

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Sep 05 2019 11:08 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 2

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

I N D E X

<u>VOLUME:</u>	<u>PAGE NUMBER:</u>
-----------------------	----------------------------

1	1 - 240
---	---------

2	241 - 342
---	-----------

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	06/25/2010	AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS (CONFIDENTIAL)	210 - 212
1	02/22/2008	CASE APPEAL STATEMENT	109 - 110
2	08/01/2019	CASE APPEAL STATEMENT	258 - 259
2	09/05/2019	CERTIFICATION OF COPY AND TRANSMITTAL OF RECORD	
1	09/07/2007	CRIMINAL BINDOVER	1 - 28
1	11/14/2007	CRIMINAL BINDOVER	31 - 63
1	02/20/2008	DEFENDANT'S NOTICE OF APPEAL (DIRECT) * TO THE SUPREME COURT OF NEVADA N.R.S. 177.015 & 177.045	104 - 108
2	09/05/2019	DISTRICT COURT MINUTES	331 - 342
2	09/05/2019	DOCUMENTARY EXHIBITS (UNFILED)	260 - 330
1	05/05/2008	EX PARTE APPLICATION FOR ORDER FOR ATTORNEY FEES	111 - 114
1	06/25/2010	FINANCIAL CERTIFICATE (CONFIDENTIAL)	213 - 214
1	11/19/2007	GUILTY PLEA AGREEMENT	66 - 73
1	11/16/2007	INFORMATION	64 - 65
1	02/07/2008	JUDGMENT OF CONVICTION (PLEA OF GUILTY)	101 - 102
1	11/03/2007	MEDIA REQUEST AND ORDER FOR CAMERA ACCESS TO COURT PROCEEDINGS	29 - 30
1	02/10/2010	MOTION AND/OR PETITION AND/OR REQUEST AND/OR APPLICATION FOR RECONSIDERATION, TO INCLUDE ADDITIONAL FINDINGS OF FACT AND CONCLUSIONS AT LAW	176 - 195
2	07/16/2019	MOTION FOR COURT'S DISCLOSURE OF FINDINGS OF FACT AND CONCLUSION OF LAW	250 - 254
1	06/25/2010	MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS (CONFIDENTIAL)	215 - 217
1	03/05/2009	MOTION FOR WITHDRAWAL OF ATTORNEY OF RECORD	128 - 135

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		AND TRANSFER OF RECORDS	
1	07/08/2009	MOTION TO COMPEL PRODUCTION OF DOCUMENTS	136 - 146
1	05/14/2019	MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT	218 - 240
1	01/23/2009	NEVADA SUPREME COURT CLERK'S CERTIFICATE/REMITTITUR JUDGMENT - AFFIRMED	122 - 127
2	07/30/2019	NOTICE OF APPEAL	255 - 257
1	01/29/2008	NOTICE OF HABITUAL CRIMINALITY	96 - 98
2	05/14/2019	NOTICE OF MOTION	241 - 241
1	08/20/2009	ORDER	155 - 156
1	03/24/2010	ORDER	208 - 209
1	02/12/2008	ORDER APPOINTING COUNSEL	103 - 103
2	06/28/2019	ORDER DENYING DEFENDANT'S MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT	248 - 249
1	05/07/2008	ORDER FOR PAYMENT OF ATTORNEY'S FEES	115 - 115
1	01/31/2008	ORDER FOR PRODUCTION OF INMATE MATTHEW DEAN GOODNER, BAC #74383	99 - 100
1	12/31/2007	ORDER FOR PRODUCTION OF INMATES	80 - 83
1	07/30/2009	PETITIONER'S REPLY TO STATE'S OPPOSITION TO DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND TO STATE'S OPPOSITION TO DEFENDANT'S MOTION REQUESTING FREE TRANSCRIPTS	151 - 154
1	01/02/2008	PRE-SENTENCE INVESTIGATION REPORT (UNFILED) CONFIDENTIAL	84 - 95
1	03/08/2010	REPLY TO STATE'S OPPOSITION TO DEFENDANT'S MOTION AND/OR PETITION AND/OR REQUEST AND/OR APPLICATION FOR RECONSIDERATION TO INCLUDE ADDITIONAL	200 - 207

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		FINDINDINGS OF FACT AND CONCLUSIONS OF LAW	
1	12/28/2009	REQUEST FOR RECONSIDERATION, TO INCLUDE ADDITIONAL FINDINGS OF FACT AND CONCLUSIONS AT LAW	157 - 175
1	02/22/2010	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	196 - 199
1	07/16/2009	STATE'S OPPOSITION TO DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS	147 - 150
2	06/17/2019	SUPPLEMENTAL FACTS/POINT AND AUTHORITIES IN SUPPORT OF MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT	242 - 247
1	12/24/2007	TRANSCRIPT OF HEARING HELD ON NOVEMBER 7, 2007	74 - 79
1	11/14/2008	UFILED DOCUMENT(S) ATTORNEY LETTER W/COPY OF UNFILED MOTION FOR ORDER COMPELLING KENNETH G. FRIZZELL TO COMPLY WITH N.R.C.R. 154 AND SUPPLY HIS CLIENT WITH DOCUMENTS PERTAINING TO HIS CASE AND APPEAL.	116 - 121

JASON HILLIARD #74383
AKA MATTHEW DEAN GODDNER
LOVELOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

FILED

MAY 14 2019

John L. ...
CLERK OF COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
PLAINTIFF,
VS.
JASON HILLIARD, AKA,
MATTHEW DEAN GODDNER
DEFENDANT.

CASE No. C236726

DEPT No.

NOTICE OF MOTION

TO: THE STATE OF NEVADA AND, CLARK COUNTY DISTRICT
ATTORNEY'S OFFICE.

YOU AND EACH OF YOU WILL TAKE NOTICE THAT, JASON
HILLIARD, AKA, MATTHEW DEAN GODDNER WILL BRING HIS
MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDG-
MENT IN THE ABOVE-ENTITLED CASE BEFORE THE EIGHT JUDICIAL
DISTRICT COURT, DEPT No. XIV, FOR HEARING THE SAME ON
THE 11 DAY OF June, 2019 AT 9:30 AM OR SOON
THEREAFTER AS THE MATTER MAY BE HEARD TO DO THEN AND
WHERE WHAT THE COURT MAY DEEM JUST AND PROPER.

DATED THIS 8th DAY OF MAY, 2019.

BY:

[Signature]
JASON HILLIARD #74383, AKA,
MATTHEW DEAN GODDNER

CLERK OF THE COURT

MAY 14 2019

RECEIVED

JASON HILLIARD #74383
AKA MATTHEW DEAN GOODNER
LOVELOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

FILED

JUN 17 2019

Alvin L. Johnson
CLERK OF COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
PLAINTIFF,

VS.

JASON HILLIARD, AKA.,
MATTHEW DEAN GOODNER,
DEFENDANT.

CASE NO. C236726

DEPT NO. XIV

SUPPLEMENTAL FACTS / POINTS AND AUTHORITIES IN SUPPORT OF MOTION
TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT

COMES NOW, DEFENDANT, JASON HILLIARD, AKA: MATTHEW DEAN GOODNER, IN PROPRIA PERSONA, AND PURSUANT TO THE PROVISIONS OF NRS 176.555 TO 176.565 HEREBY PRESENTS THE FOLLOWING SUPPLEMENTAL FACTS / POINTS AND AUTHORITIES IN SUPPLEMENT TO HIS MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT FILED

THIS SUPPLEMENT IS SUPPORTED BY EXCERPTS FROM DOCUMENTS ALREADY ON FILE WITHIN RECORD HEREIN.

THIS SUPPLEMENT WILL BE FURTHER SUPPORTED BY EVIDENCE TO BE PRODUCED AT HEARING, IF NOT ALREADY SUPPORTED BY EXHIBITS AND EVIDENCE SUPPLIED OR CURRENTLY PART OF THE RECORD.

Jason Hilliard
JASON HILLIARD, AKA: MATTHEW D. GOODNER

1. SUMMARY OF ARGUMENT

COUNT 3 OF THE JUDGMENT OF CONVICTION IS FACIALLY ILLEGAL AS A MATTER OF LAW IN TWO(2) ASPECTS, THE FIRST BEING A CARGO TRAILER AS DEFINED PURSUANT TO THE CHARGING INFORMATION AND JUDGMENT OF CONVICTION CANNOT BE DEFINED AS A MOTOR VEHICLE PURSUANT TO NEVADA REVISED STATUTE(S). THE SECOND BEING THAT COUNT 3 OF THE JUDGMENT OF CONVICTION CANNOT BEING ENHANCED PURSUANT TO THE SMALL HABITUAL CRIMINAL STATUTE, AS THE COURT EXCEEDED ITS AUTHORITY AND WITHOUT JURISDICTION IMPOSED SAID ENHANCEMENT(S) CONSECUTIVE TO COUNT-2.

2. FACTS

ON NOVEMBER 16, 2007, DEFENDANT WILLIARD/GOODNER WAS CHARGED BY WAY OF INFORMATION WITH THREE(3) COUNTS OF POSSESSION OF A STOLEN VEHICLE. COUNT 1- ALLEGED THAT DEFENDANT FELONIOUSLY POSSESSED A STOLEN VEHICLE, TO-WIT: A 1995 ACURA, BEARING NEVADA LICENSE NO. 219-TJA. COUNT 2- ALLEGED THAT DEFENDANT FELONIOUSLY POSSESSED A STOLEN VEHICLE, TO-WIT: A 1992 HONDA, BEARING NEVADA LICENSE NO. 997RNA. COUNT 3- ALLEGED THAT DEFENDANT FELONIOUSLY POSSESSED A STOLEN MOTOR VEHICLE, TO-WIT: A 2007 "CARGO TRAILER", BEARING VIRGINIA LICENSE NO. C489786.

3. ARGUMENT

A. COUNT THREE OF THE JUDGMENT OF CONVICTION IS ILLEGAL AS A MATTER OF LAW IN TWO ASPECTS

NEVADA REVISED STATUTE CHAPTER 482. MOTOR VEHICLES AND TRAILERS, LICENSING, REGISTRATION. . . .

NRS 482.125 "TRAILER" DEFINED.

"TRAILER" MEANS EVERY VEHICLE WITHOUT MOTIVE POWER DESIGNED TO CARRY PROPERTY OR PASSENGERS WHOLLY ON ITS OWN STRUCTURE AND TO BE DRAWN BY A MOTOR VEHICLE.

NRS 482.127 "TRAVEL TRAILER" DEFINED.

"TRAVEL TRAILER" MEANS A PORTABLE STRUCTURE MOUNTED ON WHEELS, CONSTRUCTED ON A VEHICULAR-TYPE CHASSIS PRIMARILY DESIGNED AS TEMPORARY LIVING QUARTERS FOR RECREATIONAL, CAMPING OR TRAVEL USE AND DESIGNED TO BE DRAWN BY ANOTHER MOTOR VEHICLE AND DESIGNATED BY THE MANUFACTURER AS A TRAVEL TRAILER, . . .

NRS 482.134 "UTILITY TRAILER" DEFINED.

"UTILITY TRAILER" MEANS A VEHICLE WITHOUT MOTIVE POWER, DESIGNED TO CARRY PROPERTY OR PASSENGERS WHOLLY ON ITS OWN STRUCTURE, AND TO BE DRAWN BY A MOTOR VEHICLE. . . .

THE CHARGING INFORMATION (EX.1) CLEARLY DEFINES THE STOLEN MOTOR VEHICLE IN COUNT 3- OF THE CHARGING INFORMATION AS A 2007 "CARGO TRAILER". PURSUANT TO NRS 482.125, 482.127 AND 482.134, A "CARGO TRAILER" CANNOT BE DEFINED AS A MOTOR VEHICLE, SIMPLY PUT, IT LACKS MOTIVE POWER AND MUST BE DRAWN BY A "MOTOR VEHICLE, SO IF THE 2007 CARGO TRAILER WAS TO BE DRAWN BY A MOTOR VEHICLE IT CANNOT BE A MOTOR VEHICLE. NRS CHAPTER 482, SUPRA.

B. COURT LACKED AUTHORITY AND JURISDICTION TO IMPOSE AN ENHANCED CONSECUTIVE SENTENCE AS TO COUNT 3.

DEFENDANT CONTENDS THAT CONSECUTIVE HABITUAL ENHANCEMENTS CANNOT APPLY TO A CONVICTION WHERE TWO OR MORE CONVICTIONS GROW OUT OF THE SAME ACT, TRANSACTION OR OCCURRENCE AND WERE PROSECUTED IN THE SAME INDICTMENT OR INFORMATION. THEREFORE, COUNT 3. COULD NOT BE ENHANCED CONSECUTIVE TO COUNT 2. SEE REZIN V. STATE, 596 P.2d 226 (NEV.1979), WHERE THE NEVADA SUPREME COURT SUPPORTS DEFENDANT'S CONTENTION THAT THE THREE CONVICTIONS ARISING FROM A SINGLE INFORMATION/ONE CASE NUMBER C236726 COULD ONLY BE COUNTED ONLY AS A SINGLE CONVICTION FOR PURPOSES IN APPLYING NRS 207, DID (8), REZIN, SUPRA.

4. CONCLUSION

DEFENDANT HILLIARD/GOODNER SENTENCE AND JUDGMENT OF COURT 3 OF HIS JUDGMENT OF CONVICTION SHOULD BE VACATED PURSUANT TO NRS 842.125, 842.127, 482.134 AND NRS 207.010(2).

DATED THIS 11th DAY OF JUNE, 2019.

RESPECTFULLY SUBMITTED

Matthew
JASON HILLIARD #74383, AKA
MATTHEW DEAN GOODNER

CERTIFICATE OF SERVICE

I, JASON HILLIARD/MATTHEW DEAN GOODNER, HEREBY CERTIFIES PURSUANT TO NRCPS (b), THAT ON THIS 11th DAY OF JUNE, 2019, I MAILED BY U.S. TO THE FOREGOING PLEADING TO:

EIGHT JUDICIAL DISTRICT COURT
ATTN: CLERK OF THE COURT
200 LEWIS AVENUE, 3RD FLOOR
LAS VEGAS, NEVADA 89155

DISTRICT ATTORNEY'S OFFICE
CLARK COUNTY, NEVADA
200 LEWIS AVENUE
LAS VEGAS, NV 89155-2212

Matthew
JASON HILLIARD #74383, AKA
MATTHEW DEAN GOODNER
LOVELOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

PER NRS 239B.030 THIS PLEADING
DOES NOT CONTAIN THE SOCIAL
SECURITY NUMBER OF ANY PERSON(S).

Josiah Hillborn # 34383 444
Matthew Dean Gardner
Lovelock Correctional Center
100 Prison Rd
Lovelock, NV 89419

Lovelock Correctional Center



U.S. POSTAGE PINEY BOWES
ZIP 89419 \$001.30
02 4W
0000340675 JUN 12 2019

Legal
Falsely
Confidential
Eighth Judicial District Court
ATTN: Clerk of the Court
200 Lewis Avenue, 3rd Floor
Las Vegas, NV 89155

INMATE LEGAL
MAIL CONFIDENTIAL

RECEIVED

JUN 11 2019

LCO-LAW LIBRARY



ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
ANN DUNN
Deputy District Attorney
Nevada Bar #014511
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
Defendant.

CASE NO: 07C236726-2
DEPT NO: XXIX

**ORDER DENYING DEFENDANT'S MOTION TO CORRECT AN ILLEGAL
SENTENCE AND VACATE JUDGMENT**

DATE OF HEARING: 06/11/2019
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the
11th day of June, 2019, the Defendant not being present, IN PROPER PERSON, the Plaintiff
being represented by STEVEN B. WOLFSON, District Attorney, through ANN DUNN,
Deputy District Attorney, and without argument, based on the pleadings and good cause
appearing therefor,

///

///

///

///

///

W:\2007\2007F\132\53\07F13253-ORDR-(HILLIARD_GOODNER)-001.DOCX

1 IT IS HEREBY ORDERED that the Defendant's Motion to Correct an Illegal Sentence
2 and Vacate Judgment, shall be, and it is DENIED.

3 DATED this 25 day of June, 2019.

4
5 
DISTRICT JUDGE

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

9 BY /s/ Ann Dunn
10 ANN DUNN
11 Deputy District Attorney
12 Nevada Bar #014511

13 CERTIFICATE OF SERVICE

14 I certify that on the 28th day of June, 2019, I mailed a copy of the foregoing Order
15 to:

16 Jason Hilliard, aka, Matthew Goodner #74383
17 Lovelock Correctional Center
18 1200 Prison Road
19 Lovelock, NV 89419

20
21
22 BY /s/ Stephanie Johnson
23 Secretary for the District Attorney's Office
24
25
26
27

28 07F13253A/saj/MVU

PP
DA
JASON HILLIARD, AKA,
MATTHEW GOODNER #74383
LOVELOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

FILED

JUL 16 2019

CLERK OF COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

PLAINTIFF,

VS.

JASON HILLIARD, AKA,
MATTHEW GOODNER #1602010,
DEFENDANT.

CASE NO. 07C236726-2

DEPT NO. XXIX

MOTION FOR COURT'S

DISCLOSURE OF FINDINGS OF
FACT AND CONCLUSIONS OF
LAW

HEARING DATE: - August 6, 2019
8:30 AM

HEARING TIME: -

COMES NOW, DEFENDANT, JASON HILLIARD, AKA, MATTHEW GOODNER, ACTING IN PROPER PERSON, HEREBY RESPECTFULLY REQUESTS THIS COURT TO DISCLOSE TO HIM THE FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ITS DENIAL OF DEFENDANT'S MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT.

THIS MOTION IS MADE AND BASED UPON THE ATTACHED POINTS AND AUTHORITIES AND UPON ALL PAPERS AND PLEADINGS ON FILE HEREIN.

POINTS AND AUTHORITIES

1. ON JUNE 28, 2019 (2:22 P.M.), THIS COURT TOOK THE FOLLOWING ACTION ON DEFENDANT'S MOTION TO CORRECT

AN ILLEGAL SENTENCE AND VACATE JUDGMENT :

1. A. IT IS HEREBY ORDERED THAT THE DEFENDANT'S MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT, SHALL BE, AND IT IS DENIED.


2. THE PLAINTIFF, THE STATE OF NEVADA WAS NOT REQUIRED TO ANSWER THE MOTION, AND, BESIDES THE WRITTING OF THE ORDER FILED ON JUNE 28, 2019, CITED ABOVE, THIS COURT OFFERED NO FINDINGS OF FACT AND/OR CONCLUSIONS OF LAW IN SUPPORT OF ITS DENIAL.

3. DEFENDANT INTENDS TO APPEAL THIS COURT'S DENIAL OF HIS MOTION TO THE NEVADA SUPREME COURT. WITHOUT SPECIFIC FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF THIS COURT'S DENIAL OF THE MOTION, THE SUPREME COURT BECOMES HAMPERED IN ITS REVIEW, (IN EFFECT, HAVING NOTHING TO REVIEW), AND THIS DEFENDANT IS HAMPERED BECAUSE HE DOES NOT KNOW WHY THIS COURT DENIED THE MOTION. SEE: CIRAC V. LANDER COUNTY, 602 P.2d 1012, 1016 (NV. 1979).

4. THEREFORE, DEFENDANT RESPECTFULLY REQUESTS THIS COURT TO SUPPLEMENT ITS ORDER, FILED JUNE 28, 2019, TO CONTAIN FINDINGS OF FACT AND CONCLUSIONS OF LAW, SPECIFICALLY ADDRESSING EACH AND EVERY CLAIM PRESENTED IN HIS MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT, AND THAT THE SUPPLEMENT BE SERVED TO DEFENDANT HEREIN WITHIN A REASONABLE AMOUNT OF TIME.

DATED THIS 17th DAY OF JULY, 2019.

RESPECTFULLY SUBMITTED


JASON HILLIARD, AKA,
MATTHEW GOODNER #74383
DEFENDANT, PRO-PER


CERTIFICATE OF SERVICE

I, JASON HILLIARD, AKA. MATTHEW GOODNER, HEREBY CERTIFY PURSUANT TO NRCPS(b), THAT ON THIS 11th DAY OF JULY, 2019, I HANDED TO LAW LIBRARY SUPERVISOR MRS. BEQUETTE THE FOREGOING MOTION FOR COURT'S DISCLOSURE OF FINDINGS OF FACT / CONCLUSIONS OF LAW TO BE MAILED 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 / CORRECT COPY OF THE SAME TO:

DISTRICT ATTORNEY'S OFFICE
ATTN: ANN DUNN, DDA
200 LEWIS AVENUE
LAS VEGAS, NEVADA 89155-2212



JASON HILLIARD, AKA, MATTHEW
GOODNER #74383
LOVELOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

THIS PLEADING DOES NOT CONTAIN
THE SOCIAL SECURITY NUMBER OF
ANY PERSON.

Matthew Roark #74383
~~ATTN: Scott Hilliard~~
Lovelock Correctional Center
1200 Kaiser Rd
Lovelock, NV 89419

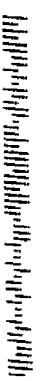
Lovelock Correctional Center



* Legal
* Privileged *

Eighth Judicial District Court
ATTN: Clerk of the Court
200 Lewis Avenue, 3rd Floor
Las Vegas, NV 89155

IMMEDIATE LEGAL
MAIL CONFIDENTIAL




RECEIVED
JUL 11 2013
LCC LAW LIBRARY

JASON HILLIARD, AKA,
MATTHEW GODDNER #74383
LOVELOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVELOCK, NEVADA 89419

Electronically Filed
7/30/2019 11:16 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

PLAINTIFF,

VS.

JASON HILLIARD, AKA,
MATTHEW GODDNER, #1602010,
DEFENDANT.

CASE NO. 07C236726-2

DEPT NO. XXIX

NOTICE OF APPEAL

PLEASE TAKE NOTICE, THAT DEFENDANT, JASON HILLIARD, AKA, MATTHEW GODDNER, IN PRO PER, HEREBY APPEALS TO THE NEVADA SUPREME COURT, THE DISTRICT COURT'S ORDER DENYING DEFENDANT'S MOTION TO CORRECT AN ILLEGAL SENTENCE AND VACATE JUDGMENT, SAID ORDER WAS FILED ON JUNE 28, 2019.

DATED THIS 16th DAY OF JULY, 2019.

RESPECTFULLY SUBMITTED,

Matthew Hilliard

JASON HILLIARD, AKA,
MATTHEW GODDNER #74383
DEFENDANT, PRO PER

CERTIFICATE OF SERVICE

I, JASON WILLIARD, AKA, MATTHEW GODDNER, HEREBY CERTIFY PURSUANT TO NRCP 5(b), THAT ON THIS 16th DAY OF JULY, 2019, I HANDED TO LAW LIBRARY SUPERVISOR MRS. BEQUETTE THE FOREGOING NOTICE OF APPEAL TO BE MAILED 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/CORRECT COPY OF THE SAME TO:

DISTRICT ATTORNEY'S OFFICE
ATTN: ANN DUNN, DDA
200 LEWIS AVENUE
LAS VEGAS, NV 89155-2212

NEVADA SUPREME COURT
OFFICE OF THE CLERK
201 S. CARSON STREET
CARSON CITY, NV 89701

Matthew S
JASON WILLIARD, AKA, MATTHEW
GODDNER #74383
LOVE/DOCK CORRECTIONAL CENTER
1200 PRISON ROAD
LOVE/DOCK, NEVADA 89419

NOTICE OF APPEAL LOGGED IN
APPEAL LOG AT L.C.C.

Matthews



AKA Jason Matthews

Lovelock Correctional Center

1200 Prison Rd

Lovelock, NV 89419

Lovelock Correctional Center



U.S. POSTAGE PITNEY BOWES



ZIP 89419 \$001.15⁰
02 4W
0000340675 JUL 17 2019

Legal
Privileged

Eighth Judicial District Court
ATTN: Clerk of the Court
200 Lewis Avenue, 3rd Floor
Las Vegas, NV 89155

INMATE LEGAL
MAIL CONFIDENTIAL



1 ASTA

2
3
4
5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12
13 JASON HILLIARD
14 aka MATTHEW GOODNER,

15 Defendant(s),

Case No: 07C236726-2

Dept No: XXIX

16
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Matthew Goodner

19 2. Judge: David M. Jones

20 3. Appellant(s): Matthew Goodner

21 Counsel:

22
23 Matthew Goodner #74383
24 1200 Prison Rd
25 Lovelock, NV 89419

26 4. Respondent: The State of Nevada

27 Counsel:

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

Las Vegas, NV 89101
(702) 671-2700

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

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

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

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

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

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

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

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 51148

12. Child Custody or Visitation: N/A

Dated This 1 day of August 2019.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

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

cc: Matthew Goodner

DOCUMENTARY EXHIBITS

ORIGINAL

1 JOCP
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

JUL 10 10 48 AM '00

Sally Loehrer

DISTRICT COURT CLERK

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW DEAN GOODNER,
#1602010

Defendant.

Case No. C164814
Dept. No. XV

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court herein with counsel and entered a plea of guilty to the crime(s) of ATTEMPT GRAND LARCENY (Gross Misdemeanor), in violation of NRS 193.330, 205.220, 205.222; thereafter, on the 5th day of July, 2000, the Defendant was present in court for sentencing with his counsel, LINDA BELL, Deputy Public Defender, and good cause appearing.

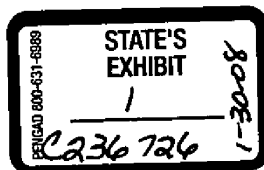
THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment Fee, the Defendant is sentenced as follows: Deft is SENTENCED to ONE (1) YEAR in the Clark County Detention Center with 51 DAYS credit for time served. FURTHER ORDERED, Deft is to pay \$2,300 RESTITUTION to the victim in this case.

DATED this 7 day of July, 2000.

DISTRICT JUDGE

SALLY LOEHRER

mt



COUNTY CLERK

JUL 10 2000

RECEIVED

DEANER

JUL 10 2000

RECEIVED

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2007 NOV 26 P 12:37

C. R. [Signature]
CLERK OF THE COURT

ORIGINAL

24

1 INFO
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

FEB 11 1 52 PM '00

Shirley L. Ruggione
CLERK

9 I.A. 2/15/00
10 8:45 A.M.
11 PD

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,

13 Plaintiff,

14 -vs-

15 MATTHEW DEAN GOODNER,
16 #1602010

17 Defendant.

Case No. C164814
Dept. No. XV
Docket L

INFORMATION

18 STATE OF NEVADA }
19 COUNTY OF CLARK } ss:

20 STEWART L. BELL, District Attorney within and for the County of Clark, State of
21 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

22 That MATTHEW DEAN GOODNER, the Defendant(s) above named, having committed
23 the crime of ATTEMPT GRAND LARCENY (Felony/Gross Misdemeanor - NRS 193.330,
24 205.220, 205.222), on or about the 5th day of November, 1999, within the County of Clark, State
25 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, did then and there wilfully, unlawfully,
and feloniously, with intent to deprive the owner permanently thereof, attempt to steal, take,

//

//

//

//

COUNTY CLERK

FEB 11 2000

RECEIVED

1 carry, lead or drive away property owned by DEBRA MATSON, having a value of \$250.00, or
2 more, to-wit: miscellaneous jewelry.

3 STEWART L. BELL
4 DISTRICT ATTORNEY
5 Nevada Bar #000477

6 BY Steven L. Waters
7 STEVEN L. WATERS
8 Deputy District Attorney
9 Nevada Bar #006162
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

26 DA#99FN1886X/tgd
27 NLVPD EV#9919128
28 ATT GL - F/G
(TK)

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2001 NOV 26 P 12:36

Chaf-2-2001
CLERK OF THE COURT

ORIGINAL

1 GMEM
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED IN OPEN COURT
APR 13 2000 19
SHIRLEY B. PARRAGUIRRE, CLERK
BY *[Signature]*
DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 MATTHEW DEAN GOODNER,
12 #1602010

13 Defendant.
14

Case No. C164814
Dept. No. XV
Docket U

15 GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to: ATTEMPT GRAND LARCENY (Felony/Gross
17 Misdemeanor - NRS 193.330, 205.220, 205.222), as more fully alleged in the charging document
18 attached hereto as Exhibit "1".

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

21 The State has agreed to retain the right to argue at sentencing.

22 CONSEQUENCES OF THE PLEA

23 I understand that by pleading guilty I admit the facts which support all the elements of
24 the offense(s) to which I now plead as set forth in Exhibit "1".

25 I understand that as a consequence of my plea of guilty the Court may elect to treat this
offense as a felony or as a gross misdemeanor. If the Court elects to treat this offense as a felony
I may be imprisoned in the Nevada State Prison for a minimum term of not less than one (1) year
and a maximum term of not more than four (4) years. In addition, I may be fined up to

RECEIVED

APR 13 2000

COUNTY CLERK

CE31

1 \$5,000.00. I further understand that the minimum term of imprisonment may not exceed forty
2 percent (40%) of the maximum term of imprisonment. If the Court elects to treat this offense
3 as a gross misdemeanor, I may be sentenced to jail for not more than one (1) year. In addition,
4 I may be fined up to \$2,000.00 I understand that the law requires me to pay an Administrative
5 Assessment Fee.

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

10 I understand that I am eligible for probation for the offense to which I am pleading guilty.
11 I understand that, except as otherwise provided by statute, the question of whether I receive
12 probation is in the discretion of the sentencing judge.

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

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

18 I have not been promised or guaranteed any particular sentence by anyone. I know that
19 my sentence is to be determined by the Court within the limits prescribed by statute. I
20 understand that if my attorney or the State of Nevada or both recommend any specific
21 punishment to the Court, the Court is not obligated to accept the recommendation.

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

25 I understand that the Division of Parole and Probation will prepare a report for the
26 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
27 sentencing, including my criminal history. This report may contain hearsay information
28 regarding my background and criminal history. My attorney and I will each have the opportunity

1 to comment on the information contained in the report at the time of sentencing. Unless the
2 District Attorney has specifically agreed otherwise, then the District Attorney may also comment
3 on this report.

4 WAIVER OF RIGHTS

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

7 1. The constitutional privilege against self-incrimination, including the right to refuse to
8 testify at trial, in which event the prosecution would not be allowed to comment to the jury about
9 my refusal to testify.

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

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

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

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

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

22 VOLUNTARINESS OF PLEA

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

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

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

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

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

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

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

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

13 DATED this 13th day of ^{APRIL} ~~February~~, 2000.

14
15 
16 MATTHEW DEAN GOODNER
17 Defendant

18 AGREED TO BY:

19
20 
21 Deputy District Attorney

1 CERTIFICATE OF COUNSEL:

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

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

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

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

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

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

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

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

18 Dated: This 13th day of February, 2000.

19
20
21
22
23
24
25
26
27
28
ATTORNEY FOR DEFENDANT

tgD

1 **INFO**
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

9 I.A. 2/15/00
10 8:45 A.M.
11 PD

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,
13
14 Plaintiff,

15 -vs-

16 MATTHEW DEAN GOODNER,
17 #1602010

18 Defendant.

Case No. C164814
Dept. No. XV
Docket L

INFORMATION

19 STATE OF NEVADA }
20 COUNTY OF CLARK } ss:

21 STEWART L. BELL, District Attorney within and for the County of Clark, State of
22 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

23 That MATTHEW DEAN GOODNER, the Defendant(s) above named, having committed
24 the crime of **ATTEMPT GRAND LARCENY (Felony/Gross Misdemeanor - NRS 193.330,**
25 **205.220, 205.222)**, on or about the 5th day of November, 1999, within the County of Clark, State
26 of Nevada, contrary to the form, force and effect of statutes in such cases made and provided,
27 and against the peace and dignity of the State of Nevada, did then and there wilfully, unlawfully,
28 and feloniously, with intent to deprive the owner permanently thereof, attempt to steal, take,

//

//

//

//

EXHIBIT "1"

1 carry, lead or drive away property owned by DEBRA MATSON, having a value of \$250.00, or
2 more, to-wit: miscellaneous jewelry.

3 STEWART L. BELL
4 DISTRICT ATTORNEY
5 Nevada Bar #000477

6 BY Steven L. Waters
7 STEVEN L. WATERS
8 Deputy District Attorney
9 Nevada Bar #006162
10
11
12
13
14
15
16
17
18
19
20
21
22
23

24
25
26 DA#99FN1886X/tgd
27 NLVPD EV#9919128
28 ATT GL - F/G
(TK)

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2001 NOV 26 P 12:36

Cliff Smith
CLERK OF THE COURT

CRIMINAL COURT MINUTES

00-C-164814-C STATE OF NEVADA vs Goodner, Matthew

02/15/00 08:30 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Sally Loehrer, Judge; Dept. 15

OFFICERS: CINDY HORTON, Court Clerk
MARY BETH COOK, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004963	Daskas, Robert J.	Y
0001 D1	Goodner, Matthew	N
PUBDEF	Public Defender	Y
006143	Teicher, Lori C.	Y

Court Services advised the deft bonded out of custody on 2/2. Ms. Teicher advised this is Ms. Bell's case and requested a one week continuance. COURT ORDERED, ARRAIGNMENT CONTINUED.

BOND

2/22/00 8:30 A.M. ARRAIGNMENT CONTINUED

02/22/00 08:30 AM 00 ARRAIGNMENT CONTINUED

HEARD BY: Sally Loehrer, Judge; Dept. 15

OFFICERS: MELISSA DAVIS, Court Clerk
LISA MAKOWSKI, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004963	Daskas, Robert J.	Y
0001 D1	Goodner, Matthew	N
PUBDEF	Public Defender	Y
000609	Amundson, Robert B.	Y

Defendant not present. Mr. Amundson advised he has not had any contact with the defendant. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL.

B.W. (BOND)

CRIMINAL COURT MINUTES

00-C-164814-C STATE OF NEVADA vs Goodner, Matthew
CONTINUED FROM PAGE: 001

04/13/00 08:30 AM 00 BENCH WARRANT RETURN

HEARD BY: Sally Loehrer, Judge; Dept. 15

OFFICERS: THERESA LEE, Court Clerk
MARY BETH COOK, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006029	Lawson, Tamara F.	Y
0001 D1	Goodner, Matthew	Y
PUBDEF	Public Defender	Y
004918	Bell, Linda M.	Y

NEGOTIATIONS are as contained in the GUILTY PLEA AGREEMENT FILED IN OPEN COURT. DEFENDANT GOODNER ARRAIGNED AND PLED GUILTY TO ATTEMPT GRAND LARCENY (F/GM). Ms. Bell stated deft would request to be released back on bond. Objection by Ms. Lawson. COURT ORDERED, BAIL REDUCED to \$1,500. COURT ACCEPTED plea and ORDERED, matter referred to P & P and set for sentencing. (PREVIOUS BOND EXONERATED)

CUSTODY

5/31/00 8:30 A.M. SENTENCING

05/31/00 08:30 AM 00 SENTENCING

HEARD BY: Sally Loehrer, Judge; Dept. 15

OFFICERS: MELISSA DAVIS, Court Clerk
LISA MAKOWSKI, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001802	Jorgenson, Eric G.	Y
0001 D1	Goodner, Matthew	N
PUBDEF	Public Defender	Y
004918	Bell, Linda M.	Y

Larry Scott from the Division of Parole and Probation present. Defendant not present. Ms. Bell stated defendant was present earlier today, but left. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL.

B.W. (BOND)

CONTINUED ON PAGE: 003

CRIMINAL COURT MINUTES

00-C-164814-C STATE OF NEVADA

vs Goodner, Matthew

CONTINUED FROM PAGE: 002

07/05/00 08:30 AM 00 BENCH WARRANT RETURN

HEARD BY: Sally Loehrer, Judge; Dept. 15

OFFICERS: THERESA LEE, Court Clerk
LISA MAKOWSKI, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004963	Daskas, Robert J.	Y
0001 D1	Goodner, Matthew	Y
PUBDEF	Public Defender	Y
004918	Bell, Linda M.	Y

William Lizura of the Division of Parole and Probation present. DEFENDANT GOODNER ADJUDGED GUILTY of ATTEMPT GRAND LARCENY (GM). Argued and submitted. Court advised Deft the recommendation is for Boot Camp. Deft stated he broke his leg and has an eight inch (8") metal plate in his leg and cannot do any extensive physical activity. Deft requested the Court consider Drug Court. Argument by Ms. Bell. COURT ORDERED, in addition to the \$25 Administrative Assessment Fee, Deft is SENTENCED to ONE (1) YEAR in the Clark County Detention Center with 51 DAYS credit for time served. Mr. Lizura requested the Court order \$2,300 Restitution to the victim. FURTHER ORDERED, Deft is to pay \$2,300 RESTITUTION to the victim in this case.

CUSTODY

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

2007 NOV 26 P 12:31

CLERK OF THE COURT

16
● ORIGINAL ●

1 JOCP
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

AUG 2 2 13 PM '00

Shirley S. Higgins
CLERK

6 DISTRICT COURT
7 CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 MATTHEW DEAN GOODNER,
12 #1602010

13 Defendant.

Case No. C168697
Dept. No. XV

14
15 PLEA OF GUILTY AND JUDGMENT OF CONVICTION

16 On the 25th day of July, 2000, the Defendant appeared before the Court herein with his
17 counsel, BRIGID HOFFMAN, Deputy Public Defender, and entered a plea of guilty to the
18 crime(s) of POSSESSION OF STOLEN VEHICLE (Felony), in violation of NRS 205.273;
19 thereupon,

20 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in addition
21 to the \$25.00 Administrative Assessment Fee, the Defendant is sentenced as follows: Defendant
22 SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY
23 (30) MONTHS in the Nevada Department of Prisons, sentence to run CONCURRENT to
24 C164814 and defendant to receive 74 days Credit for Time Served.

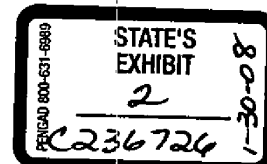
25 DATED this 31st day of July, 2000.

Sally Cochran
DISTRICT JUDGE SALLY COCHRAN

26 mt

27
28 CE-03

AUG 04 2000



CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2007 DEC 24 P 12:34

[Signature]
CLERK OF THE COURT

ORIGINAL

FILED

1 JOCP
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

MAY 24 12 55 PM '01

Shirley B. Longoria
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW DEAN GOODNER,
#1602010

Defendant.

Case No. C168697
Dept. No. XV

AMENDED JUDGMENT OF CONVICTION

On the 25th day of July, 2000, the Defendant appeared before the Court herein with his counsel, BRIGID HOFFMAN, Deputy Public Defender, and entered a plea of guilty to the crime(s) of POSSESSION OF STOLEN VEHICLE (Felony), in violation of NRS 205.273; thereupon,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment Fee, the Defendant is sentenced as follows: Defendant SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS in the Nevada Department of Prisons, sentence to run CONCURRENT to C164814 and defendant to receive 74 days Credit for Time Served.

THEREAFTER, on the 21st day of May, 2001, the Defendant not being present in Court,

COUNTY CLERK

MAY 24 2001

RECEIVED

RECEIVED

MAY 24 2001

COUNTY CLERK

1 represented by his counsel LINDA BELL, Deputy Public Defender, and pursuant to State's
2 Request for Clarification of Restitution, the above entitled Court ordered the following:
3 DEFENDANT TO PAY RESTITUTION IN THE AMOUNT OF \$553.00

4 DATED this 23rd day of May, 2001.

5 *Barry Cook*
6 DISTRICT JUDGE

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

mt

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2001 DEC 24 PM 12:34

CLERK OF THE COURT

P:\WPDOCS\UUDG\ARCHIVE\000\00076802.WPD

FILED

JUL 19 8 33 AM '00

Shelly J. Williams
CLERK

1 INF
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

9 I.A. 7/25/00
10 8:30 A.M.
11 P.D.

12 DISTRICT COURT
13 CLARK COUNTY, NEVADA

14 THE STATE OF NEVADA,
15 Plaintiff,

16 -vs-

17 MATTHEW DEAN GOODNER,
18 #1602010

19 Defendant(s):

Case No. C 168697
Dept. No. XV
Docket L

20 INFORMATION

21 STATE OF NEVADA }
22 COUNTY OF CLARK } ss:

23 STEWART L. BELL, District Attorney within and for the County of Clark, State of
24 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

25 That MATTHEW DEAN GOODNER, the Defendant(s) above named, has committed the
26 crime of POSSESSION OF STOLEN VEHICLE (Felony - NRS 205.273), on or about the
27 16th day of January, 2000, within the County of Clark, State of Nevada, contrary to the form,
28 force and effect of statutes in such cases made and provided, and against the peace and dignity
of the State of Nevada, did then and there wilfully, unlawfully and feloniously possess a stolen
motor vehicle wrongfully taken from LENORA UBALDE, to-wit: a 1985 Toyota Celica,
bearing Nevada License No. 653KDW and/or a motor vehicle wrongfully taken from JULIO

1 VASQUEZ, to-wit: a 1994 Jeep, which Defendant knew, or had reason to believe, had been
2 stolen.

3 STEWART L. BELL
4 DISTRICT ATTORNEY
5 Nevada Bar #000477

6 BY Tamara Beatty Peterson
7 TAMARA BEATTY PETERSON
8 Deputy District Attorney
9 Nevada Bar #005218
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

26 DA#00F00768X/mt
27 LVMPD EV#000102154
28 PSV - F
(TK2)

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT FILED
7001 DEC 24 12 33
CLERK OF THE COURT

P:\MYDOCS\INT\000\0007501.WTD

1 GMEM
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED IN OPEN COURT
JUL 24 2000 19
SMILEY KARRAGUIRE, CLERK
BY *[Signature]*
GREEN JENNISON DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -VS-

11 MATTHEW DEAN GOODNER,
12 #1602010

13 Defendant.

Case No. C 168697
Dept. No. XV
Docket L

15 GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to POSSESSION OF STOLEN VEHICLE (Felony - NRS
17 205.273), as more fully alleged in the charging document attached hereto as Exhibit "1".

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

20 The State has agreed to retain the right to argue at sentencing, however, will recommend
21 a twelve (12) to thirty (30) month sentence and make no opposition to time running concurrent
22 with Case No. 99FN1886X. The State will make no opposition to the dismissal of Case No.
23 00F07642X. The Defendant agrees to pay restitution on both cases.

24 CONSEQUENCES OF THE PLEA

25 I understand that by pleading guilty I admit the facts which support all the elements of
26 the offense(s) to which I now plead as set forth in Exhibit "1".

27 I understand that as a consequence of my plea of guilty the Court must sentence me to
28 imprisonment in the Nevada State Prison for a minimum term of not less than one (1) year and

RECEIVED

JUL 24 2000

COUNTY CLERK

F:\WPDOCS\INT\000\00076801.WPD

0131

1 a maximum term of not more than five (5) years. The minimum term of imprisonment may not
2 exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may also
3 be fined up to \$10,000.00. I understand that the law requires me to pay an Administrative
4 Assessment Fee.

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

9 I understand that I am eligible for probation for the offense to which I am pleading guilty.
10 I understand that, except as otherwise provided by statute, the question of whether I receive
11 probation is in the discretion of the sentencing judge.

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

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

17 I have not been promised or guaranteed any particular sentence by anyone. I know that
18 my sentence is to be determined by the Court within the limits prescribed by statute. I
19 understand that if my attorney or the State of Nevada or both recommend any specific
20 punishment to the Court, the Court is not obligated to accept the recommendation.

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

24 I understand that the Division of Parole and Probation will prepare a report for the
25 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
26 sentencing, including my criminal history. This report may contain hearsay information
27 regarding my background and criminal history. My attorney and I will each have the opportunity
28 to comment on the information contained in the report at the time of sentencing. Unless the

1 District Attorney has specifically agreed otherwise, then the District Attorney may also comment
2 on this report.

3 WAIVER OF RIGHTS

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

6 1. The constitutional privilege against self-incrimination, including the right to refuse to
7 testify at trial, in which event the prosecution would not be allowed to comment to the jury about
8 my refusal to testify.

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

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

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

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

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

21 VOLUNTARINESS OF PLEA

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

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

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

28 All of the foregoing elements, consequences, rights, and waiver of rights have been

1 thoroughly explained to me by my attorney.

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

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


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

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

12 DATED this 25th day of July, 2000.

13 
14 _____
15 MATTHEW DEAN GOODNER
16 Defendant

17 AGREED TO BY:

18 
19 _____
20 TAMARA BEATTY PETERSON
21 Deputy District Attorney
22
23
24
25
26
27
28

1 CERTIFICATE OF COUNSEL:

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

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

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

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


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

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

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

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

18 Dated: This 25th day of July, 2000.

19 
20 P.D.
21 ATTORNEY FOR DEFENDANT
22
23
24
25
26
27

28 00F00768X/mt

1 INF
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

9 I.A. 7/25/00
10 8:30 A.M.
11 P.D.

12 DISTRICT COURT
13 CLARK COUNTY, NEVADA

14 THE STATE OF NEVADA,
15 Plaintiff,
16 -vs-
17 MATTHEW DEAN GOODNER,
18 #1602010
19 Defendant(s).

Case No. C
Dept. No. XV
Docket L

20 INFORMATION

21 STATE OF NEVADA }
22 COUNTY OF CLARK }ss:

23 STEWART L. BELL, District Attorney within and for the County of Clark, State of
24 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

25 That MATTHEW DEAN GOODNER, the Defendant(s) above named, has committed the
26 crime of **POSSESSION OF STOLEN VEHICLE (Felony - NRS 205.273)**, on or about the
27 16th day of January, 2000, within the County of Clark, State of Nevada, contrary to the form,
28 force and effect of statutes in such cases made and provided, and against the peace and dignity
of the State of Nevada, did then and there wilfully, unlawfully and feloniously possess a stolen
motor vehicle wrongfully taken from LENORA UBALDE, to-wit: a 1985 Toyota Celica,
bearing Nevada License No. 653KDW and/or a motor vehicle wrongfully taken from JULIO

EXHIBIT "1"

1 VASQUEZ, to-wit: a 1994 Jeep, which Defendant knew, or had reason to believe, had been
2 stolen.

3 STEWART L. BELL
4 DISTRICT ATTORNEY
5 Nevada Bar #000477

6 BY _____
7 TAMARA BEATTY PETERSON
8 Deputy District Attorney
9 Nevada Bar #005218
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

25
26 DA#00F00768X/mt
27 LVMPD EV#000102154
28 PSV - F
(TK2)

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

7001 DEC 24 12:34 PM

CLERK OF THE COURT

P:\77DOCS\INT\00760076331.WPD

CRIMINAL COURT MINUTES

00-C-168697-C STATE OF NEVADA vs Goodner, Matthew D

07/25/00 08:30 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Sally Loehrer, Judge; Dept. 15

OFFICERS: MELISSA DAVIS, Court Clerk
LISA MAKOWSKI, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006503	Skupa, Kristy L.	Y
0001 D1	Goodner, Matthew D	Y
PUBDEF	Public Defender	Y
006942	Coyne-Hoffman, Brigid	Y

Bruce Snell from the Division of Parole and Probation present. NEGOTIATIONS are contained in the GUILTY PLEA AGREEMENT FILED IN OPEN COURT. DEFENDANT GOODNER ARRAIGNED AND PLED GUILTY TO POSSESSION OF STOLEN VEHICLE (F). COURT ACCEPTED Defendant's plea and pursuant to negotiations, PSI from C164814 to be used and defendant to be sentenced today. COURT ADJUDGED DEFENDANT GUILTY OF POSSESSION OF STOLEN VEHICLE (F). Parties argued and submitted. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Defendant SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS in the Nevada Department of Prisons, sentence to run CONCURRENT to C164814 and defendant to receive 74 days Credit for Time Served. Ms. Skupa advised the Court that a restitution amount has not been determined due to a different PSI being used. COURT ORDERED, this Court will retain jurisdiction on the issue of restitution.

NDP

05/21/01 08:30 AM 00 STATE'S REQUEST CLARIFICATION OF
RESTITUTION

HEARD BY: Sally Loehrer, Judge; Dept. 15

OFFICERS: MELISSA DAVIS, Court Clerk
MARY BETH COOK, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
001802	Jorgenson, Eric G.	Y
0001 D1	Goodner, Matthew D	N
PUBDEF	Public Defender	Y
004918	Bell, Linda M.	Y

Defendant not present as he is housed at the Nevada Department of Prisons. Court noted PSI Report from C164814 was used at the time of sentencing and restitution was not ordered. However, pursuant to the Guilty Plea Agreement, defendant agreed to pay restitution. Mr. Jorgenson stated the amount of restitution in this case is \$553.00. COURT ORDERED, DEFENDANT TO

CONTINUED ON PAGE: 002

PRINT DATE: 12/20/07

PAGE: 001

MINUTES DATE: 05/21/01

CRIMINAL COURT MINUTES

00-C-168697-C STATE OF NEVADA

vs Goodner, Matthew D

CONTINUED FROM PAGE: 001

PAY RESTITUTION IN THE AMOUNT OF \$553.00 AND AMENDED JUDGMENT OF CONVICTION
TO BE PREPARED.

NDP

CERTIFIED COPY
DOCUMENTED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENTS
17051 DEC 24 PM 12:34
CLERK OF THE COURT

ORIGINAL

JOCP

STEWART L. BELL
Clark County District Attorney
Nevada Bar #000477
200 South Third Street
Las Vegas, Nevada 89155-2211
(702) 455-4711
Attorney for Plaintiff

FILED

OCT 3 8 20 AM '02

Shirley E. Langston
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

MATHEW GOODNER, aka
Matthew Dean Goodner,
#1602010

Defendant.

Case No: C183436

Dept No: XVIII

ORDER FOR REVOCATION OF PROBATION AND
AMENDED JUDGMENT OF CONVICTION

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime(s) of STOP REQUIRED ON SIGNAL OF POLICE OFFICER (Felony), in violation of NRS 484.348; thereafter, on the 17th day of June, 2002, the Defendant was present in Court for sentencing with counsel wherein the Court did adjudge the Defendant guilty thereof by reason of the plea(s) of guilty, suspended the execution of the sentence(s) imposed and granted probation to the Defendant.

THEREAFTER, a parole and probation officer provided the Court with a written statement setting forth that the Defendant has, in the judgment of the parole and probation officer, violated the conditions of probation; and on the 25th day of September, 2002, the Defendant appeared in court with his counsel, RALPH R. HILLMAN, Deputy Public Defender, and pursuant to a probation violation hearing/proceeding, and good cause appearing to amend Judgment of Conviction; now therefore,

IT IS HEREBY ORDERED that the probation previously granted to the Defendant is revoked: and

RECEIVED

OCT - 3 2002

CLERK

COUNTY CLERK

SEP 30 2002

RECEIVED

P:\WPDOCS\JUDG\206\20671501.doc



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS FURTHER ORDERED THAT: Original sentence of a MAXIMUM term of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS in the Nevada Department of Corrections is IMPOSED with 129 days credit for time served.

DATED this 2nd day of September, 2002.

Oct

Don Satta
DISTRICT JUDGE

af

jr

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL FILE
BEFORE
7 OCT DEC 2002 12:33
CLERK OF THE COURT

PAWPDOCSUUDG\206\20671501.DOC

14
ORIGINAL

FILED

APR 30 4 50 PM '02

Shirley A. King
CLERK

1 **INFO**

2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

9 I.A. 05/06/02
10 9:00 A.M.
11 P.D.

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,

13 Plaintiff,

14 -vs-

15 MATHEW GOODNER, aka
16 Matthew Dean Goodner, #1602010

17 Defendant.

Case No. C 183436
Dept. No. XVIII

INFORMATION

18 STATE OF NEVADA
19 }
20 COUNTY OF CLARK } ss:

21 STEWART L. BELL, District Attorney within and for the County of Clark, State of
22 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

23 That MATHEW GOODNER, aka Matthew Dean Goodner, the Defendant(s) above
24 named, having committed the crime of **STOP REQUIRED ON SIGNAL OF POLICE**
25 **OFFICER (Felony - NRS 484.348)**, on or about the 11th day of April, 2002, within the County
26 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made
27 and provided, and against the peace and dignity of the State of Nevada, did, while driving a
28 motor vehicle, to-wit: a 2002 Chevrolet, bearing California License No. 4VEZ803, on Mountain
Vista to eastbound Desert Inn, Las Vegas, Clark County, Nevada, wilfully, unlawfully, and
feloniously fail or refuse to bring said vehicle to a stop, or otherwise flee or attempt to elude a
peace officer in a readily identifiable vehicle of any police department or regulatory agency, to-
wit: C. ROBISON, with the Las Vegas Metropolitan Police Department, after being given a

COUNTY CLERK

APR 30 2002

RECEIVED

1 signal to bring the vehicle to a stop, operate said motor vehicle in a manner which endangered,
2 or was likely to endanger any person other than himself, or the property of any person other than
3 himself.

4 STEWART L. BELL
5 DISTRICT ATTORNEY
6 Nevada Bar #000477

7 BY Jerome T. TAO
8 JEROME T. TAO
9 Deputy District Attorney
10 Nevada Bar #007933

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26 DA#02F06715X/ddm
27 LVMPD EV#0204112292
28 STOP REQ SIGNAL P/O - F
(TK3)

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2015 DEC 02 PM 12:33

CLERK OF THE COURT

P:\WP\DOCS\INF\206\20671501.WPD

ORIGINAL

GEM
STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477
200 S. Third Street
Las Vegas, Nevada 89155
(702) 455-4711
Attorney for Plaintiff

FILED IN OPEN COURT
MAY 06 2002

SHIRLEY B. PARRAGUIRRE, CLERK
BY *Shirley B. Parraguirre*
DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

MATHEW GOODNER, aka
Matthew Dean Goodner, #1602010

Defendant.

Case No. C 183436
Dept. No. XVIII

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: STOP REQUIRED ON SIGNAL OF POLICE
OFFICER (Felony - NRS 484.348), 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 has agreed to retain the right to argue at rendition of sentence. Further, I agree
to pay restitution in this Case and Case No. 02F04067X. Further, the State has agreed to dismiss
Case No. 02F04067X.

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 State Prison for a minimum term of not less than ONE (1) year(s)

COUNTY CLERK

MAY 06 2002

RECEIVED

1 and a maximum term of not more than SIX (6) years. The minimum term of imprisonment may
2 not exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may
3 also be fined up to \$5,000.00. I understand that the law requires me to pay an Administrative
4 Assessment Fee.

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

9 I understand that I am eligible for probation for the offense to which I am pleading guilty.
10 I understand that, except as otherwise provided by statute, the question of whether I receive
11 probation is in the discretion of the sentencing judge.

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

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

17 I have not been promised or guaranteed any particular sentence by anyone. I know that
18 my sentence is to be determined by the Court within the limits prescribed by statute.

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

21 I understand that if the State of Nevada has agreed to recommend or stipulate a particular
22 sentence or has agreed not to present argument regarding the sentence, or agreed not to oppose
23 a particular sentence, such agreement is contingent upon my appearance in court on the initial
24 sentencing date (and any subsequent dates if the sentencing is continued). I understand that if
25 I fail to appear for the scheduled sentencing date or I commit a new criminal offense prior to
26 sentencing the State of Nevada would regain the full right to argue for any lawful sentence.

27 I understand if the offense(s) to which I am pleading guilty to was committed while I was
28 incarcerated on another charge or while I was on probation or parole that I am not eligible for

1 credit for time served toward the instant offense(s).

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

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

12 WAIVER OF RIGHTS

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

15 1. The constitutional privilege against self-incrimination, including the right to refuse to
16 testify at trial, in which event the prosecution would not be allowed to comment to the jury about
17 my refusal to testify.

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

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

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

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

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

1 subsection 3 of NRS 174.035.

2 VOLUNTARINESS OF PLEA

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

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

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

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

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

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

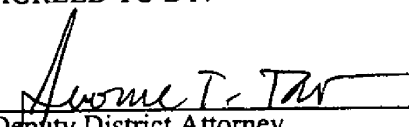
16 I am not now under the influence of any intoxicating liquor, a controlled substance or
17 other drug which would in any manner impair my ability to comprehend or understand this
18 agreement or the proceedings surrounding my entry of this plea.

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

21 DATED this 6 day of May, 2002.

22
23 
24 MATTHEW GOODNER, aka Matthew Dean Goodner
Defendant

25 AGREED TO BY:

26
27 
28 Deputy District Attorney

1 CERTIFICATE OF COUNSEL:

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

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

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

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

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

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

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

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

18 Dated: This 6 day of May, 2002.

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

ddm

1 **INFO**
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

9 I.A. 05/06/02
10 9:00 A.M.
11 P.D.

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,
13
14 Plaintiff,

15 -vs-

16 MATHEW GOODNER, aka
17 Matthew Dean Goodner, #1602010

18 Defendant.

Case No. C
Dept. No. XVIII

INFORMATION

19 STATE OF NEVADA }
20 } ss:
21 COUNTY OF CLARK }

22 STEWART L. BELL, District Attorney within and for the County of Clark, State of
23 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

24 That MATHEW GOODNER, aka Matthew Dean Goodner, the Defendant(s) above
25 named, having committed the crime of **STOP REQUIRED ON SIGNAL OF POLICE**
26 **OFFICER (Felony - NRS 484.348)**, on or about the 11th day of April, 2002, within the County
27 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made
28 and provided, and against the peace and dignity of the State of Nevada, did, while driving a
motor vehicle, to-wit: a 2002 Chevrolet, bearing California License No. 4VEZ803, on Mountain
Vista to eastbound Desert Inn, Las Vegas, Clark County, Nevada, wilfully, unlawfully, and
feloniously fail or refuse to bring said vehicle to a stop, or otherwise flee or attempt to elude a
peace officer in a readily identifiable vehicle of any police department or regulatory agency, to-
wit: C. ROBISON, with the Las Vegas Metropolitan Police Department, after being given a

EXHIBIT "1"

1 signal to bring the vehicle to a stop, operate said motor vehicle in a manner which endangered,
2 or was likely to endanger any person other than himself, or the property of any person other than
3 himself.

4 STEWART L. BELL
5 DISTRICT ATTORNEY
6 Nevada Bar #000477

7 BY
8 JEROME T. TAO
9 Deputy District Attorney
10 Nevada Bar #007933

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26 CERTIFIED COPY
27 DA#02F06715X/ddm
28 LVMPD EV#0204122920 COPY 22
STOP REQ SIGNAL P/O OFFICE
(TK3)

17007 DEC 24 P 12:55

CLERK OF THE COURT

P:\WPDOCS\IN\20671501.WPD

CRIMINAL COURT MINUTES

02-C-183436-C STATE OF NEVADA vs Goodner, Mathew

05/06/02 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Amber Farley, Court Clerk
Debra Vanblaricom, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006029	Lawson, Tamara F.	Y
0001 D1	Goodner, Mathew	Y
PUBDEF	Public Defender	Y
003076	Hillman, Ralph R.	Y

Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: The State retains the right to argue. Defendant agrees to pay restitution in this case and in case no. 02F04067X. Case no. 02F04067X to be dismissed after rendition of sentence in this case. DEFENDANT GOODNER ARRAIGNED and PLED GUILTY to STOP REQUIRED ON SIGNAL OF POLICE OFFICER (F). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing. Mr. Hillman requested an o.r. release or bail reduction. Opposition by the State. COURT ORDERED, o.r. release DENIED and bail stands as set.

CUSTODY

6/17/02 9:00 AM SENTENCING

06/17/02 09:00 AM 00 SENTENCING

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Amber Farley, Court Clerk
Kristine Cornelius, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006029	Lawson, Tamara F.	Y
0001 D1	Goodner, Mathew	Y
PUBDEF	Public Defender	Y
003076	Hillman, Ralph R.	Y

Roy Stuart, Division of Parole and Probation ("P&P") present. DEFENDANT GOODNER ADJUDGED GUILTY of STOP REQUIRED ON SIGNAL OF POLICE OFFICER (F). Statement by Defendant. Mr. Hillman argued for probation, as he doesn't believe Defendant can physically complete boot camp due to his medical condition. Court stated it will either follow the recommendation, or give the Defendant probation with the maximum underlying sentence. Defendant stated he'd rather have probation with a drug treatment program, and promised the Court that he'd complete probation. Court noted same for the

CONTINUED ON PAGE: 002

CRIMINAL COURT MINUTES

02-C-183436-C STATE OF NEVADA

vs Goodner, Mathew

CONTINUED FROM PAGE: 001

record, and will give the Defendant this one last chance. COURT ORDERED, in addition to the \$25 Administrative Assessment fee, DEFENDANT GOODNER SENTENCED to the Nevada Department of Corrections for ONE (1) to SIX (6) YEARS, with 67 days credit for time served; SUSPENDED; placed on PROBATION for an indeterminate period not to exceed THREE (3) YEARS. CONDITIONS:

1. Enter and complete Drug Court. Failure of the program will result in the underlying sentence being imposed.

2. Submit to search of person, residence, vehicle, or any property under Defendant's control at any time by any probation officer.

3. Enter and complete any counseling, as deemed necessary by P & P, to include parenting classes. Court stated that this condition is to be stayed while the Defendant is participating in Drug Court.

4. Complete 8 hours of community service work each month of probation not to exceed the provisions of NRS 176.087, unless employed full time. This condition to be stayed while Defendant is participating in Drug Court.

5. Abstain from the use, possession or control of any alcoholic beverages.

6. Defendant to attempt to maintain full-time employment. Defendant is to provide proof of his efforts.

Defendant to be released from custody on this case. Matter referred to Drug Court for further proceedings. Court noted this is Defendant's LAST CHANCE.

NIC

06/24/02 09:00 AM 00 FURTHER PROCEEDINGS -DRUG COURT

HEARD BY: Jack Lehman, Judge; Dept. 10

OFFICERS: Nancy Noble/nn, Court Clerk
Dick Kangas, Reporter/Recorder

PARTIES: STATE OF NEVADA
004031 Porterfield Jr, Owen W.
0001 D1 Goodner, Mathew
PUBDEF Public Defender
001231 Dejulio, Douglas P.

Y

Y

N

Y

Y

COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL.

B.W. (NIC)

CONTINUED ON PAGE: 003

PRINT DATE: 12/20/07

PAGE: 002

MINUTES DATE: 06/24/02

CRIMINAL COURT MINUTES

02-C-183436-C STATE OF NEVADA

vs Goodner, Mathew

CONTINUED FROM PAGE: 002

08/19/02 09:00 AM 00 BENCH WARRANT RETURN - DTP

HEARD BY: Jack Lehman, Judge; Dept. 10

OFFICERS: Nancy Noble/nn, Court Clerk
Dick Kangas, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004031	Porterfield Jr, Owen W.	Y
0001 D1	Goodner, Mathew	Y
PUBDEF	Public Defender	Y
001231	Dejulio, Douglas P.	Y

Mr. Porterfield stated defendant has a probation hold with a court date today to set a date for revocation hearing. COURT ORDERED matter CONTINUED.

CUSTODY

08/6/02 9:00 AM BENCH WARRANT RETURN CONT.

CONTINUED TO: 08/26/02 09:00 AM 01

08/19/02 09:00 AM 00 NOTICE OF INTENT REV OF PROB /07

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Amber Farley, Court Clerk
Kristine Cornelius, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
002805	Wall, David T.	Y
0001 D1	Goodner, Mathew	N
PUBDEF	Public Defender	Y
003076	Hillman, Ralph R.	Y

Defendant in dept. X this morning. Matter CONTINUED to determine what happens with the Defendant's other cases.

CUSTODY (COC)

CONTINUED TO: 09/25/02 09:00 AM 01

CRIMINAL COURT MINUTES

02-C-183436-C STATE OF NEVADA

vs Goodner, Mathew

CONTINUED FROM PAGE: 003

08/26/02 09:00 AM 01 BENCH WARRANT RETURN - DTP

HEARD BY: Jack Lehman, Judge; Dept. 10

OFFICERS: Barbara Blankenship/bb, Court Clerk
Dick Kangas, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004031	Porterfield Jr, Owen W.	Y
0001 D1	Goodner, Mathew	Y
PUBDEF	Public Defender	Y
001231	Dejulio, Douglas P.	Y

Defendant stated he signed the Guilty Plea Agreement in Dept. 16, and goes back in one week for sentencing. COURT ORDERED, matter CONTINUED until after Defendant has been sentenced.

CONTINUED TO: 09/09/02 09:00 AM 02

09/09/02 09:00 AM 02 BENCH WARRANT RETURN - DTP

HEARD BY: Sally Loehrer, Judge; Dept. 15

OFFICERS: Nancy Noble/nn, Court Clerk
Lisa Makowski, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004031	Porterfield Jr, Owen W.	Y
0001 D1	Goodner, Mathew	Y
PUBDEF	Public Defender	Y
001231	Dejulio, Douglas P.	Y

Court noted defendant has a pending revocation in Dept XVIII as well as sentencings pending in two other cases in Dept XVI. COURT ORDERED matter CONTINUED pending outcome of other cases.

CUSTODY

CONTINUED TO: 10/01/02 08:30 AM 03

CONTINUED ON PAGE: 005

PRINT DATE: 12/20/07

PAGE: 004

MINUTES DATE: 09/09/02

CRIMINAL COURT MINUTES

02-C-183436-C STATE OF NEVADA

vs Goodner, Mathew

CONTINUED FROM PAGE: 004

09/25/02 09:00 AM 01 NOTICE OF INTENT REV OF PROB /07

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Amber Farley, Court Clerk
Kristine Cornelius, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
002805	Wall, David T.	Y
0001 D1	Goodner, Mathew	Y
PUBDEF	Public Defender	Y
003076	Hillman, Ralph R.	Y

Officer McDaniel, Division of Parole and Probation present. Mr. Hillman stated Defendant pled to two other felony charges. Upon Court's inquiry, Defendant stated he was arrested on those charges after he was placed on probation in this case. Defendant requested to be revoked today so that he can argue for concurrent time in his other cases. Defendant STIPULATED to revocation. COURT ORDERED, PROBATION REVOKED and original sentence of a MAXIMUM term of SEVENTY-TWO (72) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS is IMPOSED, with 129 days credit for time served.

NDC

10/01/02 08:30 AM 03 BENCH WARRANT RETURN - DTP

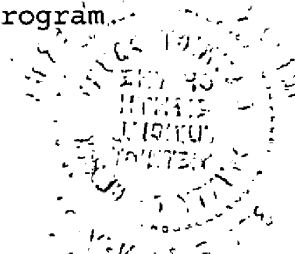
HEARD BY: Jack Lehman, Judge; Dept. 10

OFFICERS: Nancy Noble/nn, Court Clerk
Jeanette Singer, Relief Clerk
Dick Kangas, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
004031	Porterfield Jr, Owen W.	Y
0001 D1	Goodner, Mathew	Y
PUBDEF	Public Defender	Y
007958	Wong, Timothy	Y

Defendant having been sentenced to Nevada Dept of Corrections in the instant case as well as C186105 and C186140, COURT ORDERED, Defendant TERMINATED from the Drug Treatment Program.

NDC



CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2001 DEC 24 P 12:33

[Signature]
CLERK OF THE COURT

ORIGINAL

9

1 JOC
2 STEWART L. BELL
3 Clark County District Attorney
4 Nevada Bar #000477
5 200 South Third Street
6 Las Vegas, Nevada 89155-2211
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

OCT 8 2 03 PM '02

Shirley B. Langston
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW DEAN GOODNER,
#1602010

Defendant.

Case No: C186140

Dept No: XVI

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime(s) of COUNT 1 - GRAND LARCENY AUTO (Felony) and COUNT 2 - POSSESSION OF FIREARM BY EX-FELON (Felony), in violation of NRS 205.228, 202.360; thereafter, on the 30th day of September, 2002, the Defendant was present in court for sentencing with his counsel, JENNIFER BOLTON, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment Fee, the Defendant is sentenced as follows: COUNT I-MAXIMUM term of (60) SIXTY MONTHS with a MINIMUM parole eligibility of (15) FIFTEEN MONTHS; COUNT II-MAXIMUM term of (60) SIXTY MONTHS with a MINIMUM parole eligibility of (15) FIFTEEN MONTHS in the Nevada Department of Corrections. Count II to run concurrent with count I; Case to run consecutive to Case C183436.

DATED this 7th day of October, 2002.

CERTIFIED TRUE
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

John S. Murphy
DISTRICT JUDGE

PAWPDOCSUUDG21321352901.docltgd

STATE'S
EXHIBIT

4

FILED 2002-10-08

C236724

ORIGINAL

FILED

1 INFO
 2 STEWART L. BELL
 3 DISTRICT ATTORNEY
 4 Nevada Bar #000477
 5 200 S. Third Street
 6 Las Vegas, Nevada 89155
 7 (702) 455-4711
 8 Attorney for Plaintiff

AUG 23 11 02 AM '02

Shirley C. Ruggiano
 CLERK

6 I.A. 8/26/02
 7 9:00 A.M.
 8 F. KOCKA

DISTRICT COURT
 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 MATTHEW DEAN GOODNER,
 13 #1602010

14 Defendant.

Case No. C186140
 Dept. No. XVI

INFORMATION

16 STATE OF NEVADA

17 COUNTY OF CLARK

} ss:

18 STEWART L. BELL, District Attorney within and for the County of Clark, State of
 19 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

20 That MATTHEW DEAN GOODNER, the Defendant(s) above named, having committed
 21 the crimes of **GRAND LARCENY AUTO (Felony - NRS 205.228)** and **POSSESSION OF**
 22 **FIREARM BY EX-FELON (Felony - NRS 202.360)**, on or between July 21, 2002, and July
 23 25, 2002, within the County of Clark, State of Nevada, contrary to the form, force and effect of
 24 statutes in such cases made and provided, and against the peace and dignity of the State of
 25 Nevada,

26 COUNT 1 - GRAND LARCENY AUTO

did, on or between July 21, 2002, and July 24, 2002, then and there wilfully, unlawfully,
 and feloniously, with intent to deprive the owner permanently thereof, steal, take and drive away

RECEIVED
 AUG 23 2002
 COUNTY CLERK

1 the motor vehicle of LILLIAN LIDE and/or MELVIN BROOKS, JR., to-wit: a 1997 Nissan
2 and/or a 1991 Nissan, bearing an unknown License No.

3 COUNT 2 - POSSESSION OF FIREARM BY EX-FELON

4 did, on or about July 25, 2002, then and there wilfully, unlawfully, and feloniously own
5 or have in his possession, or under his control, a weapon, to-wit: a Glock 9 mm handgun,
6 bearing Serial No. BZ608, the said MATTHEW DEAN GOODNER being an ex-felon, having
7 in 2000, been convicted of Possession of Stolen Vehicle, a felony under the laws of the State of
8 Nevada.

9 STEWART L. BELL
10 DISTRICT ATTORNEY
Nevada Bar #000477

11
12 BY *Phil Brown*
13 ROGER GRAM
Deputy District Attorney
14 Nevada Bar #006612

15
16
17
18
19
20
21
22
23
24
25 DA#02F13529X/kjk
26 LVMPD EV#0207242234;
0207221580; 0207241647;
27 0207251778; 0207221201
28 GLA; POSS F/A BY EX-FEL - F
(TK6)

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2007 DEC 20 P 3:54

-2- CLERK OF THE COURT
PAWPD0CS\INF213\21352901.WPD\kjh

ORIGINAL

1 **GMEM**
2 **STEWART L. BELL**
3 **DISTRICT ATTORNEY**
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

FILED IN OPEN COURT

AUG 26 2002

SHIRLEY B. PARRAGUIRRE, CLERK

BY *Georgette Byrd*

GEORGETTE BYRD **DEPUTY**

DISTRICT COURT
CLARK COUNTY, NEVADA

8 **THE STATE OF NEVADA,**

9 Plaintiff,

10 -vs-

11 **MATTHEW DEAN GOODNER,**
12 **#1602010**

13 Defendant.

Case No. C186140
Dept. No. XVI

14
15 **GUILTY PLEA AGREEMENT**

16 I hereby agree to plead guilty to: **COUNT 1 - GRAND LARCENY AUTO (Felony -**
17 **NRS 205.228) and COUNT 2 - POSSESSION OF FIREARM BY EX-FELON (Felony -**
18 **NRS 202.360), as more fully alleged in the charging document attached hereto as Exhibit "1".**

19 I also hereby agree to plead guilty to: **COERCION (Felony - NRS 207.190), as more fully**
20 **alleged in C186105.**

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

23 The State has agreed to retain the right to argue for consecutive time to the Defendant's
24 probation revocation in C183436, but does not oppose concurrent time between 02F13812A and
25 02F13429X.

26 **CONSEQUENCES OF THE PLEA**

27 I understand that by pleading guilty I admit the facts which support all the elements of
28 **RECEIVED** (s) to which I now plead as set forth in Exhibit "1".

AUG 26 2002
COUNTY CLERK

1 I understand that as a consequence of my plea of guilty the Court must sentence me to
2 imprisonment in the Nevada State Prison as follows:

3 COUNT 1 - GRAND LARCENY AUTO -for a minimum term of not less than ONE (1) year
4 and a maximum term of not more than FIVE (5) years. The minimum term of imprisonment may
5 not exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may
6 also be fined up to \$5,000.

7 COUNT 2 - POSSESSION OF FIREARM BY EX-FELON - for a minimum term of not less
8 than ONE (1) year and a maximum term of not more than SIX (6) years for The minimum term
9 of imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment.
10 I understand that I may also be fined up to \$10,000.

11 I understand that the law requires me to pay an Administrative Assessment Fee.

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

16 I understand that I am eligible for probation for the offense to which I am pleading guilty.
17 I understand that, except as otherwise provided by statute, the question of whether I receive
18 probation is in the discretion of the sentencing judge.

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

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

24 I have not been promised or guaranteed any particular sentence by anyone. I know that
25 my sentence is to be determined by the Court within the limits prescribed by statute. I
26 understand that if my attorney or the State of Nevada or both recommend any specific
27 punishment to the Court, the Court is not obligated to accept the recommendation.

28 I understand that the Division of Parole and Probation will prepare a report for the

1 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
2 sentencing, including my criminal history. This report may contain hearsay information
3 regarding my background and criminal history. My attorney and I will each have the opportunity
4 to comment on the information contained in the report at the time of sentencing. Unless the
5 District Attorney has specifically agreed otherwise, then the District Attorney may also comment
6 on this report.

7 WAIVER OF RIGHTS

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

10 1. The constitutional privilege against self-incrimination, including the right to refuse to
11 testify at trial, in which event the prosecution would not be allowed to comment to the jury about
12 my refusal to testify.

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

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

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

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

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

25 VOLUNTARINESS OF PLEA

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

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

1 at trial.

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

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

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

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

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

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

16 DATED this 26 day of August, 2002.

17 
18 _____
19 MATTHEW DEAN GOODNER
20 Defendant

21 AGREED TO BY:

22 
23 _____
24 Deputy District Attorney

25
26
27
28

1 CERTIFICATE OF COUNSEL:

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

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

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

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

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

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

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

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

18 Dated: This 24 day of August, 2002.

19
20
21
22
23
24
25
26
27
28

ATTORNEY FOR DEFENDANT

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2001 DEC 20 P 3:56

CLERK OF THE COURT

1 **INFO**
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

9 I.A. 8/26/02
10 9:00 A.M.
11 F. KOCKA

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,

13 Plaintiff,

14 -vs-

15 MATTHEW DEAN GOODNER,
16 #1602010

17 Defendant.

Case No. C186140
Dept. No. XVI

INFORMATION

18 STATE OF NEVADA }
19 COUNTY OF CLARK } ss:

20 STEWART L. BELL, District Attorney within and for the County of Clark, State of
21 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

22 That MATTHEW DEAN GOODNER, the Defendant(s) above named, having committed
23 the crimes of **GRAND LARCENY AUTO (Felony - NRS 205.228)** and **POSSESSION OF**
24 **FIREARM BY EX-FELON (Felony - NRS 202.360)**, on or between July 21, 2002, and July
25 25, 2002, within the County of Clark, State of Nevada, contrary to the form, force and effect of
26 statutes in such cases made and provided, and against the peace and dignity of the State of
27 Nevada,

28 COUNT 1 - GRAND LARCENY AUTO

did, on or between July 21, 2002, and July 24, 2002, then and there wilfully, unlawfully,
and feloniously, with intent to deprive the owner permanently thereof, steal, take and drive away

EXHIBIT "

1 the motor vehicle of LILLIAN LIDE and/or MELVIN BROOKS, JR., to-wit: a 1997 Nissan
2 and/or a 1991 Nissan, bearing an unknown License No.

3 COUNT 2 - POSSESSION OF FIREARM BY EX-FELON

4 did, on or about July 25, 2002, then and there wilfully, unlawfully, and feloniously own
5 or have in his possession, or under his control, a weapon, to-wit: a Glock 9 mm handgun,
6 bearing Serial No. BZ608, the said MATTHEW DEAN GOODNER being an ex-felon, having
7 in 2000, been convicted of Possession of Stolen Vehicle, a felony under the laws of the State of
8 Nevada.

9 STEWART L. BELL
10 DISTRICT ATTORNEY
Nevada Bar #000477

11
12 BY Phil Brown for
13 ROGER CRAM
Deputy District Attorney
Nevada Bar #006612
14
15
16
17
18
19
20
21
22
23
24
25

26 DA#02F13529X/kjk
27 LVMPD EV#0207242234;
0207221580; 0207241647;
0207251778; 0207221201
28 GLA; POSS F/A BY EX-FEL - F
(TK6)

CRIMINAL COURT MINUTES

02-C-186140-C STATE OF NEVADA vs Goodner, Matthew D

08/26/02 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan/ad, Court Clerk
 Georgette Byrd, Relief Clerk
 Sonia Riley-Bennett, Reporter/Recorder

PARTIES: STATE OF NEVADA
 006955 Di Giacomo, Marc P.
 0001 D1 Goodner, Matthew D
 006572 Bolton, Jennifer

Y
 Y
 Y
 Y

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEPT. GOODNER ARRAIGNED AND PLED GUILTY TO COUNT I-GRAND LARCENY AUTO (F) and COUNT II-POSSESSION OF FIREARM BY EX-FELON (F). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing.

CUSTODY

09/03/02 SENTENCING

09/03/02 09:00 AM 00 SENTENCING

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Tina Hurd, Court Clerk
 Carole D'Aloia/CD, Relief Clerk
 Cindy Magnussen, Reporter/Recorder

PARTIES: STATE OF NEVADA
 005927 De La Garza, Melisa
 0001 D1 Goodner, Matthew D
 006572 Bolton, Jennifer

Y
 Y
 Y
 Y

Officer W. Chickering of the Division of Parole and Probation (P&P) present. Ms. Bolton appeared for Mr. Kocka and requested a continuance on his behalf until after 9/25/02. There being no objection by Mr. DiGiacomo, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 09/30/02 09:00 AM 01

CERTIFIED COPY
 DOCUMENT ATTACHED IS A
 TRUE AND CORRECT COPY
 OF THE DOCUMENT ON FILE

CLERK OF THE COURT

CRIMINAL COURT MINUTES

02-C-186140-C STATE OF NEVADA

vs Goodner, Matthew D

CONTINUED FROM PAGE: 001

09/30/02 09:00 AM 01 SENTENCING

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Georgette Byrd/gb, Relief Clerk
Cindy Magnussen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
002804	Villegas, Victoria A.	Y
0001 D1	Goodner, Matthew D	Y
006572	Bolton, Jennifer	Y

DEFT. GOODNER ADJUDGED GUILTY of COUNT I-GRAND LARCENY AUTO (F); COUNT II-POSSESSION OF FIREARM BY EX-FELON (F). Pursuant to statute, the \$25.00 Administrative Assessment fee is imposed. COURT ORDERED, Deft. SENTENCED as to COUNT I-MAXIMUM term of (60) SIXTY MONTHS with a MINIMUM parole eligibility of (15) FIFTEEN MONTHS; COUNT II-MAXIMUM term of (60) SIXTY MONTHS with a MINIMUM parole eligibility of (15) FIFTEEN MONTHS in the Nevada Department of Corrections. Count II to run concurrent with count I; Case to run consecutive to Case C183436.

9

ORIGINAL

JOCP
STEWART L. BELL
Clark County District Attorney
Nevada Bar #000477
200 South Third Street
Las Vegas, Nevada 89155-2211
(702) 455-4711
Attorney for Plaintiff

FILED
Oct 8 2 04 PM '02
Shirley S. Pangione
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

Case No: C186105

Dept No: XVI

MATTHEW DEAN GOODNER,
#1602010

Defendant.

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime(s) of COERCION (Felony), in violation of NRS 207.190; thereafter, on the 30th day of September, 2002, the Defendant was present in court for sentencing with his counsel, JENNIFER BOLTON, ESQ. and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment Fee, the Defendant is sentenced as follows: to a MAXIMUM term of (60) SIXTY MONTHS with a MINIMUM parole eligibility of (15) FIFTEEN MONTHS in the Nevada Department of Corrections. Case to run concurrent to Case C186140.

DATED this 7th day of October, 2002.

CERTIFIED
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

John Ampranty
DISTRICT JUDGE

2002 DEC 20 P 3:54

CLERK OF THE COURT

RECEIVED

OCT 8 - JUN

COUNTY CLERK

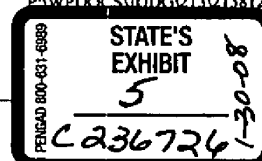
COUNTY CLERK

OCT 17 2002

RECEIVED

28

PAWPDCCSVJUDG213121381201.doc\kjk



ORIGINAL

FILED

AUG 23 11 04 AM '02

Shirley B. Rongione
CLERK

1 INFO
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

6 I.A. 8/26/02
9:00 A.M.
7 F. KOCKA

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 MATTHEW DEAN GOODNER,
13 #1602010

14 Defendant.

Case No. C186105
Dept. No. XVI

INFORMATION

17 STATE OF NEVADA }
18 COUNTY OF CLARK } ss:

19 STEWART L. BELL, District Attorney within and for the County of Clark, State of
20 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

21 That MATTHEW DEAN GOODNER, the Defendant(s) above named, having committed
22 the crime of COERCION (Felony - NRS 207.190), on or about the 13th day of July, 2002,
23 within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes
24 in such cases made and provided, and against the peace and dignity of the State of Nevada, did
25 then and there wilfully, unlawfully and feloniously use physical force, or immediate threat of

26 ///
///
///

RECEIVED
AUG 23 2002
COUNTY CLERK

1 such force against JAMES TRIPPIEDI, with intent to compel the said JAMES TRIPPIEDI to
2 do, or abstain from doing, an act which he had a right to do, or abstain from doing by holding
3 or detaining the said JAMES TRIPPIEDI against his will.

4 STEWART L. BELL
5 DISTRICT ATTORNEY
6 Nevada Bar #000477

7 BY Phil Brown for
8 ROGER CRAM
9 Deputy District Attorney
10 Nevada Bar #006612
11
12
13
14
15
16
17
18
19
20
21
22
23
24

25
26
27 DA#02F13812A/kjk
28 LVMPD EV#0207252647
COERCION - F
(TK8)

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2001 DEC 20 P 3:56

-2-

CLERK OF THE CLAWP DOCS\INF213\21381201.WPD\kjh

ORIGINAL

FILED IN OPEN COURT

AUG 26 2002

SHIRLEY B. PARRAGUIRRE, CLERK

BY

DEPUTY

GEORGETTE BYRD

DISTRICT COURT
CLARK COUNTY, NEVADA

1 GMEM
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 MATTHEW DEAN GOODNER,
12 #1602010

13 Defendant.

Case No. C186105
Dept. No. XVI

15 **GUILTY PLEA AGREEMENT**

16 I hereby agree to plead guilty to: **COERCION (Felony - NRS 207.190)**, as more fully
17 alleged in the charging document attached hereto as Exhibit "1".

18 I also hereby agree to plead guilty to **COUNT 1 - GRAND LARCENY AUTO (Felony)**
19 and **COUNT 2 - POSSESSION OF FIREARM BY EX-FELON (Felony)**, as more fully alleged
20 in C186140.

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

23 The State has agreed to retain the right to argue for consecutive time to the Defendant's
24 probation revocation in C183436, but does not oppose concurrent time between 02F13812A and
25 02F13429X.

26 **CONSEQUENCES OF THE PLEA**

27 I understand that by pleading guilty I admit the facts which support all the elements of
28 the offense(s) to which I now plead as set forth in Exhibit "1".

RECEIVED

AUG 26 2002

COUNTY CLERK

1 I understand that as a consequence of my plea of guilty the Court must sentence me to
2 imprisonment in the Nevada State Prison for a minimum term of not less than ONE (1) year and
3 a maximum term of not more than SIX (6) years. The minimum term of imprisonment may not
4 exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may also
5 be fined up to \$5,000. I understand that the law requires me to pay an Administrative
6 Assessment Fee.

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

11 I understand that I am eligible for probation for the offense to which I am pleading guilty.
12 I understand that, except as otherwise provided by statute, the question of whether I receive
13 probation is in the discretion of the sentencing judge.

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

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

19 I have not been promised or guaranteed any particular sentence by anyone. I know that
20 my sentence is to be determined by the Court within the limits prescribed by statute. I
21 understand that if my attorney or the State of Nevada or both recommend any specific
22 punishment to the Court, the Court is not obligated to accept the recommendation.

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

1 on this report.

2 **WAIVER OF RIGHTS**

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

5 1. The constitutional privilege against self-incrimination, including the right to refuse to
6 testify at trial, in which event the prosecution would not be allowed to comment to the jury about
7 my refusal to testify.

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

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

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

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

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

20 **VOLUNTARINESS OF PLEA**

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

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

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

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


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

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

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

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

11 DATED this 26 day of August, 2002.

12
13 
14 MATTHEW DEAN GOODNER
15 Defendant

16 AGREED TO BY:

17
18 
19 Deputy District Attorney

20
21
22
23
24
25
26
27
28

1 CERTIFICATE OF COUNSEL:

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

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

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

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

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

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

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

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

18 Dated: This 26 day of August, 2002.

19
20
21
22
23
24
25
26
27
28

ATTORNEY FOR DEFENDANT

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

2001 DEC 20 P 3:55

CLERK

COURT

PAWPDOCS\INF21321381202.WPD\vjh

1 **INFO**
2 STEWART L. BELL
3 DISTRICT ATTORNEY
4 Nevada Bar #000477
5 200 S. Third Street
6 Las Vegas, Nevada 89155
7 (702) 455-4711
8 Attorney for Plaintiff

9 I.A. 8/26/02
10 9:00 A.M.
11 F. KOCKA

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,

13 Plaintiff,

14 -vs-

15 MATTHEW DEAN GOODNER,
16 #1602010

17 Defendant.

Case No. C186105
Dept. No. XVI

INFORMATION

18 STATE OF NEVADA
19 COUNTY OF CLARK

} ss:

20 STEWART L. BELL, District Attorney within and for the County of Clark, State of
21 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

22 That MATTHEW DEAN GOODNER, the Defendant(s) above named, having committed
23 the crime of **COERCION (Felony - NRS 207.190)**, on or about the 13th day of July, 2002,
24 within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes
25 in such cases made and provided, and against the peace and dignity of the State of Nevada, did
26 then and there wilfully, unlawfully and feloniously use physical force, or immediate threat of

27 ///

28 ///

///

EXHIBIT" / "

1 such force against JAMES TRIPPIEDI, with intent to compel the said JAMES TRIPPIEDI to
2 do, or abstain from doing, an act which he had a right to do, or abstain from doing by holding
3 or detaining the said JAMES TRIPPIEDI against his will.

4 STEWART L. BELL
5 DISTRICT ATTORNEY
6 Nevada Bar #000477

7 BY Phil Brown for
8 ROGER CRAM
9 Deputy District Attorney
10 Nevada Bar #006612
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

26 DA#02F13812A/kjk
27 LVMPD EV#0207252647
28 COERCION - F
(TK8)

-2-

P:\WPDOCS\INF\213\21381201.WPD\qjh

CRIMINAL COURT MINUTES

02-C-186105-C STATE OF NEVADA vs Goodner, Matthew

08/26/02 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Annette Duncan, Court Clerk
Georgette Byrd/GB, Relief Clerk
Sonjia Riley-Bennett, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	006955 Di Giacomo, Marc P.	Y
	0001 D1 Goodner, Matthew	Y
	003095 Kocka, Francis	Y

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. GOODNER ARRAIGNED AND PLED GUILTY TO Coercion (F). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing.

CUSTODY

09/30/02 SENTENCING

09/03/02 09:00 AM 00 SENTENCING

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Tina Hurd, Court Clerk
Carole D'Aloia/CD, Relief Clerk
Cindy Magnussen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	005927 De La Garza, Melisa	Y
	0001 D1 Goodner, Matthew	Y
	006572 Bolton, Jennifer	Y

Officer W. Chickering of the Division of Parole and Probation (P&P) present. Ms. Bolton appeared for Mr. Kocka and requested matter be continued on his behalf till after 9/25/02. There being no objection by Mr. DiGiacomo, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 09/30/02 09:00 AM 01

CRIMINAL COURT MINUTES

02-C-186105-C STATE OF NEVADA vs Goodner, Matthew
 CONTINUED FROM PAGE: 001

09/30/02 09:00 AM 01 SENTENCING

HEARD BY: John S. McGroarty, Judge; Dept. 16

OFFICERS: Georgette Byrd/GB, Relief Clerk
 Cindy Magnussen, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	002804 Villegas, Victoria A.	Y
	0001 D1 Goodner, Matthew	Y
	006572 Bolton, Jennifer	Y

Officer Stewart of Parole and Probation present. DEFT. GOODNER ADJUDGED GUILTY of COERCION (F). Statements of mitigation. Pursuant to statute, the \$25.00 Administrative Assessment fee is imposed. COURT ORDERED, Deft. SENTENCED to a MAXIMUM term of (60) SIXTY MONTHS with a MINIMUM parole eligibility of (15) FIFTEEN MONTHS in the Nevada Department of Corrections. Case to run concurrent to Case C186140.

CERTIFIED COPY
 DOCUMENT AND FILED IS A
 TRUE AND CORRECT COPY
 OF THE DOCUMENT ON FILE

2007 DEC 20 P 3:51

CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 17, 2007**

07C236726-2

The State of Nevada vs Jason Hilliard

September 17, 2007**9:00 AM****Initial Arraignment****INITIAL
ARRAIGNMENT
Court Clerk: Sharry
Frascarelli Relief
Clerk: Conan
Vanderbusse/cv
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Weckerly, Pamela C.

Attorney

JOURNAL ENTRIES

- Ms. Weckerly advised the State has received additional information and this case is to be dismissed.
COURT SO ORDERED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 19, 2007**

07C236726-2

The State of Nevada vs Jason Hilliard

November 19, 2007**9:00 AM****Initial Arraignment**

**INITIAL
ARRAIGNMENT
Court Clerk: Conan
Vanderbusse/cv
Relief Clerk: Sandy
Anderson
Reporter/Recorder:
Kiara Schmidt Heard
By: Kevin Williams**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Frizzell III, Kenneth G.
Hilliard, Jason
Weckerly, Pamela C.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. HILLARD ARRAIGNED AND PLED GUILTY TO POSSESSION OF STOLEN VEHICLE (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for SENTENCING.

CUSTODY

12/18/07 9:00 AM SENTENCING (DEPT 14)

PRINT DATE:

09/05/2019

Page 2 of 12

Minutes Date:

September 17, 2007

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 18, 2007**

07C236726-2

The State of Nevada vs Jason Hilliard

December 18, 2007**9:00 AM****Sentencing****SENTENCING
Court Clerk: Linda
Skinner
Reporter/Recorder:
Joe D'Amato Heard
By: Mosley, Donald
M.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Frizzell III, Kenneth G.
Hilliard, Jason
Sedlock, Priyanka T.Attorney
Defendant
Attorney**JOURNAL ENTRIES**

- As Parole and Probation needs more time to prepare the report, COURT ORDERED, matter
CONTINUED.
CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 30, 2008**

07C236726-2

The State of Nevada vs Jason Hilliard

January 30, 2008**9:00 AM****Sentencing****SENTENCING****Court Clerk: Linda****Skinner/Is Relief****Clerk: Becky Foster****Reporter/Recorder:****Joe D'Amato Heard****By: Donald Mosley****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Frizzell III, Kenneth G.

Attorney

Hilliard, Jason

Defendant

Owens, Christopher J.

Attorney

JOURNAL ENTRIES

- By virtue of his plea, DEFENDANT HILLIARD ADJUDGED GUILTY of COUNTS 1-3 - POSSESSION OF STOLEN VEHICLE (F). Mr. Owens provided Judgements of Conviction to prove up Defendant as a small habitual criminal. Statements by Mr. Owens, Defendant and Mr. Frizzell. Upon review of documents, Court ADJUDGED Defendant under the SMALL HABITUAL CRIMINAL enhancement and ORDERED, DEFENDANT SENTENCED to the Nevada Department of Corrections as to: COUNT 1 - TWENTY (20) YEARS MAXIMUM with a MINIMUM parole eligibility of FIVE (5) YEARS; COUNT 2 - TWENTY (20) YEARS MAXIMUM with a MINIMUM parole eligibility of FIVE (5) YEARS, to run CONCURRENT with Count 1, and; COUNT 3 - TWENTY (20) YEARS MAXIMUM with a MINIMUM parole eligibility of FIVE (5) YEARS, to run CONSECUTIVE to Count 2 with 0 days credit for time served. This sentence to run CONSECUTIVE to C231837. Defendant referred to the 184 Drug Program in prison.

CLERK'S NOTE: Pursuant to statute and Pre-sentence Report, a \$25 Administrative Assessment fee

PRINT DATE: 09/05/2019

Page 4 of 12

Minutes Date: September 17, 2007

and \$150 DNA Analysis fee is imposed with Defendant submitting to genetic markers testing.
BOND, if any, EXONERATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 19, 2009**

07C236726-2

The State of Nevada vs Jason Hilliard

March 19, 2009**9:00 AM****Motion**

**DEFT'S PRO PER
MTN FOR
WITHDRAWAL OF
ATTY OF RECORD
AND TRANSFER OF
RECORDS/4 Court
Clerk: Linda Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Frizzell III, Kenneth G.
Krusey, Amanda K.

Attorney
Attorney

JOURNAL ENTRIES

- 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

PRINT DATE:

09/05/2019

Page 6 of 12

Minutes Date:

September 17, 2007

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 21, 2009**

07C236726-2

The State of Nevada vs Jason Hilliard

July 21, 2009**9:00 AM****Motion to Compel**

**DEFT'S PRO PER
MTN TO COMPEL
PRODUCTION OF
DOCUMENTS/5
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Mosley,
Donald M.**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Albritton, Alicia A.

Attorney

JOURNAL ENTRIES

- 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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 22, 2009**

07C236726-2

The State of Nevada vs Jason Hilliard

July 22, 2009**9:00 AM****Motion to Compel**

**DEFT'S PRO PER
MTN TO COMPEL
PRODUCTION OF
DOCUMENTS/5
Court Clerk: Linda
Skinner
Reporter/Recorder:
Maureen Schorn
Heard By: Donald
Mosley**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Albritton, Alicia A.

Attorney

JOURNAL ENTRIES

- 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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 23, 2010**

07C236726-2

The State of Nevada vs Jason Hilliard

February 23, 2010**9:00 AM****Motion**

**DEFT'S PRO PER
MTN AND/OR
PETITION
AND/OR
RECONSIDERATIO
N/6 Court Clerk:
Jennifer Kimmel
Reporter/Recorder:
JoAnn Orduna
Heard By: Silver,
Abbi**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Turner, Robert B.

Attorney

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED to allow time for the State to file an opposition.
NDC

CLERK'S NOTE: The continuance date called out in Court was incorrect and the date reflected here is the correct date. jk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 04, 2010**

07C236726-2

The State of Nevada vs Jason Hilliard

March 04, 2010**9:00 AM****Motion**

**DEFT'S PRO PER
MTN AND/OR
PETITION
AND/OR
RECONSIDERATIO
N/6 Court Clerk:
Jennifer Kimmel
Reporter/Recorder:
Renee Silvaggio
Heard By: Abbi
Silver**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Landis, Casey
Nance, Aaron M.

Attorney
Attorney

JOURNAL ENTRIES

- Court entertained no argument this date. COURT ORDERED, Defendant s Motion is DENIED. Defendant s motion is not properly before this Court. Pursuant to EDCR 2.24(a), Deft. must first file a motion and the Court must grant such motion before Deft. may have his motion reheard. Furthermore, Deft's motion for Reconsideration to include additional finding of facts and conclusions of law is DENIED. Pursuant to NRS 34.830(1), such findings are required when a court resolves a petition for Post Conviction Writ of Habeas Corpus. Findings are not required for the denial of Defendant s Motion to Compel. For these reasons, Deft s motions are denied.
NDC

PRINT DATE:

09/05/2019

Page 10 of 12

Minutes Date:

September 17, 2007

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 13, 2010**

07C236726-2

The State of Nevada vs Jason Hilliard

July 13, 2010**9:00 AM****Motion**

**DEFT'S PRO PER
MOTION FOR
LEAVE TO
PROCEED IN
FORMA
PAUPERIS/07 Court
Clerk: Jennifer
Kimmel
Reporter/Recorder:
JoAnn Melendez
Heard By: Abbi
Silver**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:** Jennifer Kimmel**RECORDER:****REPORTER:** Renee Silvaggio**PARTIES****PRESENT:** Ferreira, Amy L. Attorney**JOURNAL ENTRIES**

- COURT entertained no argument this date. COURT ORDERED, Deft's Motion is GRANTED.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 11, 2019

07C236726-2

The State of Nevada vs Jason Hilliard

June 11, 2019

8:30 AM

Motion to Correct Sentence

HEARD BY: Jones, David M

COURTROOM: RJC Courtroom 15A

COURT CLERK: Nancy Maldonado

RECORDER: Melissa Murphy-Delgado

REPORTER:

PARTIES

PRESENT:

Dunn, Ann Marie
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- Defendant not present.

Court ADVISED this was Defendant's Pro Per Motion, and ORDERED, motion DENIED, being improper.

Certification of Copy and Transmittal of Record

State of Nevada }
County of Clark } SS:

Pursuant to the Supreme Court order dated August 27, 2019, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises two volumes with pages numbered 1 through 342.

STATE OF NEVADA,

Plaintiff(s),

vs.

JASON HILLARD
aka MATTHEW D. GOODNER,

Defendant(s),

Case No: 07C236726-2

Dept. No: XXIX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 5 day of September 2019.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk