

Electronically Filed
Oct 10 2019 11:10 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOAS

RESCH LAW, PLLC d/b/a Conviction Solutions

By: Jamie J. Resch

Nevada Bar Number 7154

2620 Regatta Dr., Suite 102

Las Vegas, Nevada, 89128

Telephone (702) 483-7360

Facsimile (800) 481-7113

Jresch@convictionsolutions.com

Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

GUSTAVO RAMOS,

Defendant.

Case No.: C-10-269839-1

Dept. No: III

NOTICE OF APPEAL

Date of Hearing: N/A

Time of Hearing: N/A

Defendant Gustavo Ramos hereby appeals to the Supreme Court of Nevada from judgment of conviction and sentence filed on September 20, 2019.

DATED this 7th day of October, 2019.

Submitted By:

RESCH LAW, PLLC d/b/a Conviction Solutions

By: 

JAMIE J. RESCH

Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Resch Law, PLLC d/b/a Conviction Solutions and that, pursuant to N.R.C.P. 5(b), on October 7, 2019, I served a true and correct copy of the foregoing Notice of Appeal via first class mail in envelopes addressed to:

Mr. Gustavo Ramos #91166
High Desert State Prison
PO BOX 650
Indian Springs, NV 89070

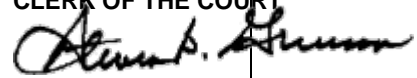
Clark County District Attorney
200 Lewis Ave.
Las Vegas, NV 89155

And electronic service was made this 7th day of October, 2019, by Electronic Filing
Service to:

Clark County District Attorney's Office
Motions@clarkcountyda.com
PDmotions@clarkcountyda.com



An Employee of Conviction Solutions



ASTA

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Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

GUSTAVO RAMOS,

Defendant.

Case No.: C-10-269839-1

Dept. No: III

CASE APPEAL STATEMENT

Date of Hearing: N/A

Time of Hearing: N/A

1. Name of appellant filing this case appeal statement: **Gustavo Ramos.**
2. Identify the judge issuing the decision, judgment, or order appealed from:

**Honorable Douglas W. Herndon
Department III
Eighth Judicial District Court
200 Lewis Ave.
Las Vegas, NV 89155**
3. Identify each appellant and the name and address of counsel for each appellant:

Gustavo Ramos, Appellant, represented by:

**Jamie J. Resch, Esq.
Nevada Bar No. 7154
Resch Law, PLLC d/b/a Conviction Solutions
2620 Regatta Dr., Suite 102
Las Vegas, NV 89128**

4. Identify each respondent and the name and address of appellate counsel:
- The State of Nevada, Respondent, represented by:**
- Steven Wolfson, Esq.**
Clark County District Attorney
200 Lewis Ave.
Las Vegas, NV 89155
5. Indicate whether any attorney identified in response to question 3 or 4 is not licensed to practice law in Nevada. **All counsel stated above are licensed in Nevada.**
6. Indicate whether appellant was represented by appointed or retained counsel in district court: **Appointed.**
7. Indicate whether appellant is represented by appointed or retained counsel on appeal: **Appointed.**
8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave: **N/A.**
9. Indicate the date proceedings commenced in the district court: **Information filed December 20, 2010.**
10. Provide a brief description of the nature of the action and the result in the district court, including the type of judgment or order being appealed and the relief granted by the district court: **Judgment of conviction was entered on September 20, 2019. Defendant now appeals the district court's conviction and sentence to the Nevada Supreme Court.**
11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding: **none known**

12. Indicate whether this appeal involves child custody or visitation: **N/A.**

13. If this is a civil case, indicate whether this appeal involves the possibility of
settlement: **N/A.**

DATED this 7th day of October, 2019.

Submitted By:

RESCH LAW, PLLC d/b/a Conviction Solutions

By: _____

JAMIE J. RESCH

Attorney for Petitioner

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that service of the foregoing Case Appeal Statement was made this 7th
day of October, 2019, by Electronic Filing Service to:

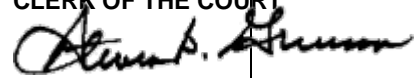
Clark County District Attorney's Office

Motions@clarkcountyda.com

PDmotions@clarkcountyda.com



An Employee of Conviction Solutions



REQT

RESCH LAW, PLLC d/b/a Conviction Solutions

By: Jamie J. Resch

Nevada Bar Number 7154

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Las Vegas, Nevada, 89128

Telephone (702) 483-7360

Facsimile (800) 481-7113

Jresch@convictionsolutions.com

Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

GUSTAVO RAMOS,

Defendant.

Case No.: C-10-269839-1

Dept. No: III

**REQUEST FOR TRANSCRIPTS PURSUANT TO
NRAP 9(a)(3)**

Date of Hearing: N/A

Time of Hearing: N/A

TO: **Kiara Schmidt, Patti Slattery, Renee Vincent, Yvette G. Sison-Britt, Jill**

Hawkins, Lisa Lizotte, Sara Richardson, Jill Jacoby, Trisha Garcia, Sandra Pruchnic - Court

Recorders, Department 3:

Defendant Gustavo Ramos requests preparation of a transcript of the proceedings
before the district court, at State's expense, as follows:

Judge or officer hearing the proceeding: Judge Douglas W. Herndon:

Date or dates of the proceeding: **January 3, 2011** (Initial Arraignment - Kiara Schmidt);
January 12, 2011 (all pending motions - Patti Slattery); **February 9, 2011** (State's Motion for
Leave to File Information by Affidavit - Renee Vincent); **November 2, 2011** (all pending motions

1 - Renee Vincent); **November 9, 2011** (status check: reset trial date - Renee Vincent); **July 11,**
2 **2012** (Deft's Motion to Dismiss Counts 3 and 4 of the Amended Indictment - Renee Vincent);
3 **July 27, 2012** (Deft's Motion to Dismiss Counts 3 and 4 of the Amended Information - Renee
4 Vincent); **November 5, 2012** (status check: trial setting - Yvette G. Sison-Britt); **November 26,**
5 **2012** (Motion to Quash Subpoena Duces Tecum - Yvette G. Sison-Britt); **July 24, 2013** (status
6 check: trial readiness - Jill Hawkins); **October 16, 2013** (calendar call - Jill Hawkins); **May 14,**
7 **2014** (Public Defender's Motion to Withdraw as Counsel - Jill Hawkins); **May 21, 2014** (all
8 pending motions - Jill Hawkins); **February 9, 2015** (status check: trial readiness - Jill Hawkins);
9 **February 17, 2016** (status check: trial readiness - Jill Hawkins); **November 7, 2016** (Defendant's
10 Motion to Compel Disclosure of Favorable Information - Jill Hawkins); **November 21, 2016**
11 (Motion to Compel - Jill Hawkins); **December 12, 2016** (trial readiness - Jill Hawkins); **January 9,**
12 **2017** (all pending motions - Lisa Lizotte); **March 13, 2017** (all pending motions - Lisa Lizotte);
13 **March 27, 2017** (all pending motions - Lisa Lizotte); **May 31, 2017** (Atkins Hearing - Lisa
14 Lizotte); **May 31, 2017** (status check - Lisa Lizotte); **July 19, 2017** (status check: Atkins Hearing -
15 Sara Richardson); **August 15, 2017** (status check: Atkins Hearing/trial setting - Yvette G. Sison);
16 **August 29, 2017** (status check: Atkins Hearing/Trial Hearing - Yvette G. Sison); **September 19,**
17 **2017** (Defendant's Motion for Stay of Proceedings - Yvette G. Sison); **September 26, 2017**
18 (Defendant's Motion for Stay of Proceedings - Patti Slattery); **October 12, 2017** (all pending
19 motions - Yvette G. Sison); **October 19, 2017** (status check: expert availability - Yvette G. Sison);
20 **January 16, 2018** (reports – set Atkins Hearing – set Trial Date – Yvette G. Sison); **February 6,**
21 **2018** (reports – set Atkins Hearing – set Trial Date – Yvette G. Sison); **March 27, 2018**
22 (Defendant's Motion to Associate Counsel - Yvette G. Sison); **April 3, 2018** (Atkins Hearing -
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Yvette G. Sison); **April 17, 2018** (Atkins Hearing - Yvette G. Sison); **April 24, 2018** (minute order - unlisted reporter/recorder); **June 8, 2018** (Atkins Hearing - Yvette G. Sison); **September 25, 2018** (Defendant's Motion to Dismiss - Yvette G. Sison); **October 30, 2018** (Defendant's Motion to Dismiss - Yvette G. Sison); **November 1, 2018** (Defendant's Motion to Dismiss - Yvette G. Sison); **November 6, 2018** (all pending motions - Yvette G. Sison); **November 29, 2018** (Evidentiary Hearing - Yvette G. Sison); **November 30, 2018** (status check: Evidentiary Hearing - Yvette G. Sison); **December 4, 2018** (Evidentiary Hearing - Patti Slattery); **December 12, 2018** (all pending motions - Yvette G. Sison); **January 9, 2019** (all pending motions - Sara Richardson); **January 23, 2019** (status check: trial readiness - Sara Richardson); **March 20, 2019** (all pending motions - Sara Richardson); **May 2, 2019** (calendar call - Jill Jacoby); **May 28, 2019** (all pending motions - Jill Jacoby); **May 29, 2019** (all pending motions - Patti Slattery); **May 30, 2019** (Bench Trial - firm - Jill Jacoby); **May 31, 2019** (Bench Trial - firm - Jill Jacoby); **June 10, 2019** (Bench Trial - firm - Sandra Pruchnic); **June 12, 2019** (status check: Bench Trial scheduling - Sandra Pruchnic); **July 1, 2019** (Bench Trial- firm - Jill Jacoby); **July 3, 2019** (Decision - Jill Jacoby); **September 20, 2019** (all pending motions/sentencing - Trisha Garcia).

Portions of transcript requested: All (complete transcripts of all arguments of counsel and testimony).

Number of copies required: One plus electronic.

1 I hereby certify that on the 7th day of October, 2019, I ordered the transcripts listed
2 above from the court recorders named above. No deposit was paid as this is an indigent
3 defendant appeal and transcripts are to be prepared at State's expense. See NRAP 24(a)(2), NRS
4 3.370.
5
6

7
8 DATED this 7th day of October, 2019.

9
10 Submitted By:

11 RESCH LAW, PLLC d/b/a Conviction Solutions

12
13 By: 
14 JAMIE J. RESCH
15 Attorney for Petitioner
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Resch Law, PLLC d/b/a Conviction Solutions and that, pursuant to N.R.C.P. 5(b), on October 7, 2019, I served a true and correct copy of the foregoing Requests for Transcripts via first class mail in envelopes addressed to:

Sandra Pruchnic, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Patti Slattery, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Kiara Schmidt, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Renee Vincent, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Yvette G. Sison-Britt, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Jill Hawkins, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Lisa Lizotte, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Jill Jacoby, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Trisha Garcia, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

Sara Richardson, Recorder
District Court Dept. 3
200 Lewis Ave.
Las Vegas, NV 89155

And electronic service was made this 7th day of October, 2019, by Electronic Filing
Service to: Clark County District Attorney's Office

Motions@clarkcountyda.com
PDmotions@clarkcountyda.com



An Employee of Conviction Solutions

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-10-269839-1**

State of Nevada
vs
Gustavo Ramos

§ Location: **Department 3**
 § Judicial Officer: **Herndon, Douglas W.**
 § Filed on: **12/20/2010**
 § Case Number History:
 § Cross-Reference Case Number: **C269839**
 § Defendant's Scope ID #: **1516662**
 § ITAG Booking Number: **1000056010**
 § ITAG Case ID: **1194190**
 § Lower Court Case # Root: **10F19783**
 § Lower Court Case Number: **10F19783X**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON <i>Filed As:</i> OPEN MURDER WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER	200.030.1	F	05/15/1998	Case Status:	09/20/2019 Closed
2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON <i>Filed As:</i> OPEN MURDER WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER	200.030.1	F	05/15/1998		
3. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON <i>Filed As:</i> SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON, VICTIM 65 YEARS OF AGE OR OLDER	200.366.2b	F	05/15/1998		
4. SEXUAL PENETRATION OF A DEAD HUMAN BODY	201.450	F	05/15/1998		

Statistical Closures

09/20/2019 Bench Trial - Conviction - Criminal

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

Case Number C-10-269839-1
 Court Department 3
 Date Assigned 12/18/2018
 Judicial Officer Herndon, Douglas W.

PARTY INFORMATION

		Lead Attorneys
Defendant	Ramos, Gustavo	Maningo, Ivette A. <i>Retained</i> 702-793-4046(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

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

10/18/2010 No Bail Set

12/20/2010

CASE SUMMARY
CASE NO. C-10-269839-1

	 Criminal Bindover
01/11/2011	 Information <i>Information</i>
01/12/2011	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
01/21/2011	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Arraignment Continued Status Check: Trial Setting (Murder) - Heard 01-12-11</i>
01/24/2011	 Notice of Intent to Seek Death Penalty <i>Notice of Intent to Seek Death Penalty</i>
01/28/2011	 Motion <i>Notice of Motion and Motion for Leave to File Information by Affidavit</i>
02/04/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporters Transcript of Preliminary Hearing - Heard 12/16/2010</i>
02/07/2011	 Opposition to Motion <i>Opposition To State Of Nevada's Motion For Leave To File Information By Affidavit</i>
02/15/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada <i>State's Motion for Leave to file information by Affidavit - Heard 02/09/2011</i>
02/16/2011	 Amended Information <i>Amended Information</i>
02/23/2011	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporters Transcript of Sentencing -- Plea - Heard 04/07/2010</i>
05/13/2011	 Order Granting Motion Filed By: Plaintiff State of Nevada <i>Order Granting State's Motion to File Information by Affidavit</i>
06/23/2011	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder s Transcript of Hearing Re: Arraignment - Heard January 3, 2011</i>
10/25/2011	 Motion to Continue Trial Filed By: Defendant Ramos, Gustavo <i>Motion to Continue Trial Date</i>
12/05/2011	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>Recorder's Transcript of Status Check: Reset Trial Date - Heard November 9, 2011</i>
02/09/2012	

CASE SUMMARY
CASE NO. C-10-269839-1

	 Request Filed by: Defendant Ramos, Gustavo <i>Request to File Ex Parte Order Under Seal</i>
02/09/2012	 Filed Under Seal Filed By: Defendant Ramos, Gustavo <i>Ex Parte Order</i>
06/27/2012	 Motion to Dismiss <i>Motion to dismiss Counts 3 and 4 of the Amended Information</i>
07/17/2012	 Recorders Transcript of Hearing <i>Recorder's Transcript of Defendant's Motion to Dismiss Counts 3 and 4 of the Amended Information</i>
07/19/2012	 Opposition to Motion <i>State's Opposition to Defendant's Motion to Dismiss Counts 3 & 4 of the Amended Information</i>
07/26/2012	 Reply to Opposition <i>Reply to State's Opposition</i>
07/31/2012	 Recorders Transcript of Hearing <i>Recorder's Transcript of Defendant's Motion to Dismiss Counts 3 and 4 of the Amended Information</i>
08/06/2012	Case Reassigned to Department 9 <i>Case reassigned from Judge Bell</i>
08/07/2012	 Order Filed By: Plaintiff State of Nevada <i>Order Granting In Part And Denying In Part Defendant's Motion To Dismiss Counts 3 & 4 Of The Amended Information</i>
11/15/2012	 Motion to Suppress <i>Motion to Quash Subpoena Duces Tecum</i>
11/28/2012	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Status Check: Trial Setting November 5, 2012</i>
11/29/2012	 Recorders Transcript of Hearing <i>Transcript of Proceedings: State's Motion to Quash Subpoena Duces Tecum on November 26, 2012</i>
01/22/2013	Case Reassigned to Department 11 <i>Case reassigned from Judge Jennifer Togliatti Dept 9</i>
04/08/2013	 Request <i>Request To File Ex Parte Order Under Seal</i>
04/09/2013	 Filed Under Seal Filed By: Defendant Ramos, Gustavo <i>Ex Parte Order</i>
06/11/2013	 Order Filed By: Plaintiff State of Nevada <i>Order Scheduling Status Check</i>

CASE SUMMARY
CASE NO. C-10-269839-1

06/17/2013	 Amended Certificate of Mailing <i>Amended Certificate of Service</i>
06/27/2013	 Request <i>Request to File Ex Parter Order Under Seal</i>
07/01/2013	 Filed Under Seal Filed By: Attorney Public Defender <i>Ex Parte Order</i>
09/27/2013	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses</i>
05/06/2014	 Motion <i>Motion To Withdraw</i>
06/04/2014	 Request <i>Request To File Affidavit Under Seal</i>
06/05/2014	 Filed Under Seal Filed By: Defendant Ramos, Gustavo <i>Affidavit Filed Under Sealed</i>
04/28/2015	 Consent <i>Consent to Service By Electronic Means</i>
10/26/2016	 Motion <i>Motion to Compel Disclosure of Favorable Information</i>
11/16/2016	 Opposition <i>State's Opposition to Defendant's Motion to Compel Disclosure of Favorable Information</i>
12/05/2016	 Motion <i>Motion to Declare Defendant Intellectually Disabled and Request for Evidentiary Hearing Pursuant to N.R.S. 174.098</i>
01/02/2017	Case Reassigned to Department 1 <i>Case reassigned from Judge Elizabeth Gonzalez Dept 11</i>
01/03/2017	 Stipulation and Order <i>Stipulation and Order Releasing LVMPD Forensic Laboratory Latent Print Evidence</i>
01/04/2017	 Notice of Entry <i>Notice of Entry of Stipulation and Order Releasing LVMPD Forensic Laboratory Latent Print Evidence</i>
01/12/2017	 Transcript of Proceedings <i>Recorder's Transcript Re: Defendant's Motion to Declare Defendant Intellectually Disabled and Request for Evidentiary Hearing Pursuant to NRS 174.098 Status Check: Scheduling Evidentiary Hearing 01-09-17</i>
01/20/2017	 Receipt of Copy <i>Receipt of Copy</i>

CASE SUMMARY

CASE NO. C-10-269839-1

03/06/2017	 Motion <i>Motion for Ruling on the Applicable Standard for Determining Whether Defendant is Intellectually Disabled in Light of Hall V. Florida</i>
03/06/2017	 Motion <i>MOTION TO DECLARE N.R.S. 174.098(4) UNCONSTITUTIONAL</i>
03/06/2017	 Motion <i>Motion for Ruling on the Scope and Conditions of the Intellectual Disability Evaluation by the States Expert</i>
03/14/2017	 Transcript of Proceedings <i>Recorder's Transcript Re: Defendant's Motion to Declare Defendant Intellectually Disabled and Request for Evidentiary Hearing Pursuant to NRS 174.098 Status Check: Scheduling Evidentiary Hearing 03-13-17</i>
03/20/2017	 Transcript of Proceedings <i>Recorder's Transcript Re: Defendant's Motion for Ruling on Applicable Standard for Determining Whether Defendant is Intellectually Disabled in Light of Hall v. Florida Defendant's Motion to Declare NRS 174.098(4) Unconstitutional Defendant's Motion for Ruling on Scope and Conditions of the Intellectual Disability Evaluation by the State's Expert 03-20-17</i>
03/22/2017	 Opposition <i>State's Opposition to Defendant's Motion for Ruling on the Scope and Conditions of the Intellectual Disability Evaluation by the State's Expert</i>
03/22/2017	 Opposition <i>State's Opposition to Defendant's Motion to Declare NRS 174.098(4) Unconstitutional</i>
03/22/2017	 Opposition <i>State's Opposition to Defendant's Motion for Ruling on the Applicable Standards for Determining Whether Defendant is Intellectually Disabled in Light of Hall v. Florida</i>
03/31/2017	 Transcript of Proceedings <i>Recorder's Transcript Re: Status Check: Scheduling Evidentiary Hearing Defendant's Motion to Declare Defendant Intellectually Disabled and Request for Evidentiary Hearing Pursuant to NRS 174.098 Defendant's Motion for Ruling on the Applicable Standard for Determining Whether Defendant is Intellectually Disabled in Light of Hall v. Florida Defendant's Motion to Declare NRS 174.098(4) Unconstitutional Defendant's Motion for Ruling on the Scope and Conditions of the Intellectual Disability Evaluation by the State's Expert 03-27-17</i>
05/24/2017	 Order Filed By: Defendant Ramos, Gustavo <i>Order on Defendant's Motion to Declare NRS 174.098(4) Unconstitutional</i>
05/24/2017	 Order Filed By: Defendant Ramos, Gustavo <i>Order</i>
05/24/2017	 Order Filed By: Defendant Ramos, Gustavo <i>Order</i>
06/20/2017	 Objection Filed By: Defendant Ramos, Gustavo <i>Defendant's Objection to State Eexpert's Testing</i>
07/01/2017	Case Reassigned to Department 3

CASE SUMMARY

CASE NO. C-10-269839-1

Homicide Case Reassignment to Judge Douglas W. Herndon

07/20/2017	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Objection to State Expert's Testing</i>
07/21/2017	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
07/24/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Atkins Hearing</i>
08/02/2017	 Reply Filed by: Defendant Ramos, Gustavo <i>Defendant's Reply to the State's Opposition to Objection to State Expert's Testing</i>
09/08/2017	 Motion to Stay Filed By: Defendant Ramos, Gustavo <i>Defendant's Motion for Stay of Proceedings</i>
09/14/2017	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Stay of Proceedings</i>
09/18/2017	 Reply to Opposition Filed by: Defendant Ramos, Gustavo <i>Defendant's Reply to State's Opposition to Defendant's Motion for Stay of Proceedings</i>
09/19/2017	 Exhibits Filed By: Defendant Ramos, Gustavo <i>Exhibits to Defendant's Reply to State's Opposition to Defendant's Motion for Stay of Proceedings</i>
09/22/2017	 Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Objection to State Expert's Testing</i>
10/09/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Atkins Hearing/Trial Hearing - Tuesday, August 29, 2017</i>
10/09/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Defendant's Motion for Stay of Proceedings - Tuesday, September 26, 2017</i>
10/18/2017	 Order <i>Order Denying Defendant's Motion for Stay of Proceedings</i>
10/30/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Atkins Hearing/Trial Hearing - August 15, 2017</i>
12/06/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Defendant's Motion for Stay of Proceedings - September 19, 2017</i>
12/06/2017	 Order Filed By: Plaintiff State of Nevada

CASE SUMMARY
CASE NO. C-10-269839-1

Order (For Psychiatric Examination)

12/12/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Set Atkins Hearing/Reset Trial/Status Check: State's Expert Evaluation - October 12, 2017</i>
03/15/2018	 Motion to Associate Counsel Filed By: Defendant Ramos, Gustavo <i>Defendant's Motion to Associate Counsel</i>
03/28/2018	 Order Filed By: Defendant Ramos, Gustavo <i>Order Admitting Gregory John Kuykendall, Esq., to Practice Before This Court</i>
04/24/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Expert Availability - October 19, 2017</i>
06/13/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Reports/Set Atkins Hearing/Set Trial Date - January 16, 2018</i>
06/13/2018	 Notice <i>Notice of Defendant's Waiver of Right to Trial & Penalty Hearing by Jury in Consideration of the State of Nevada's Withdrawal of Notice of Intent to Seek Death Penalty</i>
06/21/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Reports/Set Atkins Hearing/Set Trial Date - February 6, 2018</i>
08/30/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Defendant's Motion to Associate Counsel - March 27, 2018</i>
09/05/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Atkins Hearing - April 3, 2018</i>
09/11/2018	 Motion to Dismiss Filed By: Defendant Ramos, Gustavo <i>Motion to Dismiss</i>
10/01/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Atkins Hearing - June 8, 2018</i>
10/09/2018	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Dismiss</i>
10/19/2018	 Reply to Opposition Filed by: Defendant Ramos, Gustavo <i>Reply to State's Opposition to Defendant's Motion to Dismiss</i>
11/05/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Atkins Hearing - June 13, 2018</i>
12/12/2018	 Order Filed By: Attorney Maningo, Ivette A.

CASE SUMMARY
CASE NO. C-10-269839-1

Order to Receive Transcripts on an Expedited Basis

12/14/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Evidentiary Hearing - November 29, 2018</i>
12/14/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Evidentiary Hearing - December 4, 2018</i>
12/18/2018	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
02/06/2019	 Supplemental Filed by: Defendant Ramos, Gustavo <i>Defendant s Supplement to Motion to Dismiss</i>
02/06/2019	 Supplemental Filed by: Defendant Ramos, Gustavo <i>Defendant s Supplement to Motion to Dismiss</i>
02/21/2019	 Opposition Filed By: Plaintiff State of Nevada <i>State's Supplemental Opposition to Defendant's Motion to Dismiss</i>
02/27/2019	 Supplement Filed by: Defendant Ramos, Gustavo <i>Reply Supplement to the State of Nevada s Supplemental Opposition to Defendant s Motion to Dismiss</i>
03/12/2019	 Receipt of Copy <i>Receipt of Copy</i>
04/02/2019	 Order <i>Order Denying Defendant's Motion to Dismiss</i>
04/15/2019	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>State's Notice of Witnesses</i>
04/15/2019	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>State's Supplemental Notice of Expert Witnesses</i>
04/22/2019	 Notice of Expert Witnesses Filed By: Defendant Ramos, Gustavo <i>Defendant's Notice of Expert Witnesses</i>
04/23/2019	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>State's Second Supplemental Notice of Expert Witnesses</i>
05/08/2019	 Notice of Witnesses and/or Expert Witnesses Filed By: Defendant Ramos, Gustavo <i>Defendant s Notice of Expert Witnesses</i>

CASE SUMMARY
CASE NO. C-10-269839-1

05/14/2019	 Motion Filed By: Plaintiff State of Nevada <i>State's Notice of Motion and Motion to Admit Prior Preliminary Hearing Testimony of Jerry Autrey</i>
05/15/2019	 Amended Information Filed By: Plaintiff State of Nevada <i>Second Amended Information</i>
05/21/2019	 Opposition to Motion Filed By: Defendant Ramos, Gustavo <i>Opposition to the State of Nevada s Motion to Admit Preliminary Hearing Testimony of Jerry Autrey</i>
05/21/2019	 Notice of Witnesses Party: Defendant Ramos, Gustavo <i>Notice of Witnesses</i>
05/24/2019	 Trial Brief Filed By: Defendant Ramos, Gustavo <i>Trial Brief</i>
05/24/2019	 Ex Parte Order Filed By: Defendant Ramos, Gustavo <i>Ex Parte Order for Clark County Fire Department Records Related to Deceased Wallace Siegel</i>
05/24/2019	 Ex Parte Order Filed By: Defendant Ramos, Gustavo <i>Ex Parte Order Unsealing June 5, 2014 Affidavit Filed Under Seal for Review of Defendant's Current Counsel</i>
05/24/2019	 Motion to Suppress Filed By: Defendant Ramos, Gustavo <i>Motion to Suppress</i>
05/24/2019	 Motion in Limine to Exclude Expert Witness Filed by: Defendant Ramos, Gustavo <i>Motion in Limine to Preclude Expert Witness Testimony of J. Vaccaro</i>
05/24/2019	 Ex Parte Order Filed By: Defendant Ramos, Gustavo <i>Ex Parte Order for Clark County Fire Department Records Related to Deceased Helen Sabraw</i>
05/28/2019	 Stipulation and Order <i>Stipulation and Order Waiving Defendant's Right to Trial by Jury and Penalty Hearing by Jury</i>
06/24/2019	 Supplemental Witness List Filed by: Defendant Ramos, Gustavo <i>Defendant s Supplemental Notice of Witnesses</i>
07/03/2019	 Jury Instructions
07/03/2019	 Verdict
08/16/2019	 PSI

CASE SUMMARY
CASE NO. C-10-269839-1

08/16/2019	 PSI - Victim Impact Statements
09/10/2019	 Motion to Strike Filed By: Defendant Ramos, Gustavo <i>Motion to Strike Penalty of Life Without the Possibility of Parole</i>
09/12/2019	 Notice Filed By: Defendant Ramos, Gustavo <i>Notice of Hearing for Motion to Strike Penalty of Life Without the Possibility of Parole</i>
09/13/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
09/17/2019	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant s Motion To Strike Penalty of Life Without the Possibility of Parole</i>
09/19/2019	 Memorandum Filed By: Defendant Ramos, Gustavo <i>Sentencing Memorandum</i>
09/19/2019	 Reply to Opposition Filed by: Defendant Ramos, Gustavo <i>Reply to the State's Opposition to Defendant's Motion to Strike Penalty of Life Without the Possibility of Parole</i>
09/20/2019	 Judgment of Conviction <i>Judgment of Conviction</i>
10/07/2019	 Notice of Appeal (criminal) Party: Defendant Ramos, Gustavo <i>Notice of Appeal</i>
10/07/2019	 Request Filed by: Defendant Ramos, Gustavo <i>Request for Transcripts Pursuant to NRAP 9(a)(3)</i>
10/07/2019	 Case Appeal Statement Filed By: Defendant Ramos, Gustavo <i>Case Appeal Statement</i>

DISPOSITIONS

01/12/2011	<p>Plea (Judicial Officer: Herndon, Douglas W.)</p> <ol style="list-style-type: none"> 1. FIRST DEGREEMURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence: 2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence: 3. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence: 4. SEXUAL PENETRATION OF A DEAD HUMAN BODY
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CASE SUMMARY
CASE NO. C-10-269839-1

Not Guilty
PCN: Sequence:

05/15/2019 **Disposition** (Judicial Officer: Herndon, Douglas W.)
4. SEXUAL PENETRATION OF A DEAD HUMAN BODY
Amended Information Filed/Charges Not Addressed
PCN: Sequence:

07/03/2019 **Disposition** (Judicial Officer: Herndon, Douglas W.)
1. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

3. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON
Guilty
PCN: Sequence:

09/20/2019 **Adult Adjudication** (Judicial Officer: Herndon, Douglas W.)
1. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
05/15/1998 (F) 200.030.1 (DC50006)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Life without the possibility of parole

09/20/2019 **Adult Adjudication** (Judicial Officer: Herndon, Douglas W.)
2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
05/15/1998 (F) 200.030.1 (DC50006)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Life without the possibility of parole
Consecutive Enhancement: Deadly Weapon Enhancement, Life without the possibility of parole

09/20/2019 **Amended Adult Adjudication** (Judicial Officer: Herndon, Douglas W.) Reason: Amended
1. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
05/15/1998 (F) 200.030.1 (DC50006)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Life without the possibility of parole
Consecutive Enhancement: Deadly Weapon Enhancement, Life without the possibility of parole

09/20/2019 **Adult Adjudication** (Judicial Officer: Herndon, Douglas W.)
3. SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON
05/15/1998 (F) 200.366.2b (DC50097)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Life with the possibility of parole after: 10 Years
Consecutive: Charge 2
Fee Totals:
Administrative
Assessment Fee 25.00
\$25

CASE SUMMARY


CASE NO. C-10-269839-1

DNA Analysis Fee	150.00
\$150	
Fee Totals \$	175.00

09/20/2019 **Amended Attend AA Meetings** (Judicial Officer: Herndon, Douglas W.) Reason: Amended
 2. FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON
 05/15/1998 (F) 200.030.1 (DC50006)
 PCN: Sequence:


Sentenced to Nevada Dept. of Corrections
 Term: Life without the possibility of parole
 Consecutive Enhancement: Deadly Weapon Enhancement, Life without the possibility of parole
 Consecutive: Charge 1

HEARINGS

01/03/2011  **Initial Arraignment** (9:00 AM) (Judicial Officer: De La Garza, Melisa)
 Events: 12/20/2010 Criminal Bindover
 Matter Heard;
 Journal Entry Details:
Spanish Interpreter Carlos Calvo present. Counsel advised the Deft. will be entering a Not Guilty plea and requested matter be set in Department VII based on the charges. COURT ORDERED, matter CONTINUED and set for Status Check. CUSTODY 01/12/11 8:45 AM ARRAIGNMENT CONTINUED...STATUS CHECK: TRIAL SETTING (DEPT 7);

01/12/2011 **Status Check** (8:45 AM) (Judicial Officer: Bell, Linda Marie)
Status Check: Trial Setting (Murder)
 Matter Heard;

01/12/2011 **Arraignment Continued** (8:45 AM) (Judicial Officer: Bell, Linda Marie)
 Matter Heard;


01/12/2011  **All Pending Motions** (8:45 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Matter Heard;
 Journal Entry Details:
Robert Daskas, DDA, present for the State of Nevada. - Scott Coffee, DPD, present with Deft. Ramos. - Hector Vazquez-Mena, Court Interpreter, present assisting Deft. ARRAIGNMENT CONTINUED...STATUS CHECK: TRIAL SETTING (MURDER) DEFT. RAMOS ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. Mr. Daskas advised this case was approved for the death penalty and the State will be filing the notice. Mr. Coffee advised this is a cold hit case from about ten years ago and some investigation will need to be done in Mexico. Colloquy regarding a trial date. COURT ORDERED, matter set for trial. CUSTODY 11-2-11 8:45 AM CALENDAR CALL 11-7-11 9:30 AM JURY TRIAL ;

SCHEDULED HEARINGS

Calendar Call (11/02/2011 at 8:45 AM) (Judicial Officer: Bell, Linda Marie)
CANCELED Jury Trial (11/07/2011 at 9:30 AM) (Judicial Officer: Bell, Linda Marie)
Vacated - per Judge

02/09/2011  **Motion** (8:45 AM) (Judicial Officer: Bell, Linda Marie)
 Events: 01/28/2011 Motion
State's Motion for Leave to File Information by Affidavit
 Granted;
 Journal Entry Details:

Robert Daskas, DDA, and Pamela Weckerly, DDA, present for State of Nevada. Scott Coffee, DPD, present with Defendant. Also present, Spanish interpreter Caridad Pfeiffer. Court advised counsel she has occasional social interaction with one of the witnesses but she does not believe it would be an issue; Counsel advised they had no issue with the disclosure. State argued that the incorrect standard was used by the Justice Court Judge in regards to the level of evidence required. Court advised besides the pathologist's inability to provide any pathology, the Court is concerned with the statute of limitation issue. Colloquy regarding permissibility of filing an Amended Information via Affidavit. Mr. Coffee argued an egregious error is required to permit a filing of the Amended Information by Affidavit.

CASE SUMMARY**CASE NO. C-10-269839-1**

Further arguments by counsel. COURT ORDERED, Motion GRANTED. Mr. Coffee requested a stay to take the matter to the Supreme Court. COURT ORDERED, STAY GRANTED, however, the trial date STANDS. CUSTODY ;


11/02/2011 **Calendar Call** (8:45 AM) (Judicial Officer: Bell, Linda Marie)
Matter Heard;


11/02/2011 **Motion to Continue Trial** (8:45 AM) (Judicial Officer: Bell, Linda Marie)
Events: 10/25/2011 Motion to Continue Trial
Motion to Continue Trial Date

MINUTES

Granted;

SCHEDULED HEARINGS

 **Status Check: Reset Trial Date** (11/09/2011 at 8:45 AM) (Judicial Officer: Bell, Linda Marie)

11/02/2011  **All Pending Motions** (8:45 AM) (Judicial Officer: Bell, Linda Marie)
Matter Heard;
Journal Entry Details:
Deft. present with the assistance from Certified Spanish Court Interpreter, Caridad Pfeiffer. DEFT'S MOTION TO CONTINUE TRIAL DATE...CALENDAR CALL Arguments by Mr. Coffee in support of trial continuance. Mr. Coffee advised documents were received from the federal government, which have not been fully reviewed. Following colloquy, COURT ORDERED, Deft's Motion GRANTED; trial date VACATED; matter SET for status check. CUSTODY 11/09/11 8:45 A.M. STATUS CHECK: RESET TRIAL DATE ;

11/07/2011 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer: Bell, Linda Marie)
Vacated - per Judge

11/09/2011  **Status Check: Reset Trial Date** (8:45 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Matter Heard;

Journal Entry Details:

Pamela Weckerly, DDA, and Robert Daskas, DDA, present for State of Nevada. Brad Coffee, DPD, present with Defendant. Colloquy regarding the need for a continuance to next October. COURT ORDERED, trial CONTINUED; Court noted that absent some extraordinary circumstance the trial would proceed as rescheduled. CUSTODY 10/10/12 8:45 AM - CALENDAR CALL 10/15/12 9:30 AM - JURY TRIAL ;


SCHEDULED HEARINGS

CANCELED Jury Trial (10/15/2012 at 9:30 AM) (Judicial Officer: Bell, Linda Marie)

Vacated - per Judge

CANCELED Calendar Call (10/10/2012 at 9:00 AM) (Judicial Officer: Bell, Linda Marie)

Vacated - per Judge

07/11/2012  **Motion to Dismiss** (8:45 AM) (Judicial Officer: Bell, Linda Marie)
07/11/2012, 07/27/2012

Deft's Motion to Dismiss Counts 3 and 4 of the Amended Information

MINUTES

Continued;

Granted in Part;

Journal Entry Details:

Jeff Hanks, Interpreter, present. Mr. Coffee argued regarding Count 4 not fitting within the statute. Arguments regarding time limits and qualifications for the exception. Mr. Coffee argued regarding the statute and specifically with respect to a person with authority filing a report. Mr. Coffee stated the neighbor did not have the authority; additionally, the report filed indicated the neighbor saw the body there. Further arguments by Mr. Coffee regarding the definition of person having authority. Court stated the victim died and wasn't capable of doing a written report, but there was a report. Mr. Daskus argued the victim would have had to anticipate she was going to be raped and killed to give authorization to her son or friend. Mr. Daskus argued regarding the purpose of the statute and intent regarding a Defendant not being required to defend himself against rape allegations that surface years after the fact. Court stated it is not sure if Count 4 falls under the statutory exception and the State didn't address that. Mr. Daskus argued this is a factual determination for the jury. In addition, the statute that removes the time bar doesn't define sexual assault.

CASE SUMMARY**CASE NO. C-10-269839-1**

Following further arguments by counsel, Court stated there was a written report, under the circumstances the fact that police filed a written report seems more reliable than other circumstances. It is within what is contemplated by the statute. **COURT ORDERED**, motion **DENIED** as to Count 3 and **GRANTED** as to Count 4 of the Amended Indictment. Colloquy regarding Nevada Supreme Court. **FURTHER ORDERED**, CASE **STAYED** 90 DAYS. Trial **VACATED** and **SET** for status check. **CUSTODY** 11/05/12 09:00 AM **STATUS CHECK: TRIAL SETTING** ;

Continued;

Granted in Part;

Journal Entry Details:

Pamela Weckerly, DDA, present for the State of Nevada. - Scott Coffee, DPD, and Abel Yanez, DPD, present with Deft. Gustavo Ramos. Ms. Weckerly advised the State did not receive the motion. Mr. Coffee advised it was just filed and the State needs time to respond. Ms. Weckerly requested two weeks. **COURT ORDERED**, matter **CONTINUED**. **CUSTODY** **CONTINUED TO: 7-27-12 8:45 AM** ;

SCHEDULED HEARINGS

Status Check: Trial Setting (11/05/2012 at 9:00 AM) (Judicial Officer: Togliatti, Jennifer)

10/10/2012 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Bell, Linda Marie)
Vacated - per Judge

10/15/2012 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer: Bell, Linda Marie)
Vacated - per Judge

11/05/2012 **Status Check: Trial Setting** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Trial Date Set;

Journal Entry Details:

Robert Daskas, Deputy District Attorney, present for the State of Nevada. Defendant Ramos, present in custody, with Scott Coffee, Deputy Public Defender. Spanish Interpreter Manuel Calvillo present. Mr. Coffee advised this is a capital case and his co-counsel is on his honeymoon. Mr. Coffee requested a trial setting in the middle of September and advised the Defendant understands why the trial needs to be set so far out and has been working with his mitigation specialist. There being no opposition by the State, **COURT ORDERED**, trial date **SET**. **CUSTODY** 10/16/13 9:00 AM **CALENDAR CALL** 10/21/13 10:30 AM **JURY TRIAL** ;

11/26/2012 **Motion to Quash** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Motion to Quash Subpoena Duces Tecum

Off Calendar;

Journal Entry Details:

Robert Daskas, Deputy District Attorney, present for the State of Nevada. Defendant Ramos, present in custody, with Monica Trujillo, Deputy Public Defender. Spanish Interpreter Jeffrey Hanks present. Officer Denise McKay of Parole and Probation (P & P) present. State advised it spoke to the Attorney General and advised they have no problem releasing the records. Officer McKay advised she has the records with her. **COURT ORDERED**, Records to be **PRODUCED**. Officer McKay provided the State and Ms. Trujillo with copies of the records in open court. **COURT FURTHER ORDERED**, Matter **OFF CALENDAR**. **CUSTODY** ;

07/24/2013 **Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Status Check: Trial Readiness

Matter Heard;

Journal Entry Details:

Pam Weckerly and Robert Daskas, Deputy District Attorneys present on behalf of the State. Defendant not present in custody and represented by Scott Coffee, Deputy Public Defender. Upon Court's inquiry, Mr. Coffee advised he does not anticipate being ready for the October trial date as co-counsel in this case Mr. Yanez has left the office; however, there is the possibility of a Mexican litigation group to provide finding which will allow Mr. Yanez to remain on the case, although that has not occurred at this point. Further, Mr. Coffee requested the trial date be vacated and a status check be set. Ms. Weckerly advised she would prefer the calendar call and trial date stand for now at which time parties should have a better idea of trial readiness. Court advised parties of her trial scheduling issues and **ORDERED**, trial date **STANDS** at this time. **CUSTODY** ;

10/16/2013 **Calendar Call** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:


Pam Weckerly, Deputy District Attorney, present on behalf of the State. Defendant present in custody with Spanish Court Interpreter, Manuel Calvillo and represented by Scott Coffee, Deputy Public Defender. Upon Court's inquiry,

CASE SUMMARY

CASE NO. C-10-269839-1

Mr. Coffee advised the investigation in Mexico is going well, and it appears the funds will be provided for Mr. Yanez to remain on the case at this time; however, another deputy may need to be assigned to the case as he is not certain if the funding will have the funding for Mr. Yanez to participate in the trial. Colloquy regarding trial scheduling. COURT ORDERED, trial date VACATED and RESET. 7/14/2014 9:00 AM STATUS CHECK (PRE TRIAL) 7/31/2014 9:00 AM CALENDAR CALL 8/04/2014 1:00 PM JURY TRIAL ;

10/21/2013 **CANCELED Jury Trial** (1:00 PM) (Judicial Officer: Togliatti, Jennifer)
Vacated - per Judge

05/14/2014  **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
05/14/2014, 05/21/2014

Public Defender's Motion To Withdraw

Continued;

Granted;

Continued;

Granted;

Journal Entry Details:

Appearances Continued: Spanish Interpreter, Marcella Valle. Mr. Coffee advised the Court that he informed Defendant as to the conflict with one of the witnesses; hence the instant Motion. Statement by Defendant. COURT ORDERED, Motion is CONTINUED; counsel to provide an Affidavit under seal to the Court, and explain why the conflict did not become known earlier. COURT FURTHER ORDERED, matter SET for confirmation of counsel. CUSTODY 5/21/2014 9:00 am Confirmation of Counsel (D. Christensen)...Public Defender's Motion to Withdraw CLERK'S NOTE: Mr. Christensen notified via e-mail of the next hearing./db 5.14.2014;

05/21/2014 **Confirmation of Counsel** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Confirmation of Counsel (D. Christensen)
Counsel Confirmed;

05/21/2014  **All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;


Journal Entry Details:

PUBLIC DEFENDER'S MOTION TO WITHDRAW...CONFIRMATION OF COUNSEL (D. CHRISTENSEN) Also present: Scott Coffee, Deputy Public Defender; Maria Peralta de Gomez, Spanish interpreter. Court advised it has reviewed the declaration submitted under seal, and ORDERED, Public Defender's motion to withdraw GRANTED as appropriate. Ms. Maningo and Mr. Yanez CONFIRMED as counsel for Deft. Court noted Ms. Maningo will be first chair and Mr. Yanez second chair. Colloquy regarding resetting trial. Mr. Yanez advised he has spoken with Deft who is aware of the need for a continuance. COURT ORDERED, trial VACATED and RESET on March 16, 2015. CUSTODY 2-9-15 9:00 AM STATUS CHECK: TRIAL READINESS 3-11-15 9:00 AM CALENDAR CALL 3-16-15 1:00 PM JURY TRIAL;

07/14/2014 **CANCELED Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated - per Judge
Status Check (Pre Trial)

07/31/2014 **CANCELED Calendar Call** (8:45 AM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated - per Judge

08/04/2014 **CANCELED Jury Trial** (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated - per Judge

02/09/2015  **Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Status Check: Trial Readiness




Matter Continued;

Journal Entry Details:

Spanish Interpreter H. Vazquez-Mena also present. Upon Court's inquiry Ms. Maningo advised that due to the length of time it took to receive the file from the Public Defender's Office and the amount of evidence received along with the complicated nature of the case, she is not ready. Ms. Maningo stated she understands the State is ready, that she expects the trial to take 2 to 3 weeks to complete and the Deft. understands more time is required to prepare his case. Colloquy regarding trial date. There being no objections from the State, COURT ORDERED, Calendar Call and Trial Date VACATED and RESET. CUSTODY 02/17/16 9:00 A.M. STATUS CHECK: TRIAL READINESS 03/09/16 9:00 A.M. CALENDAR CALL 03/14/16 JURY TRIAL 1:00 P.M. ;

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03/11/2015	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
03/16/2015	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
02/17/2016	 Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Trial Readiness</i> Trial Date Set; Journal Entry Details: <i>Deft assisted by Spanish interpreter Maria Peralta de Gomez. Ms. Maningo advised they are progressing but will not be ready for trial on March 14; she intended to file a motion but waited to raise the issue until coming before the Court today; she can put the issues they have been working on in writing if the Court prefers. Ms. Weckerly noted some discovery issues are not really disputed given that this is a cold case and it is hard to find some of the documentation; the State does not oppose moving the trial date. Ms. Maningo added that there are actually two cases and two crime scenes, numerous analysts, both DNA and fingerprint, and numerous reports, which she believes about 18 have been generated on forensic things alone; she wanted to try for the September stack but that is the Court's civil stack. Following further discussion on resetting trial, COURT ORDERED, trial VACATED and RESET to January 17, 2017. CUSTODY 12-12-16 9:00 AM STATUS CHECK: TRIAL READINESS 1-11-17 9:00 AM CALENDAR CALL 1-17-17 1:00 PM JURY TRIAL;</i>
03/09/2016	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
03/14/2016	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth) <i>Vacated - per Judge</i>
11/07/2016	 Motion to Compel (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 11/07/2016, 11/21/2016 <i>Defendant's Motion to Compel Disclosure of Favorable Information</i> Matter Continued; Granted; Journal Entry Details: <i>Interpreter Mr. Pico is present on behalf of Deft. Ms. Weckerly informed the Court regarding Metro's lab data and all reports have been provided in terms of DNA and fingerprints. The State has made a request to the Siri lab because Metro doesn't have copies of their underlying data to provide to defense counsel, haven't gotten a response as of yet. Mr. Coyer advised there had been correspondence in some of the Discovery received that the lab had sent to Metro the report from the Siri lab but we don't have that. The State did provide a disc today which we will review and address at the status check. COURT ORDERED, the review of any personnel issues any information be provided to the Court for in-camera review prior to being released to defense counsel. The request for NCIC information the State does not have to provide that, however, they do have to show defense counsel the information so that they can do their own evaluation, with respect to everything else; its GRANTED except for any notes taken by investigating police officers that reflect discussions with counsel. CUSTODY 12-12-16 9:00 AM STATUS CHECK: TRIAL READINESS (DEPT. XI);</i> Matter Continued; Granted; Journal Entry Details: <i>Deft assisted by Spanish Interpreter Magdalena Becerra. Court noted the State has not filed an Opposition. Ms. Weckerly advised there was a slight clerical error on her end and that the Defense has agreed to give her one week to respond. COURT ORDERED, motion CONTINUED for 2 weeks. Court further noted that in the motion there were some things that are discoverable but there were also some areas that were a little broad. CUSTODY 11-21-16 9:00 AM DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF FAVORABLE INFORMATION 12-12-16 9:00 AM STATUS CHECK: TRIAL READINESS 1-11-17 9:00 AM CALENDAR CALL 1-17-17 1:00 PM JURY TRIAL;</i>
12/12/2016	 Status Check (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Status Check: Trial Readiness</i> Matter Heard; Journal Entry Details: <i>Deft assisted by Spanish interpreter Irma Sanchez. Court noted timely filed motion to declare Deft intellectually disabled and that the statute requires an evidentiary hearing be set. Mr. DiGiacomo advised this case is assigned to Deputy District Attorney Pam Weckerly, who left notes; they need the underlying data for the expert, and before an</i>

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evidentiary hearing is set it is their request to set a status check for receipt of the underlying data. CONFERENCE AT BENCH. COURT DIRECTED Mr. DiGiacomo to note in the State's file that Ms. Weckerly is to DRAFT an order, similar to the one drafted by Deputy District Attorney Michelle Fleck in State vs. Eric Covington, to protect all in the disclosure of confidential and proprietary information by the neuropsychs so that information can be delivered to the State. Because the State will then have to retain an expert and obtain an examination of the Deft, the State will also have to SUBMIT an order for a contact visit. Once the State has its own expert the Court will sign the orders in order to expedite the process. Calendar Call and Jury Trial VACATED given the pending motion. As for discovery, Mr. DiGiacomo advised that this morning a disc was provided to Ms. Maningo but he is not sure what it contains; the Defense had asked for some sort of documentation related to Jack Siegel's interview, i.e. the transcript and audio; that has been researched, and it is his understanding that conversation was not been recorded or transcribed; with regards to the underlying data from Siri, apparently the OAC got a check that has now been cleared from Siri, so they are expecting the underlying data for the DNA to come in shortly and it will be provided to the Defense when available. Ms. Maningo stated that Jack Siegel is the son of one of the victims in this case and was also a suspect; he gave a recorded statement on the night of the incident and came back to the detectives; this was referenced in the report; they have been asking for that statement; they were told that there is no recorded statement, but in addition to the recorded statement, Mr. Siegel turned over a stack of documents, giving detectives evidence as to why he was framed for this case; she is assuming that those documents are no longer available; the last thing would be an evidence vault review; however, Ms. Weckerly believes it has not been impounded; with regards to forensic evidence, she did confirm with the OAC that a check for \$300 has been given, and they will be given the remaining DNA evidence; she also subpoenaed fingerprint evidence; this was turned over a while ago, but as it turns out they received an edited copy of the photo, so she subpoenaed the original; she received a response from the Metro lab saying that an order from the Court is needed because it is an original photograph, which they consider releasing original evidence. Mr. DiGiacomo stated that perhaps Ms. Weckerly can check with the lab; if it is a reprint of the photo the State can stipulate to that, but if it is the actual photograph the Defense can do a motion. Ms. Maningo responded that it was detailed in her subpoena; however, Metro's letter is very specific regarding original photographs. COURT DIRECTED counsel to FILE a motion but send the proposed order to Ms. Weckerly to see if the latter will stipulate to it. Ms. Maningo stated that she was going to send it ex parte but will send the proposed order to Ms. Weckerly today. CUSTODY 1-9-17 9:00 AM STATUS CHECK: SCHEDULING EVIDENTIARY HEARING...DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO N.R.S. 174.098... ;

01/09/2017 **Motion** (9:00 AM) (Judicial Officer: Cory, Kenneth)

01/09/2017, 03/13/2017, 03/27/2017

Defendant's Motion to Declare Defendant Intellectually Disabled and Request for Evidentiary Hearing Pursuant to N.R.S. 174.098


Continued;
Continued;
Matter Heard;
Continued;
Continued;
Matter Heard;
Continued;
Continued;
Matter Heard;

01/09/2017 **Status Check** (9:00 AM) (Judicial Officer: Cory, Kenneth)

01/09/2017, 03/13/2017, 03/27/2017

Status Check: Scheduling Evidentiary Hearing

Continued;
Continued;
Matter Heard;
Continued;
Continued;
Matter Heard;
Continued;
Continued;
Matter Heard;

01/09/2017  **All Pending Motions** (9:00 AM) (Judicial Officer: Cory, Kenneth)

DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO N.R.S. 174.098 STATUS CHECK: SCHEDULING EVIDENTIARY HEARING

Matter Heard;

CASE SUMMARY


CASE NO. C-10-269839-1

Journal Entry Details:

DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO N.R.S. 174.098 STATUS CHECK: SCHEDULING EVIDENTIARY HEARING Defendant Ramos PRESENT in custody. Ms. Weckerly requested a status check setting in March before the Evidentiary Hearing goes forward. COURT ORDERED, Matters CONTINUED and Status Check SET. CUSTODY CONTINUED TO: 3/13/17 9:00 AM;

01/11/2017 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Cory, Kenneth)
Vacated - per Judge

01/17/2017 **CANCELED Jury Trial** (1:00 PM) (Judicial Officer: Cory, Kenneth)
Vacated - per Judge


03/13/2017  **All Pending Motions** (9:00 AM) (Judicial Officer: Hardcastle, Kathy)
STATUS CHECK: SCHEDULING EVIDENTIARY HEARING...DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLEUALLY DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO NRS 174.098
Matter Heard;
Journal Entry Details:
STATUS CHECK: SCHEDULING EVIDENTIARY HEARING...DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO NRS 174.098 Ms. Weckerly advised a Atkins Motion has been filed and the materials were received a week ago. Defendant has filed a motion regarding testing; request motion be continued. COURT SO ORDERED. CUSTODY CONTINUED TO: 3/20/17 9:00 AM;

03/20/2017 **CANCELED All Pending Motions** (9:00 AM) (Judicial Officer: Hardcastle, Kathy)
Vacated
DEFENDANTS MOTION FOR RULING ON THE APPLICABLE STANDARD FOR DETERMINING WHETHER DEFENDANT IS INTELLECTUALLY DISABLED IN LIGHT OF HALL V. FLORIDA DEFENDANTS MOTION TO DECLARE NRS 174.098(4) UNCONSTITUTIONAL DEFENDANTS MOTION FOR RULING ON THE SCOPE AND CONDITIONS OF THE INTELLECTUAL DISABILITY EVALUATION BY THE STATES EXPERT

03/27/2017 **Motion** (9:00 AM) (Judicial Officer: Cory, Kenneth)
Defendants Motion for Ruling on the Applicable Standard for Determining Whether Defendant is Intellectually Disabled in Light of Hall V. Florida
Matter Heard;

03/27/2017 **Motion** (9:00 AM) (Judicial Officer: Cory, Kenneth)
Defendants Motion to Declare NRS 174.098(4) Unconstitutional
Denied;


03/27/2017 **Motion** (9:00 AM) (Judicial Officer: Cory, Kenneth)
Defendants Motion for Ruling on the Scope and Conditions of the Intellectual Disability Evaluation by the States Expert
Matter Heard;

03/27/2017  **All Pending Motions** (9:00 AM) (Judicial Officer: Cory, Kenneth)
DEFENDANTS MOTION FOR RULING ON THE APPLICABLE STANDARD FOR DETERMINING WHETHER DEFENDANT IS INTELLECTUALLY DISABLED IN LIGHT OF HALL V. FLORIDA DEFENDANTS MOTION TO DECLARE NRS 174.098(4) UNCONSTITUTIONAL DEFENDANTS MOTION FOR RULING ON THE SCOPE AND CONDITIONS OF THE INTELLECTUAL DISABILITY EVALUATION BY THE STATES EXPERT DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO N.R.S. 174.098 STATUS CHECK: SCHEDULING EVIDENTIARY HEARING
Matter Heard;
Journal Entry Details:
DEFENDANTS MOTION FOR RULING ON THE APPLICABLE STANDARD FOR DETERMINING WHETHER DEFENDANT IS INTELLECTUALLY DISABLED IN LIGHT OF HALL V. FLORIDA... DEFENDANTS MOTION TO DECLARE NRS 174.098(4) UNCONSTITUTIONAL... DEFENDANTS MOTION FOR RULING ON THE SCOPE AND CONDITIONS OF THE INTELLECTUAL DISABILITY EVALUATION BY THE STATES EXPERT... DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO N.R.S. 174.098... STATUS CHECK: SCHEDULING EVIDENTIARY HEARING Defendant Ramos PRESENT in custody. Interpreter, Maria Peters present. DEFENDANTS MOTION TO DECLARE NRS 174.098

CASE SUMMARY

CASE NO. C-10-269839-1

(4) UNCONSTITUTIONAL: COURT ORDERED, Motion DENIED; as far as being facially unconstitutional because the Court believes that it can be interpreted in such a ways as to preserve the Defendant's rights under the constitution. The Court will require the State to notify the dense five days before the hearing of the type of test which have been administered. DEFENDANTS MOTION FOR RULING ON THE APPLICABLE STANDARD FOR DETERMINING WHETHER DEFENDANT IS INTELLECTUALLY DISABLED IN LIGHT OF HALL V. FLORIDA: Mr. Yanez advised there is no opposition to 1, 3, 6, 7 and 8. As to remaining RULING DEFERRED until after the IDD hearing. DEFENDANTS MOTION FOR RULING ON THE SCOPE AND CONDITIONS OF THE INTELLECTUAL DISABILITY EVALUATION BY THE STATES EXPERT: Mr. Yanaz advised there is no opposition to 1, 2, and 4 and the Court previously rule on 3 on the constitutionality of 174.098(4) and that the Court would allow. COURT ORDERED, as to number 5 the evaluation be VIDEOTAPED the State five (5) days before the exam either demonstrate or describe to the defense how it will be done. Mr. Yanaz to prepare the Order.;

05/31/2017  **Status Check** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

05/31/2017, 07/19/2017

Atkins Hearing

MINUTES

Continued;

Matter Heard;

Journal Entry Details:

Court stated mailer is on for Atkins hearing, however, was set in this department due to the homicide caseload transfer. Pursuant to EDCR 1.30 and 1.31 this court ORDERS the case reassigned to Department 9. Upon Court s inquiry, Ms. Weckerly still needs to file a response to a recent pleading. COURT ORDERED, Briefing Schedule SET as follows: State to file opposition on or before July 26, 2017, defense to file a reply on or before August 2, 2017, matter SET for Status Check. Upon Court s further inquiry, Ms. Weckerly stated there are no offers at this time, noting death notice has been filed. CUSTODY 8/15/17 9:00 AM STATUS CHECK: TRIAL SETTING/ATKINS HEARING (DEPT. 9);

MINUTES

Continued;

Matter Heard;

Journal Entry Details:

Defendant Ramos PRESENT in Custody. Interpreter Calvo also present. Ms. Weckerly advised the matter is on for status check on a Atkins Hearing. Ms. Weckerly further advised defense counsel has moved to strike the notice of intent to seek the death penalty claiming the defendant is not legally eligible for the death penalty because of an Atkins claim. The defense had their expert exam him, the State arraigned to have him examined. Mr. Yanaz and Ms. Maningo filed a motion discussing certain parameters of the testing and one of the issues was they wanted to be notified of the tests the State's expert was going to administer prior to the testing taking place. The State has given them notice of the testing and defense is objecting to some of the tests. We are now back before the Court to ask the Court how it wants the disagreement handled. Mr. Yanaz advised there are four tests they have been informed that the State's expert wants to administer and after consulting with their expert they have objections. Mr. Yanaz advised they can argued the issue now or submit something in writing. Court STATED it would prefer something in writing for the Court to review the authorities. Defense brief to be submitted by June 21, 2017 and State's opposition due July 5, 2017. COURT ORDERED, Matter CONTINUED. CUSTODY CONTINUED TO: 7/19/17 9:00 AM;

08/15/2017  **Status Check** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

08/15/2017, 08/29/2017

Status Check: Atkins Hearing/Trial Setting

Continued;

Matter Heard;

Journal Entry Details:

State advised the Defense filed several motions with respect to testing and Judge Cory ruled the Defense can be present at the time of testing, however; the Defense had an opposition that the order did not address. Mr. Yanez argued that the testing must be subject to certain medical standards and be related to the issue of intellectual disability. Further arguments by counsel. COURT noted it agrees with the State's position and ORDERED, motion DENIED; State to prepare the order and submit to opposing counsel as to form and content. Upon Court's inquiry, Mr. Yanez advised they will request a stay if necessary at a later date. COURT ORDERED, matter SET for status check. CUSTODY 10/5/17 9:00 AM STATUS CHECK: STATE'S EXPERT EVALUATION / STATUS CHECK: SET ATKINS HEARING;

Continued;

Matter Heard;


Journal Entry Details:

Also present: Spanish Interpreter Jeff Hanks. Court noted it needs to review the transcript, motion, and order. Upon Court's inquiry, Mr. Yanez advised the transcript hearing date is 3/27/17 and provided the Court with a copy. COURT

CASE SUMMARY

CASE NO. C-10-269839-1

ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 8/29/17 9:00 AM;

09/19/2017  **Motion** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

09/19/2017, 09/26/2017

Defendant's Motion for Stay of Proceedings

Continued;

Denied;

Journal Entry Details:

Court made a record off all documents reviewed. Counsel submitted. COURT STATED its FINDINGS and ORDERED, motion DENIED; State to prepare the order and submit to opposing counsel as to form and content. Colloquy regarding trial date. State advised their expert planned on coming down at the end of October. Court requested the appointment be rescheduled to November to allow the Defense time to request a stay from the Supreme Court. COURT FURTHER ORDERED, status check set for 10/5/17 VACATED and RESET. CUSTODY 10/12/17 9:00 AM STATUS CHECK: SET ATKINS HEARING / RESET TRIAL DATE & STATUS CHECK: STATE'S EXPERT EVALUATION;

Continued;

Denied;

Journal Entry Details:

Mr. Yanez advised Ms. Maningo is stuck out of town and two attorneys are required for death penalty cases. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 9/26/17 9:00 AM;

10/12/2017 **Status Check** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)


State's Expert Evaluation

Matter Heard;

10/12/2017 **Status Check** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Set Atkins Hearing / Reset Trial

Matter Heard;

10/12/2017  **All Pending Motions** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Matter Heard;

Journal Entry Details:

STATUS CHECK: SET ATKINS HEARING / RESET TRIAL ... STATUS CHECK: STATE'S EXPERT EVALUATION State advised their expert is available 11/1/17 and 11/3/17 and requested the evaluation be done on one of those two dates. Mr. Yanez advised they received the transcripts a few years ago and they are finalizing their writ. Further, Mr. Yanez requested the evaluation be pushed out to allow the Supreme Court to make a decision on the writ. State advised it does not believe the evaluation needs to be pushed out, noting it believes the Supreme Court will make a decision quickly. COURT ORDERED, matter SET for status check; counsel is to consult with their expert and get two additional dates of availability the Defense will have to choose from. CUSTODY 10/19/17 9:00 AM STATUS CHECK: EXPERT;

10/19/2017  **Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Expert Availability

Set Status Check;

Journal Entry Details:

Mr. Yanez advised the State's experts will be meeting with the Defendant on December 6th and 7th. COURT ORDERED, matter SET for status check. CUSTODY 1/16/18 9:00 AM STATUS CHECK: REPORT / SET ATKINS HEARING / SET TRIAL DATE;

01/16/2018  **Status Check** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

01/16/2018, 02/06/2018

Reports / Set Atkins Hearing / Set Trial Date

Continued;

Matter Heard;

Journal Entry Details:

CONFERENCE AT THE BENCH. Colloquy regarding schedule. COURT ORDERED, matter SET for Atkins Hearing. CUSTODY 4/16/18 11:30 AM ATKINS HEARING 4/18/18 9:30 AM CONTINUED ATKINS HEARING;

Continued;

Matter Heard;






Journal Entry Details:

State advised Dr. Mahaffey's report should be done by the end of the month. Ms. Maningo concurred. COURT ORDERED, matter CONTINUED, noting it will set the hearing when the report has been completed. CUSTODY

CASE SUMMARY

CASE NO. C-10-269839-1

CONTINUED TO: 2/6/18 9:00 AM;

03/27/2018	 Motion (9:00 AM) (Judicial Officer: Barker, David) <i>Defendant's Motion to Associate Counsel</i> Granted; Journal Entry Details: <i>Also present: Spanish Interpreter Magdalena Becerra. Upon Court's inquiry, Mr. Yanez advised there will be no additional tax payer impact. COURT ORDERED, motion GRANTED. Mr. Yanez advised they may need to move the Atkins hearing and requested a status check be SET to discuss scheduling. COURT SO ORDERED. CUSTODY 4/3/18 9:00 AM STATUS CHECK: ATKINS HEARING;</i>
04/03/2018	 Status Check (9:00 AM) (Judicial Officer: Togliatti, Jennifer) 04/03/2018, 04/17/2018 <i>Atkins Hearing</i> Continued; Matter Heard; Journal Entry Details: <i>Colloquy regarding expert testimony. COURT ORDERED, matter SET for Atkins Hearing, noting the Atkins Hearing set for 6/8/18 STANDS. CUSTODY 6/1/18 10:30 AM ATKINS HEARING;</i> Continued; Matter Heard; Journal Entry Details: <i>Also present: Spanish Interpreter Maria Peralta de Gomez. Ms. Maningo advised the State had their expert evaluate the Defendant and they have requested a translator interpret the evaluation, however, the translator will need 60 days. Further, Ms. Maningo advised a private translator has requested \$10,000.00 and she does not believe the Office of Indigent Defense will approve it. State advised it is willing to move forward without the translation. Upon Court's inquiry, Ms. Maningo advised she believes the transcript will be ready by 5/30/18. COURT ORDERED, status check CONTINUED; Atkins Hearing VACATED and RESET. CUSTODY 4/17/18 9:00 AM STATUS CHECK: ATKINS HEARING 6/8/18 10:30 AM ATKINS HEARING;</i>
04/16/2018	CANCELED Hearing (11:30 AM) (Judicial Officer: Togliatti, Jennifer) <i>Vacated - per Judge</i> <i>Atkins Hearing</i>
04/24/2018	 Minute Order (3:00 AM) (Judicial Officer: Togliatti, Jennifer) Minute Order - No Hearing Held; Journal Entry Details: <i>At the request of the DA due to witness unavailability, and upon agreement of the parties, the Atkins hearing scheduled for June 1st is VACATED and RESET to June 29th at 10:00 am. CUSTODY 6/29/18 10:00 AM ATKINS HEARING;</i>
06/08/2018	 Hearing (10:30 AM) (Judicial Officer: Togliatti, Jennifer) 06/08/2018, 06/13/2018 <i>Atkins Hearing</i> Continued; Matter Heard; Continued; Matter Heard; Journal Entry Details: <i>CONFERENCE AT THE BENCH. Court noted counsel advised there is an agreement to waive the right to a jury trial and have the matter tried in a bench trial with conditions. COURT ORDERED, matter CONTINUED. Ms. Maningo requested the hearing date set for 6/29 remain on calendar. Court so noted. CUSTODY CONTINUED TO: 6/13/18 1:30 PM;</i>
09/25/2018	 Motion to Dismiss (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 09/25/2018, 10/30/2018, 11/01/2018, 11/06/2018 <i>Defendant's Motion to Dismiss</i> Continued; Continued; Continued; Journal Entry Details:

CASE SUMMARY

CASE NO. C-10-269839-1

Mr. Maningo argued for dismissal for the State's failure to gather evidence or destruction of evidence. Opposition by Mr. Weckerly. Argument that this case was several years old and the Defendant was caught via a CODIS hit. Court finds testimony is needed. COURT ORDERED, matter CONTINUED 11/6/18 to set an Evidentiary Hearing and secure service of subpoenas. CUSTODY;

Continued;

Continued;

Continued;

Journal Entry Details:

COURT ORDERED, matter CONTINUED to be heard by Judge Togliatti. CUSTODY CONTINUED TO: 11/1/18 9:00 AM;

Continued;

Continued;

Continued;

Journal Entry Details:

Also present: Spanish Interpreter Ricardo Pico. State requested additional time to respond, noting it has been in trial. COURT ORDERED, State's Opposition DUE 10/9/18 by 4:00 pm, Defendant's Reply DUE 10/19/18 by 4:00 pm, and matter CONTINUED for argument. CUSTODY CONTINUED TO: 10/30/18 9:00 AM;


11/06/2018 **Status Check (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)
Hearing Set;

11/06/2018  **All Pending Motions (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

DEFENDANT'S MOTION TO DISMISS...STATUS CHECK Spanish Interpreter, Mariella Lopez also present. CONFERENCE AT BENCH. Ms. Weckerly advised that Judge Togliatti instructed them to find out about witness availability, noting that anything beyond November 12th would be requested. Mr. Yanez advised he thought they may potentially bifurcate the hearing and have the police officers testify first. Further, Mr. Yanez noted that one witness lived out-of-state and it would take longer to get that person present to testify. Counsel anticipated a one hour hearing. Colloquy regarding scheduling an evidentiary hearing. COURT ORDERED, Evidentiary Hearing SET. CUSTODY 11/29/18 11:00 AM EVIDENTIARY HEARING ;

11/29/2018  **Evidentiary Hearing (11:00 AM)** (Judicial Officer: Togliatti, Jennifer)

Set Status Check;

Journal Entry Details:

Also present: Spanish Interpreters Magdalana Becerra, Alicia Herrera, and Mariella Lopez. CONFERENCE AT THE BENCH. Ms. Maningo INVOKED the exclusionary rule. Testimony and exhibits presented. (See worksheets). Colloquy regarding evidentiary hearing. COURT ORDERED, matter SET for status check. CUSTODY 11/30/18 11:15 AM STATUS CHECK: EVIDENTIARY HEARING;

11/29/2018 **CANCELED Evidentiary Hearing (11:00 AM)** (Judicial Officer: Togliatti, Jennifer)
Vacated


11/30/2018  **Status Check (11:15 AM)** (Judicial Officer: Togliatti, Jennifer)

Status Check: Evidentiary Hearing

Off Calendar;

Journal Entry Details:

No parties present. COURT ORDERED, matter SET for evidentiary hearing per an e-mail from counsel and matter OFF CALENDAR. CUSTODY 12/4/18 1:30 PM EVIDENTIARY HEARING;

12/04/2018  **Evidentiary Hearing (1:30 PM)** (Judicial Officer: Togliatti, Jennifer)

Matter Heard;

Journal Entry Details:

Alicia Herrera, Court Interpreter, present. Detective Ken Hardy, sworn and testified. Colloquy. COURT ORDERED, matter SET for status check as to transcript and supplemental briefing. CUSTODY 12/12/18 9:30 AM STATUS CHECK: TRANSCRIPT...STATUS CHECK: SUPPLEMENTAL BRIEFING;

12/12/2018 **Status Check (9:00 AM)** (Judicial Officer: Togliatti, Jennifer)
Status Check Re: Transcript
Continued;

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CASE NO. C-10-269839-1

12/12/2018	<p>Status Check (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Status Check Re: Supplemental Briefing</i> Continued;</p>
12/12/2018	<p> All Pending Motions (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Matter Heard; Journal Entry Details: <i>STATUS CHECK: SUPPLEMENTAL BRIEFING ... STATUS CHECK: TRANSCRIPT Order to Receive Transcripts on an Expedited Basis FILED IN OPEN COURT Also present: Spanish Interpreter Jeffrey Hanks. Court noted the transcript pool is working on the transcript and it should be completed no later than 1/9/19. COURT ORDERED, CASE REASSIGNED to District Court Department 3 and matters CONTINUED to Department 3's calendar, noting Judge Herndon agreed to take this case if this Court could not try it. CUSTODY CONTINUED TO: 1/9/19 9:30 AM (DEPT. 3);</i></p>
01/09/2019	<p>Status Check (1:00 PM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Supplemental Briefing</i> Matter Heard;</p>
01/09/2019	<p>Status Check (1:00 PM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Transcript</i> Matter Heard;</p>
01/09/2019	<p> All Pending Motions (1:00 PM) (Judicial Officer: Herndon, Douglas W.) Matter Heard; Journal Entry Details: <i>STATUS CHECK: SUPPLEMENTAL BRIEFING... STATUS CHECK: TRANSCRIPT Spanish Interpreter Alicia Herrera present on behalf of Defendant. COURT ADVISED, parties had made agreements regarding the trial, that it would only be tried in Department 9, or Department 3, and since Judge Togliatti resigned, the Court ordered this case transferred to Department 3 in line with counsel's request. Mr. Yanez stated there was an Evidentiary Hearing that was based up on the Defense's Motion to Dismiss, and he was waiting on transcripts, where they could file supplemental briefs, and have additional argument. Mr. Yanez requested the Court review the JAVs. COURT ADVISED, Judge Togliatti could not rule on any motions within 60 days and inquired if counsel wished for her to make the ruling on the supplemental briefs. Mr. Weckerly stated no opinion. Mr. Yanez requested Department 3 rule on the supplemental briefing after the Court reviewed the JAVs. COURT ORDERED, status check RESET. CUSTODY 1/23/19 9:30 A.M. STATUS CHECK: TRIAL READINESS 5/2/19 9:00 A.M. CALENDAR CALL 5/13/19 10:00 A.M. BENCH TRIAL - FIRM;</i></p>
01/23/2019	<p> Status Check: Trial Readiness (9:30 AM) (Judicial Officer: Herndon, Douglas W.) 01/23/2019, 03/20/2019 Matter Continued; Journal Entry Details: <i>Spanish Interpreter Maria Peters present on behalf of Defendant. Upon Court's inquiry, Ms. Weckerly confirmed all the Transcripts have been filed. Mr. Yanez requested a briefing schedule be set and the matter set for argument. COURT ORDERED, briefing schedule SET as follows: Defendant's Supplemental Motion to Dismiss shall be due on or before February 6, 2019; State's Opposition shall be due on or before February 20, 2019; Defendant's Reply shall be due on or before February 27, 2019; matter SET for argument; status check CONTINUED. CUSTODY 3/20/19 9:30 A.M. STATUS CHECK: TRIAL READINESS... ARGUMENT RE: MOTION TO DISMISS... 5/2/19 9:00 A.M. CALENDAR CALL 5/13/19 10:00 A.M. JURY TRIAL;</i></p>
01/23/2019	<p>CANCELED All Pending Motions (9:30 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - On In Error</i></p>
02/28/2019	<p>CANCELED Status Check: Trial Readiness (9:00 AM) (Judicial Officer: Togliatti, Jennifer) <i>Vacated - per Judge</i></p>
03/20/2019	<p>Hearing (9:30 AM) (Judicial Officer: Herndon, Douglas W.) <i>Hearing Re: Defense Motion to Dismiss</i> Motion Denied;</p>
03/20/2019	<p> All Pending Motions (9:30 AM) (Judicial Officer: Herndon, Douglas W.)</p>


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Matter Heard;

Journal Entry Details:


HEARING RE: DEFENSE MOTION TO DISMISS... STATUS CHECK: TRIAL READINESS.. Spanish Interpreter Alicia Herrera present on behalf of Defendant. Mr. Yanez argued in support to the Motion to Dismiss, stating based on the testimony at the Grand Jury this case has a failure to collect evidence, noting the Government never actually collected the piles of paperwork that Jack Siegle tried to provide the police officers. Mr. Yanez argued there is a reasonable probability and there is gross negligence and request the Court to dismiss this case, or an instruction indicating the documents that were not collected would have been favorable to the Defendant's case and unfavorable to the State's case. Ms. Weckerly argued the timing on this case is important, stating this crime occurred in 1998 and the meeting with Jack Siegle is 6 years later, and by that time a bloody print was located at the scene which is not a match to Jack Siegle. Ms. Weckerly requested the Defense make more of an extreme showing before requesting a dismissal or alluding to gross negligence regarding what is contained in the paperwork which to them is so important to the Defense. Further arguments by Counsel. COURT STATED ITS FINDINGS, and ORDERED Motion to Dismiss DENIED. Mr. Yanez pointed out since the State noticed Jack Siegle as their witness, the Defense would be requesting and updated Notice of Witness, indicating what his address and phone number is. Ms. Weckerly stated she is not sure the State has an address, however she does have a phone number that she will provide to the Defense. COURT SO NOTED. Mr. Yanez explained the State recently provided the Defense with DNA testing, in which they are sending to their expert, and he does not anticipate it will delay the trial. Upon Court's inquiry, Mr. Yanez stated there has been no discussions regarding offers. Ms. Weckerly stated when parties agreed to do a bench trial, there wasn't an offer made, which was rejected. Mr. Yanez confirmed Ms. Weckerly's representations. CUSTODY 5/2/19 9:00 A.M. CALENDAR CALL 5/13/19 10:00 A.M. BENCH TRIAL;

05/02/2019 **CANCELED Calendar Call (9:00 AM)** (Judicial Officer: Togliatti, Jennifer)
Vacated - Case Reassigned

05/02/2019  **Calendar Call (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)
Trial Date Set;
Journal Entry Details:
Spanish Interpreter Ximena Fiene present on behalf of Defendant. COURT ADVISED they had a meeting with the attorneys and both parties agree to set the trial date on May 28, 2019, and the matter could be done in a week. Ms. Weckerly requested the Court instruct the Jury on the case law to verify he understands the waiver of a Jury trial. Ms. Weckerly indicated the State has filed a waiver, and the case is the most recent Nevada Supreme Court case which discusses certain rights. COURT ADVISED that matter will be addressed the morning of trial; and DIRECTED parties to submit Proposed Jury Instructions around the start of trial. Mr. Yanez requested an Amended Information be filed, adding after the Preliminary Hearing one of the charges was dismissed by Judge Bell. CONFERENCE AT BENCH. COURT DIRECTED the State to file a Second Amended Information. COURT ORDERED, trial date RESET. CUSTODY 5/28/19 10:30 A.M. BENCH TRIAL - FIRM;

05/13/2019 **CANCELED Bench Trial - FIRM (10:00 AM)** (Judicial Officer: Herndon, Douglas W.)
Vacated - per Judge

05/13/2019 **CANCELED Bench Trial - FIRM (10:30 AM)** (Judicial Officer: Herndon, Douglas W.)
Vacated - Case Reassigned

05/28/2019  **All Pending Motions (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)
Matter Heard;
Journal Entry Details:
BENCH TRIAL - FIRM... STATE S NOTICE OF MOTION AND MOTION TO ADMIT PRIOR PRELIMINARY HEARING TESTIMONY OF JERRY AUTREY... DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EXPERT WITNESS TESTIMONY OF J VACCARO... DEFENDANT S MOTION TO SUPPRESS... Stipulation and Order Waiving Defendant's Right to Trial by Jury and Penalty Hearing by Jury FILED IN OPEN COURT... Spanish Interpreter Elsa Marsico and Alicia Herrera present on behalf of Defendant. COURT STATED there was a Stipulation and Order waiving the right to a trial by jury and penalty hearing by jury, which was signed by all parties; adding the State raised to the Court regarding the Slaughter case, and a new waiver was prepared, and has since been signed by all parties. Mr. Yanez indicated he met with the Defendant yesterday and read it line by line to the Defendant who signed it. Upon Court's inquiry, Defendant confirmed he wishes to move forward in this case as a non-jury trial. COURT ORDERED, Motion to Suppress CONTINUED. Ms. Weckerly argued in support of the Motion to Admit Prior Preliminary Hearing Testimony, stating Crime Scene Analysis Jerry Autrey testified at the Preliminary Hearing, and Mr. Yanez was one of the Attorney's on behalf of Defendant, and Mr. Autrey could have been subjected to cross examination, pursuant to Statute and the Defense having the opportunity to cross examine the witness, and Mr. Autrey as since died, the State is seeking to admit the Preliminary Hearing testimony. Mr. Yanez confirmed he was at the Preliminary Hearing, however did not ask a single question, and the Court has to find there was an adequate opportunity for cross examination. Mr. Yanez argued it is the State's burden to show the Defense had sufficient Discovery at the time of the hearing to effectively and adequately cross examine Mr. Autrey. Upon Court's inquiry, Ms.

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Maningo confirmed the Defense is not contesting Mr. Autrey is deceased. COURT STATED ITS FINDINGS, and ORDERED, Motion to Admit Prior Hearing Testimony of Jerry Autrey GRANTED; COURT FINDS the witness is unavailable, adding the history of the case shows there was an ample opportunity to question, and an effective performance in question My. Autrey. Ms. Maningo argued in support of the Motion to Preclude Expert Witness Testimony of Mr. Vaccaro, stating he will be testifying, even though he was not assigned as the Detective to the case, and the State noticed him as an expert to the crime scene. Ms. Weckerly informed the Court, the State is not going to call Mr. Vaccaro as an expert. COURT ORDERED, Defendant's Motion to Preclude Expert Witness Testimony GRANTED. Mr. Pesci indicated there was a Trial Brief that was filed without specificity as to what it entails, and the State is having difficulty responding since they do not know exactly what the Defense is seeking to admit. COURT STATED, these documents are normally filed in civil cases to bring to the Court's attention as to what may arise. EXCLUSIONARY ROLE INVOKED. Opening Statement by Ms. Weckerly, and Ms. Maningo. Testimony and Exhibits presented. (See Worksheets). Court recessed for the evening and ORDERED matter CONTINUED. CUSTODY 5/29/19 11:00 A.M. DEFENDANT'S MOTION TO SUPPRESS... BENCH TRIAL: FIRM;

05/28/2019

**Bench Trial - FIRM (1:00 PM)** (Judicial Officer: Herndon, Douglas W.)**05/28/2019-05/31/2019, 06/10/2019, 07/01/2019****MINUTES**

Matter Heard;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Matter Heard;

Journal Entry Details:

Defendant present in custody with assistance from Certified Spanish Court Interpreters, Alex Avants, Irma Patty Sanchez-Gastelum, Renee Ocougne De Gascon and Maria Peters, during today's proceedings. Bench trial resumed.

Testimony of Jerry Autrey from the Preliminary Hearing Transcript dated December 16, 2010, was read into the record by Ms. Weckerly and Mr. Pesci. Further testimony and Exhibits presented (See Worksheets.). State rested.

Testimony and Exhibits presented (See Worksheets.). Defendant was admonished by Court on his rights to testify and not to testify. Defendant confirmed he will not testify. COURT SO NOTED. Defense rested. Instructions for the Court were discussed and SETTLED. Verdict form APPROVED. Closing arguments by counsel. COURT ORDERED, matter SET for Decision. CUSTODY 7/03/19 9:00 A.M. DECISION;

Matter Heard;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Matter Heard;

Journal Entry Details:

Spanish Interpreters Soledad Garcia and.. present on behalf of Defendant. Colloquy regarding trial scheduling. Mr.

Yanez informed the Court the Defense was still working on the fingerprint situation. Ms. Maningo requested the

exclusionary rule be invoked. EXCLUSIONARY RULE INVOKED. Ms. Maningo objected to the record Mr. Pesci

wanted to make in open Court with regards to Ms. Siegel. Mr. Pesci informed the Court, the Victim Advocate informed

the State they were contacted by Ms. Siegel who informed them she was having memory problems, and was having

difficulty with her testimony since she had a stroke and the State has already informed the Defense of this information.

Upon Court's inquiry, Mr. Pesci confirmed he does not wish to recall the witness. Ms. Maningo stated she does not

anticipate recalling Ms. Siegel as a witness. Testimony and Exhibits presented. (See Worksheets). Colloquy regarding

scheduling, and Jury Instructions. COURT ORDERED, status check SET. CUSTODY 6/12/19 9:30 A.M. STATUS

CHECK: BENCH TRIAL SCHEDULING;

Matter Heard;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Matter Heard;

Journal Entry Details:

Spanish Interpreter Elsa Marisco, Norma Caucas and Rafael Leal present on behalf of Defendant. Colloquy regarding

scheduling of Defense Experts. Testimony and Exhibits presented. (See Worksheets). Ms. Weckerly informed the Court,

the Defense noticed Diana Faugno as an expert and is present in the Courtroom. Ms. Weckerly pointed out to date, the

State has not received a single piece of reciprocal Discovery from this expert, and requested the Court direct the expert

for when she returns to bring her entire file. Upon Court's inquiry, Mr. Yanez confirmed the expert did not complete a

report and there are no additional documents other than what has been produced during Discovery. Upon Court's

inquiry, Ms. Faugno confirmed she would bring her entire file when she returns to testify. Testimony and Exhibits

continued. (See Worksheets). COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 6/10/19 9:00

CASE SUMMARY

CASE NO. C-10-269839-1

A.M.;

Matter Heard;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Matter Heard;

Journal Entry Details:

Spanish Interpreter Norma Caucas and Elsa Marsico present on behalf of Defendant. Testimony present. Mr. Pesci informed the Court he contacted David Johnson, who is the fingerprint expert that will be testifying, and he revealed there was an AFIS hit, for a Joseph E. Guy was identified on the exterior north door of room 212, which is Helen Sabra's room. Mr. Pesci stated the print was referenced in the report, however was not searched in 2010, adding AFIS's capacity with processing palm prints has been improved with time and when pre-trialing Mr. Johnson the State asked if there were any prints that were not processed, and Mr. Johnson said yes, and the State asked them to run them. Mr. Pesci informed the Court, he reached out to homicide Detective and there is an individual by the name of Joseph E. Guy who appears to be in the Discovery, on the list of former employee. Mr. Pesci stated he ran the name and there was no hits in District Court, however there was a list of cases in Justice Court, and he has provided that information to Defense counsel, which includes a date of birth, and the State believes Joseph E. Guy is a former employee. Ms. Maningo requested the State not call their fingerprint expert today, adding the State pretrialled the expert two to three weeks ago. COURT SO NOTED. Testimony and Exhibits presented. (See Worksheets). COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 5/31/19 10:00 A.M.;

Matter Heard;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Matter Heard;

Matter Heard;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Matter Heard;

SCHEDULED HEARINGS



Decision (07/03/2019 at 9:00 AM) (Judicial Officer: Herndon, Douglas W.)

05/28/2019 **Motion** (1:00 PM) (Judicial Officer: Herndon, Douglas W.)

State's Notice of Motion and Motion to Admit Prior Preliminary Hearing Testimony of Jerry Autrey

Motion Granted;

05/28/2019 **Motion** (1:00 PM) (Judicial Officer: Herndon, Douglas W.)

05/28/2019-05/29/2019

Defendant's Motion to Suppress

Matter Continued;

Motion Denied;

Matter Continued;

Motion Denied;

05/28/2019 **Motion in Limine** (1:00 PM) (Judicial Officer: Herndon, Douglas W.)

Defendant's Motion in Limine to Preclude Expert Witness Testimony of J Vaccaro

Motion Granted;

05/29/2019 **All Pending Motions** (11:00 AM) (Judicial Officer: Herndon, Douglas W.)

Matter Heard;

Journal Entry Details:

BENCH TRIAL - FIRM... DEFENDANT'S MOTION TO SUPPRESS... Spanish Interpreters Ximena Chica and Elsa Marisco present on behalf of Defendant. COURT STATED parties are in agreement no witnesses need to be called for the Motion, and parties agree the Defendant was Mirandized and a statement was given two hours later. Upon Court's inquiry, Ms. Weckerly confirmed the Detective who Mirandized the Defendant is the same one who completed his statement, adding there was no immediate interview after being Mirandized. Mr. Yanez argued in support of the Motion to Suppress, stating there was a two hour interval from the Miranda Rights to actually being questioned,

CASE SUMMARY

CASE NO. C-10-269839-1

adding an additional hour from when the Defendant was originally picked up and detained, arguing that is an unreasonable amount of time and requested the Court suppress the statement in its entirety. Mr. Yanez further argued if the Court was not inclined to strike the statement altogether, the Defense request would be to strike the statement after page 19. Ms. Weckerly argued against the Motion, stating the Nevada Supreme Court discussed a lapse of time between the issuance of a Miranda warning and the questioning at length in *Kroger v. State*, where different time intervals were discussed and deemed not unreasonable. Ms. Weckerly further argued it is the State's perspective this was a properly taken statement. COURT STATED ITS FINDINGS, and ORDERED, Motion to Suppress DENIED. COURT FURTHER STATED the State is going to exclude the Statement from the bottom of page 19 and thereafter. Testimony and Exhibits presented. (See Worksheets). ***Louisa Garcia, Court Clerk, present at 4:50 p.m. Testimony Continued. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO 5/30/19 11:00 AM;

06/12/2019



Status Check (9:30 AM) (Judicial Officer: Herndon, Douglas W.)

Status Check: Bench Trial Scheduling

Matter Heard; Status Check: Bench Trial Scheduling

Journal Entry Details:

CONFERENCE AT BENCH. Court noted for the record, the interpreter is not present, and parties are not doing anything substantive, only getting an update on when the trial could continue. COURT STATED their understanding is parties are not able to move forward on Thursday, and ORDERED trial continued to July 1, 2017. COURT DIRECTED Mr. Maningo to translate the information to the Defendant. CUSTODY 7/1/19 9:00 A.M. BENCH TRIAL;

07/03/2019



Decision (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Verdict;

Journal Entry Details:

COURT STATED for the record they have a question regarding what the Second Amended Information clarified. Ms. Weckerly stated the charge of sexual penetration was removed. COURT ADVISED none of the Jury Instructions or the Verdict form had no reference to age portion of the charge. Mr. Pesci informed the Court while looking at the statute the State determined the Victim 60 years or older did not go into effect until 1999, which is why that wording was no on the verdict form and was not argued. Ms. Weckerly stated parties had discussed leaving the Victim 65 Years of Age or Older off the verdict form, however the information was never placed on the record. Mr. Yanez confirmed the representations. COURT STATED ITS FINDINGS and reached a Verdict of GUILTY of COUNT 1 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), and GUILTY of COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), and GUILTY of COUNT 3 - SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON (F). COURT FURTHER ORDERED, matter REFERRED to the Division of Parole & Probation for preparation of a Pre-Sentence Investigation Report (PSI); matter SET for sentencing. CUSTODY 9/20/19 10:00 A.M. SENTENCING;

09/20/2019

Sentencing (10:00 AM) (Judicial Officer: Herndon, Douglas W.)

Defendant Sentenced;

09/20/2019

Motion to Strike (10:00 AM) (Judicial Officer: Herndon, Douglas W.)

Motion to Strike Penalty of Life Without the Possibility of Parole

Motion Denied;

09/20/2019



All Pending Motions (10:00 AM) (Judicial Officer: Herndon, Douglas W.)

Matter Heard;

Journal Entry Details:

MOTION TO STRIKE PENALTY OF LIFE WITHOUT THE POSSIBILITY OF PAROLE... SENTENCING... Spanish Interpreter Mariella Lopez present on behalf of Defendant. Mr. Yanez argued in support of the Motion to Strike Penalty of Life without the Possibility of Parole, stating there is no case law on point, however referenced the Miller case, which explains there cannot be a mandatory life without parole sentence for a juvenile, adding there is a current pending oral argument in the Malvo case before the Fourth Circuit. Mr. Yanez argued the Fourth Circuit held without under any circumstance a life without parole sentence cannot be imposed on juveniles. additionally stated the Defendant was not under the age of 18 at the time these crimes alleged to occurred. Mr. Yanez stat he has provided case law out of Connecticut that found there is no practical difference between mental status wise, maturity, rehabilitation wise, between someone under the age of 18 and someone who is in fact 18. Mr. Yanez requested the Court strike the sentence of life without the possibility of parole as it applies to this case, as the Defendant was 18 years old at the time the crime was alleged to be committed. Ms. Weckerly articulated the reason for the State's position that it would be Judicial Activism, stating this Defendant is not a minor and there is no case in no court that says it is constitutionally improper to imply a life without sentence, except the Court in Connecticut, stating this Defendant was almost 19 at the time he committed this crime. Ms. Weckerly argued the only way the Court do complete Mr. Yanez's request, was if the Court found it was constitutionally improper to apply a life without sentence on a double homicide to someone who was over 18 at the time, and the Court would be essentially legislating. Ms. Weckerly stated there is not a proper judicial basis to grant the Motion and requested it be denied. COURT STATED

CASE SUMMARY

CASE NO. C-10-269839-1

ITS FINDINGS and ORDERED, Motion to Strike Penalty of Life without the Possibility of Parole DENIED. DEFENDANT RAMOS ADJUDGED GUILTY of COUNT 1 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), and COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), and COUNT 3 - SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON (F). Ms. Weckerly reviewed the history of the case, and argued for life without the possibility of parole sentence on both murders. Ms. Maningo stated the Defendant does not want to make a statement at this time. Upon Court's inquiry, Defendant confirmed, he does not want to make a statement at this time. Mr. Yanez argued the Defendant remained crime free until he was arrested on this case in 2010, adding with the Defendants mental condition he is not a danger to society and requested the Court consider it while sentencing, requested 10 to life on the murder charges, to run concurrent. Mr. Yanez stated he provided letters from the family members on behalf of the Defendant for the Court to review, adding he just received them this morning and has not be able to translate them. COURT ADVISED they will be marked as a Court's Exhibit. Colloquy regarding credit for time served. Victim Speakers sworn and testified, (See Worksheets). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, Defendant SENTENCED in COUNT 1 - to a MAXIMUM term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC) plus a CONSECUTIVE term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the NDC, for the Deadly Weapon Enhancement, and in COUNT 2 - to a MAXIMUM term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC) plus a CONSECUTIVE term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the NDC, for the Deadly Weapon Enhancement, CONSECUTIVE TO COUNT 1, and in COUNT 3 - LIFE with a parole eligibility beginning after a MINIMUM of TEN (10) YEARS has been served, plus a CONSECUTIVE SENTENCE OF LIFE with a parole eligibility beginning after a MINIMUM of TEN (10) YEARS has been served for the deadly weapon enhancement, CONSECUTIVE to COUNT 2. WITH THREE THOUSAND TWO HUNDRED SEVENTY-EIGHT (3278) DAYS credit for time served. BOND, if any, EXONERATED. Mr. Yanez stated Jamie Resch Esq. was present and he will be completing the direct appeal in this case, and requested Ms. Maningo and himself be removed from the case. Mr. Yanez stated Mr. Resch was appointed by Drew Christensen's Office. Upon Court's inquiry, Mr. Resch stated he can confirm as counsel. COURT ORDERED, Request GRANTED; Jamie Resch Esq. APPOINTED. COURT DIRECTED Mr. Yanez to submit a written order regarding the withdrawal. NDC ;

DATE

FINANCIAL INFORMATION

Defendant Ramos, Gustavo	
Total Charges	175.00
Total Payments and Credits	0.00
Balance Due as of 10/8/2019	175.00

Steven D. Grierson

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

GUSTAVO RAMOS, #1516662,

Defendant.

CASE NO. C-10-269839-1

DEPT. NO. III

JUDGMENT OF CONVICTION
(NON-JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNTS 1 and 2 – OPEN MURDER WITH USE OF A DEADLY WEAPON (Felony – NRS 200.010, 200.030, 193.165, 193.167); COUNTS 3 – SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON (Felony – NRS 200.364, 200.366); and the matter having been tried before the Court and the Defendant having been found guilty of the crimes of COUNT 1 – MURDER WITH USE OF A DEADLY WEAPON (Felony – NRS 200.010, 200.030, 193.165, 193.167); COUNT 2 - MURDER WITH USE OF A DEADLY WEAPON (Felony – NRS 200.010, 200.030, 193.165, 193.167); and COUNT 3 – SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON – (Felony – NRS 200.364, 200.366), thereafter, on the 20th day of September, 2019, the Defendant was present in court for sentencing with his counsel IVETTE MANINGO, ESQ., and ABEL YANEZ, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said crimes as set forth in the Court'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 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 checked="" type="checkbox"/> Conviction
<input type="checkbox"/> Other Manner of Disposition	

1 the \$150.00 DNA Analysis fee, including testing to determine genetic markers, the
2 Defendant is SENTENCED as follows:

3 COUNT 1 – to LIFE in the Nevada Department of Corrections (NDC) WITHOUT
4 the possibility of parole, plus a CONSECUTIVE sentence of LIFE in the Nevada
5 Department of Corrections (NDC) WITHOUT the possibility of parole for the deadly
6 weapon enhancement,

7 COUNT 2 – to LIFE in the Nevada Department of Corrections (NDC) WITHOUT
8 the possibility of parole, plus a CONSECUTIVE sentence of LIFE in the Nevada
9 Department of Corrections (NDC) WITHOUT the possibility of parole for the deadly
10 weapon enhancement; CONSECUTIVE to COUNT 1;

11 COUNT 3 – to LIFE in the Nevada Department of Corrections (NDC); with parole
12 eligibility beginning after a MINIMUM of TEN (10) YEARS has been served; plus a
13 CONSECUTIVE sentence of LIFE in the Nevada Department of Corrections (NDC); with
14 parole eligibility beginning after a MINIMUM of TEN (10) YEARS has been served for
15 the deadly weapon enhancement; CONSECUTIVE to COUNT 2; with THREE
16 THOUSAND TWO HUNDRED SEVENTY-EIGHT (3,278) DAYS credit for time served.

17 DATED this 20th day of September, 2019.

18
19
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21 slr


DOUGLAS W. HERNDON
DISTRICT JUDGE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 03, 2011

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

January 03, 2011 9:00 AM Initial Arraignment

HEARD BY: De La Garza, Melisa

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Tia Everett
 Anntoinette Naumec-Miller

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Daskas, Robert J	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Spanish Interpreter Carlos Calvo present.

Counsel advised the Deft. will be entering a Not Guilty plea and requested matter be set in Department VII based on the charges. COURT ORDERED, matter CONTINUED and set for Status Check.

CUSTODY

01/12/11 8:45 AM ARRAIGNMENT CONTINUED...STATUS CHECK: TRIAL SETTING (DEPT 7)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 12, 2011

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

January 12, 2011 8:45 AM All Pending Motions

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tina Hurd

RECORDER: Patti Slattery

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, DDA, present for the State of Nevada.
 - Scott Coffee, DPD, present with Deft. Ramos.
 - Hector Vazquez-Mena, Court Interpreter, present assisting Deft.
- ARRAIGNMENT CONTINUED...STATUS CHECK: TRIAL SETTING (MURDER)

DEFT. RAMOS ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. Mr. Daskas advised this case was approved for the death penalty and the State will be filing the notice. Mr. Coffee advised this is a cold hit case from about ten years ago and some investigation will need to be done in Mexico. Colloquy regarding a trial date. COURT ORDERED, matter set for trial.

CUSTODY

11-2-11 8:45 AM CALENDAR CALL

11-7-11 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 09, 2011

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

February 09, 2011 8:45 AM Motion

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tina Hurd
 Tiffany Lawrence

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, DDA, and Pamela Weckerly, DDA, present for State of Nevada. Scott Coffee, DPD, present with Defendant. Also present, Spanish interpreter Caridad Pfeiffer. Court advised counsel she has occasional social interaction with one of the witnesses but she does not believe it would be an issue; Counsel advised they had no issue with the disclosure. State argued that the incorrect standard was used by the Justice Court Judge in regards to the level of evidence required. Court advised besides the pathologist's inability to provide any pathology, the Court is concerned with the statute of limitation issue. Colloquy regarding permissibility of filing an Amended Information via Affidavit. Mr. Coffee argued an egregious error is required to permit a filing of the Amended Information by Affidavit. Further arguments by counsel. COURT ORDERED, Motion GRANTED. Mr. Coffee requested a stay to take the matter to the Supreme Court. COURT ORDERED, STAY GRANTED, however, the trial date STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 02, 2011

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

November 02, 2011 8:45 AM

All Pending Motions

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15C

COURT CLERK: Susan Botzenhart

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Coffee, Scott L	Attorney
	Public Defender	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Deft. present with the assistance from Certified Spanish Court Interpreter, Caridad Pfeiffer.

DEFT'S MOTION TO CONTINUE TRIAL DATE...CALENDAR CALL

Arguments by Mr. Coffee in support of trial continuance. Mr. Coffee advised documents were received from the federal government, which have not been fully reviewed. Following colloquy, COURT ORDERED, Deft's Motion GRANTED; trial date VACATED; matter SET for status check.

CUSTODY

11/09/11 8:45 A.M. STATUS CHECK: RESET TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 09, 2011

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

November 09, 2011 8:45 AM

**Status Check: Reset Trial
Date**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tiffany Lawrence

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Pamela Weckerly, DDA, and Robert Daskas, DDA, present for State of Nevada. Brad Coffee, DPD, present with Defendant. Colloquy regarding the need for a continuance to next October. COURT ORDERED, trial CONTINUED; Court noted that absent some extraordinary circumstance the trial would proceed as rescheduled.

CUSTODY

10/10/12 8:45 AM - CALENDAR CALL

10/15/12 9:30 AM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 11, 2012

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

July 11, 2012 8:45 AM Motion to Dismiss

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tina Hurd

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pamela Weckerly, DDA, present for the State of Nevada.
- Scott Coffee, DPD, and Abel Yanez, DPD, present with Deft. Gustavo Ramos.
Ms. Weckerly advised the State did not receive the motion. Mr. Coffee advised it was just filed and the State needs time to respond. Ms. Weckerly requested two weeks. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 7-27-12 8:45 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 27, 2012

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

July 27, 2012 8:45 AM Motion to Dismiss

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 15C

COURT CLERK: Tina Hurd
 Shelly Landwehr
 Noelle Peguese

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Coffee, Scott L	Attorney
	Daskas, Robert J	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Jeff Hanks, Interpreter, present.

Mr. Coffee argued regarding Count 4 not fitting within the statute. Arguments regarding time limits and qualifications for the exception. Mr. Coffee argued regarding the statute and specifically with respect to a person with authority filing a report. Mr. Coffee stated the neighbor did not have the authority; additionally, the report filed indicated the neighbor saw the body there. Further arguments by Mr. Coffee regarding the definition of person having authority. Court stated the victim died and wasn't capable of doing a written report, but there was a report.

Mr. Daskus argued the victim would have had to anticipate she was going to be raped and killed to give authorization to her son or friend. Mr. Daskus argued regarding the purpose of the statute and intent regarding a Defendant not being required to defend himself against rape allegations that

surface years after the fact.

Court stated it is not sure if Count 4 falls under the statutory exception and the State didn't address that. Mr. Daskus argued this is a factual determination for the jury. In addition, the statute that removes the time bar doesn't define sexual assault. Following further arguments by counsel, Court stated there was a written report, under the circumstances the fact that police filed a written report seems more reliable than other circumstances. It is within what is contemplated by the statute. COURT ORDERED, motion DENIED as to Count 3 and GRANTED as to Count 4 of the Amended Indictment.

Colloquy regarding Nevada Supreme Court. FURTHER ORDERED, CASE STAYED 90 DAYS. Trial VACATED and SET for status check.

CUSTODY

11/05/12 09:00 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 05, 2012

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

November 05, 2012 9:00 AM Status Check: Trial Setting

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Defendant Ramos, present in custody, with Scott Coffee, Deputy Public Defender.
Spanish Interpreter Manuel Calvillo present.

Mr. Coffee advised this is a capital case and his co-counsel is on his honeymoon. Mr. Coffee requested a trial setting in the middle of September and advised the Defendant understands why the trial needs to be set so far out and has been working with his mitigation specialist. There being no opposition by the State, COURT ORDERED, trial date SET.

CUSTODY

10/16/13 9:00 AM CALENDAR CALL

10/21/13 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 26, 2012

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

November 26, 2012 9:00 AM Motion to Quash

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Robert Daskas, Deputy District Attorney, present for the State of Nevada.
Defendant Ramos, present in custody, with Monica Trujillo, Deputy Public Defender.
Spanish Interpreter Jeffrey Hanks present.
Officer Denise McKay of Parole and Probation (P & P) present.

State advised it spoke to the Attorney General and advised they have no problem releasing the records. Officer McKay advised she has the records with her. COURT ORDERED, Records to be PRODUCED. Officer McKay provided the State and Ms. Trujillo with copies of the records in open court. COURT FURTHER ORDERED, Matter OFF CALENDAR.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 24, 2013

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

July 24, 2013 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea
 Tia Everett

RECORDER: Jill Hawkins

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pam Weckerly and Robert Daskas, Deputy District Attorneys present on behalf of the State. Defendant not present in custody and represented by Scott Coffee, Deputy Public Defender.

Upon Court's inquiry, Mr. Coffee advised he does not anticipate being ready for the October trial date as co-counsel in this case Mr. Yanez has left the office; however, there is the possibility of a Mexican litigation group to provide finding which will allow Mr. Yanez to remain on the case, although that has not occurred at this point. Further, Mr. Coffee requested the trial date be vacated and a status check be set. Ms. Weckerly advised she would prefer the calendar call and trial date stand for now at which time parties should have a better idea of trial readiness. Court advised parties of her trial scheduling issues and ORDERED, trial date STANDS at this time.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 16, 2013

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

October 16, 2013 9:00 AM Calendar Call

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Tia Everett

RECORDER: Jill Hawkins

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pam Weckerly, Deputy District Attorney, present on behalf of the State. Defendant present in custody with Spanish Court Interpreter, Manuel Calvillo and represented by Scott Coffee, Deputy Public Defender.

Upon Court's inquiry, Mr. Coffee advised the investigation in Mexico is going well, and it appears the funds will be provided for Mr. Yanez to remain on the case at this time; however, another deputy may need to be assigned to the case as he is not certain if the funding will have the funding for Mr. Yanez to participate in the trial. Colloquy regarding trial scheduling. COURT ORDERED, trial date VACATED and RESET.

7/14/2014 9:00 AM STATUS CHECK (PRE TRIAL)

7/31/2014 9:00 AM CALENDAR CALL

8/04/2014 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2014

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

**May 14, 2014 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dania Batiste

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Burton, Chris	Attorney
	Coffee, Scott L	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Appearances Continued: Spanish Interpreter, Marcella Valle.

Mr. Coffee advised the Court that he informed Defendant as to the conflict with one of the witnesses; hence the instant Motion. Statement by Defendant.

COURT ORDERED, Motion is CONTINUED; counsel to provide an Affidavit under seal to the Court, and explain why the conflict did not become known earlier. COURT FURTHER ORDERED, matter SET for confirmation of counsel.

CUSTODY

5/21/2014 9:00 am Confirmation of Counsel (D. Christensen)...Public Defender's
Motion to Withdraw

CLERK'S NOTE: Mr. Christensen notified via e-mail of the next hearing./db 5.14.2014

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 21, 2014

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

May 21, 2014

9:00 AM

All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- PUBLIC DEFENDER'S MOTION TO WITHDRAW...CONFIRMATION OF COUNSEL (D. CHRISTENSEN)

Also present: Scott Coffee, Deputy Public Defender; Maria Peralta de Gomez, Spanish interpreter.

Court advised it has reviewed the declaration submitted under seal, and ORDERED, Public Defender's motion to withdraw GRANTED as appropriate. Ms. Maningo and Mr. Yanez CONFIRMED as counsel for Deft. Court noted Ms. Maningo will be first chair and Mr. Yanez second chair. Colloquy regarding resetting trial. Mr. Yanez advised he has spoken with Deft who is aware of the need for a continuance. COURT ORDERED, trial VACATED and RESET on March 16, 2015.

CUSTODY

2-9-15

9:00 AM

STATUS CHECK: TRIAL READINESS

PRINT DATE: 10/08/2019

Page 15 of 85

Minutes Date: January 03, 2011

3-11-15	9:00 AM	CALENDAR CALL
3-16-15	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 09, 2015**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

February 09, 2015 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea
Shelley Boyle

RECORDER: Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Daskas, Robert J	Attorney
	Keeler, Brett O.	Attorney
	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Spanish Interpreter H. Vazquez-Mena also present.

Upon Court's inquiry Ms. Maningo advised that due to the length of time it took to receive the file from the Public Defender's Office and the amount of evidence received along with the complicated nature of the case, she is not ready. Ms. Maningo stated she understands the State is ready, that she expects the trial to take 2 to 3 weeks to complete and the Deft. understands more time is required to prepare his case. Colloquy regarding trial date. There being no objections from the State, COURT ORDERED, Calendar Call and Trial Date VACATED and RESET.

CUSTODY

02/17/16 9:00 A.M. STATUS CHECK: TRIAL READINESS

PRINT DATE: 10/08/2019

Page 17 of 85

Minutes Date: January 03, 2011

03/09/16 9:00 A.M. CALENDAR CALL

03/14/16 JURY TRIAL 1:00 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 17, 2016**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

February 17, 2016 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Deft assisted by Spanish interpreter Maria Peralta de Gomez.

Ms. Maningo advised they are progressing but will not be ready for trial on March 14; she intended to file a motion but waited to raise the issue until coming before the Court today; she can put the issues they have been working on in writing if the Court prefers. Ms. Weckerly noted some discovery issues are not really disputed given that this is a cold case and it is hard to find some of the documentation; the State does not oppose moving the trial date. Ms. Maningo added that there are actually two cases and two crime scenes, numerous analysts, both DNA and fingerprint, and numerous reports, which she believes about 18 have been generated on forensic things alone; she wanted to try for the September stack but that is the Court's civil stack. Following further discussion on resetting trial, COURT ORDERED, trial VACATED and RESET to January 17, 2017.

CUSTODY

12-12-16 9:00 AM STATUS CHECK: TRIAL READINESS

PRINT DATE: 10/08/2019

Page 19 of 85

Minutes Date: January 03, 2011

C-10-269839-1

1-11-17	9:00 AM	CALENDAR CALL
1-17-17	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 07, 2016

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

November 07, 2016 9:00 AM Motion to Compel

HEARD BY: Becker, Nancy

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Deft assisted by Spanish Interpreter Magdalena Becerra.

Court noted the State has not filed an Opposition. Ms. Weckerly advised there was a slight clerical error on her end and that the Defense has agreed to give her one week to respond. COURT ORDERED, motion CONTINUED for 2 weeks. Court further noted that in the motion there were some things that are discoverable but there were also some areas that were a little broad.

CUSTODY

11-21-16 9:00 AM DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF
FAVORABLE INFORMATION

12-12-16 9:00 AM STATUS CHECK: TRIAL READINESS

C-10-269839-1

1-11-17	9:00 AM	CALENDAR CALL
1-17-17	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 21, 2016

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

November 21, 2016 9:00 AM Motion to Compel

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Phyllis Irby

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Interpreter Mr. Pico is present on behalf of Deft. Ms. Weckerly informed the Court regarding Metro's lab data and all reports have been provided in terms of DNA and fingerprints. The State has made a request to the Siri lab because Metro doesn't have copies of their underlying data to provide to defense counsel, haven't gotten a response as of yet.

Mr. Coyer advised there had been correspondence in some of the Discovery received that the lab had sent to Metro the report from the Siri lab but we don't have that. The State did provide a disc today which we will review and address at the status check.

COURT ORDERED, the review of any personnel issues any information be provided to the Court for in-camera review prior to being released to defense counsel.

The request for NCIC information the State does not have to provide that, however, they do have to show defense counsel the information so that they can do their own evaluation, with respect to everything else; its GRANTED except for any notes taken by investigating police officers that reflect discussions with counsel.

C-10-269839-1

CUSTODY

12-12-16 9:00 AM STATUS CHECK: TRIAL READINESS (DEPT. XI)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 12, 2016**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

December 12, 2016 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Dulce Romea**RECORDER:** Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Di Giacomo, Marc P.	Attorney
	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Deft assisted by Spanish interpreter Irma Sanchez.

Court noted timely filed motion to declare Deft intellectually disabled and that the statute requires an evidentiary hearing be set. Mr. DiGiacomo advised this case is assigned to Deputy District Attorney Pam Weckerly, who left notes; they need the underlying data for the expert, and before an evidentiary hearing is set it is their request to set a status check for receipt of the underlying data. CONFERENCE AT BENCH. COURT DIRECTED Mr. DiGiacomo to note in the State's file that Ms. Weckerly is to DRAFT an order, similar to the one drafted by Deputy District Attorney Michelle Fleck in State vs. Eric Covington, to protect all in the disclosure of confidential and proprietary information by the neuropsychs so that information can be delivered to the State. Because the State will then have to retain an expert and obtain an examination of the Deft, the State will also have to SUBMIT an order for a contact visit. Once the State has its own expert the Court will sign the orders in order to expedite the process. Calendar Call and Jury Trial VACATED given the pending motion.

As for discovery, Mr. DiGiacomo advised that this morning a disc was provided to Ms. Maningo but he is not sure what it contains; the Defense had asked for some sort of documentation related to Jack Siegel's interview, i.e. the transcript and audio; that has been researched, and it is his understanding that conversation was not been recorded or transcribed; with regards to the underlying data from Siri, apparently the OAC got a check that has now been cleared from Siri, so they are expecting the underlying data for the DNA to come in shortly and it will be provided to the Defense when available. Ms. Maningo stated that Jack Siegel is the son of one of the victims in this case and was also a suspect; he gave a recorded statement on the night of the incident and came back to the detectives; this was referenced in the report; they have been asking for that statement; they were told that there is no recorded statement, but in addition to the recorded statement, Mr. Siegel turned over a stack of documents, giving detectives evidence as to why he was framed for this case; she is assuming that those documents are no longer available; the last thing would be an evidence vault review; however, Ms. Weckerly believes it has not been impounded; with regards to forensic evidence, she did confirm with the OAC that a check for \$300 has been given, and they will be given the remaining DNA evidence; she also subpoenaed fingerprint evidence; this was turned over a while ago, but as it turns out they received an edited copy of the photo, so she subpoenaed the original; she received a response from the Metro lab saying that an order from the Court is needed because it is an original photograph, which they consider releasing original evidence. Mr. DiGiacomo stated that perhaps Ms. Weckerly can check with the lab; if it is a reprint of the photo the State can stipulate to that, but if it is the actual photograph the Defense can do a motion. Ms. Maningo responded that it was detailed in her subpoena; however, Metro's letter is very specific regarding original photographs. COURT DIRECTED counsel to FILE a motion but send the proposed order to Ms. Weckerly to see if the latter will stipulate to it. Ms. Maningo stated that she was going to send it ex parte but will send the proposed order to Ms. Weckerly today.

CUSTODY

1-9-17 9:00 AM STATUS CHECK: SCHEDULING EVIDENTIARY
 HEARING...DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY
 DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO N.R.S. 174.098...

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2017

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

January 09, 2017 9:00 AM All Pending Motions

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT: Maningo, Ivette A. Attorney
 Ramos, Gustavo Defendant
 State of Nevada Plaintiff
 Weckerly, Pamela C Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLED AND
REQUEST FOR EVIDENTIARY HEARING PURSUANT TO N.R.S. 174.098 STATUS CHECK:
SCHEDULING EVIDENTIARY HEARING

Defendant Ramos PRESENT in custody.

Ms. Weckerly requested a status check setting in March before the Evidentiary Hearing goes forward.
COURT ORDERED, Matters CONTINUED and Status Check SET.

CUSTODY

CONTINUED TO: 3/13/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 13, 2017

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

March 13, 2017 9:00 AM All Pending Motions

HEARD BY: Hardcastle, Kathy **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT: Maningo, Ivette A. Attorney
 Ramos, Gustavo Defendant
 State of Nevada Plaintiff
 Weckerly, Pamela C Attorney
 Yanez, Abel M. Attorney

JOURNAL ENTRIES

- STATUS CHECK: SCHEDULING EVIDENTIARY HEARING...DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLE AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO NRS 174.098

Ms. Weckerly advised a Atkins Motion has been filed and the materials were received a week ago. Defendant has filed a motion regarding testing; request motion be continued. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 3/20/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 27, 2017

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

March 27, 2017 9:00 AM All Pending Motions

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- DEFENDANTS MOTION FOR RULING ON THE APPLICABLE STANDARD FOR DETERMINING WHETHER DEFENDANT IS INTELLECTUALLY DISABLED IN LIGHT OF HALL V. FLORIDA... DEFENDANTS MOTION TO DECLARE NRS 174.098(4) UNCONSTITUTIONAL... DEFENDANTS MOTION FOR RULING ON THE SCOPE AND CONDITIONS OF THE INTELLECTUAL DISABILITY EVALUATION BY THE STATES EXPERT... DEFENDANT'S MOTION TO DECLARE DEFENDANT INTELLECTUALLY DISABLED AND REQUEST FOR EVIDENTIARY HEARING PURSUANT TO N.R.S. 174.098... STATUS CHECK: SCHEDULING EVIDENTIARY HEARING

Defendant Ramos PRESENT in custody. Interpreter, Maria Peters present.

DEFENDANTS MOTION TO DECLARE NRS 174.098(4) UNCONSTITUTIONAL:
COURT ORDERED, Motion DENIED; as far as being facially unconstitutional because the Court believes that it can be interpreted in such a ways as to preserve the Defendant's rights under the

constitution. The Court will require the State to notify the defense five days before the hearing of the type of test which have been administered.

DEFENDANTS MOTION FOR RULING ON THE APPLICABLE STANDARD FOR DETERMINING WHETHER DEFENDANT IS INTELLECTUALLY DISABLED IN LIGHT OF HALL V. FLORIDA: Mr. Yanaz advised there is no opposition to 1, 3, 6, 7 and 8. As to remaining RULING DEFERRED until after the IDD hearing.

DEFENDANTS MOTION FOR RULING ON THE SCOPE AND CONDITIONS OF THE INTELLECTUAL DISABILITY EVALUATION BY THE STATES EXPERT:

Mr. Yanaz advised there is no opposition to 1, 2, and 4 and the Court previously rule on 3 on the constitutionality of 174.098(4) and that the Court would allow. COURT ORDERED, as to number 5 the evaluation be VIDEOTAPED the State five (5) days before the exam either demonstrate or describe to the defense how it will be done.

Mr. Yanaz to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 31, 2017**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

May 31, 2017 9:00 AM Status Check

HEARD BY: Cory, Kenneth **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker
Cassidy Wagner

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Defendant Ramos PRESENT in Custody. Interpreter Calvo also present.

Ms. Weckerly advised the matter is on for status check on a Atkins Hearing. Ms. Weckerly further advised defense counsel has moved to strike the notice of intent to seek the death penalty claiming the defendant is not legally eligible for the death penalty because of an Atkins claim. The defense had their expert exam him, the State arraigned to have him examined. Mr. Yanaz and Ms. Maningo filed a motion discussing certain parameters of the testing and one of the issues was they wanted to be notified of the tests the State's expert was going to administer prior to the testing taking place. The State has given them notice of the testing and defense is objecting to some of the tests. We are now back before the Court to ask the Court how it wants the disagreement handled. Mr. Yanaz advised there are four tests they have been informed that the State's expert wants to administer and after consulting with their expert they have objections. Mr. Yanaz advised they can argued the issue now or submit something in writing. Court STATED it would prefer something in writing for the Court to review the authorities. Defense brief to be submitted by June 21, 2017 and State's opposition due July

C-10-269839-1

5, 2017. COURT ORDERED, Matter CONTINUED.

CUSTODY

CONTINUED TO: 7/19/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 19, 2017**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

July 19, 2017 10:00 AM Status Check

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Deborah Miller**RECORDER:** Sara Richardson**REPORTER:****PARTIES**

PRESENT:	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Court stated mailer is on for Atkins hearing, however, was set in this department due to the homicide caseload transfer. Pursuant to EDCR 1.30 and 1.31 this court ORDERS the case reassigned to Department 9. Upon Court s inquiry, Ms. Weckerly still needs to file a response to a recent pleading. COURT ORDERED, Briefing Schedule SET as follows: State to file opposition on or before July 26, 2017, defense to file a reply on or before August 2, 2017, matter SET for Status Check. Upon Court s further inquiry, Ms. Weckerly stated there are no offers at this time, noting death notice has been filed.

CUSTODY

8/15/17 9:00 AM STATUS CHECK: TRIAL SETTING/ ATKINS HEARING (DEPT. 9)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 15, 2017

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

August 15, 2017 9:00 AM Status Check

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Also present: Spanish Interpreter Jeff Hanks.

Court noted it needs to review the transcript, motion, and order. Upon Court's inquiry, Mr. Yanez advised the transcript hearing date is 3/27/17 and provided the Court with a copy. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 8/29/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 29, 2017

C-10-269839-1	State of Nevada
	vs
	Gustavo Ramos

August 29, 2017 9:00 AM Status Check

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- State advised the Defense filed several motions with respect to testing and Judge Cory ruled the Defense can be present at the time of testing, however; the Defense had an opposition that the order did not address. Mr. Yanez argued that the testing must be subject to certain medical standards and be related to the issue of intellectual disability. Further arguments by counsel. COURT noted it agrees with the State's position and ORDERED, motion DENIED; State to prepare the order and submit to opposing counsel as to form and content. Upon Court's inquiry, Mr. Yanez advised they will request a stay if necessary at a later date. COURT ORDERED, matter SET for status check.

CUSTODY

10/5/17 9:00 AM STATUS CHECK: STATE'S EXPERT EVALUATION / STATUS CHECK: SET
ATKINS HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 19, 2017

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

September 19, 2017 9:00 AM Motion

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Mr. Yanez advised Ms. Maningo is stuck out of town and two attorneys are required for death penalty cases. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 9/26/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 26, 2017

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

September 26, 2017 9:00 AM Motion

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT:	Maningo, Lance A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Court made a record off all documents reviewed. Counsel submitted. COURT STATED its FINDINGS and ORDERED, motion DENIED; State to prepare the order and submit to opposing counsel as to form and content. Colloquy regarding trial date. State advised their expert planned on coming down at the end of October. Court requested the appointment be rescheduled to November to allow the Defense time to request a stay from the Supreme Court. COURT FURTHER ORDERED, status check set for 10/5/17 VACATED and RESET.

CUSTODY

10/12/17 9:00 AM STATUS CHECK: SET ATKINS HEARING / RESET TRIAL DATE & STATUS CHECK: STATE'S EXPERT EVALUATION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 12, 2017

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

October 12, 2017 9:00 AM All Pending Motions

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: SET ATKINS HEARING / RESET TRIAL ... STATUS CHECK: STATE'S EXPERT EVALUATION

State advised their expert is available 11/1/17 and 11/3/17 and requested the evaluation be done on one of those two dates. Mr. Yanez advised they received the transcripts a few years ago and they are finalizing their writ. Further, Mr. Yanez requested the evaluation be pushed out to allow the Supreme Court to make a decision on the writ. State advised it does not believe the evaluation needs to be pushed out, noting it believes the Supreme Court will make a decision quickly. COURT ORDERED, matter SET for status check; counsel is to consult with their expert and get two additional dates of availability the Defense will have to choose from.

CUSTODY

10/19/17 9:00 AM STATUS CHECK: EXPERT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 19, 2017

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

October 19, 2017 9:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Mr. Yanez advised the State's experts will be meeting with the Defendant on December 6th and 7th.
COURT ORDERED, matter SET for status check.

CUSTODY

1/16/18 9:00 AM STATUS CHECK: REPORT / SET ATKINS HEARING / SET TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 16, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

January 16, 2018 9:00 AM Status Check

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- State advised Dr. Mahaffey's report should be done by the end of the month. Ms. Maningo concurred. COURT ORDERED, matter CONTINUED, noting it will set the hearing when the report has been completed.

CUSTODY

CONTINUED TO: 2/6/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 06, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

February 06, 2018 9:00 AM Status Check

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- CONFERENCE AT THE BENCH. Colloquy regarding schedule. COURT ORDERED, matter SET for Atkins Hearing.

CUSTODY

4/16/18 11:30 AM ATKINS HEARING

4/18/18 9:30 AM CONTINUED ATKINS HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 27, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

March 27, 2018 9:00 AM Motion

HEARD BY: Barker, David **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Jones, Jr., John T.	Attorney
	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Also present: Spanish Interpreter Magdalena Becerra.

Upon Court's inquiry, Mr. Yanez advised there will be no additional tax payer impact. COURT ORDERED, motion GRANTED. Mr. Yanez advised they may need to move the Atkins hearing and requested a status check be SET to discuss scheduling. COURT SO ORDERED.

CUSTODY

4/3/18 9:00 AM STATUS CHECK: ATKINS HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 03, 2018**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

April 03, 2018 9:00 AM Status Check

HEARD BY: Togliatti, Jennifer**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Athena Trujillo**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Also present: Spanish Interpreter Maria Peralta de Gomez.

Ms. Maningo advised the State had their expert evaluate the Defendant and they have requested a translator interpret the evaluation, however, the translator will need 60 days. Further, Ms. Maningo advised a private translator has requested \$10,000.00 and she does not believe the Office of Indigent Defense will approve it. State advised it is willing to move forward without the translation. Upon Court's inquiry, Ms. Maningo advised she believes the transcript will be ready by 5/30/18. COURT ORDERED, status check CONTINUED; Atkins Hearing VACATED and RESET.

CUSTODY

4/17/18 9:00 AM STATUS CHECK: ATKINS HEARING

6/8/18 10:30 AM ATKINS HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 17, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

April 17, 2018 9:00 AM Status Check

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Colloquy regarding expert testimony. COURT ORDERED, matter SET for Atkins Hearing, noting the Atkins Hearing set for 6/8/18 STANDS.

CUSTODY

6/1/18 10:30 AM ATKINS HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 24, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

April 24, 2018

3:00 AM

Minute Order

HEARD BY: Togliatti, Jennifer

COURTROOM: No Location

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- At the request of the DA due to witness unavailability, and upon agreement of the parties, the Atkins hearing scheduled for June 1st is VACATED and RESET to June 29th at 10:00 am.

CUSTODY

6/29/18 10:00 AM ATKINS HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 08, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

June 08, 2018 10:30 AM Hearing

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- CONFERENCE AT THE BENCH. Court noted counsel advised there is an agreement to waive the right to a jury trial and have the matter tried in a bench trial with conditions. COURT ORDERED, matter CONTINUED. Ms. Maningo requested the hearing date set for 6/29 remain on calendar. Court so noted.

CUSTODY

CONTINUED TO: 6/13/18 1:30 PM

THE SEALED PORTION
OF THESE MINUTES
WILL FOLLOW VIA
U.S. MAIL.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 25, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

September 25, 2018 9:00 AM Motion to Dismiss

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Also present: Spanish Interpreter Ricardo Pico.

State requested additional time to respond, noting it has been in trial. COURT ORDERED, State's Opposition DUE 10/9/18 by 4:00 pm, Defendant's Reply DUE 10/19/18 by 4:00 pm, and matter CONTINUED for argument.

CUSTODY

CONTINUED TO: 10/30/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 30, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

October 30, 2018 9:00 AM Motion to Dismiss

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED to be heard by Judge Togliatti.

CUSTODY

CONTINUED TO: 11/1/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 01, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

November 01, 2018 9:00 AM Motion to Dismiss

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Alice Jacobson

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Maningo, Lance A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Mr. Maningo argued for dismissal for the State's failure to gather evidence or destruction of evidence. Opposition by Mr. Weckerly. Argument that this case was several years old and the Defendant was caught via a CODIS hit. Court finds testimony is needed. COURT ORDERED, matter CONTINUED 11/6/18 to set an Evidentiary Hearing and secure service of subpoenas.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 06, 2018

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

November 06, 2018 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 10C

COURT CLERK: Natalie Ortega

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO DISMISS...STATUS CHECK

Spanish Interpreter, Mariella Lopez also present.

CONFERENCE AT BENCH. Ms. Wecklerly advised that Judge Togliatti instructed them to find out about witness availability, noting that anything beyond November 12th would be requested. Mr. Yanez advised he thought they may potentially bifurcate the hearing and have the police officers testify first. Further, Mr. Yanez noted that one witness lived out-of-state and it would take longer to get that person present to testify. Counsel anticipated a one hour hearing. Colloquy regarding scheduling an evidentiary hearing. COURT ORDERED, Evidentiary Hearing SET.

CUSTODY

11/29/18 11:00 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 29, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

November 29, 2018 11:00 AM Evidentiary Hearing

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Also present: Spanish Interpreters Magdalana Becerra, Alicia Herrera, and Mariella Lopez.

CONFERENCE AT THE BENCH. Ms. Maningo INVOKED the exclusionary rule. Testimony and exhibits presented. (See worksheets). Colloquy regarding evidentiary hearing. COURT ORDERED, matter SET for status check.

CUSTODY

11/30/18 11:15 AM STATUS CHECK: EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 30, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

November 30, 2018 11:15 AM Status Check

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

COURT ORDERED, matter SET for evidentiary hearing per an e-mail from counsel and matter OFF CALENDAR.

CUSTODY

12/4/18 1:30 PM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 04, 2018

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

December 04, 2018 1:30 PM Evidentiary Hearing

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: April Watkins

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Alicia Herrera, Court Interpreter, present.

Detective Ken Hardy, sworn and testified.

Colloquy. COURT ORDERED, matter SET for status check as to transcript and supplemental briefing.

CUSTODY

12/12/18 9:30 AM STATUS CHECK: TRANSCRIPT...STATUS CHECK: SUPPLEMENTAL BRIEFING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 12, 2018

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

December 12, 2018 9:00 AM All Pending Motions

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- STATUS CHECK: SUPPLEMENTAL BRIEFING ... STATUS CHECK: TRANSCRIPT

Order to Receive Transcripts on an Expedited Basis FILED IN OPEN COURT

Also present: Spanish Interpreter Jeffrey Hanks.

Court noted the transcript pool is working on the transcript and it should be completed no later than 1/9/19. COURT ORDERED, CASE REASSIGNED to District Court Department 3 and matters CONTINUED to Department 3's calendar, noting Judge Herndon agreed to take this case if this Court could not try it.

CUSTODY

CONTINUED TO: 1/9/19 9:30 AM (DEPT. 3)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2019

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

January 09, 2019

1:00 PM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Kory Schlitz

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: SUPPLEMENTAL BRIEFING... STATUS CHECK: TRANSCRIPT

Spanish Interpreter Alicia Herrera present on behalf of Defendant.

COURT ADVISED, parties had made agreements regarding the trial, that it would only be tried in Department 9, or Department 3, and since Judge Togliatti resigned, the Court ordered this case transferred to Department 3 in line with counsel's request. Mr. Yanez stated there was an Evidentiary Hearing that was based up on the Defense's Motion to Dismiss, and he was waiting on transcripts, where they could file supplemental briefs, and have additional argument. Mr. Yanez requested the Court review the JAVs. COURT ADVISED, Judge Togliatti could not rule on any motions within 60 days and inquired if counsel wished for her to make the ruling on the supplemental briefs. Mr. Weckerly stated no opinion. Mr. Yanez requested Department 3 rule on the supplemental briefing after the Court reviewed the JAVs. COURT ORDERED, status check RESET.

CUSTODY

1/23/19 9:30 A.M. STATUS CHECK: TRIAL READINESS

5/2/19 9:00 A.M. CALENDAR CALL

5/13/19 10:00 A.M. BENCH TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 23, 2019

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

**January 23, 2019 9:30 AM Status Check: Trial
Readiness**

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Kory Schlitz

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Spanish Interpreter Maria Peters present on behalf of Defendant.

Upon Court's inquiry, Ms. Weckerly confirmed all the Transcripts have been filed. Mr. Yanez requested a briefing schedule be set and the matter set for argument. COURT ORDERED, briefing schedule SET as follows: Defendant's Supplemental Motion to Dismiss shall be due on or before February 6, 2019; State's Opposition shall be due on or before February 20, 2019; Defendant's Reply shall be due on or before February 27, 2019; matter SET for argument; status check CONTINUED.

CUSTODY

3/20/19 9:30 A.M. STATUS CHECK: TRIAL READINESS... ARGUMENT RE: MOTION TO DISMISS...

5/2/19 9:00 A.M. CALENDAR CALL

5/13/19 10:00 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 20, 2019**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

March 20, 2019**9:30 AM****All Pending Motions****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Kory Schlitz**RECORDER:** Sara Richardson**REPORTER:****PARTIES**

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- HEARING RE: DEFENSE MOTION TO DISMISS... STATUS CHECK: TRIAL READINESS..

Spanish Interpreter Alicia Herrera present on behalf of Defendant.

Mr. Yanez argued in support to the Motion to Dismiss, stating based on the testimony at the Grand Jury this case has a failure to collect evidence, noting the Government never actually collected the piles of paperwork that Jack Siegle tried to provide the police officers. Mr. Yanez argued there is a reasonable probability and there is gross negligence and request the Court to dismiss this case, or an instruction indicating the documents that were not collected would have been favorable to the Defendant's case and unfavorable to the State's case. Ms. Weckerly argued the timing on this case is important, stating this crime occurred in 1998 and the meeting with Jack Siegle is 6 years later, and by that time a bloody print was located at the scene which is not a match to Jack Siegle. Ms. Weckerly requested the Defense make more of an extreme showing before requesting a dismissal or alluding to gross negligence regarding what is contained in the paperwork which to them is so important to the

Defense. Further arguments by Counsel. COURT STATED ITS FINDINGS, and ORDERED Motion to Dismiss DENIED. Mr. Yanez pointed out since the State noticed Jack Siegle as their witness, the Defense would be requesting and updated Notice of Witness, indicating what his address and phone number is. Ms. Weckerly stated she is not sure the State has an address, however she does have a phone number that she will provide to the Defense. COURT SO NOTED. Mr. Yanez explained the State recently provided the Defense with DNA testing, in which they are sending to their expert, and he does not anticipate it will delay the trial. Upon Court's inquiry, Mr. Yanez stated there has been no discussions regarding offers. Ms. Weckerly stated when parties agreed to do a bench trial, there wasn't an offer made, which was rejected. Mr. Yanez confirmed Ms. Weckerly's representations.

CUSTODY

5/2/19 9:00 A.M. CALENDAR CALL

5/13/19 10:00 A.M. BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 02, 2019

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

May 02, 2019 9:00 AM Calendar Call

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Kory Schlitz

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Spanish Interpreter Ximena Fiene present on behalf of Defendant.

COURT ADVISED they had a meeting with the attorneys and both parties agree to set the trial date on May 28, 2019, and the matter could be done in a week. Ms. Weckerly requested the Court instruct the Jury on the case law to verify he understands the waiver of a Jury trial. Ms. Weckerly indicated the State has filed a waiver, and the case is the most recent Nevada Supreme Court case which discusses certain rights. COURT ADVISED that matter will be addressed the morning of trial; and DIRECTED parties to submit Proposed Jury Instructions around the start of trial. Mr. Yanez requested an Amended Information be filed, adding after the Preliminary Hearing one of the charges was dismissed by Judge Bell. CONFERENCE AT BENCH. COURT DIRECTED the State to file a Second Amended Information. COURT ORDERED, trial date RESET.

CUSTODY

PRINT DATE: 10/08/2019

Page 66 of 85

Minutes Date: January 03, 2011

5/28/19 10:30 A.M. BENCH TRIAL - FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 28, 2019

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

May 28, 2019

9:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Kory Schlitz

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- BENCH TRIAL - FIRM... STATE S NOTICE OF MOTION AND MOTION TO ADMIT PRIOR PRELIMINARY HEARING TESTIMONY OF JERRY AUTREY... DEFENDANT'S MOTION IN LIMINE TO PRECLUDE EXPERT WITNESS TESTIMONY OF J VACCARO... DEFENDANT S MOTION TO SUPPRESS...

Stipulation and Order Waiving Defendant's Right to Trial by Jury and Penalty Hearing by Jury FILED IN OPEN COURT...

Spanish Interpreter Elsa Marsico and Alicia Herrera present on behalf of Defendant.

COURT STATED there was a Stipulation and Order waiving the right to a trial by jury and penalty hearing by jury, which was signed by all parties; adding the State raised to the Court regarding the Slaughter case, and a new waiver was prepared, and has since been signed by all parties. Mr. Yanez

indicated he met with the Defendant yesterday and read it line by line to the Defendant who signed it. Upon Court's inquiry, Defendant confirmed he wishes to move forward in this case as a non-jury trial. COURT ORDERED, Motion to Suppress CONTINUED.

Ms. Weckerly argued in support of the Motion to Admit Prior Preliminary Hearing Testimony, stating Crime Scene Analysis Jerry Autrey testified at the Preliminary Hearing, and Mr. Yanez was one of the Attorney's on behalf of Defendant, and Mr. Autrey could have been subjected to cross examination, pursuant to Statute and the Defense having the opportunity to cross examine the witness, and Mr. Autrey as since died, the State is seeking to admit the Preliminary Hearing testimony. Mr. Yanez confirmed he was at the Preliminary Hearing, however did not ask a single question, and the Court has to find there was an adequate opportunity for cross examination. Mr. Yanez argued it is the State's burden to show the Defense had sufficient Discovery at the time of the hearing to effectively and adequately cross examine Mr. Autrey. Upon Court's inquiry, Ms. Maningo confirmed the Defense is not contesting Mr. Autrey is deceased. COURT STATED ITS FINDINGS, and ORDERED, Motion to Admit Prior Hearing Testimony of Jerry Autrey GRANTED; COURT FINDS the witness is unavailable, adding the history of the case shows there was an ample opportunity to question, and an effective performance in question My. Autrey.

Ms. Maningo argued in support of the Motion to Preclude Expert Witness Testimony of Mr. Vaccaro, stating he will be testifying, even though he was not assigned as the Detective to the case, and the State noticed him as an expert to the crime scene. Ms. Weckerly informed the Court, the State is not going to call Mr. Vaccaro as an expert. COURT ORDERED, Defendant's Motion to Preclude Expert Witness Testimony GRANTED.

Mr. Pesci indicated there was a Trial Brief that was filed without specificity as to what it entails, and the State is having difficulty responding since they do not know exactly what the Defense is seeking to admit. COURT STATED, these documents are normally filed in civil cases to bring to the Court's attention as to what may arise. EXCLUSIONARY ROLE INVOKED.

Opening Statement by Ms. Weckerly, and Ms. Maningo. Testimony and Exhibits presented. (See Worksheets).

Court recessed for the evening and ORDERED matter CONTINUED.

CUSTODY

5/29/19 11:00 A.M. DEFENDANT'S MOTION TO SUPPRESS... BENCH TRIAL: FIRM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 29, 2019

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

May 29, 2019

11:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Kory Schlitz

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- BENCH TRIAL - FIRM... DEFENDANT'S MOTION TO SUPPRESS...

Spanish Interpreters Ximena Chica and Elsa Marisco present on behalf of Defendant.

COURT STATED parties are in agreement no witnesses need to be called for the Motion, and parties agree the Defendant was Mirandized and a statement was given two hours later. Upon Court's inquiry, Ms. Weckerly confirmed the Detective who Mirandized the Defendant is the same one who completed his statement, adding there was no immediate interview after being Mirandized. Mr. Yanez argued in support of the Motion to Suppress, stating there was a two hour interval from the Miranda Rights to actually being questioned, adding an additional hour from when the Defendant was originally picked up and detained, arguing that is an unreasonable amount of time and requested the Court suppress the statement in its entirety. Mr. Yanez further argued if the Court was not inclined to strike the statement altogether, the Defense request would be to strike the statement

after page 19. Ms. Weckerly argued against the Motion, stating the Nevada Supreme Court discussed a lapse of time between the issuance of a Miranda warning and the questioning at length in *Kroger v. State*, where different time intervals were discussed and deemed not unreasonable. Ms. Weckerly further argued it is the State's perspective this was a properly taken statement. COURT STATED ITS FINDINGS, and ORDERED, Motion to Suppress DENIED. COURT FURTHER STATED the State is going to exclude the Statement from the bottom of page 19 and thereafter.

Testimony and Exhibits presented. (See Worksheets).

***Louisa Garcia, Court Clerk, present at 4:50 p.m.

Testimony Continued. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO 5/30/19 11:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 30, 2019**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

May 30, 2019 11:00 AM Bench Trial - FIRM

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Kory Schlitz**RECORDER:** Jill Jacoby**REPORTER:****PARTIES**

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Spanish Interpreter Norma Caucas and Elsa Marsico present on behalf of Defendant.

Testimony present.

Mr. Pesci informed the Court he contacted David Johnson, who is the fingerprint expert that will be testifying, and he revealed there was an AFIS hit, for a Joseph E. Guy was identified on the exterior north door of room 212, which is Helen Sabra's room. Mr. Pesci stated the print was referenced in the report, however was not searched in 2010, adding AFIS's capacity with processing palm prints has been improved with time and when pre-trialing Mr. Johnson the State asked if there were any prints that were not processed, and Mr. Johnson said yes, and the State asked them to run them. Mr. Pesci informed the Court, he reached out to homicide Detective and there is an individual by the name of Joseph E. Guy who appears to be in the Discovery, on the list of former employee. Mr. Pesci stated he ran the name and there was no hits in District Court, however there was a list of cases in Justice

Court, and he has provided that information to Defense counsel, which includes a date of birth, and the State believes Joseph E. Guy is a former employee. Ms. Maningo requested the State not call their fingerprint expert today, adding the State pretrialled the expert two to three weeks ago. COURT SO NOTED.

Testimony and Exhibits presented. (See Worksheets). COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 5/31/19 10:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 31, 2019**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

May 31, 2019 10:00 AM Bench Trial - FIRM

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Kory Schlitz**RECORDER:** Jill Jacoby**REPORTER:****PARTIES**

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Spanish Interpreter Elsa Marisco, Norma Caucas and Rafael Leal present on behalf of Defendant.

Colloquy regarding scheduling of Defense Experts. Testimony and Exhibits presented. (See Worksheets).

Ms. Weckerly informed the Court, the Defense noticed Diana Faugno as an expert and is present in the Courtroom. Ms. Weckerly pointed out to date, the State has not received a single piece of reciprocal Discovery from this expert, and requested the Court direct the expert for when she returns to bring her entire file. Upon Court's inquiry, Mr. Yanez confirmed the expert did not complete a report and there are no additional documents other than what has been produced during Discovery. Upon Court's inquiry, Ms. Faugno confirmed she would bring her entire file when she returns to testify.

Testimony and Exhibits continued. (See Worksheets).

COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 6/10/19 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 10, 2019**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

June 10, 2019 10:00 AM Bench Trial - FIRM

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Kory Schlitz**RECORDER:** Sandra Pruchnic**REPORTER:****PARTIES**

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Spanish Interpreters Soledad Garcia and.. present on behalf of Defendant.

Colloquy regarding trial scheduling. Mr. Yanez informed the Court the Defense was still working on the fingerprint situation. Ms. Maningo requested the exclusionary rule be invoked. EXCLUSIONARY RULE INVOKED. Ms. Maningo objected to the record Mr. Pesci wanted to make in open Court with regards to Ms. Siegel. Mr. Pesci informed the Court, the Victim Advocate informed the State they were contacted by Ms. Siegel who informed them she was having memory problems, and was having difficulty with her testimony since she had a stroke and the State has already informed the Defense of this information. Upon Court's inquiry, Mr. Pesci confirmed he does not wish to recall the witness. Ms. Maningo stated she does not anticipate recalling Ms. Siegel as a witness.

Testimony and Exhibits presented. (See Worksheets).

Colloquy regarding scheduling, and Jury Instructions. COURT ORDERED, status check SET.

CUSTODY

6/12/19 9:30 A.M. STATUS CHECK: BENCH TRIAL SCHEDULING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 12, 2019**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

June 12, 2019**9:30 AM****Status Check****Status Check: Bench
Trial Scheduling****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Kory Schlitz**RECORDER:** Sandra Pruchnic**REPORTER:****PARTIES**

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- CONFERENCE AT BENCH. Court noted for the record, the interpreter is not present, and parties are not doing anything substantive, only getting an update on when the trial could continue. COURT STATED their understanding is parties are not able to move forward on Thursday, and ORDERED trial continued to July 1, 2017. COURT DIRECTED Mr. Maningo to translate the information to the Defendant.

CUSTODY

7/1/19 9:00 A.M. BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 01, 2019

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

July 01, 2019 9:00 AM Bench Trial - FIRM

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Susan Botzenhart

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- Defendant present in custody with assistance from Certified Spanish Court Interpreters, Alex Avants, Irma Patty Sanchez-Gastelum, Renee Ocougne De Gascon and Maria Peters, during today's proceedings.

Bench trial resumed.

Testimony of Jerry Autrey from the Preliminary Hearing Transcript dated December 16, 2010, was read into the record by Ms. Weckerly and Mr. Pesci.

Further testimony and Exhibits presented (See Worksheets.). State rested.

Testimony and Exhibits presented (See Worksheets.). Defendant was admonished by Court on his rights to testify and not to testify. Defendant confirmed he will not testify. COURT SO NOTED.

Defense rested.

Instructions for the Court were discussed and SETTLED. Verdict form APPROVED.

Closing arguments by counsel.

COURT ORDERED, matter SET for Decision.

CUSTODY

7/03/19 9:00 A.M. DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 03, 2019**

C-10-269839-1 State of Nevada
vs
Gustavo Ramos

July 03, 2019**9:00 AM****Decision****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Kory Schlitz**RECORDER:** Jill Jacoby**REPORTER:****PARTIES**

PRESENT:	Pesci, Giancarlo	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- COURT STATED for the record they have a question regarding what the Second Amended Information clarified. Ms. Weckerly stated the charge of sexual penetration was removed. COURT ADVISED none of the Jury Instructions or the Verdict form had no reference to age portion of the charge. Mr. Pesci informed the Court while looking at the statute the State determined the Victim 60 years or older did not go into effect until 1999, which is why that wording was no on the verdict form and was not argued. Ms. Weckerly stated parties had discussed leaving the Victim 65 Years of Age or Older off the verdict form, however the information was never placed on the record. Mr. Yanez confirmed the representations. COURT STATED ITS FINDINGS and reached a Verdict of GUILTY of COUNT 1 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), and GUILTY of COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), and GUILTY of COUNT 3 - SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON (F). COURT FURTHER ORDERED, matter REFERRED to the Division of Parole & Probation for preparation of a Pre-Sentence Investigation Report (PSI); matter SET for sentencing.

C-10-269839-1

CUSTODY

9/20/19 10:00 A.M. SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 20, 2019

C-10-269839-1 State of Nevada
 vs
 Gustavo Ramos

September 20, 2019 10:00 AM All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Kory Schlitz

RECORDER: Trisha Garcia

REPORTER:

PARTIES

PRESENT:	Maningo, Ivette A.	Attorney
	Ramos, Gustavo	Defendant
	State of Nevada	Plaintiff
	Weckerly, Pamela C	Attorney
	Yanez, Abel M.	Attorney

JOURNAL ENTRIES

- MOTION TO STRIKE PENALTY OF LIFE WITHOUT THE POSSIBILITY OF PAROLE...
SENTENCING...

Spanish Interpreter Mariella Lopez present on behalf of Defendant.

Mr. Yanez argued in support of the Motion to Strike Penalty of Life without the Possibility of Parole, stating there is no case law on point, however referenced the Miller case, which explains there cannot be a mandatory life without parole sentence for a juvenile, adding there is a current pending oral argument in the Malvo case before the Fourth Circuit. Mr. Yanez argued the Fourth Circuit held without under any circumstance a life without parole sentence cannot be imposed on juveniles. additionally stated the Defendant was not under the age of 18 at the time these crimes alleged to occurred. Mr. Yanez stat he has provided case law out of Connecticut that found there is no practical difference between mental status wise, maturity, rehabilitation wise, between someone under the age of 18 and someone who is in fact 18. Mr. Yanez requested the Court strike the sentence of life without

the possibility of parole as it applies to this case, as the Defendant was 18 years old at the time the crime was alleged to be committed. Ms. Weckerly articulated the reason for the State's position that it would be Judicial Activism, stating this Defendant is not a minor and there is no case in no court that says it is constitutionally improper to imply a life without sentence, except the Court in Connecticut, stating this Defendant was almost 19 at the time he committed this crime. Ms. Weckerly argued the only way the Court do complete Mr. Yanez's request, was if the Court found it was constitutionally improper to apply a life without sentence on a double homicide to someone who was over 18 at the time, and the Court would be essentially legislating. Ms. Weckerly stated there is not a proper judicial basis to grant the Motion and requested it be denied. COURT STATED ITS FINDINGS and ORDERED, Motion to Strike Penalty of Life without the Possibility of Parole DENIED.

DEFENDANT RAMOS ADJUDGED GUILTY of COUNT 1 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), and COUNT 2 - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F), and COUNT 3 - SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON (F). Ms. Weckerly reviewed the history of the case, and argued for life without the possibility of parole sentence on both murders. Ms. Maningo stated the Defendant does not want to make a statement at this time. Upon Court's inquiry, Defendant confirmed, he does not want to make a statement at this time. Mr. Yanez argued the Defendant remained crime free until he was arrested on this case in 2010, adding with the Defendants mental condition he is not a danger to society and requested the Court consider it while sentencing, requested 10 to life on the murder charges, to run concurrent. Mr. Yanez stated he provided letters from the family members on behalf of the Defendant for the Court to review, adding he just received them this morning and has not be able to translate them. COURT ADVISED they will be marked as a Court's Exhibit. Colloquy regarding credit for time served.

Victim Speakers sworn and testified, (See Worksheets). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, Defendant SENTENCED in COUNT 1 - to a MAXIMUM term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC) plus a CONSECUTIVE term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the NDC, for the Deadly Weapon Enhancement, and in COUNT 2 - to a MAXIMUM term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC) plus a CONSECUTIVE term of LIFE WITHOUT THE POSSIBILITY OF PAROLE in the NDC, for the Deadly Weapon Enhancement, CONSECUTIVE TO COUNT 1, and in COUNT 3 - LIFE with a parole eligibility beginning after a MINIMUM of TEN (10) YEARS has been served, plus a CONSECUTIVE SENTENCE OF LIFE with a parole eligibility beginning after a MINIMUM of TEN (10) YEARS has been served for the deadly weapon enhancement, CONSECUTIVE to COUNT 2. WITH THREE THOUSAND TWO HUNDRED SEVENTY-EIGHT (3278) DAYS credit for time served. BOND, if any, EXONERATED.

Mr. Yanez stated Jamie Resch Esq. was present and he will be completing the direct appeal in this case, and requested Ms. Maningo and himself be removed from the case. Mr. Yanez stated Mr. Resch was appointed by Drew Christensen's Office. Upon Court's inquiry, Mr. Resch stated he can confirm as counsel. COURT ORDERED, Request GRANTED; Jamie Resch Esq. APPOINTED. COURT DIRECTED Mr. Yanez to submit a written order regarding the withdrawal.

NDC

EXHIBIT(S) LIST

Case No.: C269839

Hearing / Trial Date: 11/29/18

Dept. No.: 9

Judge: Jennifer Togliatti

Court Clerk: Athena Trujillo

Plaintiff: State of Nevada

Recorder / Reporter: Yvette Sison

Counsel for Plaintiff: G. Pesci

P. Weckerly

Defendant: Gustavo
Ramos

Counsel for Defendant: I. Maningo
A. Yancz

vs.

HEARING / TRIAL BEFORE THE COURT

Defendant's EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: **C-10-269839-1**

Dept. No.: **3**

Plaintiff: **State of Nevada**

vs.

Defendant: **Gustavo Ramos**

Trial Date:

MAY 28 2019

Judge:

DOUGLAS W. HERNDON

Court Clerk:

KORY SCHLITZ

Susan Botzenhart (7-1-19)

Recorder:

JILL JACOBY

Counsel for Plaintiff:

Giancarlo Pesci

✧ Pam Weckerly

Counsel for Defendant:

Ivette Maningo

4 Abel Yanez

TRIAL BEFORE THE COURT

STATE'S EXHIBITS

[illegible]

	DC 3	State v. Gustavo Ramos C269839	Date	Date	OBJ
#	ITEM	DESCRIPTION	OFFERED	ADMITTED	
1	Diagram	Map of first floor of Camlu Apts	5/28/19	5/28/19	no
2	Diagram	Map of first floor evacuation plan			no
3	Diagram	Map of second floor of Camlu Apts			no
4	Diagram	Map of second floor evacuation plan			yes
5	Printout	Dining checks for 5-15-98			no
6	Printout	Dining checks for 5-16-98	5/28/19	5/28/19	no
		Below items for event 980516-0400			
7	Photo	Camlu outside	5/28/19	5/28/19	no
8	Photo	Camlu outside	5/28/19	5/28/19	no
9	Photo	Camlu outside	5/28/19	5/28/19	no
10	Photo	Camlu outside	5/28/19	5/28/19	no
11	Diagram	Crime scene diagram of Wallace Siegel	5/30/19	5/30/19	no
12	Diagram	Crime scene diagram of Wallace Siegel with hallway			
13	Photo	Room 120 door			
14	Photo	Room 120 blood by door handle			
15	Photo	Room 120 door with seal			
16	Photo	Room 120 inside door processed			
17	Photo	Into room 120 from the apt door			
18	Photo	Sink area of 120			
19	Photo	Sink and bathroom door of 120			
20	Photo	Sink area toward bedroom door			
21	Photo	Bedroom door			
22	Photo	TV and couch			
23	Photo	TV tray and blanket on floor			
24	Photo	Close up of TV tray			
25	Photo	End of couch toward answering machine			
26	Photo	Chair with answering machine in background			
27	Photo	Straight on of chair			
28	Photo	Side view of chair w/ bloody dumbbell			
29	Photo	Inside apt looking at front door			
30	Photo	Overall Wallace Siegel in chair			
31	Photo	Wall to the left of Siegel			
32	Photo	Wall to the right of Siegel			
33	Photo	Top view of Siegel's head			
34	Photo	Money clip under left leg of Siegel			
35	Photo	Doorway into bathroom			
36	Photo	Toilet and tub of bathroom			
37	Photo	Bed			
38	Photo	Dresser in bedroom			
39	Photo	Window in bedroom			
40	Photo	Dresser drawer opened up	5/30/19	5/30/19	no

			offered	Admitted	obj
41	Photo	Tank top shirt from dresser	5/30/19	5/30/19	no
42	Photo	Closet	↓	↓	↓
43	Photo	Sink area with Carl's Jr. drink			
44	Photo	Carl's Jr. drink	5/30/19	5/30/19	no
45	Photo	Prescription	5/29/19	5/29/19	no
46	Photo	Prescription with Walgreens address	5/29/19	5/29/19	no
47	Photo	Jack Siegel holding prescription	5/29/19	5/29/19	no
48	Photo	Outside window of 120	5/30/19	5/30/19	no
49	Photo	Outside window sill			
50	Photo	Outside window sill			
51	Photo	Wall blood spatter			
52	Photo	Wall blood spatter with measurement			
53	Photo	Wall blood spatter with measurement			
54	Photo	Newspaper in position straight on			
55	Photo	Newspaper from the door			
56	Photo	Newspaper crumpled up			
57	Photo	Newspaper unfolded			
58	Photo	2 pieces of newspaper overall			
59	Photo	2 pieces of newspaper in closer			
60	Photo	Printing of door frame of 120			
61	Photo	Printing of door frame of 120			
62	Photo	Printing of door 120			
63	Photo	Numbers of prints on door 120			
64	Photo	Numbers of prints on door 120			
65	Photo	Printing of items inside 120			
66	Photo	Printing of phone base			
67	Photo	Printing of table			
68	Photo	Printing of blinds			
69	Photo	Hallway looking towards 120			
70	Photo	120 sign			
71	Photo	120 sign and open door			
72	Photo	Inside door of 120			
73	Photo	Hallway door past 120			
74	Photo	Stairwell near 120			
75	Photo	Stairway door with marker			
76	Photo	Close up of marker with blood			
77	Photo	Hallway door			
78	Photo	Close up of hallway door			
79	Photo	Hallway door with marker			
80	Photo	Newspaper back at the lab			
81	Photo	Newspaper back at the lab			
82	Photo	Tank top back at the lab			
83	Photo	Siegel car at lab			
84	Photo	Siegel car trunk	↓	↓	↓
85	Photo	Siegel car steering wheel			
86	Photo	Siegel car spots	5/30/19	5/30/19	no

			offered	Admitted	obj
87	Photo	Siegel car carpet cut	5/30/19	5/30/19	no
88	Photo	Siegel autopsy face	5/30/19	5/30/19	no
89	Photo	Siegel autopsy top of head	↓	↓	
90	Photo	Siegel autopsy left ear			
91	Photo	Siegel autopsy left neck			
92	Photo	Siegel autopsy left neck close up			
93	Photo	Siegel autopsy left shoulder			
94	Photo	Siegel autopsy left hand	↓	↓	
95	Photo	Siegel autopsy right hand			no
		Below items for event 980517-0848			
96	Photo	Camlu Sign	5/28/19	5/28/19	no
97	Photo	Camlu flagpole	↓	↓	
98	Photo	Camlu front lawn			
99	Photo	Camlu corner with trees			
100	Photo	Camlu parking lot			
101	Photo	Camlu dumpster			
102	Photo	Camlu docking area			
103	Photo	Camlu dumpster from the side			
104	Photo	Camlu north side			
105	Photo	Camlu dumpster from the north			
106	Photo	Camlu looking towards street			
107	Photo	Camlu upstairs			
108	Photo	Camlu walkway			
109	Photo	Camlu dumpster up close			
110	Diagram	Crime scene diagram of Helen Sabraw			
111	Photo	Room 212 sign			
112	Photo	Room 212 with door open			
113	Photo	Room 212 with measure			
114	Photo	Room 212 with measure up close			
115	Photo	Room 212 with phone by door			
116	Photo	Up close of phone			
117	Photo	Inside door of 212			
118	Photo	Looking in to 212			
119	Photo	Looking back toward front door			
120	Photo	TV	↓	↓	
121	Photo	Bed			
122	Photo	Overall of sink area			
123	Photo	Close up of sink			
124	Photo	Closet			
125	Photo	Overall of bed			
126	Photo	Close up of bed			
127	Photo	Close up of knife on the bed			
128	Photo	Overall of China hutch			
129	Photo	Close up of China hutch			
130	Photo	Tea pot in China hutch			
131	Photo	Wicker chair with shirt	5/28/19	5/28/19	no

			offered	Admitted	obj	
	132	Photo	Wicker chair closer	5/28/19	5/28/19	no
	133	Photo	Wicker chair closest			
	134	Photo	Bathroom door open			
	135	Photo	Bathroom door with shoe rack			
	136	Photo	Bathroom sink			
	137	Photo	Bathroom tub			
	138	Photo	Window			
	139	Photo	Window with blinds open			
	140	Photo	Window view downstairs			
	141	Photo	Overall of Sabraw from side			
	142	Photo	Overall of Sabraw from head			
	143	Photo	Sabraw face			
	144	Photo	Sabraw torso			
	145	Photo	Sabraw legs			
	146	Photo	Sabraw abdomen			
	147	Photo	Sabraw anus			
	148	Photo	Overall of quadrants			
	149	Photo	Quadrant A			
	150	Photo	Quadrant B			
	151	Photo	Quadrant C			
	152	Photo	Quadrant D			
	153	Photo	Quadrant E			
	154	Photo	Carpet outlined			
	155	Photo	Carpet cut			
	156	Photo	Carpet cut without body			
	157	Photo	Wall blood spatter areas G & H			
	158	Photo	Wall blood spatter area J			
	159	Photo	Wall blood spatter by sink			
	160	Photo	Wall blood spatter area F			
	161	Photo	Up close of F blood spatter			
	162	Photo	Tenting set up			
	163	Photo	Tenting set up			
	164	Photo	Tenting			
	165	Photo	Tenting			
	166	Photo	Overall of shirt location			
	167	Photo	Shirt on carpet			
	168	Photo	Shirt on carpet different angle			
	169	Photo	Shirt at lab			
	170	Photo	Blood spot on shirt			
	171	Photo	Shirt with measure			
	172	Photo	Label of shirt			
	173	Photo	Printing of door with seal			
	174	Photo	Overall of printing of door			
	175	Photo	Close up on sections 1 and 2 of door			
	176	Photo	Close up on sections 3-5 of door			
	177	Photo	Door frame	5/28/19	5/28/19	no

			offered	Admitted	obj
178	Photo	Inside of door	5/28/19	5/28/19	no
179	Photo	Evacuation plan			
180	Photo	China tea pot			
181	Photo	Window			
182	Photo	Window sill			
183	Photo	External door from outside			
184	Photo	External door open			
185	Photo	External door from inside			
186	Photo	External door from outside			
187	Photo	External door open			
188	Photo	External door from inside			
189	Photo	External door from inside			
190	Photo	External door from outside			
191	Photo	Tray upside			
192	Photo	Tray downside			
193	Photo	Wicker chair			
194	Photo	Shirt overall			
195	Photo	Shirt side			
196	Photo	Shirt middle			
197	Photo	Shirt neck area			
198	Photo	White blanket from bed			
199	Photo	Chair from bed			
200	Photo	White tank top shirt			
201	Photo	Knife from under leg	↓	↓	↓
202	Photo	Knife from bed	5/28/19	5/28/19	no
203	Photo	Autopsy left side of face	5/29/19	5/29/19	no
204	Photo	Autopsy left eye			
205	Photo	Autopsy forehead			
206	Photo	Autopsy right side of face			
207	Photo	Autopsy neck			
208	Photo	Autopsy heart			
209	Photo	Autopsy left side torso			
210	Photo	Autopsy abdomen			
211	Photo	Autopsy back			
212	Photo	Autopsy left hand			
213	Photo	Autopsy right hand	↓	↓	↓
214	Photo	Autopsy right forearm	5/29/19	5/29/19	no
215	Map	Aerial map of complex	5/31/19	5/31/19	no
216	Map	Aerial map of complex & D's Apts	5/31/19	5/31/19	no
217	Photo	Apartment - Camlu	5/28/19	5/28/19	no
218	Photo	Medical Records - J. Siegel	5/29/19	5/29/19	yes
219	Photo	Receipt	7/1/19	7/1/19	no
220	photo	Wallace Siegel	5/29/19	5/29/19	no

C-10-269839-1

VS.

Gustavo Ramos

[illegible]

EXHIBIT(S) LIST

Case No.: **C-10-269839-1**

Trial Date:

MAY 28 2019

Dept. No.: **3**

Judge:

DOUGLAS W. HERNDON

Plaintiff: **State of Nevada**

Court Clerk: **Susan Botzenhart (7-1-19)** **KORY SCHLITZ**

Recorder:

JILL JACOBY

Counsel for Plaintiff:

Giancarlo Pesci

vs.

+ Pam Weckerly

Defendant: **Gustavo Ramos**

Counsel for Defendant:

Ivette Maningo

+ Abel Yanez

TRIAL BEFORE THE COURT

DEFENDANT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
A	Photo - Wallace Siegel	5/30/19	no	5/30/19
B	Photo - Bedroom Contents	↓	↓	↓
C	Photo - Table Contents	↓	↓	↓
D	Photo - Documents	↓	↓	↓
E	Photo - Jewelry	↓	↓	↓
F	Photo - Receipt	5/30/19	no	5/30/19
G	Photo - Walker + sink area	7-1-19	no	7-1-19
H	Photo - Bedroom Dresser	↓	↓	↓
I	Photo - closet w/ safe	↓	↓	↓
J	Photo - Stairway Door	↓	↓	↓
K	Photo - Stairway door handle	↓	↓	↓
L	Photo - Dodge Spirit Handicap	↓	↓	↓
M	Photo - Dodge Spirit - Back End	↓	↓	↓
N	Photo - Dodge Spirit - Front Seat	↓	↓	↓
O	Photo - Dodge Spirit - Car Seat	↓	↓	↓
P	Photo - Dodge Spirit - seat belts	↓	↓	↓
Q	Photo - Dodge Spirit - carpet	7-1-19	no	7-1-19

EXHIBIT(S) LIST

C-10-269839-1

State of Nevada

VS.

Gustavo Ramos

DEFENDANT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: **C-10-269839-1**

Trial Date:

MAY 28 2019

Dept. No.: **3**

Judge:

DOUGLAS W. HERNDON

Court Clerk:

KORY SCHLITZ

Plaintiff: **State of Nevada**

Recorder:

JILL JACOBY

Counsel for Plaintiff:

Giancarlo Pesci

& Pam Weckerly

Counsel for Defendant:

Ivette Maningo

4 Abel Yanez

TRIAL BEFORE THE COURT

COURT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: C-269839

Hearing / Trial Date: SEP 20 2019

Dept. No.: 3

Judge: DOUGLAS W. HERNDON

Court Clerk: KORY SCHLITZ

Plaintiff: State of Nevada

Recorder / Reporter: Trisha Garcia

Counsel for Plaintiff: P. Weckerly

vs.

Defendant: Gustavo Ramos

Counsel for Defendant: A. Yanez +

I Maningo

HEARING / TRIAL BEFORE THE COURT

Courts 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; CASE APPEAL STATEMENT; REQUEST FOR
TRANSCRIPTS PURSUANT TO NRAP 9(A)(3); DISTRICT COURT DOCKET ENTRIES;
JUDGMENT OF CONVICTION (NON-JURY TRIAL); DISTRICT COURT MINUTES; EXHIBITS
LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

GUSTAVO RAMOS,

Defendant(s).

Case No: C-10-269839-1

Dept No: III

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 8 day of October 2019.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk