

1 **NOAS**

2 PHILIP J. KOHN, PUBLIC DEFENDER  
3 NEVADA BAR No. 0556  
4 309 South Third Street, Suite 226  
5 Las Vegas, Nevada 89155  
6 (702) 455-4685  
7 Attorney for Defendant

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 THE STATE OF NEVADA, )

11 Plaintiff, )

12 v. )

13 EDWARD MICHAEL ADAMS, )

14 Defendant. )

CASE NO. C241003

DEPT. NO. XVIII

**NOTICE OF APPEAL**

15 TO: THE STATE OF NEVADA

16 DAVID ROGER, DISTRICT ATTORNEY, CLARK COUNTY, NEVADA and  
17 DEPARTMENT NO. XVIII OF THE EIGHTH JUDICIAL DISTRICT  
18 COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF  
19 CLARK.


20 NOTICE is hereby given that Defendant, Edward Michael  
21 Adams, presently incarcerated in the Nevada State Prison, appeals  
22 to the Supreme Court of the State of Nevada from the judgment  
23 entered against said Defendant on the 2nd day of February, 2010,  
24 whereby he was convicted of Ct. 1 - First Degree Kidnapping With  
25 Use of a Deadly Weapon; Ct. 2 - Battery With Intent to Commit a  
26 Crime With Use of a Deadly Weapon; Cts. 3, 4, 5, 6, 7, 8, 11 -  
27 Sexual Assault With a Minor Under Fourteen Years of Age With Use  
28 of a Deadly Weapon; Ct. 12 - Open or Gross Lewdness and sentenced  
to \$25 Admin. fee; \$150 DNA analysis fee; genetic testing; \$500  
Indigent Defense Fee, Ct. 1 - 60 months to Life in prison, \$2,932  
in restitution; Ct. 2 - 60 months to Life in prison; Ct. 2 to run  
consecutive to Ct. 1; Ct. 3 - 120 months to Life in prison, Ct. 3

**FILED**  
FEB 22 2010  
Electronically Filed  
Feb 22 2010 10:26 a.m.  
Tracie K. Lindeman

1 to run consecutive to Ct. 2; Cts, 4, 5, 6, 7, 8, 11 - 120 months  
2 to Life in prison; Ct. 4 to run consecutive to Ct. 3; Ct. 5 to run  
3 consecutive to Ct. 4; Ct. 6 to run consecutive to Ct. 5; Ct. 7 to  
4 run consecutive to Ct. 6; Ct. 8 to run consecutive to Ct. 7; Ct.  
5 11 to run consecutive to Ct. 8; Ct. 12 - 12 months in CCDC to run  
6 concurrent with balance of counts; 731 days credit for time  
7 served; special sentence of lifetime supervision imposed upon  
8 release from any term of imprisonment, probation or parole;  
9 register as sex offender within 48 hours of release.

10 DATED this 22nd day of February, 2010.

11 PHILIP J. KOHN  
12 CLARK COUNTY PUBLIC DEFENDER

13 By:   
14 P. DAVID WESTBROOK, #9278  
15 Deputy Public Defender  
16 309 S. Third Street, Ste. 226  
17 Las Vegas, Nevada 89155  
18 (702) 455-4685  
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1 **CAS**

2 PHILIP J. KOHN, PUBLIC DEFENDER  
3 NEVADA BAR No. 0556  
4 309 South Third Street, Suite 226  
5 Las Vegas, Nevada 89155  
6 (702) 455-4685  
7 Attorney for Defendant

**FILED**  
**FEB 22 2010**  
CLERK OF COURT

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 THE STATE OF NEVADA, )

11 Plaintiff, )

12 v. )

13 EDWARD MICHAEL ADAMS, )

14 Defendant. )

CASE NO. C241003

DEPT. NO. XVIII

15 **CASE APPEAL STATEMENT**

16 1. Appellant filing this case appeal statement:

17 Edward Michael Adams.

18 2. Judge issuing the decision, judgment, or order

19 appealed from: David Barker.

20 3. All parties to the proceedings in the district

21 court (the use of et al. To denote parties is prohibited): The

22 State of Nevada, Plaintiff; Edward Michael Adams, Defendant.

23 4. All parties involved in this appeal (the use of et.

24 al. to denote parties is prohibited): Edward Michael Adams,

25 Appellant; The State of Nevada, Respondent.

26 / / /

27 / / /

28 / / /

1           5.    Name, law firm, address, and telephone number of  
2 all counsel on appeal and party or parties whom they represent:

3 PHILIP J. KOHN  
4 Clark County Public Defender  
309 South Third Street, #226  
Las Vegas, Nevada 89155-2610

DAVID ROGER  
Clark County District Attorney  
200 Lewis Avenue, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89155

6 Attorney for Appellant

CATHERINE CORTEZ MASTO  
Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717  
(702) 687-3538

9 Counsel for Respondent

10           6.    Whether appellant was represented by appointed or  
11 retained counsel in the district court: Appointed.

12           7.    Whether appellant is represented by appointed or  
13 retained counsel on appeal: Appointed.

14           8.    Whether appellant was granted leave to proceed in  
15 forma pauperis, and the date of entry of the district court order  
16 granting such leave: N/A.

17           9.    Date proceedings commenced in the district court  
18 (e.g., date complaint, indictment, information, or petition was  
19 filed): Information filed 02/12/2008.

20           DATED this 22nd day of February, 2010.

21 PHILIP J. KOHN  
22 CLARK COUNTY PUBLIC DEFENDER

23 By:   
24

P. DAVID WESTBROOK, #9278  
Deputy Public Defender  
309 S. Third Street, Ste. 226  
Las Vegas, Nevada 89155  
(702) 455-4685

1 RECEIPT OF COPY of the foregoing Case Appeal Statement  
2 is hereby acknowledged this 22 day of February, 2010.

3 DAVID ROGER  
4 CLARK COUNTY DISTRICT ATTORNEY

5  
6 By:  \_\_\_\_\_  
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DATE: 02/23/10  
CASE NO. 08-C-241003-C

I N D E X

TIME 9:41 AM  
JUDGE:Barker, David

STATE OF NEVADA

[ ] vs Adams, Edward M

[ ]

0001 D1 Edward M Adams

Pro Se

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	01/31/08	INFO/INFORMATION	Fee \$0.00			01/31/08	
0002	02/01/08	ARRN/INITIAL ARRAIGNMENT		0001		02/19/08	
0003	02/01/08	CBO /CRIMINAL BINDOVER		0001			
0004	02/01/08	CBOR/CRIMINAL BINDOVER RECEIPT		0001			
0005	02/08/08	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS		0001		01/30/08	
0006	02/19/08	CALC/CALENDAR CALL		0001		06/10/08	
0007	02/19/08	JURY/TRIAL BY JURY (VH 6/10/08)		0001	VC	06/16/08	
0008	03/04/08	RAO /MEDIA REQUEST AND ORDER		0001	GR	03/04/08	
0009	04/16/08	NWEW/NOTICE OF WITNESSES AND/OR EXPERT WITNESSES		0001			
0010	06/10/08	CALC/CALENDAR CALL		0001	MH	10/07/08	
0011	06/10/08	JURY/TRIAL BY JURY (VJ 10/7/08)		0001	VC	10/13/08	
0012	10/06/08	MOT /DEFT'S MTN TO CONTINUE TRIAL DATE/06		0001	GR	10/07/08	
0013	10/07/08	OCAL/STATUS CHECK: NEGOTIATIONS AND/OR TRIAL SETTING		0001	MH	10/28/08	
0014	10/07/08	MOT /ALL PENDING MOTIONS 10/7/08		0001		10/07/08	
0015	10/09/08	EIE /ENTRY IN ERROR					
0016	10/28/08	JURY/TRIAL BY JURY (VJ 3/31/09)		0001	VC	04/06/09	
0017	10/28/08	CALC/CALENDAR CALL		0001	MH	03/31/09	
0018	12/28/08	ASSG/Reassign Case From Judge Glass To Judge Villani					
0019	03/31/09	CALC/CALENDAR CALL		0001		10/27/09	
0020	03/31/09	JURY/TRIAL BY JURY (VJ 10/27/09)	(S)	0001	VC	11/02/09	
0021	10/21/09	MOT /PD'S MTN TO DISMISS BASED UPON STATE'S FAILURE TO PRESERVE EXCULP EVID/13		0001		10/27/09	
0022	10/21/09	NWEW/SUPPLEMENTAL NOTICE OF WITNESSES AND/OR EXPERT WITNESSES		0001			
0023	10/21/09	NWEW/DEFENDANTS NOTICE OF WITNESSES PURSUANT TO NRS 174.234		0001			
0024	10/27/09	MOT /ALL PENDING MOTIONS 10-27-09		0001		10/27/09	
0025	10/27/09	JURY/OVERFLOW (17) C. HENDRICKS/J. MANINGO 19-20 WITNESSES/5 DAYS/SOME OUT-OF-STATE		0001		10/29/09	
0026	10/29/09	JURY/TRIAL BY JURY		0001		11/04/09	
0027	10/28/09	INFO/AMENDED INFORMATION		0001		10/28/09	
0028	11/02/09	TRB /TRIAL BEGINS		0001		11/02/09	
0029	11/02/09	ASSG/REASSIGNMENT OF JUDGE Villani TO JUDGE Barker					
0030	11/02/09	JLST/DISTRICT COURT JURY LIST		0001			
0031	11/04/09	TRE /TRIAL ENDS		0001		11/04/09	
0032	11/04/09	SENT/SENTENCING COUNTS 1-8 & 11-12		0001	DD	01/13/10	
0033	11/04/09	OCAL/STATUS CHECK: DISMISSAL COUNTS 9 & 10		0001	DM	01/13/10	
0034	11/04/09	INST/INSTRUCTIONS TO THE JURY - INSTRUCTION NO 1		0001			
0035	11/04/09	JMNT/VERDICT COUNTS 1 THROUGH 8, 11 AND 12		0001		11/06/09	
0036	11/04/09	JMNT/VERDICT COUNTS 9 AND 10		S		11/06/09	
0037	11/09/09	OCAL/MINUTE ORDER RE: SEALING OF STATE'S TRIAL EXHIBITS 86-92		0001		11/09/09	

(Continued to page 2)

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0038	01/13/10		MOT /ALL PENDING MOTIONS OF 1/13/10	0001	MH	01/13/10	
0039	01/15/10		CCPD/CASE CLOSED PER DEPARTMENT	AL		01/15/10	
0040	02/02/10		JMNT/JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	0001		02/04/10	
0041	02/02/10		JMNT/JUDGMENT OF CONVICTION/GENETIC TESTING	0001		02/04/10	
0042	02/02/10		JMNT/COURT ASSESSMENT FEE INDIGENT DEFENSE	0001		02/04/10	
0043	02/02/10		JMNT/JUDGMENT OF CONVICTION/RESTITUTION	0001		02/04/10	
0044	02/08/10		NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			11/02/09	



JOC

FILED

FEB 02 2010

*John L. Johnson*  
CLERK OF COURT

ORIGINAL

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

EDWARD MICHAEL ADAMS  
#1969904

Defendant.

CASE NO. C241003

DEPT. NO. XVIII

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.310, 200.320, 193.165; COUNT 2 – BATTERY WITH INTENT TO COMMIT A CRIME WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.400, 193.165; COUNT 3 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.364, 200.366, 193.165; COUNT 4 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.364, 200.366,

1 193.165; COUNT 5 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS  
2 OF AGE WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS  
3 200.364, 200.366, 193.165; COUNT 6 - SEXUAL ASSAULT WITH A MINOR UNDER  
4 FOURTEEN YEARS OF AGE WITH USE OF A DEADLY WEAPON (Category A  
5 Felony) in violation of NRS 200.364, 200.366, 193.165; COUNT 7 - SEXUAL ASSAULT  
6 WITH A MINOR UNDER FOURTEEN YEARS OF AGE WITH USE OF A DEADLY  
7 WEAPON (Category A Felony) in violation of NRS 200.364, 200.366, 193.165; COUNT  
8 8 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE WITH  
9 USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.364,  
10 200.366, 193.165; COUNT 9 - SEXUAL ASSAULT WITH A MINOR UNDER  
11 FOURTEEN YEARS OF AGE WITH USE OF A DEADLY WEAPON (Category A  
12 Felony) in violation of NRS 200.364, 200.366, 193.165; COUNT 10 - SEXUAL  
13 ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE WITH USE OF A  
14 DEADLY WEAPON (Category A Felony) in violation of NRS 200.364, 200.366, 193.165;  
15 COUNT 11 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF  
16 AGE WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS  
17 200.364, 200.366, 193.165; COUNT 12 - OPEN OR GROSS LEWDNESS (Gross  
18 Misdemeanor) in violation of NRS 201.210, and the matter having been tried before a  
19 jury and the Defendant having been found guilty of the crimes of COUNT 1 - FIRST  
20 DEGREE KIDNAPPING (Category A Felony) in violation of NRS 200.310, 200.320;  
21 COUNT 2 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT (Category A  
22 Felony) in violation of NRS 200.400; COUNT 3 - SEXUAL ASSAULT (Category A  
23 Felony) in violation of NRS 200.364, 200.366; COUNT 4 - SEXUAL ASSAULT  
24 (Category A Felony) in violation of NRS 200.364, 200.366; COUNT 5 - SEXUAL

1 ASSAULT (Category A Felony) in violation of NRS 200.364, 200.366; COUNT 6 –  
2 SEXUAL ASSAULT (Category A Felony) in violation of NRS 200.364, 200.366; COUNT  
3 7 – SEXUAL ASSAULT (Category A Felony) in violation of NRS 200.364, 200.366;  
4 COUNT 8 – SEXUAL ASSAULT (Category A Felony) in violation of NRS 200.364,  
5 200.366; COUNT 9 – NOT GUILTY; COUNT 10 – NOT GUILTY; COUNT 11 – SEXUAL  
6 ASSAULT (Category A Felony) in violation of NRS 200.364, 200.366; COUNT 12 –  
7 OPEN OR GROSS LEWDNESS (Gross Misdemeanor) in violation of NRS 201.210;  
8 thereafter, on the 13<sup>TH</sup> day of January, 2010, the Defendant was present in court for  
9 sentencing with his counsel, JEFFREY S. MANINGO, Deputy Public Defender, and  
10 good cause appearing,  
11

12  
13 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in  
14 addition to the \$25.00 Administrative Assessment Fee, \$150.00 DNA Analysis Fee  
15 including testing to determine genetic markers and \$500.00 Indigent Defense Fee, the  
16 Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows:  
17 AS TO COUNT 1 - TO LIFE with a MINIMUM Parole Eligibility of SIXTY (60) MONTHS  
18 and PAY \$2,932.00 in Restitution; AS TO COUNT 2 - TO LIFE with a MINIMUM Parole  
19 Eligibility of SIXTY (60) MONTHS, COUNT 2 to run CONSECUTIVE to COUNT 1; AS  
20 TO COUNT 3 - TO LIFE with a MINIMUM Parole Eligibility of ONE HUNDRED  
21 TWENTY (120) MONTHS, COUNT 3 to run CONSECUTIVE to COUNT 2; AS TO  
22 COUNT 4 – TO LIFE with a MINIMUM Parole Eligibility of ONE HUNDRED TWENTY  
23 (120) MONTHS, COUNT 4 to run CONSECUTIVE to COUNT 3; AS TO COUNT 5 - TO  
24 LIFE with a MINIMUM Parole Eligibility of ONE HUNDRED TWENTY (120) MONTHS,  
25 COUNT 5 to run CONSECUTIVE to COUNT 4; AS TO COUNT 6 - TO LIFE with a  
26 MINIMUM Parole Eligibility of ONE HUNDRED TWENTY (120) MONTHS, COUNT 6 to  
27  
28

1 run CONSECUTIVE to COUNT 5; AS TO COUNT 7 - TO LIFE with a MINIMUM Parole  
2 Eligibility of ONE HUNDRED TWENTY (120) MONTHS, COUNT 7 to run  
3 CONSECUTIVE to COUNT 6; AS TO COUNT 8 - TO LIFE with a MINIMUM Parole  
4 Eligibility of ONE HUNDRED TWENTY (120) MONTHS, COUNT 8 to run  
5 CONSECUTIVE to COUNT 7; AS TO COUNT 11 - TO LIFE with a MINIMUM Parole  
6 Eligibility of ONE HUNDRED TWENTY (120) MONTHS, COUNT 11 to run  
7 CONSECUTIVE to COUNT 8; AS TO COUNT 12 - TO TWELVE (12) MONTHS in the  
8 Clark County Detention Center (CCDC), COUNT 12 to run CONCURRENT with  
9 BALANCE OF COUNTS; with SEVEN HUNDRED THIRTY-ONE (731) DAYS credit for  
10 time served.  
11

12  
13 FURTHER ORDERED, a SPECIAL SENTENCE of LIFETIME SUPERVISION  
14 is imposed to commence upon release from any term of imprisonment, probation or  
15 parole.  
16

17 ADDITIONALLY, the Defendant is ORDERED to REGISTER as a sex offender  
18 in accordance with NRS 179D.460 within FORTY-EIGHT (48) HOURS after any  
19 release from custody.  
20

21 FEB 01 2010  
22 DATED this \_\_\_\_\_ day of January, 2010

23  
24  
25 DAVID BARKER  
26 DISTRICT JUDGE  
27  
28

## CRIMINAL COURT MINUTES

08-C-241003-C      STATE OF NEVADA      vs Adams, Edward M

---

02/19/08    09:00 AM    00    INITIAL ARRAIGNMENT

HEARD BY: Kevin V Williams, Hearing Master; Dept. AA

OFFICERS: Roshonda Mayfield, Court Clerk  
Kiara Schmidt, Reporter/Recorder

PARTIES:                      STATE OF NEVADA                      Y  
004031    Porterfield Jr, Owen W.                      Y  
  
0001 D1    Adams, Edward M                      Y  
PUBDEF    Public Defender                      Y  
008845    Maningo, Jeffrey S.                      Y

DEFT. ADAMS ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE.    COURT ORDERED, matter set for trial.

CUSTODY

6/10/08 8:30 A.M. CALENDAR CALL (DEPT. 5)

6/16/08 10:00 A.M. JURY TRIAL (DEPT. 5)

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06/10/08    08:30 AM    00    CALENDAR CALL

HEARD BY: Jackie Glass, Judge; Dept. 5

OFFICERS: Sandra Jeter, Court Clerk  
Rachelle Hamilton, Reporter/Recorder

PARTIES:                      STATE OF NEVADA                      Y  
004630    Hendricks, Craig L.                      Y  
  
0001 D1    Adams, Edward M                      Y  
PUBDEF    Public Defender                      Y  
008845    Maningo, Jeffrey S.                      Y

Mr. Maningo moved to continue stating he just filed a motion and they are missing essentials on both sides to include the Preliminary Hearing transcript and DNA. There being no opposition, COURT ORDERED, current trial date VACATED; matter RESET for TRIAL.

CUSTODY

10/7/08 8:30 AM    CALENDAR CALL

10/13/08 10:00 AM    JURY TRIAL

## CRIMINAL COURT MINUTES

08-C-241003-C STATE OF NEVADA

vs Adams, Edward M

CONTINUED FROM PAGE: 001

10/07/08 08:30 AM 00 ALL PENDING MOTIONS 10/7/08

HEARD BY: Jackie Glass, Judge; Dept. 5

OFFICERS: Sandra Jeter, Court Clerk  
Rachelle Hamilton, Reporter/RecorderPARTIES: STATE OF NEVADA  
004630 Hendricks, Craig L.  
0001 D1 Adams, Edward M  
PUBDEF Public Defender  
008845 Maningo, Jeffrey S.Y  
Y  
Y  
Y  
Y

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

There being no opposition, COURT ORDERED, deft.'s Motion GRANTED; current trial date VACATED; matter CONTINUED two weeks for status check on negotiations.

CUSTODY

10/28/08 8:30 AM STATUS CHECK: NEGOTIATIONS AND/OR TRIAL SETTING

10/28/08 08:30 AM 00 STATUS CHECK: NEGOTIATIONS AND/OR TRIAL SETTING

HEARD BY: James Brennan, Senior Judge; Dept. VJ6

OFFICERS: Denise Trujillo, Court Clerk  
Rachelle Hamilton, Reporter/RecorderPARTIES: STATE OF NEVADA  
003814 Holthus, Mary Kay  
0001 D1 Adams, Edward M  
PUBDEF Public Defender  
008845 Maningo, Jeffrey S.Y  
Y  
Y  
Y  
Y

Counsel advised they need a new trial in early April. COURT SO ORDERED.

CUSTODY

3/31/09 8:30 AM CALENDAR CALL

4/6/09 10:00 AM JURY TRIAL

## CRIMINAL COURT MINUTES

08-C-241003-C STATE OF NEVADA

vs Adams, Edward M

CONTINUED FROM PAGE: 002

03/31/09 08:00 AM 00 CALENDAR CALL

HEARD BY: Michael Villani, Judge; Dept. 17

OFFICERS: Kristen Brown, Court Clerk  
Michelle Ramsey, Reporter/RecorderPARTIES: STATE OF NEVADA  
004630 Hendricks, Craig L.  
0001 D1 Adams, Edward M  
PUBDEF Public Defender  
008845 Maningo, Jeffrey S.Y  
Y  
Y  
Y  
Y

Mr. Maningo requested the trial date be reset in the ordinary course. Mr. Hendricks stated this is a joint request. COURT ORDERED, Trial VACATED and RESET. Upon Court's inquiry, counsel stated the trial will take one week.

CUSTODY

10/27/09 8:00 AM CALENDAR CALL

11/02/09 10:00 AM JURY TRIAL

10/27/09 08:00 AM 00 ALL PENDING MOTIONS 10-27-09

HEARD BY: Michael Villani, Judge; Dept. 17

OFFICERS: Kristen Brown, Court Clerk  
Michelle Ramsey, Reporter/RecorderPARTIES: STATE OF NEVADA  
004630 Hendricks, Craig L.  
009182 Scow, Richard H.  
0001 D1 Adams, Edward M  
PUBDEF Public Defender  
008845 Maningo, Jeffrey S.Y  
Y  
Y  
Y  
Y  
Y

CALENDAR CALL...PUBLIC DEFENDER'S MOTION TO DISMISS BASED UPON STATE'S FAILURE TO PRESERVE EXCULPATORY EVIDENCE AND MOTION TO DISMISS DUE TO THE STATE'S FAILURE TO PROVIDE BRADY MATERIAL

Mr. Hendricks stated he is ready to proceed to trial which will take about 4-5 days with 15 witnesses, several being out of state. Mr. Maningo stated the defense will have about 4-5 witnesses. COURT ORDERED, trial VACATED and matter REFERRED to Overflow. Upon Court's inquiry, Mr. Maningo stated that the Motion on calendar today is WITHDRAWN, COURT SO ORDERED.

## CRIMINAL COURT MINUTES

08-C-241003-C STATE OF NEVADA

vs Adams, Edward M

CONTINUED FROM PAGE: 003

## CUSTODY

10/29/09 9:00 AM OVERFLOW (17)  
C. HENDRICKS/R. SCOW/J. MANINGO  
4-5 DAYS  
19-20 WITNESSES  
SOME OUT OF STATE

10/29/09 09:00 AM 00 OVERFLOW (17) C. HENDRICKS/J. MANINGO  
19-20 WITNESSES/5 DAYS/SOME OUT-OF-STATE

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Tia Everett/te, Relief Clerk  
Richard Kangas, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	009182 Scow, Richard H.	Y
	0001 D1 Adams, Edward M	Y
	PUBDEF Public Defender	Y
	008845 Maningo, Jeffrey S.	Y

COURT ORDERED, REFERRED to Department 18 and Set for trial. FURTHER  
ORDERED, matter REASSIGNED to Department 18.

## CUSTODY

11/2/08 10:00 AM JURY TRIAL

11/02/09 10:00 AM 00 TRIAL BY JURY

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Sharon Chun, Court Clerk  
Richard Kangas, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	009182 Scow, Richard H.	Y
	004630 Hendricks, Craig L.	Y
	0001 D1 Adams, Edward M	Y
	PUBDEF Public Defender	Y
	008845 Maningo, Jeffrey S.	Y

TRIAL CONVENED at 9:55 A.M. and JURY PANEL SEATED. Introductions presented  
by the Court and counsel. Following roll call of Panel, Panel was placed  
under oath and general voir dire was conducted by the Court. Panel members



## CRIMINAL COURT MINUTES

08-C-241003-C STATE OF NEVADA

vs Adams, Edward M

CONTINUED FROM PAGE: 004

thanked and excused for cause. The State conducted additional voir dire and passed the Panel. COURT ORDERED, LUNCH RECESS.

COURT RECONVENED OUTSIDE PANEL MEMBERS. Mr. Maningo noted the racial make-up of the Jury Panel members. JURY PANEL SEATED, Mr. Maningo conducted additional voir dire. Bench Conference, following which COURT ORDERED additional Panel Members excused for cause. Peremptory Challenges were conducted, during which COURT ORDERED, JURORS RECESSED. Mr. Maningo raised a Batson Challenge and arguments presented by both sides. COURT ORDERED, BATSON CHALLENGE OVER-RULED, it does not find the State demonstrated a pattern of bias. Peremptory Challenges continued.

COURT DIRECTED the State to present a hard-copy of their Power Point presentations, which will be marked as Court's Exhibits. Mr. Maningo objected to most of the Power Point presentations which depicts Deft in jail cloths. COURT ORDERED, ALLOWED, there is nothing which indicates the custody status of Deft and it is not more prejudicial than probative.

JURY PANEL SEATED. COURT THANKED and EXCUSED those Panel Members which were removed during Peremptory Challenges. Remaining Jurors placed under oath and seated. Court presented preliminary instructions to the Jury. Information was read to Jurors by the Clerk.

Opening statements presented by the State with Power Point presentation. Defense presented its opening statement. BENCH CONFERENCE HELD.

COURT ORDERED, JURORS RECESSED AND TO RETURN TOMORROW AT 10:00 A.M.

OUTSIDE PRESENCE OF JURY: COURT ADVISED that since Panel Member #202 was absent after lunch an Order Show Cause will be requested. Both sides stated that no additional inquiry will be requested. COURT STATED Jury Services is to inquire of panel Member #202 as to why not present after lunch and perhaps schedule him before the Chief Judge for hearing.

COURT ORDERED, EVENING RECESS; CONTINUED TOMORROW.

CONTINUED TO: 11/03/09 09:30 AM 01

## CRIMINAL COURT MINUTES

08-C-241003-C      STATE OF NEVADA      vs Adams, Edward M

CONTINUED FROM PAGE: 005

11/03/09 10:00 AM 01 TRIAL BY JURY

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Sharon Chun, Court Clerk

PARTIES:                      STATE OF NEVADA  
                                 009182 Scow, Richard H.  
                                 004630 Hendricks, Craig L.  
  
                                 0001 D1 Adams, Edward M  
                                 PUBDEF Public Defender  
                                 008845 Maningo, Jeffrey S.

Y  
Y  
Y  
  
Y  
Y  
Y

TRIAL RECONVENED at 10:08 A.M. with JURY SEATED. State called forth witnesses who were placed under oath, testified, and identified Deft Adams; exhibits presented. (Please see Witness and Exhibit Lists.)

OUTSIDE PRESENCE OF JURY: Court advised Deft of his Fifth Amendment right not to testify; Carter Instruction.

JURY SEATED. State called additional witnesses. COURT ORDERED, JURY RECESSED; to return tomorrow at 10:00 A.M.

OUTSIDE PRESENCE OF JURY: Mr. Hendricks stated the black witness was found and the State plans to call him tomorrow, although not on the Witness list. Mr. Maningo had no objection. Mr. Hendricks advised he will make the witness available to Defense.

COURT ORDERED, EVENING RECESS.

CONTINUED TO: 11/04/09 10:00 AM 02

## CRIMINAL COURT MINUTES

08-C-241003-C STATE OF NEVADA

vs Adams, Edward M

CONTINUED FROM PAGE: 006

11/04/09 10:00 AM 02 TRIAL BY JURY

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Sharon Chun @ 11 AM/sc, Court Clerk  
Dameda Scott @ 10:00 AM/ds, Relief Clerk  
Richard Kangas, Reporter/Recorder

PARTIES: STATE OF NEVADA  
004630 Hendricks, Craig L.  
009182 Scow, Richard H.  
  
0001 D1 Adams, Edward M  
PUBDEF Public Defender  
008845 Maningo, Jeffrey S.

Y  
Y  
Y  
  
Y  
Y  
Y

TRIAL RECONVENED with JURY PRESENT. State called forth additional witnesses; exhibits presented. (Please see Witness and Exhibit Lists.) Photographs were published in open court. JURY RECESSED.

OUTSIDE PRESENCE OF JURY: Jury Instructions settled on the record. Counsel argued re allowing in Deft's prior arrests. COURT ORDERED, MUST BE CONVICTIONS with Certified Copies, otherwise not allowed. Discussion also held regarding "alibi witnesses being introduced", but, Mr. Maningo stated he is not going to present alibi witnesses. Mr. Maningo raised issue of a "consensual" theory, and Mr. Hendricks argued. OUTSIDE PRESENCE OF THE STATE: Discussion between the Court and Deft re consensual conduct.

JURY INSTRUCTIONS settled on the record.

JURY SEATED. STATE RESTED its case in chief. Defense called forth witnesses who were sworn and testified. DEFENSE RESTED. No rebuttal arguments made by the state. JURY RECESSED. JURY INSTRUCTIONS FINALIZED.

JURY SEATED and COURT READ Jury Instructions to Jury.

Closing arguments presented.

COURT ANNOUNCED Alternate Jurors to be #13 and 14. The Marshal and Judicial Executive Assistant were sworn to take charge of Jurors and ORDERED, JURORS TO DELIBERATION at 4:35 P.M.

VERDICT REACHED. All counsel, Deft Adams, and jurors returned to the court room and the TRIAL RECONVENED AT 6:35 P.M. COURT ANNOUNCED the Foreperson to be Juror #7.

VERDICT READ by the Clerk, as follows:

"We, the jury in the above entitled case, find the Defendant EDWARD MICHAEL ADAMS, as follows:

COUNT 1 - GUILTY OF FIRST DEGREE KIDNAPPING;

CONTINUED ON PAGE: 008

## CRIMINAL COURT MINUTES

08-C-241003-C STATE OF NEVADA

vs Adams, Edward M

CONTINUED FROM PAGE: 007

COUNT 2 - GUILTY OF BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT;  
COUNT 3-8, & 11 - GUILTY OF SEXUAL ASSAULT;  
COUNT 9 - NOT GUILTY;  
COUNT 10 - NOT GUILTY; and  
COUNT 12 - GUILTY OF OPEN OR GROSS LEWDNESS".

COURT POLLED JURORS at request of Defense; all twelve jurors responded that was their verdict, as read.

COURT THANKED and EXCUSED JURORS.

OUTSIDE PRESENCE OF JURORS: COURT ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for sentencing.

COURT FURTHER ORDERED, DEFT ADAMS REMANDED TO CUSTODY; WITHOUT BAIL.

CUSTODY

1/13/10 8:15 AM SENTENCING (COUNTS 1-8 AND 11-12)...STATUS CHECK: DISMISSAL OF COUNTS 9 AND 10

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11/09/09 09:00 AM 00 MINUTE ORDER RE: SEALING OF STATE'S  
TRIAL EXHIBITS 86-92

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Sharon Chun, Court Clerk

PARTIES: NO PARTIES PRESENT

COURT ORDERED, State's Exhibits 86-92, as admitted during the Jury Trial of 11/2/09 are to be SEALED, and, not to be released unless by Court Order.

## CRIMINAL COURT MINUTES

08-C-241003-C STATE OF NEVADA vs Adams, Edward M

CONTINUED FROM PAGE: 008

01/13/10 08:15 AM 00 ALL PENDING MOTIONS OF 1/13/10

HEARD BY: David Barker, Judge; Dept. 18

OFFICERS: Sharon Chun/SC, Court Clerk  
Shelly Landwehr, Relief Clerk  
Richard Kangas, Reporter/Recorder

PARTIES: STATE OF NEVADA  
004630 Hendricks, Craig L.  
0001 D1 Adams, Edward M  
PUBDEF Public Defender  
008845 Maningo, Jeffrey S.

Y  
Y  
Y  
Y  
Y

PURSUANT TO JURY VERDICT OF 11/4/09, COURT ADJUDGED DEFT ADAMS GUILTY OF COUNT 1 - FIRST DEGREE KIDNAPPING (F); COUNT 2 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT (F); COUNTS 3-8 AND 11 - SEXUAL ASSAULT (F); COUNT 12 - OPEN OR GROSS LEWDNESS (GM). COURT FURTHER ORDERED, COUNTS 9 AND 10 DISMISSED PURSUANT TO JURY VERDICT OF NOT GUILTY.

Mr. Hendricks noted that no victim impact statements will be presented today because the State did not provide them with notice, but, it was agreed to go forward with sentencing today. COURT NOTED Deft Adams prior criminal history. Mr. Maningo presented argument in support of Deft. Mr. Hendricks argued in support of life sentence because Deft is a threat to the community. COURT STATED IT FINDS DEFT ADAMS A THREAT TO THE COMMUNITY.

COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$500.00 Indigent Defense Fund fee, Deft. SENTENCED, as follows:

COUNT 1 - a MINIMUM TERM of SIXTY (60) MONTHS and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC), and TO PAY RESTITUTION IN THE AMOUNT OF \$2,932.00;

COUNT 2 - a MINIMUM TERM of SIXTY (60) MONTHS and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC), CONSECUTIVE TO COUNT 1;

COUNT 3 - a MINIMUM TERM of ONE-HUNDRED-TWENTY MONTHS (120) and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC), CONSECUTIVE TO COUNT 2;

COUNT 4 - a MINIMUM TERM of ONE-HUNDRED-TWENTY MONTHS (120) and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC), CONSECUTIVE TO COUNT 3;

COUNT 5 - a MINIMUM TERM of ONE-HUNDRED-TWENTY MONTHS (120) and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC), CONSECUTIVE TO COUNT 4;

COUNT 6 - a MINIMUM TERM of ONE-HUNDRED-TWENTY MONTHS (120) and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC), CONSECUTIVE TO COUNT 5;

COUNT 7 - a MINIMUM TERM of ONE-HUNDRED-TWENTY MONTHS (120) and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC),

CONTINUED ON PAGE: 010

## CRIMINAL COURT MINUTES

08-C-241003-C STATE OF NEVADA

vs Adams, Edward M

CONTINUED FROM PAGE: 009

CONSECUTIVE TO COUNT 6;

COUNT 8 - a MINIMUM TERM of ONE-HUNDRED-TWENTY MONTHS (120) and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC), CONSECUTIVE TO COUNT 7;

COUNT 11 - a MINIMUM TERM of ONE-HUNDRED-TWENTY MONTHS (120) and a MAXIMUM TERM OF LIFE in the Nevada Department of Corrections (NDC), CONSECUTIVE TO COUNT 8;

COUNT 12 - TWELVE (12) MONTHS IN THE CLARK COUNTY DETENTION CENTER, CONCURRENT WITH BALANCE OF COUNTS.

COURT FURTHER ORDERED, Deft to receive 731 DAYS CREDIT for time served.

COURT FURTHER ORDERED, pursuant to NRS 179D.460, DEFT SHALL REGISTER AS A SEX OFFENDER WITHIN 48 HOURS OF SENTENCING OR RELEASE FROM CUSTODY.

COURT FURTHER ORDERED, A SPECIAL SENTENCE OF LIFETIME SUPERVISION TO COMMENCE UPON RELEASE FROM ANY TERM OF PROBATION, PAROLE OR IMPRISONMENT.

COURT NOTED, BEFORE DEFT IS ELIGIBLE FOR PAROLE, a panel consisting of the Administer of the Mental Health and Development Services of the Dept of Human Resources or his designee; the Director of the Dept of Corrections or his designee; and a psychologist licensed to practice in this State; or a psychiatrist licensed to practice medicine in NV must certify that the Deft does not represent a high risk to re-offend based on current accepted standards of assessment.

If bond, exonerated.

02/23/10  
CASE NO. 08-C-241003-C

E X H I B I T S

9:41 AM  
CASE STATUS: CLOSED

STATE OF NEVADA

[ ] vs Adams, Edward M

[ ]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0001	P1	/LVMP EVIDENCE PACKAGE NOT OPEN		AD/NO	11/03/09	V
0002	P2	/LVMPD BAG NOT OPENED MASKING TAPE		AD/NO	11/03/09	V
0003	P3	/LVMPD BAG NOT OPEN ASSAULT KIT		AD/NO	11/04/09	V
0004	P4	/LVMPD BAG NOT OPENED LATENT PRINTS		AD/NO	11/03/09	V
0005	P5	/LVMPD BAG NOT OPENED SWEATSHIRT		AD/NO	11/03/09	V
0006	P6	/LVMPD BAG NOT OPENED TOWEL, WASH CLOTH		AD/NO	11/03/09	V
0007	P7	/LVMPD BAG NOT OPENED SEAT CUSHION		AD/NO	11/03/09	V
0008	P8	/PHOTO VICTIM		AD/NO	11/03/09	V
0009	P9	/PHOTO UNIT 204		AD/NO	11/03/09	V
0010	P10-11	/PHOTO		AD/NO	11/03/09	V
0011	P12	/PHOTO UNIT 204 LIVING ROOM		AD/NO	11/03/09	V
0012	P13-36	/PHOTO		AD/NO	11/03/09	V
0013	P37	/PHOTO DAMAGES IN UNIT 204 12/14/07		AD/NO	11/03/09	V
0014	P38-51	/PHOTO		AD/NO	11/03/09	V
0015	P52-61	/PHOTO		AD/NO	11/04/09	V
0016	P62	/PHOTO VICTIM PANTS		AD/NO	11/03/09	V
0017	P63	/PHOTO VICTIMS SHIRT		AD/NO	11/03/09	V
0018	P64-66	/PHOTO		AD/NO	11/04/09	V
0019	P67	/AERIAL VIEW		AD/NO	11/03/09	V
0020	P68	/POTO LINE UP WITNESS INSTRUCTIONS 6 PAX		AD/NO	11/03/09	V
0021	P69-73	/PHOTO DEFT		AD/NO	11/03/09	V
0022	P74	/911 CD		AD/NO	11/03/09	V
0023	P75	/PHOTO LINE UP INSTRUCTIONS & 6 PACK		AD/NO	11/03/09	V
0024	P76	/AERIAL LAYOUT OF APT COMPLEX		AD/NO	11/03/09	V
0025	P77	/ENVELOPE WITH LATENT FINGER PRINTS 21		AD/NO	11/03/09	V
0026	P78	/ENVELOPE WITH LATENT FINGER PRINTS 14		AD/NO	11/03/09	V
0027	P79	/MAJOR CASE PRINTS- AMBER VALLES		AD/NO	11/04/09	V
0028	P80	/MAJOR CASE PRINTS DEFT EDWARD ADAMS		AD/NO	11/04/09	V
0029	P81	/FINGERPRINT PHOTO DEFT ADAMS		AD/NO	11/04/09	V
0030	P82	/AFIS PRINTS DEFT ADAMS		AD/NO	11/04/09	V
0031	P83	/PHOTO FRONT DOOR OF 204		AD/NO	11/04/09	V
0032	P84-85	/PHOTO OF VICTIM		AD/NO	11/04/09	V
0033	P86-92	/PHOTO OF VICTIM SEALED		AD/NO	11/04/09	V
0034	P93	/DRAWING OF VIGINAL AREA		/	99/99/99	V
0035	PCT1	/JUROR QUESTION OF WITNESS VILLES ASKED		/	11/03/09	V
0036	PCT2-3	/JUROR QUESTION OF DET LEBARIO ASKED		/	11/03/09	V
0037	PCT4	/JUROR QUESITON OF DET LEBARIO NOT ASKED		/	11/03/09	V
0038	PCT5	/JUROR QUESTION REGARDING CHARGES		/	11/04/09	V
0039	PCT6	/JURY QUESTION DURING DELIBERATION		/	11/04/09	V
0040	PCT7	/STATE POWER POINT OPENING		/	11/02/09	V
0041	PCT8	/STATE POWER POINT REBUTTAL		/	11/04/09	V
0042	PCT9	/STATE POWER POINT CLOSING		/	11/04/09	V

## Certification of Copy

**State of Nevada** } **SS:**  
**County of Clark** }

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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

EDWARD MICHAEL ADAMS,

**Defendant(s),**

Case No: C241003

Dept No: XVIII

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 23 day of February 2010.

Steven D. Grierson, Clerk of the Court

Heather Lofquist, Deputy Clerk