

Jesse Noble #1039146
PO Box 1989-4A22-ESP
Elly, Nevada 89301

Electronically Filed
09/30/2019

Elizabeth A. Brown
CLERK OF THE COURT

Date

Electronically Filed
Oct 03 2019 02:20 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Affirmation pursuant to NRS 239B.030

The Undersigned Affirms that there is no personal
Information of anyone contained in action

IN the 8th Judicial District Court of
Nevada IN and for the County of Clark

Jesse Noble #1039146
(Appellant)

Case No. C-18-336940-1

vs

Dept No. 9

State of Nevada, et al
(Appellees)

Notice of Appeal (corrected)

I, Jesse #1039146, hereby appeals his sentence and
Judgment of conviction to the Nevada Supreme
Court entered on this 9 day of 25 2019
filed on this 9 day of 25 2019 which
was sent back for Correction and submitted on this
24th day of Sept, 2019

RECEIVED

SEP 30 2019

CLERK OF THE COURT

Affirmation

I, Jesse Noble #1039146, author of "(Notice of Appeal) Corrected" hereby attest Under the penalties of perjury that the foregoing is true and Correct and not for any improper purpose Affiant

NRS 208, 165 & 171.121

Hereby sworn this 24th day of September, 2019
Under the penalties of perjury as true and Correct.

Quick Cert. of Service

A true and Correct Copy of "N.O.A..." was served on Counsel of respondent below at address below pursuant to NRCR Rule 4 & 5 Via logged Outgoing legal mail by appellant

Appellant Jesse Noble

Nevada Attorney General
555 E. Washington Ave #3900
LV NV, 89101

Hereby Served this
by Appellant

day of Sept, 2019

Jesse Noble #1039146
C.S.P.
P.O. Box 1989
Elly NV, 89301

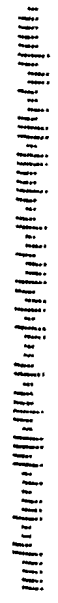
RECEIVED
FBI
26 SEP 1991
PM 3:11

Confidential
Legal Mail

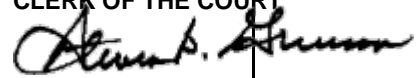
CONFIDENTIAL

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

89101-630000



SEP 1991



1 ASTA

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

9 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12 JESSE D. NOBLE aka JESSE NOBLE, JR.,

13 Defendant(s),

Case No: C-18-336940-1

Dept No: VIII

14
15
16 **CASE APPEAL STATEMENT**

17
18 1. Appellant(s): Jesse Noble

19 2. Judge: Douglas E. Smith

20 3. Appellant(s): Jesse Noble

21 Counsel:

22 Jesse Noble #1039146
23 P.O. Box 1989
24 Ely, NV 89301

25 4. Respondent: The State of Nevada

26 Counsel:

27 Aaron D. Ford, Attorney General
28 555 E. Washington Ave., Suite 3900
Las Vegas, NV 89101-1068

(702) 486-3825

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: December 19, 2018

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

Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 1 day of October 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: Jesse Noble

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-18-336940-1**

State of Nevada
vs
Jesse Noble

§
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Location: **Department 9**
 Judicial Officer: **Silva, Cristina D.**
 Filed on: **12/19/2018**
 Case Number History:
 Cross-Reference Case Number: **C336940**
 Defendant's Scope ID #: **2679811**
 ITAG Booking Number: **0**
 ITAG Case ID: **2068805**
 Lower Court Case # Root: **18F18999**
 Lower Court Case Number: **18F18999X**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court					
1. BATTERY BY PRISONER	200.481.2f	F	12/21/2017	Case Status:	04/11/2019 Closed
PCN: 0030542736 ACN: 0					
Arrest: 12/21/2017	MET - Metro				

Statistical Closures

04/11/2019 Guilty Plea with Sentence (before trial) (CR)






DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number	C-18-336940-1
Court	Department 9
Date Assigned	04/29/2019
Judicial Officer	Silva, Cristina D.

PARTY INFORMATION

Defendant	Noble, Jesse D	<i>Lead Attorneys</i> Frizzell III, Kenneth G. <i>Retained</i> 702-366-1230(W)
Plaintiff	State of Nevada	Laxalt, Adam Paul 702-486-3420(W)

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

12/19/2018	 Criminal Bindover - Confidential
12/19/2018	 Criminal Bindover Packet Las Vegas Justice Court
12/20/2018	 Information Party: Plaintiff State of Nevada <i>Information</i>
12/22/2018	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PROCEEDINGS PRELIMINARY HEARING</i>
01/10/2019	 Order Filed By: Plaintiff State of Nevada

CASE SUMMARY
CASE NO. C-18-336940-1

Transport Order

01/14/2019



Notice

Filed By: Plaintiff State of Nevada

Notice of Intent to Seek Punishment as Habitual Criminal

01/15/2019



Notice

Filed By: Plaintiff State of Nevada

The State of Nevada's Notice of Witnesses

01/25/2019



Subpoena Electronically Issued

Filed by: Defendant Noble, Jesse D

Subpoena

01/25/2019



Subpoena Electronically Issued

Filed by: Defendant Noble, Jesse D

Subpoena

01/29/2019



Order

Filed By: Plaintiff State of Nevada

Transport Order

01/29/2019



Order

Filed By: Plaintiff State of Nevada

Transport Order

01/29/2019



Notice

Filed By: Plaintiff State of Nevada

The State of Nevada's First Amended Notice of Witnesses

02/11/2019



Jury List

02/12/2019



Verdict

02/12/2019



Instructions to the Jury

02/15/2019



Stipulation

Trial Stipulations

03/19/2019



PSI

03/21/2019



PSI

04/11/2019



Judgment of Conviction

Judgment of Conviction (Jury Trial)

04/29/2019

Case Reassigned to Department 9

Judicial Reassignment to Department 9 - Judge Cristina Silva

07/23/2019



Motion

Filed By: Defendant Noble, Jesse D

Motion for Withdrawal of Attorney of Record in the Alternative, Request for Records/Court Case Documents

CASE SUMMARY
CASE NO. C-18-336940-1

07/23/2019



Notice of Motion

Filed By: Defendant Noble, Jesse D

09/30/2019



Notice of Appeal (criminal)

Party: Defendant Noble, Jesse D

10/01/2019



Case Appeal Statement

Filed By: Defendant Noble, Jesse D

Case Appeal Statement

HEARINGS

12/21/2018



Initial Arraignment (10:00 AM) (Judicial Officer: De La Garza, Melisa)

Trial Date Set;

Journal Entry Details:

Kent Kozal, Esq., appearing for Mr. Frizzell on behalf of the Deft. DEFT. NOBLE ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. NIC (COC-NDC) 1/09/19 8:30 AM PRE-TRIAL CONFERENCE (DEPT. 19) 2/06/19 8:30 AM CALENDAR CALL (DEPT. 19) 2/11/19 10:00 AM JURY TRIAL (DEPT. 19);

01/09/2019



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

Matter Heard;

Journal Entry Details:

Mr. Frizzell advised there is still outstanding discovery; although he is working toward the current trial date. Upon Court's inquiry, parties anticipate 2 - 3 days for trial. Ms. Kallas advised she will have the remaining discovery for counsel and State will be ready for trial. COURT ORDERED, trial date STANDS. NIC (COC-NDC);

02/06/2019



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

Matter Heard;

Journal Entry Details:

Parties announced ready with 7 - 8 witnesses, no out of state witnesses and 3 - 4 days for trial. Ms. Kallas advised the only caveat would be she has requested information from NDOT which she was previously advised no information existed; however, she has requested the information again out of an abundance of caution and would be the only issue with trial readiness. COURT ORDERED, trial date VACATED and REFERRED to Overflow. CUSTODY 2/08/2019 8:30 AM OVERFLOW C. KALLAS / K. FRIZZELL 7 - 8 WITNESSES // 0 OUT OF STATE // 3 - 4 DAYS;

02/08/2019



Overflow (8:30 AM) (Judicial Officer: Jones, David M)

OVERFLOW: DEPT 19 C. KALLAS / K. FRIZZELL 3 - 4 DAYS 7 - 8 WITNESSES 0 - OUT OF STATE

Matter Heard;

Journal Entry Details:

Defendant NOT present. Court advised Defendant was in transit, noting that the hearing was scheduled for 8:30 am, and it was now after 8:50 am, and the Defendant was still not present. Upon Court's inquiry, counsel advised they are ready for trial. COURT ORDERED, matter SET for Trial in Department 8. NIC (COC-NDC) 02/11/19 9:30 AM JURY TRIAL (DEPT 8) ;

02/11/2019



Jury Trial (9:30 AM) (Judicial Officer: Smith, Douglas E.)

02/11/2019-02/12/2019

Trial Continues;

Verdict;

Journal Entry Details:

Chelsea Kallas, Dep AG, and Michael Kovac, Senior Dep AG, present on behalf of the State; Kenneth Frizzell, Esq., present on behalf of Deft. Noble, who is also present. 9:25 a.m. Jury Trial resumed. OUTSIDE THE PRESENCE OF THE JURY: Jury Instructions and Verdict form settled. JURY PRESENT: Court instructed the Jury. Closing arguments by Ms. Kallas

CASE SUMMARY**CASE NO. C-18-336940-1**

and Mr. Frizzell; rebuttal by Mr. Kovac. At the hour of 10:45 a.m., the Jury retired to deliberate. Court thanked and excused the alternates. While deliberating, the Jury presented a question to the Court. Court telephonically conferenced with counsel to formulate an answer to the Jury's question. The Question and Answer were marked for identification as Court's Exhibit 2 and ADMITTED. At the hour of 12:06 p.m., the Jury returned with the following verdict: **GUILTY of COUNT 1 - BATTERY BY A PRISONER** Jury polled. Court thanked and excused the Jury. 12:11 p.m. Court **ADJOURNED; COURT ORDERED**, matter set for sentencing. **CUSTODY 04/03/19 8:00 AM SENTENCING;**

Trial Continues;

Verdict;

Journal Entry Details:

Chelsea Kallas, Dep AG, and Michael Kovac, Senior Dep AG, present on behalf of the State; Kenneth Frizzell, Esq., present on behalf of Deft. Noble, who is also present. 9:25 a.m. Jury Trial commenced. **OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:** Ms. Kallas advised that the State made an offer to the Deft., the Deft. would plead guilty to one Count of Attempt Battery by Prisoner (F); the Deft. would be sentenced to nineteen (19) to forty-eight (48) months consecutive to his current sentence. The Deft. has rejected that offer. Trial Stipulation **FILED IN OPEN COURT**. Court canvassed Deft. with regard to his right not to testify or to testify in this case; Carter Instruction given. **PROSPECTIVE JURORS PRESENT:** Court and counsel begin Voir Dire examination of the prospective Jurors. Jury and two (2) alternates selected and sworn. Clerk read the Information to the Jury and stated the Deft. s plea thereto. Opening statements by Mr. Kovac and Mr. Frizzell. Testimony and exhibits presented (see worksheets). **OUTSIDE THE PRESENCE OF THE JURY:** Trial Stipulation **FILED IN OPEN COURT**. Ms. Kallas advised the Stipulation should be read to the Jury before they go to deliberate. 3:28 p.m. Court **ADJOURNED; COURT ORDERED**, Jury Trial **CONTINUED. CUSTODY CONTINUED TO: 02/12/19 9:30 AM ;**

02/11/2019 **CANCELED Jury Trial (10:00 AM)** (Judicial Officer: Kephart, William D.)
Vacated - per Judge

04/03/2019  **Sentencing (8:00 AM)** (Judicial Officer: Smith, Douglas E.)

Defendant Sentenced;

Journal Entry Details:

Chelsea Kallas, Dep AG, present on behalf of the State and Kenneth Frizzell, Esq., present on behalf of Deft. Noble, who is also present. Court called case, Deft. stated that he did not get an opportunity to read his Presentence Investigation (PSI) report and he was not aware that the State may be seeking habitual criminal treatment. Mr. Frizzell advised that he spoke with Ms. Kallas earlier and they are not going to be seeking habitual treatment but the Deft. is eligible. Court trailed matter. **MATTER RECALLED:** all present as before. Pursuant to the Jury's verdict, **DEFT. NOBLE ADJUDGED GUILTY of BATTERY BY A PRISONER (F).** The State is seeking a sentence of nineteen (19) to forty-eight (48) months; since the Court heard the trial, it is familiar with the facts. Statement by Deft., he would like to file a Motion for a Mistrial. Argument by Mr. Frizzell; the altercation was not started by this Deft. There was some conflicting testimony between the Officers testimony and the inmates that testified. The Deft. is requesting the minimums and because the Deft. was already in prison the instant case must be **CONSECUTIVE** to his other case. **COURT ORDERED**, in addition to the \$25.00 Administrative Assessment fee, the \$150.00 DNA Analysis fee including testing to determine genetic markers, which was collected on October 29, 2008, the \$3.00 DNA Collection fee, and an Indigent Defense Civil Assessment fee in the amount of \$250.00, Deft. **SENTENCED** to a **MAXIMUM of SEVENTY-TWO (72) MONTHS** and a **MINIMUM of TWENTY-EIGHT (28) MONTHS** in the Nevada Department of Corrections (NDC), **CONSECUTIVE** to C312733, with **ZERO (0) DAYS** credit for time served. Deft. wants to file an appeal; Court directed Mr. Frizzell to make sure that the appeal is filed and thereafter, he may withdraw as counsel of record. **BOND, if any, EXONERATED;**

08/14/2019  **Motion (8:30 AM)** (Judicial Officer: Silva, Cristina D.)

Defendant's Pro Per Motion for Withdrawal of Attorney of Record, or, In the Alternative, Request for Records / Court Case Documents

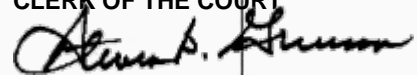
Granted;

Journal Entry Details:

Mr. Frizzell advised Defendant is in the Nevada Department of Corrections and was not transported. **COURT ORDERED**, Motion **GRANTED** and counsel shall forward a copy of the file to Defendant. **NDC;**

CASE SUMMARY

CASE NO. C-18-336940-1



JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JESSE D. NOBLE
aka Jesse Nobel, Jr.
#2679811

Defendant.

CASE NO. C-18-336940-1

DEPT. NO. VIII

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crime of BATTERY BY A PRISONER (Category B Felony) in violation of NRS 200.481(2)(f); and the matter having been tried before a jury and the Defendant having been found guilty of the crime of BATTERY BY A PRISONER (Category B Felony) in violation of NRS 202.481(2)(f); thereafter, on the 3rd day of April, 2019, the Defendant was present in court for sentencing with counsel KENNETH FRIZZELL, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said crime as set forth in the jury's verdict and, in addition to the \$25.00 Administrative Assessment Fee and

- | | |
|---|--|
| <input type="checkbox"/> Nolle Prosequi (before trial) | <input type="checkbox"/> Bench (Non-Jury) Trial |
| <input type="checkbox"/> Dismissed (after diversion) | <input type="checkbox"/> Dismissed (during trial) |
| <input type="checkbox"/> Dismissed (before trial) | <input type="checkbox"/> Acquittal |
| <input checked="" type="checkbox"/> Guilty Plea with Sent. (before trial) | <input type="checkbox"/> Guilty Plea with Sent. (during trial) |
| <input type="checkbox"/> Transferred (before/during trial) | <input type="checkbox"/> Conviction |
| <input type="checkbox"/> Other Manner of Disposition | |

1 \$250.00 Indigent Defense Civil Assessment Fee plus \$3.00 DNA Collection Fee, the
2 Defendant is SENTENCED as follows: a MAXIMUM of SEVENTY-TWO (72) MONTHS
3 with a MINIMUM parole eligibility of TWENTY-EIGHT (28) MONTHS in the Nevada
4 Department of Corrections (NDC), CONSECUTIVE with C312733; with ZERO (0) DAYS
5 credit for time served. As the \$150.00 DNA Analysis Fee and Genetic Testing have
6 been previously imposed, the Fee and Testing in the current case are WAIVED.
7

8 DATED this 11th day of April, 2019.

10 MICHAEL P. VILLANI

11 FOR JUDGE

11 ->

11 DOUGLAS E. SMITH
12 DISTRICT COURT JUDGE
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 21, 2018

C-18-336940-1 State of Nevada
 vs
 Jesse Noble

December 21, 2018 10:00 AM Initial Arraignment

HEARD BY: De La Garza, Melisa

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Kristen Brown

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Kallas, Chelsea	Attorney
	Noble, Jesse D	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Kent Kozal, Esq., appearing for Mr. Frizzell on behalf of the Deft.

DEFT. NOBLE ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial.

NIC (COC-NDC)

1/09/19 8:30 AM PRE-TRIAL CONFERENCE (DEPT. 19)

2/06/19 8:30 AM CALENDAR CALL (DEPT. 19)

2/11/19 10:00 AM JURY TRIAL (DEPT. 19)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2019

C-18-336940-1 State of Nevada
 vs
 Jesse Noble

January 09, 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: Frizzell III, Kenneth G. Attorney
 Kallas, Chelsea Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Mr. Frizzell advised there is still outstanding discovery; although he is working toward the current trial date. Upon Court's inquiry, parties anticipate 2 - 3 days for trial. Ms. Kallas advised she will have the remaining discovery for counsel and State will be ready for trial. COURT ORDERED, trial date STANDS.

NIC (COC-NDC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 06, 2019

C-18-336940-1 State of Nevada
 vs
 Jesse Noble

February 06, 2019 8:30 AM Calendar Call

HEARD BY: Kephart, William D.

COURTROOM: RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Frizzell III, Kenneth G.	Attorney
	Kallas, Chelsea	Attorney
	Noble, Jesse D	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Parties announced ready with 7 - 8 witnesses, no out of state witnesses and 3 - 4 days for trial. Ms. Kallas advised the only caveat would be she has requested information from NDOT which she was previously advised no information existed; however, she has requested the information again out of an abundance of caution and would be the only issue with trial readiness. COURT ORDERED, trial date VACATED and REFERRED to Overflow.

CUSTODY

2/08/2019 8:30 AM OVERFLOW

C. KALLAS / K. FRIZZELL

7 - 8 WITNESSES // 0 OUT OF STATE // 3 - 4 DAYS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 08, 2019

C-18-336940-1 State of Nevada
 vs
 Jesse Noble

February 08, 2019 8:30 AM Overflow

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Nancy Maldonado

RECORDER: Melissa Murphy-Delgado

REPORTER:

PARTIES

PRESENT: Frizzell III, Kenneth G. Attorney
 Kallas, Chelsea Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant NOT present. Court advised Defendant was in transit, noting that the hearing was scheduled for 8:30 am, and it was now after 8:50 am, and the Defendant was still not present. Upon Court's inquiry, counsel advised they are ready for trial. COURT ORDERED, matter SET for Trial in Department 8.

NIC (COC-NDC)

02/11/19 9:30 AM JURY TRIAL (DEPT 8)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 11, 2019

C-18-336940-1 State of Nevada
 vs
 Jesse Noble

February 11, 2019 9:30 AM Jury Trial

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Chelsea Kallas, Dep AG, and Michael Kovac, Senior Dep AG, present on behalf of the State; Kenneth Frizzell, Esq., present on behalf of Deft. Noble, who is also present.

9:25 a.m. Jury Trial commenced. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Ms. Kallas advised that the State made an offer to the Deft., the Deft. would plead guilty to one Count of Attempt Battery by Prisoner (F); the Deft. would be sentenced to nineteen (19) to forty-eight (48) months consecutive to his current sentence. The Deft. has rejected that offer.

Trial Stipulation FILED IN OPEN COURT. Court canvassed Deft. with regard to his right not to testify or to testify in this case; Carter Instruction given.

PROSPECTIVE JURORS PRESENT: Court and counsel begin Voir Dire examination of the prospective Jurors. Jury and two (2) alternates selected and sworn. Clerk read the Information to the Jury and stated the Deft. s plea thereto.

Opening statements by Mr. Kovac and Mr. Frizzell. Testimony and exhibits presented (see worksheets).

OUTSIDE THE PRESENCE OF THE JURY: Trial Stipulation FILED IN OPEN COURT. Ms. Kallas advised the Stipulation should be read to the Jury before they go to deliberate.

3:28 p.m. Court ADJOURNED; COURT ORDERED, Jury Trial CONTINUED.

CUSTODY

CONTINUED TO: 02/12/19 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 12, 2019

C-18-336940-1 State of Nevada
 vs
 Jesse Noble

February 12, 2019 9:30 AM Jury Trial

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Chelsea Kallas, Dep AG, and Michael Kovac, Senior Dep AG, present on behalf of the State; Kenneth Frizzell, Esq., present on behalf of Deft. Noble, who is also present.

9:25 a.m. Jury Trial resumed. OUTSIDE THE PRESENCE OF THE JURY: Jury Instructions and Verdict form settled.

JURY PRESENT: Court instructed the Jury. Closing arguments by Ms. Kallas and Mr. Frizzell; rebuttal by Mr. Kovac.

At the hour of 10:45 a.m., the Jury retired to deliberate. Court thanked and excused the alternates.

While deliberating, the Jury presented a question to the Court. Court telephonically conferenced with counsel to formulate an answer to the Jury's question. The Question and Answer were marked for identification as Court's Exhibit 2 and ADMITTED.

At the hour of 12:06 p.m., the Jury returned with the following verdict:

GUILTY of COUNT 1 - BATTERY BY A PRISONER

Jury polled. Court thanked and excused the Jury.

12:11 p.m. Court ADJOURNED; COURT ORDERED, matter set for sentencing.

CUSTODY

04/03/19 8:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 03, 2019

C-18-336940-1 State of Nevada
 vs
 Jesse Noble

April 03, 2019

8:00 AM

Sentencing

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Chelsea Kallas, Dep AG, present on behalf of the State and Kenneth Frizzell, Esq., present on behalf of Deft. Noble, who is also present.

Court called case, Deft. stated that he did not get an opportunity to read his Presentence Investigation (PSI) report and he was not aware that the State may be seeking habitual criminal treatment. Mr. Frizzell advised that he spoke with Ms. Kallas earlier and they are not going to be seeking habitual treatment but the Deft. is eligible. Court trailed matter.

MATTER RECALLED: all present as before.

Pursuant to the Jury's verdict, DEFT. NOBLE ADJUDGED GUILTY of BATTERY BY A PRISONER (F). The State is seeking a sentence of nineteen (19) to forty-eight (48) months; since the Court heard the trial, it is familiar with the facts. Statement by Deft., he would like to file a Motion for a Mistrial. Argument by Mr. Frizzell; the altercation was not started by this Deft. There was some conflicting testimony between the Officers testimony and the inmates that testified. The Deft. is requesting the minimums and because the Deft. was already in prison the instant case must be CONSECUTIVE to his other case.

COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, the \$150.00 DNA Analysis fee including testing to determine genetic markers, which was collected on October 29, 2008, the \$3.00 DNA Collection fee, and an Indigent Defense Civil Assessment fee in the amount of \$250.00, Deft. SENTENCED to a MAXIMUM of SEVENTY-TWO (72) MONTHS and a MINIMUM of TWENTY-EIGHT (28) MONTHS in the Nevada Department of Corrections (NDC), CONSECUTIVE to C312733, with ZERO (0) DAYS credit for time served.

Deft. wants to file an appeal; Court directed Mr. Frizzell to make sure that the appeal is filed and thereafter, he may withdraw as counsel of record.

BOND, if any, EXONERATED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2019

C-18-336940-1 State of Nevada
 vs
 Jesse Noble

August 14, 2019 8:30 AM Motion

HEARD BY: Silva, Cristina D. **COURTROOM:** RJC Courtroom 11B

COURT CLERK: Tia Everett

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT: Frizzell III, Kenneth G. Attorney
 Kallas, Chelsea Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Mr. Frizzell advised Defendant is in the Nevada Department of Corrections and was not transported. COURT ORDERED, Motion GRANTED and counsel shall forward a copy of the file to Defendant.

NDC

Jury Trial Date: 02/11/19

Judge: Douglas Smith

Plaintiff: The State of Nevada

Recorder / Reporter: Gina Villani

Counsel for Plaintiff: Chelsea Kallas/Michael Kovac

Defendant: Jesse D. Noble

Counsel for Defendant: Kenneth Frizzell

STATE'S EXHIBITS

Rev. 03/2016

Case No: C336940

The State of Nevada

v.

Jesse D. Noble

COURT'S EXHIBITS

[illegible]

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 (CORRECTED); CASE APPEAL STATEMENT;
DISTRICT COURT DOCKET ENTRIES; JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT
COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

JESSE D. NOBLE aka JESSE NOBLE, JR.,

Defendant(s).

Case No: C-18-336940-1

Dept No: IX

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 1 day of October 2019.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk