

Steven D. Grierson

1 DAVID LEVOYD REED #79594
2 PETITIONER IN PROPER PERSON
3 P.O. BOX 656 H.D.S.P.
4 INDIAN SPRINGS, NV 89018

Electronically Filed
Sep 04 2019 02:18 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

5 EIGHTH JUDICIAL DISTRICT COURT
6 CLARK COUNTY NEVADA

7
8 DAVID LEVOYD REED,

9 PETITIONER,

Case No. C-18-329762-1

10 -v-

Dept. No. 19

11 THE STATE OF NEVADA,

12 RESPONDENT,

13
14 NOTICE OF APPEAL

15 NOTICE IS hereby given that the Petitioner, DAVID LEVOYD REED,
16 by and through himself in proper person, does now appeal to the
17 SUPREME COURT of the state of Nevada, the decision of the District
18 COURT DENYING PETITIONER'S [PRE TRIAL] PETITION ~~FOR~~ WRIT OF HABEAS CORPUS;
19 AND ACCUSED MOTION TO DISMISS INDICTMENT [VIA MANDAMUS]; MOTION
20 FOR SANCTIONS UNDER RULE 11(b) [VIA MANDAMUS] IN ACCORDANCE WITH
21 N.R.S. 34.380.

22 PETITIONER, Further hereby give NOTICE OF HIS INTENT

23 TO SEEK RELIEF VIA CERTIORARI.

24 DATED this: 27 day of August 2019.

25 RESPECTFULLY Submitted,

26 DAVID LEVOYD REED

27 IN PROPER PERSON

RECEIVED
AUG 29 2019

CLERK OF THE COURT

CERTIFICATE OF SERVICE BY MAILING

I, DAVID LEVOYD REED, hereby certify, pursuant to NRCP 5(b), that on this 27
day of August, 20 17, I mailed a true and correct copy of the foregoing, "NOTICE
OF APPEAL"

by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,
addressed as follows:

STEVEN D. GRIFFIN
200 LEWIS AVE. 3RD FL
Las Vegas, NV 89155-1160

CLERK OF SUPREME COURT
201 S. CARSON ST, Suite 201
CARSON CITY, NV 89701

DATED: this 27 day of August, 20 17.

DAVID LEVOYD REED
Notary Public # 79594
Retentioner /In Propria Persona
Post Office box 650 [HDSP]
Indian Springs, Nevada 89018

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

NOTICE OF APPEAL
(Title of Document)

filed in District Court Case number C-18-329762-1

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

-OR-

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

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

(State specific law)

-or-

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

David Levoyn Reed
Signature

8/27/19
Date

DAVID LEVOYN REED
Print Name

PETITIONER
Title

DAVID LEVOYD REED #791594
P.O. Box 650 H.D.S.P.
INDIAN SPRINGS, N.V. 89018

LAS VEGAS
NV 890
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FIRST-CLASS MAIL

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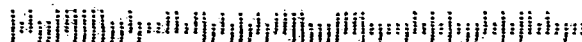
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CONFIDENTIAL

LEGAL MAIL

STEVEN D. GRIERSON
CLERK OF COURT
200 LEWIS AVE. 3rd Fl.
Las Vegas, NV 89155-1160

8910186300 C075



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LAW LIBRARY

AUG 27 2019

RECEIVED



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

9 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12 DAVID REED aka DAVID LEVOYD REED,

13 Defendant(s),

Case No: C-18-329792-1

Dept No: XIX

14
15
16 **CASE APPEAL STATEMENT**

17
18 1. Appellant(s): David Levoyd Reed

19 2. Judge: William D. Kephart

20 3. Appellant(s): David Levoyd Reed

21 Counsel:

22 David Levoyd Reed #79594
23 P.O. Box 650
24 Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.
Las Vegas, NV 89101

(702) 671-2700

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

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

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: Yes

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

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

9. Date Commenced in District Court: February 8, 2018

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

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

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 30 day of August 2019.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: David Levoyd Reed

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY
CASE NO. C-18-329762-1

State of Nevada
vs
David Reed

§
§
§
§
§
§
§
§

Location: **Department 19**
Judicial Officer: **Kephart, William D.**
Filed on: **02/08/2018**
Cross-Reference Case Number: **C329762**
Defendant's Scope ID #: **1696429**
Grand Jury Case Number: **17BGJ037X**
ITAG Case ID: **2074638**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/16/2017	Case Status:	03/07/2018 Reactivated
2. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/16/2017		
3. BURGLARY WHILE IN POSSESSION OF A FIREARM	205.060.4	F	09/17/2017		
4. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/17/2017		
5. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/17/2017		
6. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/17/2017		
7. DISCHARGE OF FIREARM FROM OR WITHIN A STRUCTURE OR VEHICLE	202.287.1b	F	09/17/2017		
8. FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM...	200.310.1	F	09/24/2017		
9. BATTERY WITH INTENT TO COMMIT A CRIME	200.400.2	F	09/24/2017		
10. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM , VICTIM 60 YEARS OF AGE OR OLDER	200.481.2b	F	09/24/2017		
11. CONSPIRACY TO COMMIT ROBBERY	200.380	F	09/24/2017		
12. ROBBERY WITH USE OF A DEADLY WEAPON ,VICTIM 60 YEARS OF AGE OR OLDER	200.380	F	09/24/2017		
13. BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON	205.060.4	F	09/24/2017		
14. ASSAULT WITH A DEADLY WEAPON	200.471.2b	F	09/24/2017		
15. POSSESSION OF STOLEN VEHICLE	205.273.4	F	09/26/2017		
16. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON	202.360.1	F	09/26/2017		
17. CHILD ABUSE, NEGLECT, OR ENDANGERMENT	200.508.1b1	F	09/26/2017		
18. STOP REQUIRED ON SIGNAL OF POLICE OFFICER	484B.550.3b	F	09/26/2017		
19. POSSESSION OF CREDIT OR DEBIT CARD WITHOUT CARDHOLDERS CONSENT	205.690	F	09/26/2017		

Warrants

Indictment Warrant - Reed, David (Judicial Officer: Gonzalez, Elizabeth)

02/28/2018 2:34 PM Returned - Served

02/08/2018 11:45 AM Active

Fine: \$0

Bond: **\$273,000.00** **Any**

DATE











CASE ASSIGNMENT

CASE SUMMARY**CASE NO. C-18-329762-1****Current Case Assignment**

Case Number	C-18-329762-1
Court	Department 19
Date Assigned	02/08/2018
Judicial Officer	Kephart, William D.

PARTY INFORMATION

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

DATE	EVENTS & ORDERS OF THE COURT	INDEX
<u>EVENTS</u>		
02/08/2018	 Warrant <i>Indictment Warrant; Warrant for Arrest</i>	
02/08/2018	 Indictment	
02/22/2018	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate</i>	
03/08/2018	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, volume 1, January 3, 2018</i>	
03/08/2018	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 2, February 7, 2018</i>	
04/03/2018	 Motion to Dismiss Counsel Party: Defendant Reed, David <i>Defendants Written Pro Per Motion to Dismiss Current Counsel and Appointment of New Counsel</i>	
06/08/2018	 Motion to Dismiss Counsel Party: Defendant Reed, David <i>Motion to Dismiss Counsel and Appointment of New Counsel</i>	
06/08/2018	 Motion Filed By: Defendant Reed, David <i>Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i>	
06/08/2018	 Motion Filed By: Defendant Reed, David <i>Motions for Production of Documents, Papers, Pleadings and Tangible Property of Defendant</i>	
01/03/2019	 Motion Filed By: Defendant Reed, David <i>Motion for Defendant to be Housed at Clark County Detention Center for Trial Preparation</i>	

CASE SUMMARY
CASE NO. C-18-329762-1

01/17/2019	 Order <i>Order to House Defendant at Clark County Detention Center</i>
02/07/2019	 Motion Filed By: Defendant Reed, David <i>Motion to Withdraw Counsel</i>
02/07/2019	 Notice of Motion Filed By: Defendant Reed, David
02/15/2019	 Motion to Dismiss Counsel Party: Defendant Reed, David <i>Defendants Written Pro Per Motion to Dismiss Counsel and to Pro Se</i>
03/06/2019	 Motion <i>Defendant's Pro Per Motion to Extend Prison Copywork Limit</i>
03/06/2019	 Motion to Dismiss <i>Accused Written Pro Per Motion to Dismiss Indictment</i>
03/06/2019	 Affidavit <i>Affidavit of David L. Reed</i>
03/06/2019	 Petition for Writ of Habeas Corpus <i>Defendant's Pro Per Petition for Writ of Habeas Corpus</i>
03/08/2019	 Notice of Change of Address <i>Notice of Change of Address</i>
03/13/2019	 Affidavit <i>Affidavit in Response to Defendants' Motion for Recusal of Judge William Kephart</i>
03/14/2019	 Motion Filed By: Defendant Reed, David <i>Motion to Inspect all Evidence Favorable to Him</i>
04/05/2019	 Opposition to Motion <i>STATE S OPPOSITION TO DEFENDANT S MOTION TO INSPECT ALL EVIDENCE FAVORABLE TO HIM</i>
04/05/2019	 Decision and Order <i>Decision and Order</i>
04/17/2019	 Return Party: Plaintiff State of Nevada <i>State's Return to Writ of Habeas Corpus</i>
04/17/2019	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's MOTion to Dismiss Indictment</i>

CASE SUMMARY
CASE NO. C-18-329762-1

04/18/2019	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate David Reed, aka David Levoyd Reed, BAC #79594</i>
05/02/2019	 Reply Filed by: Defendant Reed, David <i>Reply to State's Return to Writ of Habeas Corpus</i>
05/02/2019	 Reply to Opposition Filed by: Defendant Reed, David <i>Defendants Reply to State's Opposition to Defendant's Motion to Dismiss Indictment</i>
05/06/2019	 Reply to Opposition Filed by: Defendant Reed, David <i>Reply to State's Opposition to Defendants Motion to Dismiss Indictment</i>
05/06/2019	 Notice of Motion Filed By: Defendant Reed, David
06/17/2019	 Motion for Order Filed By: Defendant Reed, David <i>Motion for Order to Return Seized Property</i>
06/20/2019	 Application to Proceed in Forma Pauperis Filed By: Defendant Reed, David
07/19/2019	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Order to Return Seized Property</i>
07/26/2019	 Subpoena Duces Tecum Filed by: Defendant Reed, David <i>Subpoena Duces Tecum</i>
07/26/2019	 Motion Filed By: Defendant Reed, David <i>Motion for Sanctions Under Rule 11.(b)</i>
07/26/2019	 Notice of Motion Filed By: Defendant Reed, David
08/16/2019	 Motion Filed By: Defendant Reed, David <i>Notice of Motion and Motion for Transcripts at State Expense for the Purpose of Appeal</i>
08/16/2019	 Notice of Motion Filed By: Defendant Reed, David <i>Notice of Motion</i>
08/16/2019	 Memorandum of Points and Authorities Filed By: Defendant Reed, David <i>Memorandum of Points and Authorities in Support of Request for Transcripts at States Expense</i>

CASE SUMMARY
CASE NO. C-18-329762-1

08/29/2019



Order Denying

Filed By: Plaintiff State of Nevada

Order Denying Defendant's Pro Per Motion for Sanction Under Rule 11.(b)

08/29/2019



Notice of Appeal (criminal)

Notice of Appeal

08/30/2019



Case Appeal Statement

Filed By: Defendant Reed, David

Case Appeal Statement

HEARINGS

02/08/2018



Grand Jury Indictment (11:45 AM) (Judicial Officer: Gonzalez, Elizabeth)

MINUTES

Warrant

02/08/2018 Inactive Indictment Warrant

Matter Heard;

Journal Entry Details:

Howard Basch, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 17BGJ037X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-329762-1, Department XIX. Ms. Derjavina requested a warrant and argued bail; 4 cases were consolidated into the instant case and bail was set previously at a total of \$273,000.00; the State would also request a 3-week date, which will give them enough time to transport the Deft who is in custody at the Nevada Department of Corrections. COURT ORDERED, \$273,000.00 BAIL, INDICTMENT WARRANT ISSUED, and matter SET for Arraignment in 3 weeks. COURT FURTHER ORDERED, Exhibits 1 - 34 to be lodged with the Clerk of the Court. Upon inquiry of the Court, State advised there are no material witness warrants to be quashed. COURT ADDITIONALLY ORDERED, Las Vegas Justice Court case no. 17F18923X DISMISSED per the State's request. Upon inquiry of the Court, Ms. Derjavina confirmed that the State will move to dismiss Deft's other case, C327407, when they are back in Department XIX. I.W. (NIC-COC-NDC) 2-28-18 8:30 AM INITIAL ARRAIGNMENT (DEPT XIX - Kephart);

SCHEDULED HEARINGS



Initial Arraignment (02/28/2018 at 8:30 AM) (Judicial Officer: Kephart, William D.)

02/28/2018



Initial Arraignment (8:30 AM) (Judicial Officer: Kephart, William D.)

Matter Continued;

Journal Entry Details:

Mr. Rusley advised based on the indictment which includes two other cases the Public Defender's office now has a conflict based on the two other cases and counsel will need to be appointed through Drew Christensen's office. Defendant requested Rochelle Nguyen be appointed as she represented him on one of the other cases and requested to be remanded to CCDC. COURT ORDERED, matter CONTINUED and SET for Confirmation of Counsel. FURTHER ORDERED, Defendant remanded to CCDC subject to the discretion of CCDC. CUSTODY (COC-NDC) 3/14/2018 8:30 AM ARRAIGNMENT CONTINUED ... CONFIRMATION OF COUNSEL;

03/14/2018

Arraignment Continued (8:30 AM) (Judicial Officer: Kephart, William D.)

Plea Entered;

03/14/2018

Confirmation of Counsel (8:30 AM) (Judicial Officer: Kephart, William D.)

Confirmation of Counsel (Drew Christensen's Office)

Counsel Confirmed;

03/14/2018



All Pending Motions (8:30 AM) (Judicial Officer: Kephart, William D.)

CASE SUMMARY

CASE NO. C-18-329762-1

Matter Heard;

Journal Entry Details:

CONFIRMATION OF COUNSEL ... ARRAIGNMENT CONTINUED Ms. Nguyen confirmed as counsel on behalf of Defendant. DEFT. REED ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. Court noted Defendant has requested to be remanded to CCDC on multiple occasions; however, the Court has informed Defendant CCDC has the discretion to transport him back to the prison. Ms. Nguyen advised there are extensive documents in this case and she would request to remand Defendant to CCDC in order to review the information with Defendant; however, she understands the housing issue and will submit a written order for a specific time frame to have Defendant remanded if needed. Court so noted. Further, Ms. Nguyen requested 21 days from the filing of the transcripts for any petitions. Court noted the transcript was filed 3/08/2018 and FURTHER ORDERED, counsel shall have 21 days from today. CUSTODY (COC-NDC) 8/29/2018 8:30 AM PRE TRIAL CONFERENCE 9/26/2018 8:30 AM CALENDAR CALL 10/01/2018 10:00 AM JURY TRIAL;

04/25/2018



Motion to Dismiss (8:30 AM) (Judicial Officer: Kephart, William D.)

04/25/2018, 08/29/2018

Defendants Written Pro Per Motion to Dismiss Current Counsel and Appointment of New Counsel

Matter Continued;

Granted;

Matter Continued;

Granted;

Journal Entry Details:

Court noted Defendant not present an in custody with the Nevada Department of Corrections (NDC). Court Noted Defendant filed a Motion to Dismiss Current Counsel. Ms. Nguyen advised she spoke with the Defendant after he filed the motion and stated she and Defendant came to an understanding and assumed Defendant would be present today. Court directed counsel to meet with Defendant and he will continue the Motion to the Pre Trial Conference date in order for Defendant to be present. COURT ORDERED, matter CONTINUED. CUSTODY (COC-NDC) CONTINUED TO: 8/29/18 8:30 AM ;

07/09/2018

Motion (8:30 AM) (Judicial Officer: Kephart, William D.)

07/09/2018, 07/23/2018, 07/25/2018, 08/29/2018

Defendant's Pro Per Motion to Dismiss Counsel and Appointment of New Counsel

Matter Continued;

Matter Continued;

Matter Continued;

Granted;

Matter Continued;

Matter Continued;

Matter Continued;

Granted;

Matter Continued;

Matter Continued;

Matter Continued;

Granted;

Matter Continued;

Matter Continued;

Matter Continued;

Granted;

07/09/2018

Motion for Order (8:30 AM) (Judicial Officer: Kephart, William D.)

07/09/2018, 07/23/2018, 07/25/2018, 08/29/2018

Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference

Matter Continued;

Matter Continued;




Matter Continued;

Moot;

Matter Continued;

Matter Continued;

CASE SUMMARY
CASE NO. C-18-329762-1


	<p>Matter Continued; Moot; Matter Continued; Matter Continued; Matter Continued; Moot; Matter Continued; Matter Continued; Matter Continued; Moot;</p>
07/09/2018	<p>Motion (8:30 AM) (Judicial Officer: Kephart, William D.) 07/09/2018, 07/23/2018, 07/25/2018, 08/29/2018 <i>Defendant's Pro Per Motion for Production of Documents, Papers, Pleadings and Tangible Property of Defendant</i> Matter Continued; Matter Continued; Matter Continued; Moot; Matter Continued; Matter Continued; Matter Continued; Moot; Matter Continued; Matter Continued; Matter Continued; Moot; Matter Continued; Matter Continued; Matter Continued; Moot; Matter Continued; Matter Continued; Matter Continued; Moot;</p>
07/09/2018	<p> All Pending Motions (8:30 AM) (Judicial Officer: Kephart, William D.) Matter Heard; Journal Entry Details: <i>DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE ... DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT ... DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL Mr. Sanft advised he is appearing on behalf of Ms. Nguyen who is out of the jurisdiction and Defendant is seeking to dismiss Ms. Nguyen. Ms. Holthus advised Ms. Clowers is handling this case and requested matter be continued for Ms. Nguyen and Ms. Clowers to be present. COURT SO ORDERED. NDC CONTINUED TO: 7/23/2018 8:30 AM;</i></p>
07/23/2018	<p> All Pending Motions (8:30 AM) (Judicial Officer: Kephart, William D.) Matter Heard; Journal Entry Details: <i>DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE ... DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT... DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL COURT ORDERED, matters CONTINUED for Ms. Nguyen to be present. CONTINUED TO: 7/25/2018 8:30 AM;</i></p>
07/25/2018	<p> All Pending Motions (8:30 AM) (Judicial Officer: Kephart, William D.) Matter Heard; Journal Entry Details: <i>DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE FOR APPEARANCE BY</i></p>


CASE SUMMARY

CASE NO. C-18-329762-1

TELEPHONE OR VIDEO CONFERENCE... DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT... DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL... Defendant not present and in custody with the Nevada Department of Corrections. COURT ORDERED, matters CONTINUED. CUSTODY (COC-NDC) CONTINUED TO: 8/29/18 8:30 A.M.;


08/29/2018 **Pre Trial Conference** (8:30 AM) (Judicial Officer: Kephart, William D.)
Matter Heard;


08/29/2018  **All Pending Motions** (8:30 AM) (Judicial Officer: Kephart, William D.)
Matter Heard;
Journal Entry Details:
DEFENDANTS WRITTEN PRO PER MOTION TO DISMISS CURRENT COUNSEL AND APPOINTMENT OF NEW COUNSEL ... DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT ... DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL ... PRE TRIAL CONFERENCE DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE Conference at the Bench. Colloquy regarding Defendant's complaints with Ms. Nguyen. COURT ORDERED, Defendant's Pro Per Motions to Dismiss Ms. Nguyen GRANTED; matter REFERRED to Office of Appointed Counsel for the appointment of counsel and matter SET for Confirmation of Counsel. Ms. Derjavina made a record as to State's opposition. Statements by Defendant as to violations of his sixth amendment right. Court informed Defendant based on his request to appoint new counsel the current trial setting of 10/01/2018 may need to be reset as new counsel may not have enough time to properly prepare for the current trial date. Colloquy regarding Defendant's custody status. CUSTODY (COC-NDC) 9/19/2018 8:30 AM CONFIRMATION OF COUNSEL;

09/19/2018  **Confirmation of Counsel** (8:30 AM) (Judicial Officer: Kephart, William D.)
Counsel Confirmed;
Journal Entry Details:
Ms. Oliver confirmed as counsel on behalf of the Special Public Defender for Defendant. Colloquy regarding trial date. Ms. Oliver advised she does not have the file and will not be ready for the current trial date. Defendant requested the Court remand Defendant to the jail in order to allow contact with counsel. Upon Court's inquiry, Defendant advised he would like to continue the current trial date. COURT ORDERED, trial date VACATED and RESET. Court DIRECTED counsel to meet with Defendant and discuss any motions he would like to file. FURTHER ORDERED, Defendant REMANDED to the Clark County Detention Center (CCDC) if released from the Nevada Department of Corrections. CUSTODY (COC-NDC) 3/27/2019 8:30 AM PRE TRIAL CONFERENCE 4/24/2019 8:30 AM CALENDAR CALL 4/29/2019 10:00 AM JURY TRIAL;


09/26/2018 **CANCELED Calendar Call** (8:30 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Judge

10/01/2018 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Judge

01/14/2019  **Motion** (8:30 AM) (Judicial Officer: Kephart, William D.)
Motion for Defendant to be Housed at Clark County Detention Center for Trial Preparation Granted in Part;
Journal Entry Details:
Mr. Savage advised Defendant is in Nevada Department of Corrections and not transported today. Colloquy regarding Defendant's other case and parole violation. Ms. Oliver advised there is a combination of four cases as well as a new case as Defendant was just recently served with Markum Notice on a new case. COURT ORDERED, Motion GRANTED; Defendant will be housed at Clark County Detention Center (CCDC) for thirty days; counsel to submit a written order. NDC;

03/04/2019  **Motion** (8:30 AM) (Judicial Officer: Kephart, William D.)

CASE SUMMARY
CASE NO. C-18-329762-1

	<p>03/04/2019, 03/06/2019</p> <p><i>Defendant's Pro Per Motion to Withdraw Counsel</i></p> <p>Matter Continued;</p> <p>Granted;</p> <p>Matter Continued;</p> <p>Granted;</p> <p>Journal Entry Details:</p> <p><i>Colloquy regarding Defendant's request to represent himself. COURT ORDERED, matter CONTINUED and SET for Faretta Canvass. CUSTODY (COC-NDC) CONTINUED TO: 3/06/2019 8:30 AM;</i></p>
03/06/2019	<p>Faretta Canvass (8:30 AM) (Judicial Officer: Kephart, William D.)</p> <p>Matter Heard;</p>
03/06/2019	<p> All Pending Motions (8:30 AM) (Judicial Officer: Kephart, William D.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>FARETTA CANVASS ... DEFENDANT'S PRO PER MOTION TO WITHDRAW COUNSEL Defendant's Pro Per Petition for Writ of Habeas Corpus FILED IN OPEN COURT. Defendant's Pro Per Motion to Dismiss Indictment FILED IN OPEN COURT. Defendant's Pro Per Motion to Disqualify Court FILED IN OPEN COURT. Following the Court's Faretta Canvass; COURT ORDERED, Defendant's Motion to Dismiss Counsel GRANTED; Special Public Defender APPOINTED as stand by counsel. Defendant advised he has a motion to extend copy work, petition for writ of habeas corpus and motion to disqualify the court to file this morning. Mr. Zadrowski advised based on the motions filed this morning and the upcoming trial date the State may be seeking a continuance. Further, Mr. Zadrowski requested a briefing schedule be set for the petition. COURT FURTHER ORDERED, Briefing schedule as to Petition for Writ of Habeas Corpus and Motion to Dismiss Indictment set as follows; State's Response shall be due on or before 4/17/2019; Defendant's Reply shall be due on or before 5/08/2019 and Petition and Motion to Dismiss Indictment SET for Hearing. FURTHER ORDERED, Defendant's Pro Per Motions for Extended Copy Work and to Disqualify Court SET for Hearing. COURT FURTHER ORDERED, trial date VACATED and matter SET for Status Check. Defendant requested to be remanded to Clark County Detention Center as he is no longer under a judgment of conviction. Court stated Defendant has raised the issue a number of times and the Court takes no position on where Defendant is housed. CUSTODY 3/13/2019 8:30 AM DEFENDANT'S PRO PER MOTION TO EXTEND COPY WORK ... DEFENDANT'S PRO PER MOTION TO DISQUALIFY COURT 5/15/2019 8:30 AM DEFENDANT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS DEFENDANT'S PRO PER MOTION TO DISMISS INDICTMENT;</i></p>
03/11/2019	<p>CANCELED Motion to Dismiss (8:30 AM) (Judicial Officer: Kephart, William D.)</p> <p><i>Vacated - Moot</i></p> <p><i>Defendants Written Pro Per Motion to Dismiss Counsel and to Pro Se</i></p>
03/13/2019	<p>Motion (8:30 AM) (Judicial Officer: Kephart, William D.)</p> <p><i>Defendant's Pro Per Motion to Disqualify Court</i></p> <p>Denied;</p>
03/13/2019	<p>Motion (8:30 AM) (Judicial Officer: Kephart, William D.)</p> <p><i>Defendant's Pro Per Motion to Extend Copy Work</i></p> <p>No Ruling;</p>
03/13/2019	<p> All Pending Motions (8:30 AM) (Judicial Officer: Kephart, William D.)</p> <p>Hearing Set;</p> <p>Journal Entry Details:</p> <p><i>DEFENDANT'S PRO PER MOTION TO DISQUALIFY COURT ... DEFENDANT'S PRE PER MOTION TO EXTEND COPY WORK COURT ORDERED, Defendant s Pro Per Motion to Disqualify Court DENIED and matter REFERRED to Chief Judge Bell for her consideration. FURTHER ORDERED, briefing schedule for Defendant s Pro Per Petition for Writ of Habeas Corpus and Motion to Dismiss Indictment STANDS. CUSTODY ;</i></p>
03/19/2019	<p> Motion (9:00 AM) (Judicial Officer: Bell, Linda Marie)</p>

CASE SUMMARY

CASE NO. C-18-329762-1

Affidavit in Response to Defendants' Motion for Recusal of Judge William Kephart

Matter Transferred;

Journal Entry Details:

Defendant not present. COURT ORDERED, matter TRANSFERRED to Judge Villani and SET on 03/26/19 at 8:30 AM. CUSTODY (COC-NDC);

03/27/2019



Pre Trial Conference (8:30 AM) (Judicial Officer: Kephart, William D.)

03/27/2019, 04/08/2019

Matter Continued;

Matter Heard;

Matter Continued;

Matter Heard;

Journal Entry Details:

Court noted the matter has been set to be heard by Judge Villani on 4/04/2019 as Chief Judge Bell had to recuse from hearing the matter. COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC) CONTINUED TO: 4/08/2019 8:30 AM;

04/04/2019

Motion (3:00 AM) (Judicial Officer: Villani, Michael)

Affidavit in Response to Defendant's Motion for Recusal of Judge William Kephart

04/04/2019

Motion (3:00 AM) (Judicial Officer: Villani, Michael)

Defendant's Pro Per Motion to Recuse Judge Kephart

04/08/2019

Motion (8:30 AM) (Judicial Officer: Kephart, William D.)

Defendant's Pro Per Motion to Inspect all Evidence Favorable to Him

Matter Continued;

04/08/2019



All Pending Motions (8:30 AM) (Judicial Officer: Kephart, William D.)

Matter Heard;

Journal Entry Details:

DEFENDANT'S PRO PER MOTION TO INSPECT ALL EVIDENCE FAVORABLE TO HIM ... PRE TRIAL CONFERENCE Discussion regarding Motion; Briefing schedule set. COURT ORDERED, matter CONTINUED. COURT FURTHER ORDERED, trial date VACATED and matter set for Status Check. Ms. Derjavina advised she has provided discovery to the special public defender. CUSTODY 04/24/2019 8:30 AM STATUS CHECK: FILE ... DEFENDANT'S PRO PER MOTION TO DISMISS INDICTMENT .. ACCUSED WRITTEN PRO PER MOTION TO DISMISS INDICTMENT;

04/24/2019

CANCELED Calendar Call (8:30 AM) (Judicial Officer: Kephart, William D.)

Vacated

04/24/2019

Motion (8:30 AM) (Judicial Officer: Kephart, William D.)

04/24/2019, 06/13/2019, 08/08/2019

Accused Written Pro Per Motion to Dismiss Indictment

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

04/24/2019

Status Check (8:30 AM) (Judicial Officer: Kephart, William D.)

Status Check: File

Matter Heard;

04/24/2019



All Pending Motions (8:30 AM) (Judicial Officer: Kephart, William D.)

Matter Heard;

Journal Entry Details:

ACCUSED WRITTEN PRO PER MOTION TO DISMISS INDICTMENT ... STATUS CHECK: FILE Court noted for the record, Presiding Criminal Judge Villani, found no grounds to disqualify this Court. Further, Court noted there are issues in the motion which should be brought by way of writ; however, based on the procedural history of this case the Court


CASE SUMMARY


CASE NO. C-18-329762-1

believes an Evidentiary Hearing with Ms. Nguyen regarding the delay in filing the writ by Ms. Nguyen. Further, Court noted the Pro Per Motion to Dismiss will be treated as a Petition. COURT ORDERED, matter CONTINUED and SET for Hearing. 6/13/2019 8:30 AM ACCUSED WRITTEN PRO PER MOTION TO DISMISS INDICTMENT EVIDENTIARY HEARING;


04/29/2019 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Kephart, William D.)
Vacated

06/13/2019 **Evidentiary Hearing** (8:30 AM) (Judicial Officer: Kephart, William D.)
06/13/2019, 08/08/2019
Matter Continued;
Matter Heard;
Matter Continued;
Matter Heard;

06/13/2019  **All Pending Motions** (8:30 AM) (Judicial Officer: Kephart, William D.)
Matter Heard;
Journal Entry Details:
ACCUSED WRITTEN PRO PER MOTION TO DISMISS INDICTMENT ... EVIDENTIARY HEARING Colloquy regarding procedural history of case and purpose for the Evidentiary Hearing. COURT ORDERED, matter CONTINUED in order to hear testimony from Ms. Nguyen. Court instructed Ms. Oliver to assist, if necessary, in subpoenaing Ms. Nguyen. Defendant advised he will subpoena Ms. Nguyen and will only need three weeks. CUSTODY (COC-NDC) CONTINUED TO: 8/08/2019 8:30 AM;

07/10/2019  **Motion** (8:30 AM) (Judicial Officer: Kephart, William D.)
07/10/2019, 08/08/2019
Defendant's Pro Per Motion for Order to Return Seized Property
Matter Continued;
Denied;
Matter Continued;
Denied;
Journal Entry Details:
Ms. Oliver advised a transport order was not prepared for today's hearing. COURT ORDERED, matter CONTINUED and DIRECTED State to prepare a transport order. NDC CONTINUED TO: 8/08/2019 8:30 AM;

08/08/2019 **Motion** (8:30 AM) (Judicial Officer: Kephart, William D.)
Defendant Pro Per Motion to Proceed Informa Pauperis
Granted;

08/08/2019  **All Pending Motions** (8:30 AM) (Judicial Officer: Kephart, William D.)
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING ... DEFENDANT'S PRO PER MOTION TO DISMISS INDICTMENT: Rochelle Nguyen sworn and testified. Arguments by Defendant and State in support of their respective positions. COURT ORDERED, Motion to Dismiss Indictment DENIED. For the record, Court reviewed the information contained within the Court's Affidavit as follows; Defendant David Reed had another case, C-17-327407-1, STATE OF NEVADA v. David Reed, aka, David Levoyd Reed, #1696429 which was filed on October 23, 2017. Defendant David Reed was arraigned on October 25, 2017, pled NOT Guilty and INVOKED the 60-Day Rule and a Pre-Trial Conference was scheduled for 11112017 at 8:30 AM, a Calendar Call was scheduled for 1112912017 at 8:30 AM and a Jury Trial was scheduled for 121412017 at 10 AM. On November 1, 2017, Jessica W. Murphy appeared on behalf of David Reed and indicated that she would do what she can to be ready for the upcoming trial. On November 29, 2017 and Amended Information was filed at the Calendar Call. Additionally, Jessica W. Murphy appeared on behalf of Defendant David Reed and indicated that Defendant David Reed had requested that Jessica Murphy be removed as counsel for Defendant David Reed, and Defendant David Reed was Faretta canvassed, and Defendant David Reed's request to dismiss counsel and represent himself was GRANTED. The trial date was reset and Defendant's Motion to Suppress was set for hearing. Defendant David

CASE SUMMARY**CASE NO. C-18-329762-1**

Reed requested that he be remanded to the Clark County Detention Center ("CCDC") in order to file the necessary motions to prepare for trial. I ordered that Defendant David Reed be remanded to CCDC, but explained to Defendant David Reed that I did not have the authority to order the jail where they keep people. Ms. Jessica W. Murphy indicated that she had a copy of the Preliminary Hearing Transcript for Defendant David Reed and would provide it to the correction officer for Defendant David Reed. On January 10, 2017, the State of Nevada indicated that they did not file an opposition to Defendant David Reed's Motion to Suppress because of Defendant's pending motion to appoint counsel that was set for January 22, 2018. The Court canvassed Defendant David Reed who indicated that he wanted to retain private counsel, but was unable to do so because he was in Nevada Department of corrections and was unable to retain counsel. At that point, I ordered that the Public Defender be appointed to Defendant David Reed and reset the pending motions for January 22, 2019. On January 22, 2018 Alexis Anne Plunkett appeared and advised the Court that she had been in contact with Defendant David Reed recently as well as the public Defender regarding the case and requested that the hearing be continued to February 7, 2018 in order to determine if Defendant David Reed was able to retain her in representing him. Mr. Eric w. Rusley from the Public Defender's office indicated that the trial date is vacated and the calendar call date be used as a status check to determine if Ms. Plunkett would confirm as counsel or the Public Defender would confirm as counsel. Defendant David Reed agreed to vacate the trial date and set a status check date. On February 7, 2019 nothing was resolved; Defendant David Reed indicated that he wanted more time to retain Ms. Plunkett. Ms. Navarro from the Public Defender's office indicated that she would reach out to Ms. Plunkett as a professional courtesy to let Ms. Plunkett know that Defendant David Reed wanted to retain her services. Again, Defendant David Reed requested to be remanded to CCDC and I again explained to Defendant David Reed that I could not tell CCDC where to house Defendant David Reed. On March 7, 2018, I noted that Defendant David Reed had been indicted on a new case and that this case in which Defendant David Reed filed a Writ as well as Pre Trial Motions is to be dismissed pursuant to the indictment. Further, the Public Defender was unable to confirm on the new case because of a conflict and Defendant David Reed requested Rochelle Nguyen be appointed who would confirm as counsel at the next date as to the new indictment. On March 14, 2018, Ms. Derjavina from the Clark County District Attorney's Office advised based on the indictment in case C-18-329762-1, case C-17-327407-1 was being dismissed. Further, the Court ordered that the case C-17-327407-1 was dismissed. DEFENDANT'S PRO PER MOTION FOR ORDER TO RETURN SEIZED PROPERTY: Following arguments by Defendant and State; COURT ORDERED, Motion DENIED as taken under legal reasons. DEFENDANT'S PRO PER MOTION TO PROCEED INFORMA PAUPERIS: COURT ORDERED, Motion GRANTED. DEFENDANT'S PRO PER MOTION FOR SANCTIONS UNDER RULE 11(B): Following arguments by Defendant; COURT ORDERED, Motion DENIED. Defendant requested the Deputy District Attorney handling the case be removed. FURTHER ORDERED, Oral Motion to Remove current Deputy DENIED. Ms. Derjavina advised she was not present during the Faretta Canvass of Defendant and requested the Court inquire of the Defendant that if convicted Defendant is facing a possible sentence of life in prison based on the notice to seek habitual criminal. Court canvassed Defendant as to the habitual criminal notice and possible statuses. Defendant stated he understands and objected to any habitual criminal notice as he does not believe he is eligible for a habitual criminal sentence. Court informed Defendant it is his right to represent himself and the Court has appointed stand by counsel to assist Defendant; although, the Court would strongly suggest he allow counsel to represent him. Defendant stated he will file a Writ of Mandamus with the Supreme Court. Ms. Oliver advised she does not believe her office would be the best to represent Defendant if counsel is appointed as Defendant has accused her of working with the State against him as well as threatened to sue her in Federal Court. Court stated Defendant currently represents himself based on the Faretta canvass Defendant clearly understands what needs to be done and the issue of counsel will be address if necessary. ;

08/19/2019

**Motion** (8:30 AM) (Judicial Officer: Kephart, William D.)

Defendant's Pro Per Motion for Sanctions Under Rule 11.(b)

Denied;

Journal Entry Details:

Court noted Defendant not present and in custody with the Nevada Department of Corrections. COURT ORDERED, Motion DENIED as there are no grounds for the motion. NDC;

09/09/2019

Motion (8:30 AM) (Judicial Officer: Kephart, William D.)

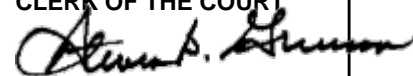
Defendant's Notice of Motion and Motion for Transcripts at State Expense for the Purpose of Appeal

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-18-329762-1

01/29/2020	Pre Trial Conference (8:30 AM) (Judicial Officer: Kephart, William D.)
02/26/2020	Calendar Call (8:30 AM) (Judicial Officer: Kephart, William D.)
03/02/2020	Jury Trial (10:00 AM) (Judicial Officer: Kephart, William D.)



ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
EKATERINA DERJAVINA
Deputy District Attorney
Nevada Bar #014047
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-

DAVID REED, aka
David Levoyd Reed,
#1696429

Defendant.

CASE NO: C-18-329762-1

DEPT NO: XIX

**ORDER DENYING DEFENDANT'S PRO PER MOTION FOR SANCTION UNDER
RULE 11. (b)**

DATE OF HEARING: August 19, 2019
TIME OF HEARING: 08:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 19th day of August, 2019, the Defendant not being present, in proper person, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through EKATERINA DERJAVINA, Deputy District Attorney, without argument, based on the pleadings and good cause appearing therefor,

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1 IT IS HEREBY ORDERED that the Defendant's Pro Per Motion for Sanctions Under
2 Rule 11. (b), shall be, and it is DENIED.

3 DATED this 28th day of August, 2019.

4 Will Kyn
5 DISTRICT JUDGE

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

8
9 BY

EKATERINA DERJAVINA
10 Deputy District Attorney
11 Nevada Bar #014047

12
13
14
15 CERTIFICATE OF SERVICE

16 I certify that on the 29th day of August, 2019, I mailed a copy of the foregoing Order

17 to:

18 DAVID LEVOYD REED, BAC #79594
19 HIGH DESERT STATE PRISON
20 P.O. BOX 650
INDIAN SPRINGS, NV 89018

21
22 BY

Corina Garcia
23 C. Garcia
24 Secretary for the District Attorney's Office
25
26
27

28 cg/L2

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 08, 2018

C-18-329762-1 State of Nevada
 vs
 David Reed

February 08, 2018 11:45 AM Grand Jury Indictment

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

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Derjavina, Ekaterina Attorney
 Raman, Jay Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Howard Basch, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 17BGJ037X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-329762-1, Department XIX.

Ms. Derjavina requested a warrant and argued bail; 4 cases were consolidated into the instant case and bail was set previously at a total of \$273,000.00; the State would also request a 3-week date, which will give them enough time to transport the Deft who is in custody at the Nevada Department of Corrections. COURT ORDERED, \$273,000.00 BAIL, INDICTMENT WARRANT ISSUED, and matter SET for Arraignment in 3 weeks. COURT FURTHER ORDERED, Exhibits 1 - 34 to be lodged with the Clerk of the Court.

Upon inquiry of the Court, State advised there are no material witness warrants to be quashed. COURT ADDITIONALLY ORDERED, Las Vegas Justice Court case no. 17F18923X DISMISSED per the State's request. Upon inquiry of the Court, Ms. Derjavina confirmed that the State will move to dismiss Deft's other case, C327407, when they are back in Department XIX.

I.W. (NIC-COC-NDC)

2-28-18 8:30 AM INITIAL ARRAIGNMENT (DEPT XIX - Kephart)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 28, 2018

C-18-329762-1 State of Nevada
 vs
 David Reed

February 28, 2018 8:30 AM Initial Arraignment

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Clowers, Shanon	Attorney
	Reed, David	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Rusley advised based on the indictment which includes two other cases the Public Defender's office now has a conflict based on the two other cases and counsel will need to be appointed through Drew Christensen's office. Defendant requested Rochelle Nguyen be appointed as she represented him on one of the other cases and requested to be remanded to CCDC. COURT ORDERED, matter CONTINUED and SET for Confirmation of Counsel. FURTHER ORDERED, Defendant remanded to CCDC subject to the discretion of CCDC.

CUSTODY (COC-NDC)

3/14/2018 8:30 AM ARRAIGNMENT CONTINUED ... CONFIRMATION OF COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 14, 2018**

C-18-329762-1 State of Nevada
vs
David Reed

March 14, 2018 8:30 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Derjavina, Ekaterina	Attorney
	Nguyen, Rochelle T.	Attorney
	Reed, David	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- CONFIRMATION OF COUNSEL ... ARRAIGNMENT CONTINUED

Ms. Nguyen confirmed as counsel on behalf of Defendant. DEFT. REED ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. Court noted Defendant has requested to be remanded to CCDC on multiple occasions; however, the Court has informed Defendant CCDC has the discretion to transport him back to the prison. Ms. Nguyen advised there are extensive documents in this case and she would request to remand Defendant to CCDC in order to review the information with Defendant; however, she understands the housing issue and will submit a written order for a specific time frame to have Defendant remanded if needed. Court so noted. Further, Ms. Nguyen requested 21 days from the filing of the transcripts for any petitions. Court noted the transcript was filed 3/08/2018 and FURTHER ORDERED, counsel shall have 21 days from today.

CUSTODY (COC-NDC)

C-18-329762-1

8/29/2018 8:30 AM PRE TRIAL CONFERENCE

9/26/2018 8:30 AM CALENDAR CALL

10/01/2018 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 25, 2018

C-18-329762-1 State of Nevada
 vs
 David Reed

April 25, 2018 8:30 AM Motion to Dismiss

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

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

JOURNAL ENTRIES

- Court noted Defendant not present an in custody with the Nevada Department of Corrections (NDC). Court Noted Defendant filed a Motion to Dismiss Current Counsel. Ms. Nguyen advised she spoke with the Defendant after he filed the motion and stated she and Defendant came to an understanding and assumed Defendant would be present today. Court directed counsel to meet with Defendant and he will continue the Motion to the Pre Trial Conference date in order for Defendant to be present. COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC)

CONTINUED TO: 8/29/18 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 09, 2018

C-18-329762-1 State of Nevada
vs
David Reed

July 09, 2018

8:30 AM

All Pending Motions

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT: Holthus, Mary Kay Attorney
 Sanft, Michael W. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE ... DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT ... DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL

Mr. Sanft advised he is appearing on behalf of Ms. Nguyen who is out of the jurisdiction and Defendant is seeking to dismiss Ms. Nguyen. Ms. Holthus advised Ms. Clowers is handling this case and requested matter be continued for Ms. Nguyen and Ms. Clowers to be present. COURT SO ORDERED.

NDC

CONTINUED TO: 7/23/2018 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 23, 2018

C-18-329762-1 State of Nevada
vs
David Reed

July 23, 2018

8:30 AM

All Pending Motions

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:

Derjavina, Ekaterina
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE ... DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT... DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL

COURT ORDERED, matters CONTINUED for Ms. Nguyen to be present.

CONTINUED TO: 7/25/2018 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 25, 2018

C-18-329762-1 State of Nevada
 vs
 David Reed

July 25, 2018

8:30 AM

All Pending Motions

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Natalie Ortega
Kory Schlitz

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT: Kern, Samuel R. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE... DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT... DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL...

Defendant not present and in custody with the Nevada Department of Corrections. COURT ORDERED, matters CONTINUED.

CUSTODY (COC-NDC)

CONTINUED TO: 8/29/18 8:30 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 29, 2018

C-18-329762-1 State of Nevada
 vs
 David Reed

August 29, 2018 8:30 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Derjavina, Ekaterina	Attorney
	Nguyen, Rochelle T.	Attorney
	Reed, David	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANTS WRITTEN PRO PER MOTION TO DISMISS CURRENT COUNSEL AND APPOINTMENT OF NEW COUNSEL ... DEFENDANT'S PRO PER MOTION FOR PRODUCTION OF DOCUMENTS, PAPERS, PLEADINGS AND TANGIBLE PROPERTY OF DEFENDANT ... DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINTMENT OF NEW COUNSEL ... PRE TRIAL CONFERENCE DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE

Conference at the Bench. Colloquy regarding Defendant's complaints with Ms. Nguyen. COURT ORDERED, Defendant's Pro Per Motions to Dismiss Ms. Nguyen GRANTED; matter REFERRED to Office of Appointed Counsel for the appointment of counsel and matter SET for Confirmation of Counsel. Ms. Derjavina made a record as to State's opposition. Statements by Defendant as to violations of his sixth amendment right. Court informed Defendant based on his request to appoint new counsel the current trial setting of 10/01/2018 may need to be reset as new counsel may not

have enough time to properly prepare for the current trial date. Colloquy regarding Defendant's custody status.

CUSTODY (COC-NDC)

9/19/2018 8:30 AM CONFIRMATION OF COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 19, 2018

C-18-329762-1 State of Nevada
vs
David Reed

September 19, 2018 8:30 AM Confirmation of Counsel

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Holthus, Mary Kay	Attorney
	Oliver, Melissa	Attorney
	Reed, David	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Oliver confirmed as counsel on behalf of the Special Public Defender for Defendant. Colloquy regarding trial date. Ms. Oliver advised she does not have the file and will not be ready for the current trial date. Defendant requested the Court remand Defendant to the jail in order to allow contact with counsel. Upon Court's inquiry, Defendant advised he would like to continue the current trial date. COURT ORDERED, trial date VACATED and RESET. Court DIRECTED counsel to meet with Defendant and discuss any motions he would like to file. FURTHER ORDERED, Defendant REMANDED to the Clark County Detention Center (CCDC) if released from the Nevada Department of Corrections.

CUSTODY (COC-NDC)

3/27/2019 8:30 AM PRE TRIAL CONFERENCE

4/24/2019 8:30 AM CALENDAR CALL

4/29/2019 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 14, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

January 14, 2019 8:30 AM Motion

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Oliver, Melissa	Attorney
	Pandelis, Christopher P.	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage advised Defendant is in Nevada Department of Corrections and not transported today. Colloquy regarding Defendant's other case and parole violation. Ms. Oliver advised there is a combination of four cases as well as a new case as Defendant was just recently served with Markum Notice on a new case. COURT ORDERED, Motion GRANTED; Defendant will be housed at Clark County Detention Center (CCDC) for thirty days; counsel to submit a written order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 04, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

March 04, 2019 8:30 AM Motion

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT: Oliver, Melissa Attorney
 Reed, David Defendant
 State of Nevada Plaintiff
 Zadrowski, Bernard B. Attorney

JOURNAL ENTRIES

- Colloquy regarding Defendant's request to represent himself. COURT ORDERED, matter CONTINUED and SET for Faretta Canvass.

CUSTODY (COC-NDC)

CONTINUED TO: 3/06/2019 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 06, 2019**

C-18-329762-1 State of Nevada
vs
David Reed

March 06, 2019 8:30 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett
Shannon Emmons

RECORDER: Christine Erickson

REPORTER:

PARTIES

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

JOURNAL ENTRIES

- FARETTA CANVASS ... DEFENDANT'S PRO PER MOTION TO WITHDRAW COUNSEL

Defendant's Pro Per Petition for Writ of Habeas Corpus FILED IN OPEN COURT. Defendant's Pro Per Motion to Dismiss Indictment FILED IN OPEN COURT. Defendant's Pro Per Motion to Disqualify Court FILED IN OPEN COURT.

Following the Court's Faretta Canvas; COURT ORDERED, Defendant's Motion to Dismiss Counsel GRANTED; Special Public Defender APPOINTED as stand by counsel. Defendant advised he has a motion to extend copy work, petition for writ of habeas corpus and motion to disqualify the court to file this morning. Mr. Zadrowski advised based on the motions filed this morning and the upcoming trial date the State may be seeking a continuance. Further, Mr. Zadrowski requested a briefing schedule be set for the petition. COURT FURTHER ORDERED, Briefing schedule as to Petition for Writ of Habeas Corpus and Motion to Dismiss Indictment set as follows; State's Response shall be due on or before 4/17/2019; Defendant's Reply shall be due on or before 5/08/2019 and Petition and Motion to Dismiss Indictment SET for Hearing. FURTHER ORDERED, Defendant's Pro Per Motions

for Extended Copy Work and to Disqualify Court SET for Hearing. COURT FURTHER ORDERED, trial date VACATED and matter SET for Status Check. Defendant requested to be remanded to Clark County Detention Center as he is no longer under a judgment of conviction. Court stated Defendant has raised the issue a number of times and the Court takes no position on where Defendant is housed.

CUSTODY

3/13/2019 8:30 AM DEFENDANT'S PRO PER MOTION TO EXTEND COPY WORK ...
DEFENDANT'S PRO PER MOTION TO DISQUALIFY COURT

5/15/2019 8:30 AM DEFENDANT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS
DEFENDANT'S PRO PER MOTION TO DISMISS INDICTMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 13, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

March 13, 2019 8:30 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett
 Shannon Emmons

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Oliver, Melissa	Attorney
	Reed, David	Defendant
	State of Nevada	Plaintiff
	Zadrowski, Bernard B.	Attorney

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION TO DISQUALIFY COURT ... DEFENDANT'S PRE PER MOTION TO EXTEND COPY WORK

COURT ORDERED, Defendant s Pro Per Motion to Disqualify Court DENIED and matter REFERRED to Chief Judge Bell for her consideration. FURTHER ORDERED, briefing schedule for Defendant s Pro Per Petition for Writ of Habeas Corpus and Motion to Dismiss Indictment STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 19, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

March 19, 2019 9:00 AM Motion

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 17A

COURT CLERK:

Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Oliver, Melissa

Attorney

JOURNAL ENTRIES

- Defendant not present.

COURT ORDERED, matter TRANSFERRED to Judge Villani and SET on 03/26/19 at 8:30 AM.

CUSTODY (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 27, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

March 27, 2019 8:30 AM Pre Trial Conference

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Derjavina, Ekaterina	Attorney
	Oliver, Melissa	Attorney
	Reed, David	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted the matter has been set to be heard by Judge Villani on 4/04/2019 as Chief Judge Bell had to recuse from hearing the matter. COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC)

CONTINUED TO: 4/08/2019 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 08, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

April 08, 2019 8:30 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Shannon Emmons

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT: Derjavina, Ekaterina Attorney
 Reed, David Defendant
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION TO INSPECT ALL EVIDENCE FAVORABLE TO HIM ... PRE TRIAL CONFERENCE

Discussion regarding Motion; Briefing schedule set. COURT ORDERED, matter CONTINUED. COURT FURTHER ORDERED, trial date VACATED and matter set for Status Check. Ms. Derjavina advised she has provided discovery to the special public defender.

CUSTODY

04/24/2019 8:30 AM STATUS CHECK: FILE ... DEFENDANT'S PRO PER MOTION TO DISMISS INDICTMENT .. ACCUSED WRITTEN PRO PER MOTION TO DISMISS INDICTMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 24, 2019**

C-18-329762-1 State of Nevada
 vs
 David Reed

April 24, 2019 8:30 AM All Pending Motions

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Derjavina, Ekaterina	Attorney
	Oliver, Melissa	Attorney
	Reed, David	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- ACCUSED WRITTEN PRO PER MOTION TO DISMISS INDICTMENT ... STATUS CHECK: FILE

Court noted for the record, Presiding Criminal Judge Villani, found no grounds to disqualify this Court. Further, Court noted there are issues in the motion which should be brought by way of writ; however, based on the procedural history of this case the Court believes an Evidentiary Hearing with Ms. Nguyen regarding the delay in filing the writ by Ms. Nguyen. Further, Court noted the Pro Per Motion to Dismiss will be treated as a Petition. COURT ORDERED, matter CONTINUED and SET for Hearing.

6/13/2019 8:30 AM ACCUSED WRITTEN PRO PER MOTION TO DISMISS INDICTMENT
EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 13, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

June 13, 2019

8:30 AM

All Pending Motions

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:

Derjavina, Ekaterina
Oliver, Melissa
Reed, David
State of Nevada

Attorney
Attorney
Defendant
Plaintiff

JOURNAL ENTRIES

- ACCUSED WRITTEN PRO PER MOTION TO DISMISS INDICTMENT ... EVIDENTIARY HEARING

Colloquy regarding procedural history of case and purpose for the Evidentiary Hearing. COURT ORDERED, matter CONTINUED in order to hear testimony from Ms. Nguyen. Court instructed Ms. Oliver to assist, if necessary, in subpoenaing Ms. Nguyen. Defendant advised he will subpoena Ms. Nguyen and will only need three weeks.

CUSTODY (COC-NDC)

CONTINUED TO: 8/08/2019 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 10, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

July 10, 2019 8:30 AM Motion

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT: Oliver, Melissa Attorney
 State of Nevada Plaintiff
 Villani, Jacob J. Attorney

JOURNAL ENTRIES

- Ms. Oliver advised a transport order was not prepared for today's hearing. COURT ORDERED, matter CONTINUED and DIRECTED State to prepare a transport order.

NDC

CONTINUED TO: 8/08/2019 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 08, 2019**

C-18-329762-1 State of Nevada
vs
David Reed

August 08, 2019 8:30 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Derjavina, Ekaterina	Attorney
	Oliver, Melissa	Attorney
	Reed, David	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- EVIDENTIARY HEARING ... DEFENDANT'S PRO PER MOTION TO DISMISS INDICTMENT:

Rochelle Nguyen sworn and testified. Arguments by Defendant and State in support of their respective positions. COURT ORDERED, Motion to Dismiss Indictment DENIED. For the record, Court reviewed the information contained within the Court's Affidavit as follows; Defendant David Reed had another case, C-17-327407-1, STATE OF NEVADA v. David Reed, aka, David Levoyd Reed, #1696429 which was filed on October 23, 2017. Defendant David Reed was arraigned on October 25, 2017, pled NOT Guilty and INVOKED the 60-Day Rule and a Pre-Trial Conference was scheduled for 11112017 at 8:30 AM, a Calendar Call was scheduled for 1112912017 at 8:30 AM and a Jury Trial was scheduled for 121412017 at 10 AM. On November 1, 2017, Jessica W. Murphy appeared on behalf of David Reed and indicated that she would do what she can to be ready for the upcoming trial. On November 29, 2017 and Amended Information was filed at the Calendar Call. Additionally, Jessica W. Murphy appeared on behalf of Defendant David Reed and indicated that Defendant David Reed had requested that Jessica Murphy be removed as counsel for Defendant David Reed, and Defendant

David Reed was Faretta canvased, and Defendant David Reed's request to dismiss counsel and represent himself was GRANTED. The trial date was reset and Defendant's Motion to Suppress was set for hearing. Defendant David Reed requested that he be remanded to the Clark County Detention Center ("CCDC") in order to file the necessary motions to prepare for trial. I ordered that Defendant David Reed be remanded to CCDC, but explained to Defendant David Reed that I did not have the authority to order the jail where they keep people. Ms. Jessica W. Murphy indicated that she had a copy of the Preliminary Hearing Transcript for Defendant David Reed and would provide it to the correction officer for Defendant David Reed. On January 10, 2017, the State of Nevada indicated that they did not file an opposition to Defendant David Reed's Motion to Suppress because of Defendant's pending motion to appoint counsel that was set for January 22, 2018. The Court canvased Defendant David Reed who indicated that he wanted to retain private counsel, but was unable to do so because he was in Nevada Department of corrections and was unable to retain counsel. At that point, I ordered that the Public Defender be appointed to Defendant David Reed and reset the pending motions for January 22, 2019. On January 22, 2018 Alexis Anne Plunkett appeared and advised the Court that she had been in contact with Defendant David Reed recently as well as the public Defender regarding the case and requested that the hearing be continued to February 7, 2018 in order to determine if Defendant David Reed was able to retain her in representing him. Mr. Eric w. Rusley from the Public Defender's office indicated that the trial date is vacated and the calendar call date be used as a status check to determine if Ms. Plunkett would confirm as counsel or the Public Defender would confirm as counsel. Defendant David Reed agreed to vacate the trial date and set a status check date. On February 7, 2019 nothing was resolved; Defendant David Reed indicated that he wanted more time to retain Ms. Plunkett. Ms. Navarro from the Public Defender's office indicated that she would reach out to Ms. Plunkett as a professional courtesy to let Ms. Plunkett know that Deft David Reed wanted to retain her services. Again, Defendant David Reed requested to be remanded to CCDC and I again explained to Defendant David Reed that I could not tell CCDC where to house Defendant David Reed. On March 7, 2018, I noted that Defendant David Reed had been indicted on a new case and that this case in which Defendant David Reed filed a Writ as well as Pre Trial Motions is to be dismissed pursuant to the indictment. Further, the Public Defender was unable to confirm on the new case because of a conflict and Defendant David Reed requested Rochelle Nguyen be appointed who would confirm as counsel at the next date as to the new indictment. On March 14 ,2018, Ms. Derjavina from the Clark County District Attorney's Office advised based on the indictment in case C-18-329762-1, case C-17-327407-1 was being dismissed. Further, the Court ordered that the case C-17-327407-1 was dismissed.

DEFENDANT'S PRO PER MOTION FOR ORDER TO RETURN SEIZED PROPERTY:

Following arguments by Defendant and State; COURT ORDERED, Motion DENIED as taken under legal reasons.

DEFENDANT'S PRO PER MOTION TO PROCEED INFORMA PAUPERIS:

COURT ORDERED, Motion GRANTED.

DEFENDANT'S PRO PER MOTION FOR SANCTIONS UNDER RULE 11(B):

Following arguments by Defendant; COURT ORDERED, Motion DENIED. Defendant requested the Deputy District Attorney handling the case be removed. FURTHER ORDERED, Oral Motion to Remove current Deputy DENIED. Ms. Derjavina advised she was not present during the Faretta Canvass of Defendant and requested the Court inquire of the Defendant that if convicted Defendant is facing a possible sentence of life in prison based on the notice to seek habitual criminal. Court canvassed Defendant as to the habitual criminal notice and possible statuses. Defendant stated he understands and objected to any habitual criminal notice as he does not believe he is eligible for a habitual criminal sentence. Court informed Defendant it is his right to represent himself and the Court has appointed stand by counsel to assist Defendant; although, the Court would strongly suggest he allow counsel to represent him. Defendant stated he will file a Writ of Mandamus with the Supreme Court. Ms. Oliver advised she does not believe her office would be the best to represent Defendant if counsel is appointed as Defendant has accused her of working with the State against him as well as threatened to sue her in Federal Court. Court stated Defendant currently represents himself based on the Faretta canvass Defendant clearly understands what needs to be done and the issue of counsel will be address if necessary.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 19, 2019

C-18-329762-1 State of Nevada
 vs
 David Reed

August 19, 2019 8:30 AM Motion

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

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

JOURNAL ENTRIES

- Court noted Defendant not present and in custody with the Nevada Department of Corrections.
COURT ORDERED, Motion DENIED as there are no grounds for the motion.

NDC

Exhibits:

- WA 1. Proposed Indictment**
- WA 1a. 2nd Proposed Indictment**
- WA 2. Photo Lineup Instructions**
- WA 3. Photo Lineup**
- WA 4. Photo Lineup Records**
- WA 5. Photo**
- WA 6. Photo**
- WA 7. Photo**
- WA 8. Photo**
- WA 9. Photo**
- WA 10. Photo**
- WA 11. Photo**
- WA 12. Photo**
- WA 13. Photo**
- WA 14. Photo**
- WA 15. Photo**
- WA 16. Photo**
- WA 17. Jury Instructions**
- WA 18. Photo Lineup**
- WA 19. Photo**
- WA 20. Photo**
- WA 21. Photo**
- WA 22. Photo**
- WA 23. Photo**
- WA 24. Photo**
- WA 25. Photo**
- WA 26. Photo**
- WA 27. Photo**
- WA 28. Photo**
- WA 29. Photo**
- WA 30. Photo**
- WA 31. JOC**
- WA 32. JOC**
- WA 33. Photo**
- WA 34. Transcript**

Exhibits 1 - 34 to be lodged with the Clerk of the Court.



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

DAVID LEVOYD REED #79594
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: August 30, 2019
CASE: C-18-329762-1

RE CASE: STATE OF NEVADA vs. DAVID REED aka DAVID LEVOYD REED

NOTICE OF APPEAL FILED: August 29, 2019

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

☐

Case Appeal Statement

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



Order *re: Order Denying Pre-Trial Writ & Accused Motion to Dismiss*



Notice of Entry of Orders

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; ORDER DENYING DEFENDANT'S PRO PER MOTION FOR SANCTION
UNDER RULE 11. (B); DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

DAVID REED aka DAVID LEVOYD REED,

Defendant(s).


Case No: C-18-329762-1

Dept No: XIX

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 30 day of August 2019.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk