FOLLOWING NEVADA REVISED STATUTE(S) NRS 207.010(a), CATEGORY B FELONY, AS CHARGED IN THE CHARGING INFORMATION ON NOVEMBER 16, 2007. THE HONORABLE DONALD M. MOSELY, EIGHT JUDICIAL DISTRICT COURT JUDGE, SENTENCED DEFENDANT HILLIARD/GOODNER AS FOLLOWS: AS TO COUNT 1- TO A MAXIMUM OF TWENTY (20) YEARS WITH A MINIMUM PAROLE ELIGIBILITY OF FIVE(5) YEARS; AS TO COUNT 2- TO A MAXIMUM OF TWENTY (20) YEARS WITH A MINIMUM PAROLE ELIGIBILITY OF FIVE(5) YEARS, COUNT 2 TO RUN CONCURRENT TO COUNT 1; AS TO COUNT 3- TO A MAXIMUM OF TWENTY (20) YEARS WITH A MINIMUM PAROLE ELIGIBILITY OF FIVE (5) YEARS, COUNT 3 TO RUN CONSECUTIVE TO COUNT 2, CASE TO RUN CONSECUTIVE TO C231837; WITH ZERO (0) DAYS CREDIT FOR TIME

SERVED. SEE ATTACHED EXHIBIT NO. 3.

2. JURISDICTION

THIS TRIAL COURT HAS INHERENT AUTHORITY TO CORRECT A SENTENCE AT ANY TIME IF SUCH SENTENCE WAS BASED ON A MISTAKE OF MATERIAL FACT THAT WORKED TO THE EXTREME DETRIMENT OF THE DEFENDANT. SEE: PASSANISI V. STATE, 831 P.2d 1371, AT 1372 (NEV. 1992); STALEY V. STATE, 787 P.2d 396 (NEV. 1990); STATE V. DISTRICT COURT, 677 P.2d 1044 (NEV. 1984); AND WARDEN V. PETERS, 429 P.2d 549 (NEV. 1967). IF THE TRIAL COURT HAS INHERENT AUTHORITY TO CORRECT A SENTENCE, A FORTIORI, IT HAS AUTHORITY TO ENTERTAIN A MOTION REQUESTING IT TO EXERCISE THAT INHERENT AUTHORITY. THUS, THIS COURT HAS THE AUTHORITY TO CONSIDER DEFENDANT WILLIARD/GODDNER'S MOTION TO VACATE JUDGMENT AND CORRECT AN ILLEGAL SENTENCE. SEE: PASSANISI V. STATE, SUPRA, Id. AT 1372.

THIS ACTION DIFFERS FROM A PETITION FOR POST-CONVICTION RELIEF. SPECIFICALLY, BECAUSE THIS MOTION IS ADDRESSED TO THE COURT AND ITS INHERENT AUTHORITY TO CORRECT ITS OWN ALLEGED MISTAKE. THEREFORE, IT DOES NOT SHARE THE CHARACTERISTICS OF THE USUAL PETITION FOR POST-CONVICTION RELIEF.

AS NOTED ABOVE, THIS COURT HAS INHERENT AUTHORITY TO CORRECT AN ILLEGAL SENTENCE, AT ANY TIME. NRS 176.555. THE SAME IS TRUE OF A SENTENCE THAT, ALTHOUGH WITHIN THE STATUTORY LIMITS, WAS ENTERED IN VIOLATION OF THE DEFENDANT'S RIGHT TO DUE PROCESS. ALSO, CLERICAL MISTAKES IN JUDGMENTS, ORDERS OR OTHER PARTS OF THE RECORD AND ERRORS IN THE RECORD ARISING FROM OVERSIGHT OR OMISSION MAY BE CORRECTED BY THE COURT AT ANY TIME AND AFTER SUCH NOTICE, IF ANY, AS THE COURT ORDERS. SEE NRS 176.565.

NEVERTHELESS, THE NARROW TYPE OF CHALLENGE WHICH MAY BE BROUGHT PURSUANT TO THE INHERENT AUTHORITY OF THE TRIAL COURT THAT

IS RECOGNIZED IN PETERS, STATE V. DISTRICT COURT, STALEY AND PASSANISI, I.E., THE AUTHORITY TO CORRECT A SENTENCE BASED ON A MATERIAL MISTAKE OF FACT, WILL USUALLY BE IN THE FORM OF A CHALLENGE TO FACTUAL INFORMATION RELIED ON BY THE DISTRICT ATTORNEY THAT IS LATER DETERMINED TO BE FALSE. AS HERE, WHERE DEFENDANT HILLIARD/GOODNER SEEKS TO SET-A-SIDE HIS SENTENCE THAT WAS ILLEGALLY IMPOSED UPON HIM, THAT SENTENCE BEING THE CONSECUTIVE SENTENCE THAT WAS IMPOSED UPON HIM BY THE DISTRICT COURT UNDER THE SMALL HABITUAL CRIMINAL STATUTE.

THUS, IT IS CLEAR THAT THIS COURT HAS THE JURISDICTION NEEDED TO VACATE AND CORRECT THE ILLEGAL SENTENCE OF DEFENDANT HILLIARD/GOODNER IN THIS CASE ONLY (1), THE COURT ACTUALLY SENTENCE DEFENDANT BASED UPON A MATERIALLY FALSE ASSUMPTION OF FACT THAT WORKED TOWARD THE DEFENDANT'S EXTREME DETRIMENT AND, (2), THE PARTICULAR MISTAKE AT ISSUE WAS THE TYPE THAT WOULD RISE TO THE LEVEL OF A VIOLATION OF DUE PROCESS UNDER THE NEVADA AND U.S. CONSTITUTIONS PURSUANT TO THE FOURTEENTH AMENDMENT.

3. POINTS AND AUTHORITIES / ARGUMENT

DEFENDANT HILLIARD/GOODNER WAS CHARGED WITH THE FOLLOWING OFFENSE(S): COUNTS 1, 2 AND 3, POSSESSION OF A STOLEN VEHICLE. THERE IS NOT MUCH IN THE WAY OF THE RECORD DUE TO HILLIARD/GOODNER'S OWN DESIRE NOT TO ENGAGE THE STATE OF NEVADA IN CONTESTING THE CHARGES AND ALLEGATIONS LODGED AGAINST HIM. DUE TO PLEA NEGOTIATIONS HILLIARD/GOODNER ENTERED A PLEA OF GUILTY ON NOVEMBER 19, 2007, IN WHICH A GUILTY PLEA AGREEMENT WAS DRAWN-UP SETTING FORTH THE TERMS OF THE NEGOTIATIONS, THAT HILLIARD / GOODNER WOULD PLEAD GUILTY TO COUNTS 1, 2, AND 3, POSSESSION OF A STOLEN VEHICLE, A VIOLATION OF NRS 205.273, A FELONY.
ON DECEMBER 18, 2007, JUDGMENT WAS ENTERED AGAINST HIM, IN

WHICH THE DISTRICT COURT SENTENCED HILLIARD/GOODNER TO THE FOLLOWING TERMS OF IMPRISONMENT. COUNT 1 - A MAXIMUM OF 20 YEARS WITH A MINIMUM PAROLE ELIGIBILITY OF 5 YEARS; COUNT 2 - A MAXIMUM OF 20 YEARS WITH A MINIMUM PAROLE ELIGIBILITY OF 5 YEARS, COUNT 2 TO RUN CONCURRENT TO COUNT 1. COUNT 3 - A MAXIMUM OF 20 YEARS WITH A MINIMUM PAROLE ELIGIBILITY OF 5 YEARS, COUNT 3 TO RUN CONSECUTIVE TO COUNT 2, CASE TO RUN CONSECUTIVE TO C231837.

DEFENDANT HILLIARD/GOODNER IS NOT CHALLENGING HIS GUILTY PLEA(S), BUT IS IN FACT CHALLENGING HIS CONSECUTIVE SENTENCE(S) UNDER THE SMALL HABITUAL CRIMINAL STATUTE. PURSUANT TO POLICE REPORTS AND THE CRIMINAL INFORMATION FILED IN CASE NO. 236726, HILLIARD/GOODNER WAS IN POSSESSION OF THREE (3) STOLEN VEHICLES. DEFENDANT HILLIARD/GOODNER'S CONTENTION IS THAT HIS CONSECUTIVE SENTENCES FOR THE SMALL HABITUAL CRIMINAL STATUTE IN CASE NUMBER: C236726 IS ILLEGAL ON ITS FACE AND A VIOLATION OF HIS FIFTH AND FOURTEENTH AMENDMENTS TO THE NEVADA AND UNITED STATES CONSTITUTIONS. HE AVERS THAT THE THREE (3) COUNTS FOR POSSESSION OF A STOLEN VEHICLE AROSE FROM THE SAME ACT, TRANSACTION OR OCCURRENCE AND THE OFFENSES WERE CHARGED TOGETHER AND WERE PROSECUTED IN THE SAME THREE-COUNT INFORMATION, THE DISTRICT COURT ERRED IN TREATING HIS CONVICTION IN CASE NUMBER: C236726 POSSESSION OF STOLEN VEHICLES AS THREE CONVICTIONS FOR PURPOSES OF APPLYING THE SMALL HABITUAL CRIMINAL STATUTE. IF TWO OR MORE CONVICTIONS GROW OUT OF THE SAME INDICTMENT OR INFORMATION, THOSE CONVICTIONS MAY BE UTILIZED "ONLY" AS A SINGLE "PRIOR CONVICTION" FOR PURPOSES OF APPLYING THE HABITUAL CRIMINAL STATUTE. SEE STATE V. SANCHEZ, 531 P.2d 1229 (N.MEX. APP. 1975); STATE V. MURRAY, 437 P.2d 816 (KAN. 1968); EX PARTE HUFF, 316 S.W. 2d 896 (TEX. 1958).

THIS MOTION IS TO CORRECT AN ILLEGAL SENTENCE WHICH "ONLY" ADDRESSES THE FACTUAL LEGALITY OF HILLIARD/GOODNER'S ENHANCED CONSECUTIVE SENTENCE PURSUANT TO THE SMALL HABITUAL CRIMINAL STATUTE. AN "ILLEGAL SENTENCE" FOR THE PURPOSES OF A STATUTE IDENTICAL TO NRS 176.555 WAS DEFINED BY THE DISTRICT OF COLUMBIA COURT OF APPEALS AS "ONE 'AT VARIANCE WITH THE CONTROLLING SENTENCING STATUTE,' OR "ILLEGAL" IN THE SENSE THAT THE COURT GOES BEYOND ITS AUTHORITY BY ACTING WITHOUT JURISDICTION OR IMPOSING A SENTENCE IN EXCESS OF THE STATUTORY MAXIMUM PROVIDED . . ." ALLEN V. UNITED STATES, 495 A.2d 1145, 1149 (D.C. 1985) (QUOTING PRINCE V. UNITED STATES, 432 A.2d 720, 721 (D.C. 1981) AND ROBINSON V. UNITED STATES, 454 A.2d 810, 813 (D.C. 1982)).

A MOTION TO CORRECT AN ILLEGAL SENTENCE IS AN APPROPRIATE VEHICLE FOR RAISING THE CLAIM THAT A SENTENCE IS FACIALLY ILLEGAL AT ANY TIME. SEE GENERALLY, EDWARDS V. STATE, 918 P.2d 321, 324 (NEV. 1996).

DEFENDANT HILLIARD/GOODNER CONTENDS THAT THE DISTRICT COURT HAD EXCEEDED ITS AUTHORITY AND ACTED WITHOUT JURISDICTION TO IMPOSE AN ENHANCED CONSECUTIVE SENTENCE PURSUANT TO THE SMALL HABITUAL CRIMINAL STATUTE, NRS 207.010 (a), THIS BEING THAT CONSECUTIVE HABITUAL ENHANCEMENTS CANNOT APPLY TO A CONVICTION WHERE TWO OR MORE CONVICTIONS GROW OUT OF THE SAME ACT, TRANSACTION OR OCCURRENCE, AND ARE PROSECUTED IN THE SAME INDICTMENT OR INFORMATION. THEREFORE THE CONVICTIONS IN "CASE NUMBER 236726" CAN "ONLY" BE UTILIZED AS A SINGLE CONVICTION FOR PURPOSES OF APPLYING THE HABITUAL CRIMINAL STATUTE. SEE, REZIN V. STATE, 95 NEV. 461, 596 P.2d 226, 1979 NEV. LEXIS 510 (NEV. 1979). DEFENDANT HILLIARD/GOODNER CONTENDS THAT THE DISTRICT COURT ERRONEOUSLY IMPOSED CONSECUTIVE SENTENCES

UPON HIM FOR BEING A SMALL HABITUAL CRIMINAL. THE PURPOSE OF THE HABITUAL CRIMINAL STATUTE WAS NOT TO CHARGE SEPERATE SUBSTANTIVE CRIMES, BUT TO BE AN AVERMENT OF FACT THAT COULD AFFECT THE PUNISHMENT. THEREFORE, IN THE CASE AT BAR, THERE COULD BE ONLY BE ONE SENTENCE.

THE NEVADA SUPREME COURT IN REZIN V. STATE, 95 NEV. 461, 596 P.2d 226, 1979 NEV. LEXIS 510 (NEV. 1979), SUPPORTS THIS COURT'S AUTHORITY TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT OR MODIFY ONE OF THE TWO CONSECUTIVE SENTENCES UNDER THE SMALL HABITUAL CRIMINAL ENHANCEMENT/STATUTE THAT WAS IMPOSED UPON DEFENDANT HILLIARD/GODDNER IN CASE No. 236726, ILLEGALLY. THE NEVADA SUPREME COURT HAS DETERMINED THAT, WHEN TWO OR MORE CONVICTIONS ARISE OUT OF THE SAME ACT, TRANSACTION, OR OCCURRENCE AND WERE PROSECUTED IN ONE INDICTMENT OR INFORMATION, THE CONVICTIONS COULD BE COUNTED ONLY AS A SINGLE CONVICTION FOR PURPOSES IN APPLYING NRS 207.010(a). REZIN, SUPRA. SEE ALSO, MANLEY V. FILSON, 2018 U.S. DIST. LEXIS 53476 (NV. 2018).

4. CONCLUSION

WHEREFORE, JASON HILLIARD AKA MATTHEW DEAN GODDNER PRAYS THAT THIS COURT GRANT SUCH RELIEF AND REMAND HIS CASE BACK TO THE DISTRICT COURT AND THAT THE COURT ISSUE AN ORDER TO VACATE ONE OF THE TWO CONSECUTIVE SENTENCES THAT WERE IMPOSED UNDER THE SMALL HABITUAL CRIMINAL STATUTE, IN CASE No. 236726.

DATED THIS 8th DAY OF MAY, 2019.

RESPECTFULLY SUBMITTED,

JASON HILLIARD #74383
AKA, MATTHEW DEAN GODDNER
PETITIONER, PRO-PER

CERTIFICATE OF SERVICE

I, JASON HILLIARD, AKA, MATTHEW DEAN GOODNER, HEREBY CERTIFY PURSUANT TO NRCP 5(b), THAT ON THIS 8TH DAY OF MAY, 2019, I MAILED BY U.S. MAIL THE FOREGOING MOTION TO CORRECT AND ILLEGAL SENTENCE AND VACATE JUDGMENT TO:

EIGHT JUDICIAL DISTRICT COURT
ATTN: CLERK OF THE COURTHOUSE
200 LEWIS AVENUE, 3RD FLOOR
LAS VEGAS, NEVADA 89155

AND ON THE SAME DAY I MAILED A TRUE COPY OF THE SAME TO:

OFFICE OF THE DISTRICT ATTORNEY
CLARK COUNTY, NEVADA
200 LEWIS AVENUE
LAS VEGAS, NEVADA 89155-2212

JASON HILLIARD #74383, AKA,
MATTHEW DEAN GOODNER
LOVELOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

PURSUANT TO NRS 239B.030 THIS PLEADING DOES NOT CONTAIN THE SOCIAL SECURITY NUMBER OF ANY PERSON(S).

EXHIBIT 1

EXHIBIT 1

LCC #001

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CLERK OF THE COURT

INFO
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

I.A. 11/19/07
9:00 A.M.
K. FRIZZELL

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 Defendant.	Case No: C236726 Dept No: XIV INFORMATION

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

DAVID ROGER, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That JASON HILLIARD, aka Matthew Dean Goodner, the Defendant(s) above named, having committed the crimes of POSSESSION OF STOLEN VEHICLE (Category B Felony - NRS 205.273), on or about the 21st day of June, 2007, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

COUNT 1 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GEORGE H. GRIMBLE, to-wit: a 1995 Acura, bearing Nevada

License No. 219TJA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 2 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from GABRIEL DESANTIAGO, to-wit: a 1992 Honda, bearing Nevada License No. 997RNA, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

COUNT 3 - POSSESSION OF STOLEN VEHICLE

did then and there wilfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully taken from JACOB MEYER and/or RACHEL MURRAY, to-wit: a 2007 cargo trailer, bearing Virginia License No. C489786, which Defendant knew, or had reason to believe, had been stolen; the value of said vehicle being more than $2,500.00.

BY

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

DA#07F13253A/kjk
LVMPD EV#0706211678
PSV - F
(TK5)

EXHIBIT 2

EXHIBIT 2

LCC #001

GMEM
DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781
PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- JASON HILLIARD, aka Matthew Dean Goodner, #1602010 my rec'd name Defendant.	CASE NO: C236726 DEPT NO: XIV

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: Counts 1, 2 & 3 - POSSESSION OF STOLEN VEHICLE (Category B Felony - NRS 205.273), as more fully alleged in the charging document attached hereto as Exhibit "1".

My decision to plead guilty is based upon the plea agreement in this case which is as follows:

The State and I stipulate to small habitual criminal treatment on all three counts of Possession of Stolen Vehicle and that I will receive a sentence of five (5) to twenty (20) years in the Nevada Department of Corrections on each count. The State and Defendant will retain the full right to argue whether the counts will run concurrent or consecutive at rendition of sentence.

CONSEQUENCES OF THE PLEA

I understand that by pleading guilty I admit the facts which support all the elements of

the offense(s) to which I now plead as set forth in Exhibit "1".

I understand that as a consequence of my plea of guilty the Court must sentence me to imprisonment in the Nevada Department of Corrections as to each Count for a minimum term of not less than ONE (1) year and a maximum term of not more than TEN (10) years. The minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may also be fined up to $10,000. Further, I understand that if I am sentenced under the under the "small" habitual criminal enhancement, the Court must sentence me to a term not less than FIVE (5) years and a maximum of TWENTY (20) years in the Nevada Department of Corrections. I understand that if I am sentenced under the "large" habitual criminal enhancement the Court must sentence me to LIFE without the possibility of parole; life with the possibility of parole, parole eligibility begins after a minimum term of TEN (10) years has been served; OR a definite term of TWENTY FIVE (25) years, parole eligibility begins after a minimum of TEN (10) years has been served. I understand that the law requires me to pay an Administrative Assessment Fee.

I understand that, if appropriate, I will be ordered to make restitution to the victim of the offense(s) to which I am pleading guilty and to the victim of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any.

I understand that I am not eligible for probation for the offense to which I am pleading guilty.

I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences served concurrently or consecutively.

I also understand that information regarding charges not filed, dismissed charges, or charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

I have not been promised or guaranteed any particular sentence by anyone. I know

that my sentence is to be determined by the Court within the limits prescribed by statute.

I understand that if my attorney or the State of Nevada or both recommend any specific punishment to the Court, the Court is not obligated to accept the recommendation.

I understand that if the State of Nevada has agreed to recommend or stipulate a particular sentence or has agreed not to present argument regarding the sentence, or agreed not to oppose a particular sentence, or has agreed to disposition as a gross misdemeanor when the offense could have been treated as a felony, such agreement is contingent upon my appearance in court on the initial sentencing date (and any subsequent dates if the sentencing is continued). I understand that if I fail to appear for the scheduled sentencing date or I commit a new criminal offense prior to sentencing the State of Nevada would regain the full right to argue for any lawful sentence.

I understand if the offense(s) to which I am pleading guilty to was committed while I was incarcerated on another charge or while I was on probation or parole that I am not eligible for credit for time served toward the instant offense(s).

I understand that as a consequence of my plea of guilty, if I am not a citizen of the United States, I may, in addition to other consequences provided for by federal law, be removed, deported, excluded from entry into the United States or denied naturalization.

I understand that the Division of Parole and Probation will prepare a report for the sentencing judge prior to sentencing. This report will include matters relevant to the issue of sentencing, including my criminal history. This report may contain hearsay information regarding my background and criminal history. My attorney and I will each have the opportunity to comment on the information contained in the report at the time of sentencing. Unless the District Attorney has specifically agreed otherwise, then the District Attorney may also comment on this report.

WAIVER OF RIGHTS

By entering my plea of guilty, I understand that I am waiving and forever giving up the following rights and privileges:

1. The constitutional privilege against self-incrimination, including the right to refuse

to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.

2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense charged.

3. The constitutional right to confront and cross-examine any witnesses who would testify against me.

4. The constitutional right to subpoena witnesses to testify on my behalf.

5. The constitutional right to testify in my own defense.

6. The right to appeal the conviction, with the assistance of an attorney, either appointed or retained, unless the appeal is based upon reasonable constitutional jurisdictional or other grounds that challenge the legality of the proceedings and except as otherwise provided in subsection 3 of NRS 174.035.

VOLUNTARINESS OF PLEA

I have discussed the elements of all of the original charge(s) against me with my attorney and I understand the nature of the charge(s) against me.

I understand that the State would have to prove each element of the charge(s) against me at trial.

I have discussed with my attorney any possible defenses, defense strategies and circumstances which might be in my favor.

All of the foregoing elements, consequences, rights, and waiver of rights have been thoroughly explained to me by my attorney.

I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial would be contrary to my best interest.

I am signing this agreement voluntarily, after consultation with my attorney, and I am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement.

I am not now under the influence of any intoxicating liquor, a controlled substance or other drug which would in any manner impair my ability to comprehend or understand this agreement or the proceedings surrounding my entry of this plea.

My attorney has answered all my questions regarding this guilty plea agreement and its consequences to my satisfaction and I am satisfied with the services provided by my attorney.

DATED this _____ day of November, 2007.

JASON HILLIARD
aka Matthew Dean Goodner
Defendant

AGREED TO BY:

PAMELA WECKERLY
Chief Deputy District Attorney
Nevada Bar #006163

CERTIFICATE OF COUNSEL:

I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court hereby certify that:

1. I have fully explained to the Defendant the allegations contained in the charge(s) to which guilty pleas are being entered.

2. I have advised the Defendant of the penalties for each charge and the restitution that the Defendant may be ordered to pay.

3. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant.

4. To the best of my knowledge and belief, the Defendant:

a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement.

b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily.

c. Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time I consulted with the defendant as certified in paragraphs 1 and 2 above.

Dated: This _____ day of November, 2007.

_____
ATTORNEY FOR DEFENDANT

kjk

EXHIBIT 3

EXHIBIT 3

LCC #001

JOCP

FILED

FEB 7 3 27 PM '08

CLERK OF THE COURT

ORIGINAL

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JASON HILLIARD
aka Goodner, Matthew Dean
#1602010

Defendant.

CASE NO. C236726

DEPT. NO. XIV

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNTS 1 - 3 – POSSESSION OF STOLEN VEHICLE (Category B Felony) in violation of NRS 207.010(a); thereafter, on the 30th day of January, 2008, the Defendant was present in court for sentencing with his counsel, KENNETH G. FRIZZELL III, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses under the Small Habitual Criminal Statute and, in addition to the $25.00 Administrative Assessment Fee and $150.00 DNA Analysis Fee including testing to determine genetic

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CLERK OF THE COURT

markers, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows: AS TO COUNT 1 - TO A MAXIMUM of TWENTY (20) YEARS with a MINIMUM parole eligibility of FIVE (5) YEARS; AS TO COUNT 2 - TO A MAXIMUM of TWENTY (20) YEARS with a MINIMUM parole eligibility of FIVE (5) YEARS. COUNT 2 to run CONCURRENT to COUNT 1; AS TO COUNT 3 - TO A MAXIMUM of TWENTY (20) YEARS and a MINIMUM parole eligibility of FIVE (5) YEARS, COUNT 3 to run CONSECUTIVE to COUNT 2, CASE to run CONSECUTIVE to C231837; with ZERO (0) DAYS credit for time served.

DATED this 4th day of February, 2008

DONALD M. MOSLEY
DISTRICT JUDGE

MATTHEW D. GOODNER #74383
LOVELOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

Lovelock Correctional Center

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EIGHT JUDICIAL DISTRICT COURT
ATTN: CLERK OF THE COURTHOUSE
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LAS VEGAS, NEVADA 89155

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