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Respondent.

Docket 80156 Document 2021-08267

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RONNEKA GUIDRY
Case No. 80156

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LAS VEGAS METROPOLITAN POLICE DEPARTMENT
APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT
(Continuation)

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question. And possibly contain data or information establishing ownership and dominion and control over the vehicle and the property contained within.

B. Cellular Phone

Your Affiant believes that the data contained within the cell phone would tend to establish activities before, during, and immediately after the offense in question. And possibly contain data or information establishing ownership and dominion and control over the vehicle and the cell phone.

C. Rolex Watch

D. Articles of personal property which would tend to establish the identity of persons in control of said premises, which items of property would consist in part of and include, but not limited to: paperwork such as proof of insurance, DMV registration, or pawn receipts showing the name(s) of persons owning or responsible for the vehicle and property contained within.

E. Effects which tend to show possession, dominion, and control over said premises, including but not limited to: clothing, footwear, and/or personal items, items which tend to show evidence of motive and/or the identity of perpetrators such as photographs, receipts, governmental notices, whether such items are written, typed, or stored electronically.

F. Trace evidence to include but not limited to: blood, hair, and other bodily fluid samples.

The property hereinbefore described constitutes evidence which tends to demonstrate that the criminal offense of Leaving the scene of a crash involving death

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NRS 484E.010, Soliciting or engaging in prostitution NRS 201.354, and Grand Larceny NRS 205.220 has been committed.

In support of your Affiant's assertion to constitute the existence of probable cause, the following facts are offered:

On January 3, 2018, at approximately 2:23 a.m., the LVMPD dispatch center received several phone calls from citizens reporting that a pedestrian was struck by a vehicle on E. Flamingo Road west of S. Koval lane. Other reports stated that a man was banging on the side of the vehicle and the vehicle fled with the unknown male hanging onto the hood. LVMPD patrol officers Dillan Knowles and Michael Amburgey arrived on the scene at approximately 2:25 a.m. and reported that a 4-door black Mercedes-Benz was last seen leaving the area westbound on Flamingo Road. The unknown male, later identified as Eduardo Gaiolli De Sanchez Osorio, was found lying in the roadway on Flamingo Road approximately 135 feet west of Koval Lane. Emergency Medical personnel arrived on the scene and transported Eduardo Gaiolli De Sanchez Osorio, hereinafter referred to as Osorio, to Sunrise Hospital with life threatening injuries. Osorio was identified by a Passport that was located in his clothing by medical staff at Sunrise Hospital.

The information of the black Mercedes was relayed to the LVMPD Fusion Center and surveillance footage from cameras installed on Las Vegas Boulevard revealed that a black vehicle matching the given description was last seen northbound on Las Vegas Boulevard before turning west onto Spring Mountain Road.

Patrol Officers Jennifer Cruz and Philip Adkins made contact with Security Officer

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Jamal Cherry at The Westin Hotel and reviewed video surveillance recordings that showed a view of the parking lot on the west side of Jay's Market Convenience Store at 190 East Flamingo Road. The surveillance recordings revealed that a black vehicle pulled into a parking space on the west side of the building at 2:12 a.m. and after seven minutes a man, believed to be Osorio, exited the vehicle from the front passenger door and stood outside the door. The black vehicle pulls away at a normal speed and turns to the right as the man appears to stand in place for several seconds. He then turns to the southeast and begins running. The man catches up to the vehicle on Koval Lane at Flamingo Road and appears to be banging on the windshield and hood at the front left of the vehicle. The vehicle turns westbound on Flamingo Road and the man can be seen engaging with the side of the vehicle before falling to the ground as the vehicle speeds away.

Emergency rescue personnel transported Osorio to Sunrise Hospital. Life saving measures failed and Osorio died at Sunrise Hospital at 9:36 hours on January 3rd, 2018.

Nuno Osorio, the father of Eduardo Osorio, contacted Detective Kenneth Salisbury on January 4, 2018 and asked for his son's passport for funeral arrangements. During the conversation, Nuno inquired about a Rolex Watch that he gave to Osorio as a gift for Osorio's 18th birthday. Inquiries were made with the Clark county coroner's office and Sunrise Hospital and both reported no signs of the watch.

Lucas Simoes made contact with Vice Detectives Eric Charaska and Jennifer Santiago and said that he was with Osorio the evening of the incident. Lucas Simoes

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stated that they were at Caesar's Palace that evening and Osorio went to the Omnia nightclub at Caesar's Palace when they separated at approximately 11 p.m. Detectives Charaska and Santiago reviewed video surveillance from Caesar's palace and found footage of Osorio in the company of an unidentified heavy-set black female. The female was wearing revealing clothing and carrying a pink purse. In the surveillance footage, Osorio appears to be wearing a silver in color watch on his left wrist and he leaves with the unknown black female in the elevator at approximately 2:06 a.m. The black Mercedes is then seen on the surveillance footage leaving the parking lot at 2:09 a.m. The license plate scanner from Caesar's Palace captured an image of the rear plate area of the vehicle of interest. The rear plate had a dealership placard that read "OC Cars and Credit US 714-620-4400."

Detectives David Freeman and Kenneth Salisbury travelled to 3187 Red Hill Avenue in Costa Mesa, California and made contact with Kamran Afrasiabi on January 8, 2018. Afrasiabi identified himself as the owner of OC Cars and Credit US. Afrasiabi stated that he remembered selling a 2014 Mercedes-Benz CLA 250 to a buyer in Las Vegas on September 6th of 2017. Afrasiabi provided pictures of the vehicle and information on the vehicle to include the VIN # of WDDSJ4EBXEN054168. Afrasiabi also provided a copy of a Nevada ID card that was sent to him from the purchaser. The Nevada ID card showed an image of a black female with a Nevada ID card #1705407733 issued to Ronneka Ann Guidry DOB 03/13/1988. The address on the ID card was 5086 Echo Shire Avenue. Detective Salisbury confirmed similarities of the pictures of the vehicle and the ID card photo to the still images of the suspect vehicle and black female

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provided from the video surveillance footage.

The information was relayed to Officer Raquita Sanchez at the LVMPD fusion center who provided criminal history and DMV information on Ronneka Ann Guidry, hereinafter referred to as Guidry, that revealed a history of solicitation for prostitution, theft charges, and an electronic traffic warrant.

The information of the vehicle identification, owner, and address was relayed to Detectives William Van cleef and Justine Gatus who went to the address of 5086 Echo Shire Avenue. Detectives Van Cleef and Gatus observed a black Mercedes, with an OC Cars and Credit US plate, in the driveway of the residence and watched as a black female entered the vehicle at approximately 9:05 p.m. on January 8th, 2018. Detectives Van Cleef and Gatus conducted a vehicle stop on the Mercedes for speeding at Cactus and Southern Highlands and made contact with the driver who identified herself as Ronneka Ann Guidry and admitted to having a warrant. Guidry was placed under arrest for the electronic warrant.

Detective Salisbury met with Guidry and conducted a video recorded interview with her on January 8, 2018. At 11:32 p.m., Detective Salisbury read Guidry her Miranda Rights. Guidry said she understood her rights and consented to the interview. During the interview, she originally said she had been in California and knew nothing of the incident. After being shown a picture of Osorio and a black female in an elevator at the Caesar's, she admitted it was her in the picture and said she gave Osorio a ride in her car on the morning of January 3, 2018. Guidry claimed that they were arguing and she dropped him off in a parking lot. Without ever being asked, Guidry exclaimed that she

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did not steal anything from Osorio. She claimed to have no knowledge of the Rolex watch and that Osorio broke her window in the exchange for no apparent reason. She said she already had the broken window of her vehicle replaced. When asked about her location immediately following the incident, she gave vague details and repeated misinformation of her whereabouts.

The Rolex watch was estimated to be worth approximately 8 thousand dollars by Nuno Osorio and would be difficult to fence if stolen. Finding the watch would be crucial to this investigation as it would prove or disprove any criminal intent on the part of Guidry.

A warrant was approved by the Honorable Judge Harmony Letizia to search Guidry's residence. Guidry's residence of 5086 Echo Shire Avenue was searched for the watch. The watch was not recovered. However, a pink purse was located in the master bedroom closet of the residence. The purse was similar in appearance to the purse that was seen in the elevator video surveillance footage from the Caesar's the night of the incident. Within the purse was \$3,100. The denominations were (31) \$100.00 bills.

Your Affiant believes that the data contained within the vehicle's electronic systems would tend to establish activities before, during, and immediately after the offense in question. And possibly contain data or information establishing ownership and dominion and control over the vehicle and property contained within. This information would either include or eliminate the listed person's involvement in the criminal offense(s) of Leaving the scene of a crash involving death NRS 484E.010, Soliciting or engaging in prostitution NRS 201.354, and Grand Larceny NRS 205.220 has been

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committed.

The 2014 Mercedes-Benz CLA 250 bearing VIN WDDSJ4EBXEN054168 is equipped with an infotainment system which is installed within the center stack according to the manufacturer based on the make and model. These systems are designed to store a vast amount of datum which includes: Vehicle/System information such as vehicle identification number (VIN), part number, serial number, and build number. Further, navigation events such as tracking logs, locations, and routes are also provided. The electronic systems make connections to Bluetooth and Wi-fi devices and store unique identifiers, call logs, contact lists, SMS or MMS messages, emails, media files, pictures, videos, and social media feeds. Also included are vehicle events such as date/time/locations of: doors opening and closing, gear shifts, lights status, start/stop logs, system reports, GPS warnings and voice recordings. This data will be acquired to assist law enforcement during their criminal investigation in order to determine Guidry's involvement and verify her account of the incident. Moreover, the data may provide additional GPS locations and/or leads on where the Mercedes-Benz went after the incident occurred. Lastly, the vehicle logs would assist in identifying any cell phones or electronic devices attempting to connect to the vehicle which could subsequently provide suspect related information or evidence of the crimes being investigated.

Based on the aforementioned information and investigation, your affiant believes grounds for issuance of a search warrant exists as set forth in Nevada Revised Statutes

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179.035 and 179.045 because the items sought constitute evidence which tend to show that a crime has been committed, and that a particular person has committed a crime.

Wherefore, your Affiant requests that a Search Warrant be issued directing a search for and seizure of the aforementioned items from the 2014 Mercedes-Benz bearing vehicle identification number WDDSJ4EBXEN054168 currently located at the LVMPD lot at 4480 W. Oquendo Road, NV 89118 between the hours of 7:00 a.m. & 7:00 p.m.

42 J 8267
Kenneth Salisbury, AFFIANT

SUBSCRIBED and SWORN to before me this 11th day of January, 2018

U. H. [Signature]
JUDGE

SEARCH WARRANT

Event Number: 180103-0360

STATE OF NEVADA) Ronneka Ann Guidry
I) ss: ID#:7037260
COUNTY OF CLARK) DOB: 3/13/1988 SS# 544-43-0203

The State of Nevada, to any Peace Officer in the County of Clark. Proof by Affidavit having been made before me by Detective Kenneth Salisbury, said Affidavit attached hereto and incorporated herein by reference, that there is probable cause to believe that certain item(s), namely

- A. Any and all electronic systems onboard the vehicle that collects, maintains, and/or stores data including but not limited to the vehicle's infotainment and/or telematics devices.
- B. Cellular Phone
- C. Rolex Watch
- D. Articles of personal property which would tend to establish the identity of persons in control of said premises, which items of property would consist in part of and include, but not limited to: paperwork such as proof of insurance, DMV registration, or pawn receipts showing the name(s) of persons owning or responsible for the vehicle and property contained within.
- E. Effects which tend to show possession, dominion, and control over said premises, including but not limited to: clothing, footwear, and/or personal items, items which tend to show evidence of motive and/or the identity of perpetrators such as photographs, receipts, governmental notices, whether such items are written, typed, or stored electronically.

SEARCH WARRANT
(Continuation)

F. Trace evidence to include but not limited to: blood, hair, and other bodily fluid samples.

which is presently located in a 2014 Mercedes-Benz bearing vehicle identification number WDDSJ4EBXEN054168 at the LVMPD secured lot at 4480 W. Oquendo Road Las Vegas, NV 89118:

And I am satisfied that there is probable cause to believe that said item(s) is/are located as set forth above and that based upon the Affidavit attached hereto, there are sufficient grounds for the issuance of the Search Warrant.

You are hereby commanded to search forthwith said person for said items, serving this warrant between the hours of 7:00 a.m. & 7:00 p.m., seize said items from said person if the property there to seize it, prepare a written inventory of the items seized and make a return for me within ten days.

DATED THIS 11th day of January , 2018


JUDGE

RETURN

(Must Be Made Within 10 Days of Issuance of Warrant)

The Search and Seizure Warrant authorizing a search and seizure at the following described location(s) was executed on the 11 day of January, 2018:

(Describe Location) 5555 W. Badura Avenue Las Vegas, NV 89118 LVMPD Crime Lab

A copy of this inventory was left within the 2014 Mercedes-Benz bearing VIN WDDSJ4EBXEN054168 or ☐ at the place of the search.

The following is an inventory of property taken pursuant to the warrant:

- 1. Swab from driver's side "A" pillar.**
- 2. Swab from both front interior door handles.**
- 3. Latent prints from interior**
- 4. Apple iPhone 359318061681931**
- 5. Infotainment telematics module**

This inventory was made by: *(List at least two officers including affiant, if present. If person whom property is taken is present, include that person)*

- 1. Detective Kenneth Salisbury 8264**
- 2. Sergeant Paul McCullough 5617**
- 3. Crime Analyst Heather Ubbens 14792**
- 4. Detective James Beatty 8642**

Exhibit

#14

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DECLARATION OF WARRANT/SUMMONS
(N.R.S. 171.106)
(N.R.S. 53 amended 7/13/1993)

Event Number: 180103-0360

STATE OF NEVADA) Ronneka Ann Guidry
) ss: ID#: 2645844
COUNTY OF CLARK) DOB: 03/13/1988 SS#: 544-43-0203

Kenneth Salisbury, being first duly sworn, deposes and says:

That he is a Detective with the Las Vegas Metropolitan Police Department, being so employed for a period of 13 years, assigned to investigate the crime(s) of Murder, Robbery, Grand Larceny, and Leaving the Scene of a crash committed on or about January 3, 2018, which investigation has developed Ronneka Ann Guidry as the perpetrator thereof.

THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME, TO WIT:

On January 3, 2018, at approximately 2:23 a.m., the LVMPD dispatch center received several phone calls from citizens reporting that a pedestrian was struck by a vehicle on E. Flamingo Road west of S. Koval lane. Other reports stated that a man was banging on the side of a vehicle and the vehicle fled with the unknown male hanging onto the hood. LVMPD patrol officers Dillan Knowles and Michael Amburgey arrived on the scene at approximately 2:25 a.m. and reported that a 4-door black Mercedes-Benz was last seen leaving the area westbound on Flamingo Road. The unknown male, later identified as Eduardo Gaiolli De Sanchez Osorio, was found lying in the roadway on Flamingo Road approximately 135 feet west of Koval Lane. Emergency Medical personnel arrived on the scene and transported Eduardo Gaiolli De Sanchez Osorio, hereinafter referred to as Osorio, to Sunrise Hospital with life threatening injuries. Osorio was identified by a Passport that was located in his clothing by medical staff at Sunrise Hospital.

The information of the black Mercedes was relayed to the LVMPD Fusion Center and surveillance footage from cameras installed on Las Vegas Boulevard revealed that a black vehicle matching the given description was last seen northbound on Las Vegas Boulevard before turning west onto Spring Mountain Road. The vehicle appeared to be a black Mercedes-Benz.

Patrol Officers Jennifer Cruz and Philip Adkins made contact with Security Officer Jamal Cherry at The Westin Hotel and reviewed video surveillance recordings that showed a view of the parking lot on the west side of Jay's Market Convenience Store at 190 East Flamingo Road. The surveillance recordings revealed that a black vehicle pulled into a parking space on the west side of the Jay's Market building at 2:12 a.m. After seven minutes, a man believed to be Osorio, exited the vehicle from the front passenger door and stood outside the door. The black vehicle pulls away at a normal speed and turns to the right as the man appears to stand in place for several seconds. He then turns to the southeast and begins running. The man catches up to the vehicle on Koval Lane at Flamingo

CONTINUATIONEvent #: 180103-0360

Road and appears to be banging on the windshield and hood at the front left of the vehicle. The vehicle turns westbound on Flamingo Road and the man can be seen engaging with the side of the vehicle before falling to the ground as the vehicle speeds away.

Emergency rescue personnel transported Osorio to Sunrise Hospital. Life saving measures failed and Osorio died at Sunrise Hospital at 9:36 hours on January 3rd, 2018. Hospital records revealed he had a blood alcohol level of approximately .188.

Nuno Osorio, the father of Eduardo Osorio, contacted Detective Kenneth Salisbury on January 4, 2018 and asked for his son's passport for funeral arrangements. During the conversation, Nuno inquired about a Rolex Watch that he gave to Osorio as a gift for Osorio's 18th birthday. Inquiries were made with the Clark county coroner's office and Sunrise Hospital and both reported no signs of the watch. Nuno would later provide the model and serial number of the missing Rolex. The model was an Oyster Perpetual 1166610 with a serial number of 6KE22544.

Lucas Simoes made contact with Vice Detectives Eric Charaska and Jennifer Santiago and said that he was with Osorio the evening of the incident. Lucas Simoes stated that they were at Caesar's Palace that evening and Osorio went to the Omnia nightclub at Caesar's Palace when they separated at approximately 11 p.m. Detectives Charaska and Santiago reviewed video surveillance from Caesar's palace and found footage of Osorio in the company of an unidentified heavy-set black female. The female was wearing revealing clothing and carrying a pink purse. In the surveillance footage, Osorio appears to be wearing a silver in color watch on his left wrist and he leaves with the unknown black female in the elevator at approximately 2:06 a.m. The black Mercedes is then seen on the surveillance footage leaving the parking garage at 2:09 a.m. The license plate scanner from Caesar's Palace captured an image of the rear plate area of the vehicle of interest. The rear plate had a dealership placard that read "OC Cars and Credit US 714-620-4400."

Detectives David Freeman and Kenneth Salisbury travelled to 3187 Red Hill Avenue in Costa Mesa, California and made contact with Kamran Afrasiabi on January 8, 2018. Afrasiabi identified himself as the owner of OC Cars and Credit US. Afrasiabi stated that he remembered selling a 2014 Mercedes-Benz CLA 250 to a buyer in Las Vegas on September 6th of 2017. Afrasiabi provided pictures of the vehicle and information on the vehicle to include the VIN # of WDDSJ4EBXEN054168. Afrasiabi also provided a copy of a Nevada ID card that was sent to him from the purchaser. The Nevada ID card showed an image of a black female with a Nevada ID card #1705407733 issued to Ronneka Ann Guidry DOB 03/13/1988. The address on the ID card was 5086 Echo Shire Avenue. Detective Salisbury confirmed similarities of the pictures of the vehicle and the ID card photo to the still images of the suspect vehicle and black female provided from the Caesar's video surveillance footage.

The information was relayed to Officer Raquita Sanchez at the LVMPD fusion center who provided criminal history and DMV information on Ronneka Ann Guidry, hereinafter referred to as Guidry. The inquiry revealed Guidry had a history of solicitation for prostitution, robbery, theft charges, and an electronic traffic warrant. The information of the vehicle identification, owner, and address was relayed to Detectives William Van Cleef and Justine Gatus who went to the address of 5086 Echo Shire Avenue. Detectives Van Cleef and Gatus observed a black Mercedes, with an OC Cars and Credit US plate, in the driveway of the residence and watched as a black female entered the vehicle at approximately 9:05 p.m. on January 8th, 2018. Detectives Van Cleef and Gatus conducted a vehicle stop on the Mercedes for speeding at Cactus and Southern Highlands. The detectives made contact with the driver who identified herself as Ronneka Ann Guidry and admitted to having a warrant. Guidry was placed under arrest for the

CONTINUATIONEvent #: 180103-0360

electronic warrant. The Mercedes was towed to an LVMPD secured lot at 4480 W. Oquendo Road. The vehicle was sealed pending a search warrant.

Detective Salisbury met with Guidry and conducted a video recorded interview with her on January 8, 2018. At 11:32 p.m., Detective Salisbury read Guidry her Miranda Rights. Guidry said she understood her rights and consented to the interview. During the interview, she originally said she had been in California and knew nothing of the incident. After being shown a picture of Osorio and a black female in an elevator at the Caesar's, she admitted it was her in the picture and said she gave Osorio a ride in her car on the morning of January 3, 2018. Guidry claimed that they were arguing and she dropped him off in a parking lot. Without ever being asked, Guidry exclaimed that she did not steal anything from Osorio. She claimed to have no knowledge of the Rolex watch, never had the watch, and that Osorio broke her windshield in the exchange for no apparent reason. She said she already had the broken windshield of her vehicle replaced. When asked about her location immediately following the incident, she gave vague details and repeated misinformation of her whereabouts.

The Rolex watch was estimated to be worth approximately 8 thousand dollars by Nuno Osorio and would be difficult to fence if stolen. Finding the watch would be crucial to this investigation as it would prove or disprove any criminal intent on the part of Guidry. A warrant was approved by the Honorable Judge Harmony Letizia to search Guidry's residence. Guidry's residence of 5086 Echo Shire Avenue was searched for the watch. The watch was not recovered. However, a pink purse was located in the master bedroom closet of the residence. The purse was similar in appearance to the purse that was seen in the elevator video surveillance footage from the Caesar's the night of the incident. Within the purse was \$3,100. The denominations were (31) \$100.00 bills. The currency and purse were photographed and left at the residence.

On January 11, 2018, the Honorable Judge Harmony Letizia approved a warrant to search the interior of the aforementioned Mercedes-Benz. An iPhone was retrieved from the front passenger's seat. The phone was described as an Apple iPhone Model A1522 FCC ID: BCG-E2817A IMEI: 359318061681931 according to the rear plate. The cell phone was impounded at the LVMPD Crime Lab where it was transferred to the Evidence Vault to await computer forensics processing pending the approval of a warrant.

Your Affiant believed that the data contained within the cell phone would tend to establish activities before, during, and immediately after the offenses in question. On January 17, 2018 Detective Beatty with the computer forensics lab executed the warrant on the aforementioned iPhone. The iPhone did in fact contain data and information establishing elements to the offenses being investigated. Specifically, there were pictures taken of a Rolex matching the description of the Rolex being investigated in this case. The date and time stamp showed the pictures were taken approximately 27 minutes after the incident occurred. The coordinate data revealed the photos were taken in close proximity to Guidry's residence at 5086 Echo Shire Ave. Moreover, the call/text log showed correspondence regarding the pictures of the Rolex. The call/text log had a date/time stamp of January 3, 2018 at 2:48 a.m. to 305-495-1356 where a call was made and a picture of the watch was sent. At 2:51 a.m., a text was received from phone number 702-468-4882 (Amber) with a description of "U good." The iPhone responds with a description of "Yes got an all gold." The 702-468-4882 (Amber) replies with "Ok boo u going in." At 2:52 a.m. an outgoing call is made to phone number 971-220-0073 (My King).

An additional picture was recovered from the iPhone during the execution of the warrant. The picture captured a FedEx receipt for the transfer of a package. The address on the receipt was 7620 S. Las Vegas Blvd.

CONTINUATIONEvent #: 180103-0360

The picture was captured on January 3, 2018 at approximately 12:30 p.m. The FedEx tracking number on the receipt was 789207855491. The package was sent to Miami Florida and showed delivered on January 4, 2018 at 3:00 p.m. The package weight was 0.45 kgs. Your affiant believed the overnight delivery combined with the weight of the shipping package showed the potential transfer of the Rolex.

Detective Solomon contacted FedEx at 7620 S. Las Vegas Blvd on January 18, 2018. FedEx corporate provided video surveillance footage of a heavy-set black female that matches Guidry's physical description in the business at approximately 12:16 p.m. packaging a small item from her pink purse. The shipping details, provided by the black female, given to FedEx showed a delivery address of 1199 West Flagler Miami, FL 33130. The package was addressed to Andrew G. with a phone number of 305-495-1356.

A review of the electronic evidence indicates that Guidry contacted 305-495-1356 and provided a picture of the stolen Rolex to the possessor of that phone. As such, there is probable cause to believe that the possessor of that phone has relevant and material information related to the investigation.

I sent a picture to Nuno Osorio, the original purchaser of the Rolex and father of the decedent, via email. The picture I sent to Nuno was a picture of the Rolex from Guidry's iPhone. In the email I asked if he could identify the depicted Rolex as Eduardo's. I explained that he did not have to make a determination and that he shouldn't believe it was Eduardo's watch simply because the picture was coming from me. Nuno responded to my email by writing, "The watch is exactly the same model!" He further wrote that I should confirm by checking the serial number on the Rolex to the serial number he previously provided.

The investigation of these offenses is ongoing as of the conclusion of this report. However, Ronneka Ann Guidry has a lengthy criminal history establishing her modus operandi of using sexual related acts to aid in her theft and robbery efforts. In this case, Guidry intentionally stole Eduardo Osorio's Rolex with the intent of permanently depriving him of said property. Eduardo Osorio tried to retain his property and Guidry intentionally used the force of her vehicle to facilitate her escape. Eduardo Osorio was in close proximity to the vehicle when Guidry quickly accelerated from a stop according to witnesses. This intentional and forceful act of accelerating resulted in Eduardo Osorio colliding with the ground and sustaining injuries. Eduardo Osorio died from the injuries he received during the perpetration of Guidry's Robbery. Ronneka Ann Guidry's intentional acts on January 3, 2018 were contrary to and in direct violation of the Nevada Revised Statutes for Murder, Robbery, Grand Larceny, and Leaving the Scene of a crash.

Wherefore, Declarant prays that a Warrant of Arrest be issued for suspect Ronneka Ann Guidry on the charge(s) of Murder, Robbery, Grand Larceny, and Leaving the Scene of a crash.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on this 19th day of January, 2018.

DECLARANT: _____

WITNESS: _____

DATE: _____

Exhibit

#15

0099

SEARCH WARRANT DECLARATION

ID #

FILED

Event #: 180103-0360

Det. Freeman:

Judge Letizia for the record this conversation is being recorded. Do I have your permission to continue?

Judge Letizia:

Yes.

BY

DEPUTY

Det. Freeman:

This is Detective Freeman, P#4487 and I'm making an application for a telephonic search warrant pursuant to NRS 179.045 under LVMPD Event #180103-0360. I'm talking to Judge Harmony Letizia, the date is January 9th, 2018 and the time is 3:52 a.m. Judge, could you please swear me in, my right hand is raised?

Judge Letizia:

Do you solemnly swear the information contained in your affidavit and application for search warrant is true and correct to the best of your knowledge so help you God?

Det. Freeman:

Yes ma'am. Thank you Judge, my application is as follows:

I, Detective David Freeman, P#4487 am an officer employed by the Las Vegas Metropolitan Police Department and have been so employed for 24 years. Currently assigned to the Collision Investigation Section Fatal Detail and have been so assigned for 5 years. I'm presently investigating the crimes of involuntary manslaughter of NRS 200.070 which occurred at Flamingo Road west of Koval Lane, Las Vegas, Nevada, Clark County on or about 02:23 hours on the 3rd day of January 2018.

There is probable cause to believe that certain property hereinafter described will be found at the following premise to wit:

5086 Echo Shire Avenue, Las Vegas, Nevada 89141. A 2-story single family residence, slate in color with light grey roof tiles. The structure faces south and is the 8th building west of Star Lily Street on the north side of Echo Shire Avenue. There is a beige 2-car roll up garage door at the end of a driveway on the front of the structure. The address numbers of 5086 are affixed to the south side of the residence next to the upper right edge of the roll up garage door. The front door is at the top of a straight set of stairs, it is recessed from the front of the structure on the east side of the building. There are two exterior windows above the garage door that face south.

SW2018-0099
SW
Search Warrant
8843688



1 | Page

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
SEARCH WARRANT DECLARATION**

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The property referred to and sought to be seized consist of the following:

- A) A Rolex wrist watch with a silver band bearing the serial #6KE22544.
- B) Paperwork such as rent receipts, utility bills and addressed letters showing the name of persons residing at the premise to include but not limited to; Personal identification, photographs, utility company receipts, rental receipts and addressed envelopes.
- C) Cellular phones belonging to Ronneka Ann Guldry.
- D) Paperwork such as proof of insurance and/or DMV registration showing the names of persons owning or responsible for a 2014 Mercedes-Benz CLA250 4-door sedan bearing VIN #WDDSJ4EBXEN054168.

The property hereinbefore described constitutes evidence which tends to demonstrate that the criminal offence of Involuntary Manslaughter NRS 200.070 occurred.

Your Affiant requests a nighttime service clause since the residence to be searched is currently being monitored by off duty officers and the primary resident is away from the premises.

The primary resident is aware of this investigation and has the ability to contact the current occupants to potentially arrange disposal of incriminating evidence. A knock and talk was conducted and a premise freeze is currently in effect.

In support of your Affiants assertion to constitute the existence of probable cause the following facts are offered:

January 3rd, 2018 at approximately 2:23 a.m. the LVMPD Dispatch Center received several phone calls reporting that a pedestrian was struck by a vehicle on Flamingo Road west of Koval Lane. Other reports stated that a man was banging on the side of a vehicle and the vehicle left with the unknown male on the hood. LVMPD Officers Dillian Knowles and Michael Amburgey arrived on the scene at approximately 2:25 a.m.

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
SEARCH WARRANT DECLARATION**

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and reported that a 4-door black Mercedes-Benz was last seen leaving the area westbound on Flamingo Road. The unknown male was found lying in the roadway on Flamingo Road approximately 135 feet west of Koval Lane. Emergency Medical Personnel arrived on the scene and transported the unknown male to Sunrise Hospital with life threatening injuries. The injured male was identified as a Eduardo Gaiolli De Sanchez Osorio from a passport that was located by medical staff at Sunrise Hospital.

The information on the black Mercedes was relayed to the LVMPD Fusion Center and surveillance footage from cameras installed on Las Vegas Boulevard revealed that a black vehicle matching the given description was last seen northbound on Las Vegas Boulevard at a high rate of speed that later turned west onto Sahara Avenue.

Officers Jennifer Cruz and Phillip Adkins made contact with Security Officer Jamal Cherry at the Westin Hotel and reviewed video surveillance recordings that showed a view of the parking lot on the west side of Jay's Market Convenience Store at 190 East Flamingo Road. The surveillance recordings revealed that a black vehicle pulled into a parking space on the west side of the building and after approximately 7 minutes a man (believed to be Eduardo Gaiolli De Sanchez Osorio) exited the vehicle from the front passenger door and stands outside the door. The black vehicle pulls away and turns to the right as the man appears to do a personal inventory and then turns to the southeast and begins running. The man catches up to the vehicle on Koval Lane north of Flamingo Road and appears to be hanging on the windshield and hood at the front left corner of the vehicle. The vehicle turns westbound on Flamingo Road and the man can be seen clinging to the side of the vehicle and then falling to the ground as the vehicle speeds away.

Life saving measures failed and Eduardo Gaiolli De Sanchez Osorio died at Sunrise Hospital at 9:36 hours on January 3rd, 2018.

Nuno Osorio, the father of Eduardo Osorio, contacted Detective Ken Sallsbury and asked for his son's passport for funeral arrangements and inquired about a Rolex watch that he gave his son as a gift for his 18th birthday. Inquiries were made with the Clark County Coroner's Office and Sunrise Hospital and both reported no sign of the watch. Lucas

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
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Simoese made contact with Detectives Eric Charaska and Jennifer Santiago and said he was with Eduardo Osorio that night. Lucas Simoes stated that they were at Caesars Palace that evening and Eduardo Osorio went to the Omnia Nightclub at Caesars Palace when they separated at approximately 11:00 p.m. Detectives Charaska and Santiago reviewed video surveillance from Caesars Palace and found footage of Eduardo Osorio in the company of a heavyset black female. Eduardo Osorio appears to be wearing a watch on his left wrist and he leaves with this unknown black female in the elevator at approximately 2:06 a.m. on January 3rd. The black Mercedes is then seen on the surveillance footage leaving the parking lot at 2:09 a.m. License plate scanner from Caesars Palace captured an image of the rear plate area of the vehicle of interest. The rear plate had a dealership placard that read OC Cars and Credit 714-620-4400.

Detectives David Freeman and Kenneth Salisbury traveled to 3187 Red Hill Avenue in Costa Mesa, California and made contact with Kamran Afrasiabi who identified himself as the owner of OC Card and Credit. Kamran stated that he remembered selling a 2014 Mercedes-Benz CLA250 to a buyer in Las Vegas on September 6th of 2017. Kamran provided pictures of the vehicle and information on the vehicle to include the VIN number of WDDSJ4EBXEN054168. Kamran also provided a copy of a Nevada ID Card that was sent to him from the purchaser. The Nevada ID Card showed an image of a black female, an ID #1705407733 issued to Ronneka Ann Guidry, DOB 03-13-1988 at 5086 Echo Shire Avenue, Las Vegas, Nevada. Detective Salisbury confirmed similarities of the pictures of the vehicle and the ID card photo provided by Kamran Afrasiabi to the still images of the suspect vehicle and the black female provided from the video surveillance footage.

The information was relayed to Officer Raquita Sanchez at the LVMPD Fusion Center who provided criminal history and DMV information on Ronneka Ann Guidry that revealed a history of solicitation for prostitution, theft charges and a traffic warrant.

The information was relayed to Detectives William Van Cleef and Justine Gatus who surveilled the address of 5086 Echo Shire Avenue. Detectives Van Cleef and Gatus observed a black Mercedes in the driveway of the residence and watched as a black female entered the vehicle at

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
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approximately 9:05 p.m. on January 8th, 2018. Detectives Van Cleef and Gatus conducted a vehicle stop at Cactus and Southern Highlands and made contact with the driver who identified herself Ronneka Ann Guidry.

Detective Salisbury conducted a recorded interview with Ronneka Ann Guidry and she admitted to giving Eduardo Osorio a ride in her car on the morning of January 3rd, 2018. Ronneka Ann Guidry claimed that they were arguing and she dropped him off in a parking lot. She claimed to have no knowledge of the Rolex watch and that Eduardo Osorio broke her window in the exchange which she had already replaced.

The Rolex watch was estimated to be worth approximately \$8,000.00 by Nuno Osorio and would be difficult to fence if stolen. Finding the watch would be crucial to this investigation as it would prove or disprove any criminal intent on the part of Ronneka Ann Guidry. I believe the residence of Ronneka Ann Guidry should be searched for the watch as it would likely be placed in a secure place due to the extreme value.

Judge Letizia, this concludes the probable cause details.

Judge, Letizia, would you like me to read the Duplicate Original Search Warrant?

Judge Letizia:

No.

Det. Freeman:

Judge Letizia, do you find that probable cause exists for the issuance of this Search Warrant?

Judge Letizia:

Yes.

Det. Freeman:

Judge Letizia, do you authorize the nighttime search?

Judge Letizia:

Yes.

Det. Freeman:

Judge Letizia, do I have your permission to sign your name to the Duplicate Original Search Warrant?

Judge Letizia:

Yes.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
SEARCH WARRANT DECLARATION

ID #

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Det. Freeman: Thank you Judge. For the record, I am signing your name to the Duplicate Original Search Warrant.

Judge Letizia, this will end our conversation and conclude the recording at approximately 4:03 a.m. on January 9th, 2018. Thank you for your time.

Judge Letizia: Thank you.

Det. Freeman: Thank you Judge, I really appreciate that.

Judge Letizia: Yeah, no problem. Thanks.

Det. Freeman: Have a good day.

Judge Letizia: You too, bye.

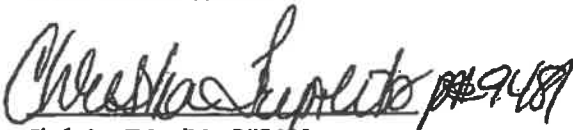
Det. Freeman: Bye.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
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ID #

Event #: 180103-0360

This transcription has been typed by Christina Tripolitis P#9481 on December 10, 2017 at 07:30 hours and is true and correct.


Christina Tripolitis, P#9481

I Detective David Freeman, P#4487 having reviewed this transcription on January 10, 2018 at 9:54 am hours, affirm that it is true and correct.


Detective David Freeman, P#4487

Certification

Having read the transcription of the telephonic search warrant issued by this Court on ~~December 9,~~ ^{January} 2017, under Event #180103-0360 with Detective David Freeman, P#4487 of the LVMPD serving as affiant and having reviewed the recording of the application, it appears the transcription is accurate.


Judge Harmony Letizia

RECEIVED IN JUSTICE COURT
DEPARTMENT 3 CHAMBERS ON

JAN 12 2018

DUPLICATE ORIGINAL SEARCH WARRANT

N.R.S. 179.045

SW2018

0899

STATE OF NEVADA }

COUNTY OF CLARK }

FILED
ss. **GULDREY, RONNEKA ANN** ID#2645844

2018 JAN 12 P 12:36

The State of Nevada, to any Peace Officer in the County of Clark. Proof having been made therefore me by Detective David Freeman by oral statement given under oath, that there is probable cause to believe that certain evidence, to wit:

- A) A Rolex wristwatch, with a silver band, bearing the serial number 6KE22544.
- B) Paperwork such as rent receipts, utility bills, and addressed letters showing the name(s) of persons residing at the premises to include but not limited to: personal identification, photographs, utility company receipts, rental receipts and addressed envelopes.
- C) Cellular phone(s) belonging to Ronneka Ann Guldrey.
- D) Paperwork such as proof of insurance and/or DMV registration showing the name(s) of persons owning or responsible for a 2014 Mercedes-Benz CLA250 4-door sedan bearing vin# WDDSJ4EBXEN054168.

Is within the following described premises to wit:

5086 Echo Shire Ave, Las Vegas, Nevada 89141. A two-story single family residence, slate in color with light grey roof tiles. The structure faces south and is the 8th building west of Star Lilly Street on the north side of Echo Shire Ave. There is a beige two-car roll-up garage door at the end of a driveway on the front of the structure. The address numbers of 5086 are fixed to the south side of the residence next to the upper right edge of the roll-up garage door. The front door is at the top of a straight set of stairs that is recessed from the front of the structure on the east side of the building. There are two exterior windows above the garage door that face south. There are two 2nd floor exterior windows on the west side of the structure.

As I am satisfied that there is probable cause to believe that said evidence is located as set forth above and based upon the statement of Detective David Freeman, there is sufficient ground for the issuance of the Search Warrant.

You are hereby commanded to search said premise for said property, serving this warrant anytime of the day or night, and if the property is there to seize and leave a written inventory and make a return before me within 10 days.

Dated January 9th, 2018 at 0403 hours.

Judge's Signature: HARMONY LETIZIA
Signed by DAVID F. ROSEN acting upon the
oral authorization of Judge

Witnessed by KENNETH S. LEE 8267.

ENDORSED this 12th day of January, 2018.
Day Month Year

CN. [Signature]
HARMONY LETIZIA

RECEIVED IN JUSTICE COURT
DEPARTMENT 3 CHAMBERS ON
JAN 17 2018

RETURN

SW2018

180103-0360

(Must be made within 10 days of issuance of Warrant)

FILED

The Search and Seizure Warrant authorizing a search and seizure at the following described location(s) was executed on this 9th day of January, 2018.

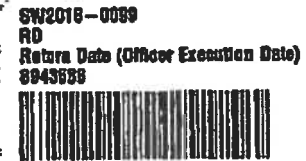
JUSTICE COURT
LAS VEGAS NEVADA

BY DEPUTY

5086 Echo Shire Ave, Las Vegas, Nevada 89141. A two-story single family residence, slate in color with light grey roof tiles. The structure faces south and is the 8th building west of Star Lilly Street on the north side of Echo Shire Ave. There is a beige two-car roll-up garage door at the end of a driveway on the front of the structure. The address numbers of 5086 are fixed to the south side of the residence next to the upper right edge of the roll-up garage door. The front door is at the top of a straight set of stairs that is recessed from the front of the structure on the east side of the building. There are two exterior windows above the garage door that face south. There are two 2nd floor exterior windows on the west side of the structure.

The following is an inventory of property taken pursuant to the warrant:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.



This inventory was made by: _____

5617
Officer's Initials

Exhibit

#16



Case Report

Administrative

Case Report Number	LLV180103000360-002	Verification Level	
Subject	Murder WDW	Precinct	Convention Center Area Command
Disposition	Active		
Entered On	2/1/2018 12:38:38 PM	Jurisdiction	Clark County
Entered By	Sanford, Matthew W	Grid	
Reported On	1/3/2018	Sector	M3
Reporting Officer	Salisbury, Kenneth D	Map	
Reporting Agency	LVMPD - Las Vegas Metropolitan Police Department	Beat	
		Census/Geo Code	
Report Type		Call Source	911
Assisted By		Related Cases	
Occurred On (Date and Time)	Wednesday 1/3/2018 2:23:00 AM	Means	
Or Between (Date and Time)		Other Means	
Location	Koval / Flamingo	Motives	
CSZ	Las Vegas, NV 89109	Other Motives	
Location Name		Vehicle Activity	
		Direction Vehicle Traveling	
		Cross Street	
		Notified	
Verification			

For Exceptional Clearances

Clearance Basis

Exceptional Clearance Date

Narrative

During the evening hours of 01/02/2018 our victim, Osorio was at the Caesar's Palace with friends. Osorio was temporarily here in the country from Brazil and was interested in going to the Omni Night Club located inside Caesar's. Osorio's friends were too tired and decided to leave Osorio to the club by himself.

At approximately 0209 hours Osorio leaves the casino with a female he met in the night club, later identified as Guidry. The two walk out to the parking garage where Guidry's vehicle is parked and drive to the Westin Hotel (Flamingo/Koval) where Guidry backs into a parking stall in the south lot, far east side. The two remain in the car for approximately seven



minutes when Osorio then exits the passenger side of the car and takes a personal inventory of his belongings as Guidry begins to pull away and turn to the north.

Osorio then runs directly to the intersection of Koval and Flamingo and confronts Guidry in her vehicle while its in the roadway, banging on the hood and windshield. Guidry briefly stops her vehicle and then begins pulling forward and past Osorio as he tries to cling to the side of the vehicle. Guidry continues westbound on Flamingo and Osorio falls to the ground and sustains a severe head injury and is transported to Sunrise Trauma where he is pronounced deceased. Upon Osorio's personal properties in his possession being accounted for it was noticed his watch was missing. It is believed during the interaction and exchange of Osorio and Guidry, she was able to remove the watch from his wrist, thus permanently depriving him of his property thereof.

The details of this event were able to be pieced together by backtracking and utilizing camera systems that are positioned within Caesars Palace, Police intersection cameras, and Westin Hotel property. Video surveillance of the interior of Caesars, Osorio is clearly seen wearing a silver watch on his left wrist as he's leaving the casino with the identified suspect, Ronneka Guidry #2645844 around 0209 hours. This watch was a gift to him from his parents on his 18th birthday and has been identified as a Rolex Oyster Perpetual S# 6KE22544. As a result of Osorio being deceased this report was taken on his behalf.

This event remains under investigation by the LVMPD Collision Investigation Section. Should you have any questions, or information about the case please contact Det. K Salisbury in the Traffic Bureau @ 702-828-3595 dayshift, Tues-Fri.

Offense

Offense	Open Murder, E/DW(F)- NRS 200.010	Domestic Violence	
Code Section		Premises Entered	
IBR Code		Entry	
IBR Group		Using	
Crime Against	Person	Weapons	Motor Vehicle (When Used As Weapon)
UCR Hierarchy	01	Criminal Activity	
Location Type	Highway/Road/Alley	Type Security	
Completed	Yes	Tools	
Hate/Bias	None (No Bias)		



Offense

Offense	Robbery, E/DW(F)-NRS 200.380	Domestic Violence	
Code Section		Premises Entered	
IBR Code		Entry	
IBR Group		Using	
Crime Against	Property	Weapons	Motor Vehicle (When Used As Weapon)
UCR Hierarchy	03	Criminal Activity	
Location Type	Highway/Road/Alley	Type Security	
Completed	Yes	Tools	
Hate/Bias	None (No Bias)		

Offenders

Suspect Name: Guidry, Ronneka

Aliases

Alias

Alert(s)

Addresses

Address Type	Address	CSZ	County	Country
Residence	5086 Echo Shire	Las Vegas, NV 89141	Clark	USA

Phones

Phone Type	Phone Number
Cellular	(702) 502-8508

Emails

Email Address

Sex	Female	DOB	3/13/1988
Race	Black or African American	Age	29
Ethnicity	Not Hispanic or Latino	Eye Color	Brown



Hair Color	Black	Weight	145
Hair Style	Straight	Resident	Resident
Hair Length	Shoulder Length	POB	
Facial Hair		DLN	
Complexion	Dark	DL State	
Teeth		DL Country	
Build	Heavy	SSN	544-43-0203
Height	5' 5"		

Scars, Marks and Tattoos

SMT	Location	Description
-----	----------	-------------

Attire		MO
Employer/School	Self	Other MO
Employer Address		Habitual Offender
Employer CSZ		Status
Occupation/Grade		

Notes

Victims

Name: Osorio, Eduardo

Victim Type	Individual
Victim of	50001 - Open Murder, E/DW(F)-NRS 200.010 50138 - Robbery, E/DW(F)-NRS 200.380

Aliases

Alias

Alerts

Addresses

Address Type	Address	CSZ	County	Country
Other				

Phones



Phone Type	Phone Number
------------	--------------

Emails

Email Address

Sex	Male	POB	
Race	White	DLN	
Ethnicity	Unknown	DL State	
DOB	8/1/1996	DL Country	
Age	21	SSN	
Eye Color	Brown	Attire	
Hair Color	Brown	Employer/School	
Facial Hair		Employer Address	
Complexion		Employer CSZ	
Height	5' 10"	Occupation/Grade	
Weight	165	Testify	
Resident	Nonresident	Injury	Other

Offender Relationships

Offender	Relationship
S - Guidry, Ronneka	Victim Was Stranger

Circumstances Other Circumstances
Just. Hom. Circ.

LEOKA Info

Type	Activity
Assignment	ORI-Other Jurisdiction

Notes
Deceased

Witnesses _____

Other Entities _____

Properties _____



Property Jewelry / Precious Metals

IBR Type	17	Serial	6KE22544
UCR Type	17	Number\VIN	
Description	Mens watch	Color	Silver or Aluminum
Status	Stolen	Recovered Date	
Count	1	Owner	V - Osorio, Eduardo
Value	8,000.00	Disposition	
Manufacturer	Rolex	Evidence Tag	
Model	Oyster Perpetual	Alert(s)	

Vehicle Information

Vehicle Type	License Number
Vehicle Year	License Exp. Date
Body Style	License State

Color Type	Color
------------	-------

Drug Information

Drug Type
Drug Quantity
Drug Measure

Notes

Exhibit

#17

AFFIDAVIT

STATE OF OREGON

County of Clackamas.

COMES NOW Teresa Patton of 2323 NE Killingsworth Street, Portland, Oregon 97211, being first duly sworn, under oath, and states the following information is within her personal knowledge and belief:

That on January 9, 2018 at approximately 9:30 AM, I received a message on my Snapchat account from my cousin Ronneka Guidry, who at the time was residing in Las Vegas, Nevada. The message stated 'What up boo'. A few days later, I learned that Ronneka was in the custody of the Las Vegas Metropolitan Police Department at the time the message was sent, and her phone was in their possession due to be arrested for an outstanding traffic warrant.

Teresa Patton

Signature

Teresa Patton

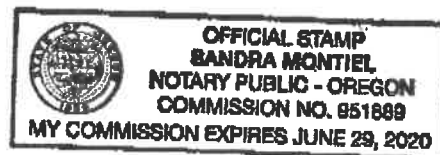
Printed name

SUBSCRIBED AND SWORN TO before me this 28th day of June 2019,
by Teresa Patton.

Bandra Montiel

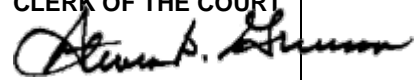
NOTARY PUBLIC FOR OREGON

My commission expires: 06-29-2020



DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
6/27/2019 8:05 AM
Steven D. Grierson
CLERK OF THE COURT



State of Nevada
vs
Ronneka Guidry

Case No.: C-18-329810-1
Department 3

NOTICE OF HEARING

Please be advised that the Defendant's Motion to Suppress Evidence in the above-entitled matter is set for hearing as follows:

Date: July 10, 2019
Time: 9:30 AM
Location: RJC Courtroom 16C
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

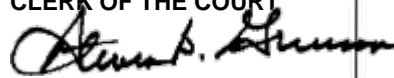
STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Miriam Vazquez
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Miriam Vazquez
Deputy Clerk of the Court



NWEW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #6955
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONNEKA ANN GUIDRY,
#2645844

Defendant.

CASE NO: C-18-329810-1

DEPT NO: III

**STATE'S SUPPLEMENTAL NOTICE OF EXPERT WITNESSES
[NRS 174.234(2)]**

TO: RONNEKA ANN GUIDRY, Defendant; and

TO: CRAIG MUELLER, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

***INDICATES ADDITIONAL EXPERT WITNESSES**

AOYAMA, KATHRYN – LVMPD P#8025 (or designee): Expert in the field of latent
fingerprint collection, examination, comparison and analysis and is expected to testify thereto.

BEATTY, J. – LVMPD P#8642 (or designee): Expert in the field of computer forensic
analysis, collection of information, interpretation, and preservation of electronic evidence
including from cellular phones and is expected to testify thereto.

///

1 **CUSTODIAN OF RECORDS - AT&T:** Expert in the area of cellular phones, and
2 cellular system technology including cell tower generation of calls and ability to determine the
3 location where generated based upon historical records of cellular phone records as well as the
4 creation, functioning, data collection and information received and collected by cellular
5 provider cell cites, its analysis and conclusions which can be drawn and is expected to testify
6 thereto.

7 **CUSTODIAN OF RECORDS - SPRINT:** Expert in the area of cellular phones, and
8 cellular system technology including cell tower generation of calls and ability to determine the
9 location where generated based upon historical records of cellular phone records as well as the
10 creation, functioning, data collection and information received and collected by cellular
11 provider cell cites, its analysis and conclusions which can be drawn and is expected to testify
12 thereto.

13 **CUSTODIAN OF RECORDS - T-MOBILE:** Expert in the area of cellular phones,
14 and cellular system technology including cell tower generation of calls and ability to determine
15 the location where generated based upon historical records of cellular phone records as well
16 as the creation, functioning, data collection and information received and collected by cellular
17 provider cell cites, its analysis and conclusions which can be drawn and is expected to testify
18 thereto.

19 **CUSTODIAN OF RECORDS – VERIZON:** Expert in the area of cellular phones,
20 and cellular system technology including cell tower generation of calls and ability to determine
21 the location where generated based upon historical records of cellular phone records as well
22 as the creation, functioning, data collection and information received and collected by cellular
23 provider cell cites, its analysis and conclusions which can be drawn and is expected to testify
24 thereto.

25 ***GAVIN, DR. LISA** (or designee): is a medical doctor employed by the Clark County
26 Coroner Medical Examiner. She is an expert in the area of forensic pathology and will give
27 scientific opinions related thereto. She is expected to testify regarding the cause and manner
28 of death of EDUARDO OSORIO in this case.

1 **KING, CRAIG – LVMPD P#9971** (or designee): Expert in the field of identification
2 of biological fluids, DNA extractions, comparisons, and analysis and is expected to testify
3 hereto.

4 **NEMCIK, A. – LVMPD P#8504** (or designee): Expert in the identification,
5 documentation, collection and preservation of evidence, including crime scene analysis and is
6 expected to testify as an expert to the identification, documentation, collection and
7 preservation of evidence in this case.

8 **PAINE, T. – LVMPD P#14793** (or designee): Expert in the identification,
9 documentation, collection and preservation of evidence, including crime scene analysis and is
10 expected to testify as an expert to the identification, documentation, collection and
11 preservation of evidence in this case.

12 **ROQUERO, DR. LEONARDO** (or designee): is a medical doctor employed by the
13 Clark County Coroner Medical Examiner. He is an expert in the area of forensic pathology
14 and will give scientific opinions related thereto. He is expected to testify regarding the cause
15 and manner of death of EDUARDO OSORIO in this case.

16 **SALISBURY, K. – LVMPD P#8264** (or designee): This witness is a detective
17 employed by LVMPD. He is an expert in accident reconstruction. He is expected to testify to
18 methodologies generally used in accident reconstruction. He is expected to testify as to the
19 details and conclusions of the accident reconstruction done in this case.

20 **STRUMILLO, J. – LVMPD P#16067** (or designee): Expert in the identification,
21 documentation, collection and preservation of evidence, including crime scene analysis and is
22 expected to testify as an expert to the identification, documentation, collection and
23 preservation of evidence in this case.

24 **UBBENS, H. – LVMPD P#14792** (or designee): Expert in the identification,
25 documentation, collection and preservation of evidence, including crime scene analysis and is
26 expected to testify as an expert to the identification, documentation, collection and
27 preservation of evidence in this case.

28 ///

These witnesses are in addition to those witnesses endorsed on the Information or Indictment and any other witness for which a separate Notice of Witnesses and/or Expert Witnesses has been filed.

The substance of each expert witness' testimony and copy of all reports made by or at the direction of the expert witness has been provided in discovery.

A copy of each expert witness' curriculum vitae, if available, is attached hereto.

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

BY /s/ Marc DiGiacomo
MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #6955

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that service of the above and foregoing, was made this 3rd day of July, 2019 by Electronic Filing to:

CRAIG MUELLER, ESQ.
Email: cmueller@muellerhinds.com

BY: /s/ Stephanie Johnson
Secretary for the District Attorney's Office

18F01097X/saj/MVU

Lisa Gavin, M.D., M.P.H.

1704 Pinto Lane, Las Vegas, NV 89106 ♦ 702.455.3210 ♦ LGavin@ClarkCountyNV.gov

Current Position	Medical Examiner, 2009 to present <i>Office of the Coroner/Medical Examiner, Clark County, Las Vegas, Nevada</i>
Training & Education	Forensic Pathology Fellowship, 2008 to 2009 <i>Office of the Chief Medical Investigator, Albuquerque, New Mexico</i> Surgical Pathology Fellowship, 2007-2008 <i>Hartford Hospital, Hartford, Connecticut</i> Anatomic & Clinical Pathology Residency, 2002 – 2007 <i>Hartford Hospital, Hartford, Connecticut</i> Post-Sophomore Fellowship in Pathology, 2001 – 2002 <i>University of Connecticut Health Center, Farmington, Connecticut</i> Medical Degree, 2001 <i>University of Connecticut School of Medicine, Farmington, Connecticut</i> Master Degree of Public Health, 1994 <i>Columbia University School of Public Health, New York, New York</i> Bachelor of Arts, 1991 <i>Mount Holyoke College, South Hadley, Massachusetts</i>
Current & Previous Work Experience	Adjunct Professor, 2011 – present <i>Touro University School of Medicine, Henderson Nevada</i> Teacher of “Correlated Medical Problem Solving” Course, 2001 – 2002 <i>University of Connecticut School of Medicine, Farmington Connecticut</i> Manager of South Marshal Street Pediatric Clinic, 1995 – 1997 <i>Salvation Army, South Marshall Street, Hartford Connecticut</i> Administrative Assistant to the Director of Admissions & Career Development and to the Director of Academic & Student Affairs, 1992 – 1994 <i>Columbia University School of Public Health, New York, New York</i> Tutor and Evaluator of Children with Learning Disabilities, 1988 – 1994 & 1996 – 1997 <i>Milford, Connecticut & Farmington, Connecticut</i> Coordinator of Infant Registration Project, 1991 – 1992 <i>New York City Department of Health: Office of Child Health Planning, New York, New York</i>
Memberships	American Academy of Forensic Sciences (AAFS), 2009 – present National Association of Medical Examiners (NAME), 2010 – present International Association of Coroners & Medical Examiners (IAC&ME), 2010 – present American Society of Clinical Pathology, 2003 – 2008, 2010 – 2015
Certification	Anatomic Pathology, May 2015 Forensic Pathology, September 2015

Next Page > > >

Lisa Gavin, M.D., M.P.H.

1704 Pinto Lane, Las Vegas, NV 89106 ♦ 702.455.3210 ♦ LGavin@ClarkCountyNV.gov

Service Work

- Local Arrangements Chair for American Academy of Forensic Sciences 68th Annual Meeting
- Presenter at the International Association of Coroners & Medical Examiners Conference, 2015 & 2016
- Guest Speaker at the Veterans Tribute Career and Technical Academy
- Annual presenter for Bring Your Child to Work day at Clark County Coroners/Medical Examiners Office.
- Annual Host for summer high-school student tours of Hartford Hospital Department of Pathology
- Education of Medical Students & Residents on rotation in Hartford Hospital Department of Pathology
- Guest speaker for Public Relations Department at Hartford Hospital for local middle-school children
- Guidance to Medical Technician Students interested in future careers in Medicine
- Editor of personal statements and resumes

Resident & Fellow Topics

Two Unusual Neuropathology Cases, January 2008
Testicular Germ Cell Tumors, October 2007
Waldenströms Macroglobulinemia, October 2005
Minimal Change Disease & Focal Segmental Glomerular Sclerosis, October 2004
Crescentic Glomerulonephritis or Rapidly Progressive Glomerulonephritis, January 2004
Mitral Valve Prolapse and Sudden Death, July 2003

Research Experience

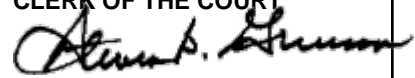
Polyoma Virus Hemorrhagic Cystitis in an Otherwise Normal Child, 2008
Hartford Hospital Department of Pathology & Department of Pediatric Infectious Disease
Metastatic Testicular Choriocarcinoma in a Young Male with Abdominal Pain, 2007
Hartford Hospital Department of Pathology & University of Connecticut Department of Internal Medicine
Inter-observer Variability in Diagnosing Colon Biopsies as Indefinite for Dysplasia, 2006
Hartford Hospital Department of Pathology
Susceptibility of Streptococcus Pneumoniae to Moxifloxacin and Other Antimicrobial Agents, 2004
Hartford Hospital Department of Pathology & Laboratory Medicine

Awards & Scholarship

Kenneth S. Field Award of Appreciation, from AAFS Staff, 2016
Dr. Beckett Book Award, 2007
Martin Berman Immunopathology Award, 2007
Bloomberg Award for Psychiatry, 2001

Medical License

State of Nevada, 2009 – present
State of New Mexico, 2008 – 2010



OPPS

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #006955
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONNEKA ANN GUIDRY,
#2645844

Defendant.

CASE NO: C-18-329810-1

DEPT NO: III

**STATE'S OPPOSITION TO DEFENDANT'S THIRD MOTION TO SUPPRESS
EVIDENCE**

DATE OF HEARING: 07/10/2019
TIME OF HEARING: 9:30 AM

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through MARC DIGIACOMO, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in Opposition to Defendant's Third Motion To Suppress Evidence.

This Opposition is made and based upon all the papers and pleadings on file herein, the attached points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

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PROCEDURAL HISTORY

Defendant was indicted by the Clark County Grand Jury on February 9, 2018. On November 8, 2018, Defendant filed a motion to suppress claiming that the affiant in the warrant for the search of her house had a misrepresentation of the video surveillance of the incident as well as a claim that the children were improperly influenced to provide the passcode to Defendant's phone. On December 5, 2018, the Court denied the motion finding that the description of the video surveillance wasn't even necessary for a finding of probable cause.¹ During this hearing, Defendant's counsel indicated that they believed the police had searched the home prior to the authorization of the telephonic search warrant. The State demanded an affidavit to establish those facts and a new motion.

Instead of offering evidence to establish the oral claim related to the house, Defendant refiled nearly the exact motion to suppress which was previously denied on March 8, 2019. Upon review, on March 14, 2019, the Court entered the following minute order:

In the instant matter, the Defense filed a Motion to Suppress Evidence on November 9, 2018. The State filed an Opposition and the motion was heard by the Court on December 5, 2018. The Motion asked to Suppress Evidence (from a phone search) alleging that during a search warrant based home search, police officers lied to the Defendant's children, bribed them and then accessed the Defendant's phone without her consent. After oral argument, the COURT RULED that there was no need for any evidentiary hearing and the motion was ORDERED DENIED with the COURT FINDING: (1) the phone in question was located during a vehicle search which was conducted only after a legal and proper search warrant was obtained, (2) thereafter, the phone that was located was searched only after a separate legal and proper search warrant was obtained for the phone and (3) arguably, there was no impropriety in the officers contacting and speaking with Defendant's children since they were home alone when the home search occurred and the probable cause that existed in each warrant did not involve any information gleaned from any children so any contact the officers had with the Defendant's children was irrelevant to the search warrants.

On March 8, 2019, the Defense filed a new Motion to Suppress Evidence (again directed at the search of Defendant's phone). However, a review of the Motion

¹ The undersigned does not remember the Court specifically addressing the claim related to the children, but as there was no legal authority for suppression, the State assumes the Court found no basis to find the police did anything improper.

1 reveals it to be an almost verbatim recitation of the original Motion. The same
2 allegation is raised: that officers lied to, and bribed, the Defendant's children
3 and searched her phone without her consent. Because this Motion directs itself
4 to the exact same issue previously litigated in the case and raises no new legal
5 arguments and alleges no new factual matters, there is no basis for
6 reconsideration and the motion is ORDERED DENIED on the pleadings.

7 On June 26, 2019, Defendant filed the instant Motion to Suppress. While the motion
8 is much more detailed than the prior motions filed, the claims rest on three theories. The first
9 is that the police misrepresented the content of the surveillance tape. However, the line to
10 which he complained in the prior motion, isn't included in any warrant but the original
11 telephonic. Moreover, the description of the video contained in the warrant has no
12 misrepresentation, but is open to interpretation. Defendant re-raises the claim related to the
13 children. Finally, as opposed to the claim that the police executed the search of the home prior
14 judicial authorization, the claim is now that the police accessed the phone before judicial
15 authorization. The only support for this contention is an affidavit from Teresa Patton who
16 claims to have received a Snap Chat on January 9, 2018 at 9:30 a.m. that stated "What up
17 boo." Ms. Patton's Snap Chat account has not been provided, nor Defendant's. Why the
18 defense believes that this Snap Chat message was sent from the phone searched was not
19 addressed. The State now opposes the motion.

20 **STATEMENT OF FACTS**

21 Ronneka Guidry is a known prostitute who routinely victimizes her customers by
22 stealing from them. On the night of January 3, 2018, Ms. Guidry targeted the victim in the
23 instant case, lured him into her car where she stole his watch. When the victim tried to recover
24 the watch, Guidry drove away, in the process, killing the victim. Upon learning of a warrant
25 in the instant case, Guidry fled the jurisdiction, dropping her children off with a relative in
26 Oregon and then going on the run for several weeks as law enforcement actively sought her
27 capture. Guidry was eventually captured in Mobile, Alabama on a bus to New Orleans.
28 Guidry initially provided officers of the Mobile police department a fake name and was almost
released. Guidry was extradicted to Nevada to face these charges.

1 **I. THE INSTANT CHARGES**

2 On January 3, 2018, at approximately 2:23a.m., the LVMPD dispatch center received
3 several phone calls from citizens reporting that a pedestrian was struck by a vehicle on E.
4 Flamingo Road west of S. Koval lane. Other reports stated that a man was banging on the side
5 of the vehicle and the vehicle fled with the unknown male hanging onto the hood. LVMPD
6 patrol officers Dillan Knowles and Michael Amburgey arrived on the scene at approximately
7 2:25 a.m. and reported that a 4-door black Mercedes-Benz was last seen leaving the area
8 westbound on Flamingo Road. The unknown male, later identified as Eduardo Gaiolli De
9 Sanchez Osorio, was found lying in the roadway on Flamingo Road approximately 135 feet
10 west of Koval Lane. Emergency Medical personnel arrived on the scene and transported
11 Eduardo Gaiolli De Sanchez Osorio, hereinafter referred to as Osorio, to Sunrise Hospital with
12 life threatening injuries. Osorio was identified by a Passport that was located in his clothing
13 by medical staff at Sunrise Hospital.

14 The information of the black Mercedes was relayed to the LVMPD Fusion Center and
15 surveillance footage from cameras installed on Las Vegas Boulevard revealed that a black
16 vehicle matching the given description was last seen northbound on Las Vegas Boulevard
17 before turning west onto Spring Mountain Road. Patrol Officers Jennifer Cruz and Philip
18 Adkins made contact with Security Officer Jamal Cherry at The Westin Hotel and reviewed
19 video surveillance recordings that showed a view of the parking lot on the west side of Jay's
20 Market Convenience Store at 190 East Flamingo Road. The surveillance recordings revealed
21 that a black vehicle pulled into a parking space on the west side of the building at 2:12 a.m.
22 After seven minutes, Osorio exited the vehicle from the front passenger door and stood outside
23 the door. The black vehicle pulled away at a normal speed and turned to the right as Osorio
24 appeared to stand in place for several seconds. He then turned to the southeast and began
25 running in the direction of the black Mercedes on Koval. Osorio caught up to the vehicle on
26 Koval Lane at Flamingo Road and began banging on the windshield and hood at the front left
27 of the vehicle. The vehicle turned westbound on Flamingo Road and Osorio can be seen
28 engaging with the side of the vehicle before falling to the ground as the vehicle sped away.

1 Emergency rescue personnel transported Osorio to Sunrise Hospital. Life saving
2 measures failed and Osorio died at Sunrise Hospital at 9:36 hours on January 3rd, 2018. Nuno
3 Osorio, the father of Eduardo Osorio, contacted Detective Kenneth Salisbury on January 4,
4 2018 and asked for his son's passport for funeral arrangements. During the conversation, Nuno
5 inquired about a Rolex Watch that he gave to Osorio as a gift for Osorio's 18th birthday.
6 Inquiries were made with the Clark county coroner's office and Sunrise Hospital and both
7 reported no signs of the watch. The watch was a Rolex Submariner 116610 with serial number
8 6KE22544.

9 Lucas Simoes made contact with Vice Detectives Eric Charaska and Jennifer Santiago
10 and said that he was with Osorio the evening of the incident. Lucas Simoes stated that they
11 were at Caesar's Palace that evening and Osorio went to the Omnia nightclub at Caesar's Palace
12 when they separated at approximately 11 p.m. Detectives Charaska and Santiago reviewed
13 video surveillance from Caesar's palace and found footage of Osorio in the company of an
14 unidentified heavy-set black female. The female was wearing revealing clothing and carrying
15 a pink purse. In the surveillance footage, Osorio appears to be wearing a silver in color watch
16 on his left wrist and he left with the unknown black female in the elevator at approximately
17 2:06 a.m. The black Mercedes was then seen on the surveillance footage leaving the parking
18 lot at 2:09 a.m. The license plate scanner from Caesar's Palace captured an image of the rear
19 plate area of the vehicle. The rear plate had a dealership placard that read "OC Cars and Credit
20 US 714-620-4400."

21 Detectives David Freeman and Kenneth Salisbury travelled to 3187 Red Hill Avenue
22 in Costa Mesa, California and made contact with Kamran Afrasiabi on January 8, 2018.
23 Afrasiabi identified himself as the owner of OC Cars and Credit US. Afrasiabi stated that he
24 remembered selling a 2014 Mercedes-Benz CLA 250 to a buyer in Las Vegas on September
25 6th of 2017. Afrasiabi provided pictures of the vehicle and information on the vehicle to
26 include the VIN number. Afrasiabi also provided a copy of a Nevada ID card that was sent to
27 him from the purchaser. The Nevada ID card showed an image of a black female with a Nevada
28 ID card #1705407733 issued to Ronneka Ann Guidry DOB 03/13/1988. The address on the

1 ID card was 5086 Echo Shire Avenue. Detective Salisbury confirmed similarities of the
2 pictures of the vehicle and the ID card photo to the still images of the suspect vehicle and black
3 female provided from the video surveillance footage. The information was relayed to Officer
4 Raquita Sanchez at the LVMPD fusion center who provided criminal history and DMV
5 information on Ronneka Ann Guidry, hereinafter referred to as Guidry. That revealed a
6 history of solicitation for prostitution, trick rolls, theft charges, and an electronic traffic
7 warrant.

8 The information of the vehicle identification, owner, and address was relayed to
9 Detectives William Vancleef and Justine Gatus who went to the address of 5086 Echo Shire
10 Avenue. Detectives VanCleef and Gatus observed a black Mercedes, with an OC Cars and
11 Credit US plate, in the driveway of the residence and watched as a black female entered the
12 vehicle at approximately 9:05 p.m. on January 8th, 2018. Detectives Van Cleef and Gatus
13 conducted a vehicle stop on the Mercedes for speeding at Cactus and Southern Highlands and
14 made contact with the driver who identified herself as Ronneka Ann Guidry. Guidry was
15 placed under arrest for the electronic warrant. The car was sealed and towed pending the
16 execution of a search warrant. The tow slip was filled out on January 8, 2018 at 10:41 p.m.
17 (See Exhibit 1 attached hereto).

18 Detective Salisbury met with Guidry and conducted a video recorded interview with
19 her on January 8, 2018. At 11:32 p.m., Detective Salisbury read Guidry her Miranda Rights.
20 Guidry said she understood her rights and consented to the interview. During the interview,
21 she originally said she had been in California and knew nothing of the incident. After being
22 shown a picture of Osorio and a black female in an elevator at the Caesar's, she admitted it
23 was her in the picture and said she gave Osorio a ride in her car on the morning of January 3,
24 2018. Guidry claimed that they were arguing and she dropped him off in a parking lot. Without
25 ever being asked, Guidry exclaimed that she did not steal anything from Osorio. She claimed
26 to have no knowledge of the Rolex watch and that Osorio broke her window in the exchange
27 for no apparent reason. She said she already had the broken window of her vehicle replaced.
28

1 When asked about her location immediately following the incident, she gave vague details and
2 repeated misinformation of her whereabouts.

3 The Rolex watch was estimated to be worth approximately 8 thousand dollars by Nuno
4 Osorio and would be difficult to fence if stolen. Finding the watch would be crucial to this
5 investigation as it would prove or disprove any criminal intent on the part of Guidry.

6 At the conclusion of the interview, Ms. Guidry was arrested on an outstanding traffic
7 warrant and was in the Clark County Detention Center from 3:38 a.m. until 2:29 p.m. on
8 January 9, 2018. (See Exhibit 2 attached hereto).

9 II. THE WARRANT AT THE RESIDENCE

10 A warrant was approved by the Honorable Judge Harmony Letizia to search Guidry's
11 residence. The warrant was telephonic applied for by Detective Freeman. In that warrant, he
12 relayed what he had been told from the initial responders who had seen the video:

13 Officers Jennifer Cruz and Philip Adkins made contact with Security
14 Officer Jamal Cherry at The Westin Hotel and reviewed video surveillance
15 recordings that showed a view of the parking lot on the west side of Jay's Market
16 Convenience Store at 190 East Flamingo Road. The surveillance recordings
17 revealed that a black vehicle pulled into a parking space on the west side of the
18 building and after approximately seven minutes a man (believed to be Eduardo
19 Gaiolli De Sanchez Osorio) exited the vehicle from the front passenger door and
20 stands outside the door. The black vehicle pulls away and turns to the right as
21 the man appears to do a personal inventory and then turns to the southeast and
22 begins running. The man catches up to the vehicle on Koval Lane north of
23 Flamingo Road and appears to be banging on the windshield and hood at the
24 front left corner of the vehicle. The vehicle turns westbound on Flamingo Road
25 and the man can be seen clinging to the side of the vehicle and then falling to
26 the ground as the vehicle speeds away.

27 (Emphasis added). Guidry's residence of 5086 Echo Shire Avenue was searched for the watch.
28 The watch was not recovered. However, a pink purse was located in the master bedroom closet
of the residence. The purse was similar in appearance to the purse that was seen in the elevator
video surveillance footage from the Caesar's the night of the incident. Within the purse was
\$3,100. The denominations were (31) \$100.00 bills. During the search of the home, only

1 Defendant's minor children were home. When questioned by police, one of the children
2 described Defendant's phone's password as 1234 or 12345.

3 **III. THE WARRANT ON THE CAR AND CELLPHONE CONTENTS**

4
5 A separate search warrant was issued for the Mercedes as well. This search warrant
6 was drafted by the lead detective in this case who had a chance to personally review the video
7 evidence. In this warrant, Detective Salisbury stated:

8
9 Patrol Officers Jennifer Cruz and Philip Adkins made contact with
10 Security Officer Jamal Cherry at The Westin Hotel and reviewed video
11 surveillance recordings that showed a view of the parking lot on the west side of
12 Jay's Market Convenience Store at 190 East Flamingo Road. The surveillance
13 recordings revealed that a black vehicle pulled into a parking space on the west
14 side of the building at 2:12 a.m. and after seven minutes a man, believed to be
15 Osorio, exited the vehicle from the front passenger door and stood outside the
16 door. The black vehicle pulls away at a normal speed and turns to the right as
17 the man appears to stand in place for several seconds. He then turns to the
southeast and begins running. The man catches up to the vehicle on Koval Lane
at Flamingo Road and appears to be banging on the windshield and hood at the
front left of the vehicle. The vehicle turns westbound on Flamingo Road and the
man can be seen engaging with the side of the vehicle before falling to the
ground as the vehicle speeds away.

18 (Emphasis added). The warrant was executed on January 11, 2018. At the time of the
19 execution, photographs of the vehicle with the seals still in place. (See Exhibit 3 attached
20 hereto). During the search of that vehicle, Guidry's phone was located. A third search warrant
21 was acquired for the contents of the phone which had the same language as the 2nd warrant,
22 which was also signed and executed on January 11, 2018. A download of the phone
23 demonstrated that approximately 24 minutes after the 9-1-1 calls in the instant case, Guidry's
24 phone took several pictures of a Rolex Submariner 116610 and sent them to a phone number
25 associated with a Miami, Florida jewelry store. At approximately 12:23 p.m. that same day,
26 Guidry sent a 1.5 pound package to that same Miami jewelry store. The next day, the number
27 associated with the jewelry store texted to Guidry that he was going to provide her \$4,000 in
28

1 exchange for the watch. Guidry declines unless she gets paid \$4,500. Eventually, \$4,500 was
2 agreed to and that money was sent to Guidry.²

3 The Miami/Dade Police Department was contacted and requested to go to the jewelry
4 store. Officers from Miami/Dade Police Department went to the store and recovered Osorio's
5 Rolex Submariner 116610 with serial number 6KE22544.

6 **POINTS AND AUTHORITIES**

7 As the Court has previously reviewed and rejected the allegations of falsity in the
8 affidavit and the discussion with Defendant's children, the State will not be responding again
9 to the same allegations raised in a different way. As the Court can see, the Affidavit of Ms.
10 Patton does not raise an issue related to the search of the phone. The car was sealed and towed
11 on January 8, 2019. The seals were still in place on January 11, 2018. The phone was located
12 in the car. Thus, if Ms. Patton received this alleged message on an account associated with
13 Defendant, it was not sent from the phone located in the vehicle and wasn't sent by Defendant
14 as she was in custody. If Ms. Patton wants to supply her Snap Chat account information as
15 well as Defendant's Snap Chat information, we can send a warrant to Snap Chat to get the
16 contents of both to determine if she did receive such a message.

17 Notwithstanding, even if there were some access of Defendant's phone between 10:41
18 p.m. on January 8, 2018 and January 11, 2018, nothing from that access is being sought to be
19 admitted in the trial. Moreover, nothing from the factually impossible access was utilized to
20 establish probable cause for any of the warrants. As such, the independent source doctrine
21 would not require the suppression of the evidence. See Segura v. United States, 468 U.S. 796,
22 104 St. Ct. 3380 (1984).

23 ///

24 ///

25 ///

26 ///

27
28 ² She had a meme on her phone of a woman sitting in a hotel room with the words, "WHEN THE TRICK IS LOOKING FOR HIS WATCH AND ITS IN YOUR PURSE."

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CONCLUSION

Based upon the foregoing, the Defendant’s motion should be denied without an evidentiary hearing.

DATED this 8th day of July, 2019.

Respectfully submitted,

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

BY /s/ Marc DiGiacomo
MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #006955

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that service of the above and foregoing, was made this 8th day of July, 2019 by Electronic Filing to:

CRAIG MUELLER, ESQ.
Email: cmueller@muellerhinds.com

BY: /s/ Stephanie Johnson
Secretary for the District Attorney's Office

18F01097X/MD/saj/MVU

EXHIBIT 1

EWING BROS.

AUTO BODY 180103-0360

24hr Towing

CPCN # 3269 • ICC # 117380

Delivery Receipt - **696118**

CALL # 2011 800 800

1200 "A" Street
Las Vegas, NV 89106

(702) 382-9261

www.ewingbros.com

DATE OF REQUEST 01/08/18 TIME OF REQUEST 22:41 ☐ A.M. ☒ P.M.

NAME AND
ADDRESS OF
PERSON
REQUESTING
TOW

LUMPED

NAME AND
ADDRESS OF
REGISTERED
OWNER

NAME AND
ADDRESS OF
PARTY
RESPONSIBLE
FOR CHARGES

MET3

YEAR & MAKE		MODEL	VEHICLE IDENTIFICATION NUMBER									
14 MERZ		CLAS	5CWD	DSJ	EB	XEN	05	4	1	6	8	
COLOR	LICENSE #		STATE / EXP. DATE		ODOMETER		UNIT #					
Black	1		1 /		6		6					

TOWED FROM

10590 Southern Highlands Pkwy

TOWED TO

4591 W. Russell Rd.

TIME & MILEAGE COMPUTATION	DEPART BASE	ARRIVE TOW SCENE	DEPART TOW SCENE	ARRIVE DESTINATION
TIME	22:41	23:10	23:20	23:30
ODOMETER READING	320944	320959	320959	320966

TOTAL MILES TOTAL TIME : DEADHEAD MILES ~~6~~ WEIGHT CLASS A

Hookup and First 10 Miles \$ 151.00

Charge for Miles to Miles @ \$. per mile \$

Charge for Miles & Over @ \$. per mile \$

Charge for Excess Deadhead Mileage @ \$. per mile \$

Extra Labor and/or Equipment \$

Hourly Charges (if Applicable) \$

Winching or Wreck Recovery \$

Accessorial Charges Admin Fee: \$ 25.00

TOTAL \$ 177.00

Clean-up / Stand-by (Officers Badge # or Name)

Charges Paid By MET3 P.O. # Claim #

Membership # Driver 5020 Unit # 17

Vehicle Received By

Upshur G 988

☐ CONSENT ☒ NON-CONSENT


☐ CASH ☒ CHARGE ☐ CHECK ☐ CREDIT CARD

Money Received By Date / /

Service Writer
AZ
UT
CA
NV

EXHIBIT 2

EDIT EXTERNAL MOVEMENTS - (OOMEEMOV)

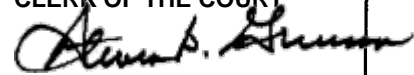
ID#	[Last Name]	[First Name]	[Middle Name]	[DOB]	Age	Gender	Alerts	
0002645844	GUIDRY	RONNEKA	ANN	03/13/1988	31	FEMALE	\$	
BKG#	[Facility]	Status	In/Out	Reason	[Custody]			
1800001459	Outside	Historic	Out	OUT	Min Female			

Offender's External Movements

Date*	Time*	Type	Reason	Direction	From	From T A	To	To T A	Active	Seq*
01/09/2018	14:26	REL	OUT	OUT	LVMPD		OUT		<input checked="" type="checkbox"/>	2
01/09/2018	03:38	ADM	ADMN	IN	OUT		LVMPD		<input type="checkbox"/>	1
									<input type="checkbox"/>	
									<input type="checkbox"/>	

EXHIBIT 3





1 **ROC**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 MARC DIGIACOMO
6 Chief Deputy District Attorney
7 Nevada Bar #006955
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,
13
14 Plaintiff,

15 -vs-

16 RONNEKA ANN GUIDRY #2645844,
17
18 Defendant.

CASE NO: C-18-329810-1

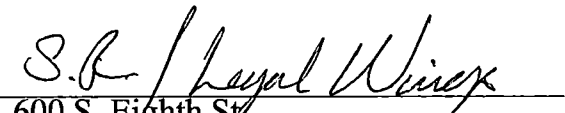
DEPT NO: III

RECEIPT OF COPY

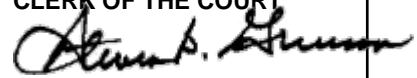
19 RECEIPT OF COPY of the above and foregoing two DVDs containing documents
20 Bates numbered 861-1013 and one video-recorded interview in two formats totaling 648 MB
21 is hereby acknowledged this 29th day of July, 2019.

22 CRAIG MUELLER
23 ATTORNEY FOR DEFENDANT

24 BY


25 600 S. Eighth St.
26 Las Vegas, Nevada 89101

27
28 18F01097X jn/MVU



NWEW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #006955
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

RONNEKA ANN GUIDRY,
#2645844

Defendant.

CASE NO: C-18-329810-1

DEPT NO: IX

STATE'S SUPPLEMENTAL NOTICE OF WITNESSES
[NRS 174.234(1)(a)]

TO: RONNEKA ANN GUIDRY, Defendant; and

TO: CRAIG MUELLER, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses in its case in chief:

*INDICATES ADDITIONAL WITNESSES

<u>NAME</u>	<u>ADDRESS</u>
ADKINS, PHILLIP	LVMPD # 14699
AFRASIABI, KAMRAN	OC Cars and Credit, 3187 Red Hill Av, Costa Mesa
ALCE, P.	MIAMI-DADE POLICE DEPT.
AMBURGEY, MICHAEL	LVMPD # 14869
AOYAMA, KATHRYN	LVMPD # 8025
ATKINSON, KARL	LVMPD # 8542

1	BEATTY, JAMES	LVMPD # 8642
2	BOCU, CHRISTINA	7897 Desert Willow Dr., Las Vegas, NV
3	BOHN, WADE	Jay's Market, 190 E. Flamingo Rd., Las Vegas, NV
4	BURKE, TIM	FBI
5	BUTTNER, CASSANDRA	776 S. Norfolk St., Aurora, CO 80017
6	CHARASKA, ERIC	LVMPD # 13212
7	CHERRY, JAMAL	Westin Hotel, 160 E. Flamingo Rd., LV, NV
8	CRUZ, JENNIFER	LVMPD # 15890
9	CUSTODIAN OF RECORDS	Caesars Palace Hotel
10	OR DESIGNEE	3570 Las Vegas Blvd., Las Vegas, NV
11	CUSTODIAN OF RECORDS	Caesars Palace Hotel / ACE
12	OR DESIGNEE	3570 Las Vegas Blvd., Las Vegas, NV
13	CUSTODIAN OF RECORDS	Clark County Coroner / Medical Examiner
14	OR DESIGNEE	1704 Pinto Lane, Las Vegas, NV
15	CUSTODIAN OF RECORDS	Clark County Detention Center,
16	OR DESIGNEE	330 S. Casino Center Blvd., Las Vegas, NV
17	CUSTODIAN OF RECORDS	Clark County Detention Center, Communications
18	OR DESIGNEE	330 S. Casino Center Blvd., Las Vegas, NV
19	CUSTODIAN OF RECORDS	FED EX
20	OR DESIGNEE	7620 Las Vegas Blvd., #100., Las Vegas, NV
21	CUSTODIAN OF RECORDS	LVMPD Communications,
22	OR DESIGNEE	400 S. Martin L. King Blvd., Las Vegas, NV
23	CUSTODIAN OF RECORDS	LVMPD Records
24	OR DESIGNEE	400 S. Martin L. King Blvd., Las Vegas, NV
25	* CUSTODIAN OF RECORDS	Westin Hotel Las Vegas
26	OR DESIGNEE	160 E. Flamingo Rd., Las Vegas, NV
27		
28	FERNANDEZ, JOHN	Kings Jewelry, 1199 Flagler St., Miami, FL

1	FREEMAN, DAVID E.	LVMPD # 4487
2	GATUS, JUSTINE	LVMPD # 9868
3	GLASS, ROBERT	Westin Hotel, 160 E. Flamingo Rd., LV, NV
4	GRIMMESEY, E.	LVMPD # 5316
5	HONAKER, JAMIE OR DESIGNEE	INVESTIGATOR C.C. DISTRICT ATTORNEY
6	ILIESCU, ION	LVMPD # 9311
7	KING, CRAIG	LVMPD # 9971
8	KNOWLES, DILLAN	LVMPD # 16414
9	LANDALE, TIMOTHY	270 E. Flamingo Rd. #321, Las Vegas, NV
10	LANDIN, STEVEN	1224 S. Canyon Rd., Stillwater, OK
11	LEHR, ZACHARY	918 4 th St., Baldwin City, KS
12	LOVATO, DAVID	3530 Osceola St., Denver, CO
13	LOVATO, KELLY	7600 Cozy Loft Dr., Las Vegas, NV
14	MCCULLOUGH, PAUL	LVMPD # 5617
15	NEMCIK, AMY	LVMPD # 8504
16	OSORIO, NUNO	C/O District Attorney's Office, VWAC
17	PAINE, TABITHA	LVMPD # 14793
18	ROQUERO, LEONARDO	CCME #146
19	SALISBURY, KENNETH	LVMPD # 8264
20	SANORICO, NOELLE	1709 Ludwig Dr., Las Vegas, NV
21	SANTIAGO, JENNIFER	LVMPD # 4948
22	SIMOE, LUCAS	Unknown
23	STRUMILLO, JENNIFER	LVMPD # 16067
24	THI, STEPHANIE	LVMPD # 14373
25	UBBENS, HEATHER	LVMPD # 14792
26	VAN CLEEF, WILLIAM	LVMPD # 7093
27	///	
28	///	

1 These witnesses are in addition to those witnesses endorsed on the Information or
2 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
3 Witnesses has been filed.

4 STEVEN B. WOLFSON
5 DISTRICT ATTORNEY
6 Nevada Bar #001565

7 BY /s/ Marc DiGiacomo
8 MARC DIGIACOMO
9 Chief Deputy District Attorney
10 Nevada Bar #006955

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12
13 CERTIFICATE OF SERVICE

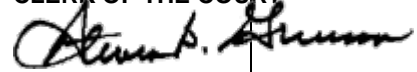
14
15 I certify that on the 5th day of August, 2019, I e-mailed a copy of the foregoing State's
16 Supplemental Notice of Witnesses, to:

17 CRAIG MUELLER, ESQ.

18 cmueller@muellerhinds.com

19
20
21 BY: /s/ Stephanie Johnson
22 Secretary for the District Attorney's Office

23
24
25
26
27
28 18F01097X/saj/MVU



MOT

Craig A. Mueller, Esq.
Nevada Bar No. 4703

MUELLER & ASSOCIATES, INC.

723 S. 7th Street
Las Vegas, NV 89101
(702) 382-1200
electronicservice@craigmuellerlaw.com
Attorney for Defendant Ronneka Guidry

DISTRICT COURT

DEPARTMENT IX

STATE OF NEVADA,

Plaintiff,

vs.

RONNEKA GUIDRY,

Defendant

Case No.: C-18-329810-1

**MOTION AND NOTICE OF MOTION IN
LIMINE TO EXCLUDE EVIDENCE**

COMES NOW the Defendant, RONNEKA GUIDRY, by and through her attorney, CRAIG A. MUELLER, ESQ., and hereby files this motion and requests the court suppress evidence the MEME obtained by the law enforcement or, in the alternative, hold a hearing pursuant to NRS 174.135 to determine the propriety thereof.

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///

///

1 This motion is made based on the following points and authorities and any oral
2 arguments made at the time of the hearing of this motion.
3

4
5 Dated this 6th day of August, 2019.
6

7 Respectfully Submitted by:
8

9 MUELLER & ASSOCIATES
10

11 By /s/ Craig Mueller
12

13 CRAIG A. MUELLER, ESQ.
14

15 Nevada Bar No. 4703
16

17 723 S. 7th Street
18

19 Las Vegas, NV 89101
20

21 Ph: (702) 382-1200
22

23 Fx: (702) 637-4817
24

25 Attorney for Defendant
26
27
28

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TO: ITS COUNSEL OF RECORD, STEVEN B. WOLFSON

DATED this 6th day of August, 2019.

MUELLER & ASSOCIATES

By /s/ Craig Mueller
CRAIG A. MUELLER, ESQ.
Nevada Bar No. 4703
723 S. 7th Street
Las Vegas, NV 89101
Ph: (702) 382-1200
Fx: (702) 637-4817
Attorney for Defendant

1 **POINTS AND AUTHORITIES¹**

2 **STATEMENT OF FACTS**

3 On January 3, 2018, at approximately 2:23a.m., the Las Vegas Metropolitan Police
4 Department (the police or Metro) was called to the scene of an accident involving a fatality at
5 the intersection of East Flamingo Road and South Koval Lane. A man later identified as Eduardo
6 Gaiolli De Sanchez Osorio (Osorio) had attacked a four-door black Mercedes-Benz (the car, the
7 black car, or the vehicle) while the vehicle was waiting to turn westbound on East Flamingo
8 from southbound South Koval Lane. Osorio attacked the vehicle with his bare fists, mounted
9 the hood, proceeded to punch a hole in the windshield of the vehicle. When the car drove off
10 with Osorio still on the hood, he fell off the car and eventually died of the resulting injuries.
11 Police reported to the scene of the accident shortly after the events described above. The police
12 eventually came to suspect that the car that Osorio attacked was owned by Ronneka Guidry.
13

14 As a result of the proceeding investigation, police found a meme on Ms. Guidry's phone
15 depicting hip hop musician Nicki Minaj with script that reads, "when the trick is looking for his
16 watch and it's in your purse." Ms. Guidry did not create any portion of this meme; she
17 downloaded it from Facebook in its completed and present form. The State has included this
18 meme as a part of the discovery it provided for this trial.
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25 ¹ Defense is aware and apologizes for the late submission of this motion, per NRS 174.125. However, we
26 ask that this matter be heard under this Court's discretion, as laid out in NRS 174.125(3)(b). For good cause we
27 offer that, until recently, we were unaware that Ms. Guidry did not create the meme that is the focus of this motion.
28 Ms. Guidry is in custody and communication is more difficult than it would otherwise be. Furthermore, defense
counsel had accepted the presence of the meme in the State's discovery as the State's representation as to its
baseline relevance to the instant case. We began working on this motion as soon as we were made aware of the
meme's lack of relevance as argued below.

ARGUMENT

It is anticipated that the State of Nevada will use the MEME found in Ms. Guidry's phone as part of the evidence offered by the State in their attempt to meet the legal standard of guilt beyond a reasonable doubt. Under Nevada law the admission or exclusion of evidence rests within the district court's sound discretion. Thomas v. State, 122 Nev. 1361, 1370, 148 P.3d 727, 734 (2006). In exercising this discretion relevance is the first question in determining whether the MEME is admissible as evidence. See NRS 48.025 (providing that "[a]ll relevant evidence is admissible" unless otherwise excluded by statute or constitutional provision and that "[e]vidence which is not relevant is not admissible"). "[R]elevant evidence" means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more or less probable than it would be without the evidence." NRS 48.015. Items offered in evidence have relevancy and materiality if they are connected with the perpetrator, the victim or the crime. Geary v. State, 544 P.2d 417, 91 Nev. 784 (1975).

Here the MEME in question is not connected with the perpetrator, the victim, or the crime. The MEME consists of a photo of Nicki Minaj, which no one disputes is not Ms. Guidry, and the MEME reads "when the trick is looking for his watch and it's in your purse," which no one claims was actually written by Ms. Guidry. The MEME is not connected with Mr. Osorio. He is neither portrayed nor depicted in it. The MEME is not connected to the events of Mr. Osorio's death. The MEME is one of millions of MEMEs downloaded from the internet every day and was downloaded by Ms. Guidry some time *prior* to the incident in question.

Offering the MEME because of what the State perceives to be similarities is not sufficient. For example, In Shawley v. Sate, an unreported case, probative value of footage of a violent video game and witness's testimony that defendant's actions resembled scenes from the video

1 game was substantially outweighed by danger of unfair prejudice, in trial for battery with deadly
2 weapon and battery. The evidence was wholly irrelevant to any issue at trial and was highly
3 prejudicial, which prejudice State exacerbated by comparing game's violent character to
4 defendant. Shawley v. State, 2013 WL 7156030 (Nev. 2013) (unpublished disposition).

6 Here, the State will effectively be claiming that ‘Ms. Guidry had a MEME downloaded
7 from the internet on her phone, and the MEME, despite not being connected to Ms. Guidry, Mr.
8 Osorio, or the events of Mr. Osorio’s death, resembles what we claim happened, so she is guilty.’
9 Similarly to Shawley v. State, this piece of information is wholly irrelevant to any issue at trial
10 and is thus highly prejudicial. *Id.*

12 To be clear, under NRS 48.035(1), relevant evidence is inadmissible “if its probative
13 value is substantially outweighed by the danger of unfair prejudice.” Because all evidence
14 against a defendant will on some level “prejudice” (i.e., harm) the defense, NRS 48.035(1)
15 focuses on “unfair” prejudice. This court has defined “unfair prejudice” under NRS 48.035 as
16 an appeal to “the emotional and sympathetic tendencies of a jury, rather than the jury's
17 intellectual ability to evaluate evidence.” Krause Inc. v. Little, 117 Nev. 929, 935, 34 P.3d 566,
18 570 (2001); Schlotfeldt v. Charter Hosp. of Las Vegas, 112 Nev. 42, 46, 910 P.2d 271, 273
19 (1996). Although unfair prejudice commonly refers to decisions based on emotion, it is not so
20 limited. See generally Fed.R.Evid. 403 advisory committee's note (explaining that unfair
21 prejudice in federal analog to NRS 48.035(1) is an “undue tendency to suggest decision on an
22 improper basis, commonly, though not necessarily, an emotional one”); Tome v. United States,
23 513 U.S. 150, 160, 115 S.Ct. 696, 130 L.Ed.2d 574 (1995) (stating that Advisory Committee
24 Notes are helpful guide to interpreting Federal Rules of Evidence). As the United States
25 Supreme Court has explained in addressing Federal Rule of Evidence 403.4 “[t]he term ‘unfair
26
27
28

1 prejudice,' as to a criminal defendant, speaks to the capacity of some concededly relevant
2 evidence to lure the factfinder into declaring guilt on a ground different from proof specific to
3 the offense charged." Old Chief v. United States, 519 U.S. 172, 180, 117 S.Ct. 644, 136 L.Ed.2d
4 574 (1997); see also Bhaya v. Westinghouse Elec. Corp., 922 F.2d 184, 188 (3d Cir.1990)
5 (describing unfair prejudice as "undue tendency to suggest decision on an improper basis"
6 (internal quotations omitted)); accord People v. Greenlee, 200 P.3d 363, 367 (Colo. 2009)
7 (noting that "[e]vidence is unfairly prejudicial where it introduces into the trial considerations
8 extraneous to the merits, such as bias, sympathy, anger, or shock"); Camp Takajo v.
9 SimplexGrinnell, 957 A.2d 68, 72 (Me. 2008) (stating that "unfair prejudice ... refers to an undue
10 tendency to move the tribunal to decide on an improper basis, commonly, though not always, an
11 emotional one" (quotation and footnote omitted)). This is precisely what we have in the situation
12 at hand.
13
14

15 Therefore, the MEME should be deemed inadmissible as irrelevant.
16

17 18 CONCLUSION

19 Based upon the foregoing, MUELLER & ASSOCIATES requests this court grant
20 attorney Mueller's Motion and exclude the MEME as irrelevant, or in the alternative, that the
21 court conduct a hearing on this Motion *in Limine*.
22

23
24 DATED this 6th day of August, 2019.

25 Respectfully Submitted by:

26 MUELLER & ASSOCIATES

27 By /s/ Craig Mueller
28

CRAIG A. MUELLER, ESQ.
Nevada Bar No. 4703
723 S. 7th Street
Las Vegas, NV 89101
Ph: (702) 382-1200
Fx: (702) 637-4817
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Law Offices of Craig A. Mueller, and that on the 1st day of August, 2019, a copy of the foregoing **MOTION** was electronically filed with the Clerk of Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system (E-Flex). Participants in the case will be served immediately by email and those who are registered with E-Flex as users will be served by E-Flex system and others not registered will be served via U.S. mail as follows:

Clark County District Attorney
Steve Wolfson, Esq.
200 Lewis Avenue, 3rd Floor
Las Vegas, NV 89155
(702) 455-4711
Attorney for the State of Nevada

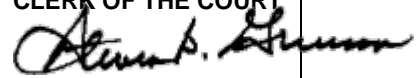
DATED this 6th day of August, 2019.

/s/ Rosa Ramos

An employee of Craig A. Mueller, Esq.

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
8/6/2019 10:21 AM
Steven D. Grierson
CLERK OF THE COURT



State of Nevada
vs
Ronneka Guidry

Case No.: C-18-329810-1
Department 9

NOTICE OF HEARING

Please be advised that the Defendant's Motion and Notice of Motion in Limine to Exclude Evidence in the above-entitled matter is set for hearing as follows:

Date: August 19, 2019
Time: 8:30 AM
Location: RJC Courtroom 11B
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

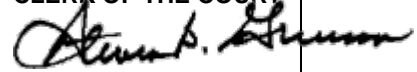
STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Patricia Azucena-Preza
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Patricia Azucena-Preza
Deputy Clerk of the Court



DISTRICT COURT
CLARK COUNTY, NEVADA

State of Nevada
vs
Ronneka Guidry

Case No.: C-18-329810-1

Department 9

NOTICE OF DEPARTMENT REASSIGNMENT

NOTICE IS HEREBY GIVEN that the above-entitled action has been reassigned to Judge Cristina D. Silva.

☒ This reassignment is due to: Minute Order Dated 08-01-19.

ANY TRIAL DATE AND ASSOCIATED TRIAL HEARINGS STAND BUT MAY BE RESET BY THE NEW DEPARTMENT.

Any motions or hearings presently scheduled in the FORMER department will be heard by the NEW department as set forth below.

- **Status Check: Trial Readiness will commence on 08/08/2019, at 10:00 AM.**
- **Jury Trial will commence on 08/12/2019, at 9:30 AM.**

PLEASE INCLUDE THE NEW DEPARTMENT NUMBER ON ALL FUTURE FILINGS.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Salevao Asifoa
S.L. Asifoa, Deputy Clerk of the Court

CERTIFICATE OF SERVICE

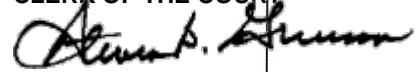
I hereby certify that this 6th day of August, 2019

☒ The foregoing Notice of Department Reassignment was electronically served to all registered parties for case number C-18-329810-1.

☒ I placed a copy of the foregoing Notice of Department Reassignment in the appropriate attorney folder located in the Clerk of the Court's Office:

Steven B Wolfson
Craig A Mueller

/s/ Salevao Asifoa
S.L. Asifoa, Deputy Clerk of the Court



NOTC
MUELLER & ASSOCIATES, INC.
Craig A. Mueller, Esq.
Nevada Bar No. 4703
723 South 7th Street
Las Vegas, Nevada 89101
Telephone: (702) 382-1200
Facsimile: (702) 637-4817
electronicservice@craigmuellerlaw.com
Attorney for Defendant
RONNEKA GUIDRY

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

STATE OF NEVADA,)	Case No.: C-18-329810-1
Plaintiff)	Dept. No: IX
)	
v.)	
)	DEFENDANT'S NOTICE OF WITNESS
RONNEKA GUIDRY,)	LIST PURSUANT TO NRS 174.234
Defendant)	
)	

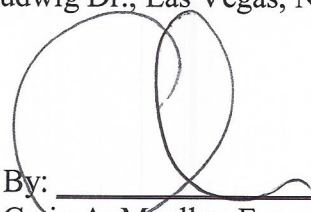
TO: CLARK COUNTY DISTRICT ATTORNEY:

You, and each of you, will please take notice that the Defendant, RONNEKA GUIDRY, incorporates and endorses all witnesses noticed by the State. In addition, the Defendant would like to notice:

<u>NAMES</u>	<u>ADDRESS</u>
ADKINS, PHILLIP	LVMPD #14699
BOCU, CHRISTINA	7897 Desert Willow Dr., Las Vegas, NV
BUTLER, CASSANDRA	776 S. Norfolk St., Aurora, CO 80017
CHERRY, JAMAL	Westin Hotel, 160 E. Flamingo Rd., LV, NV
CRUZ, JENNIFER	LVMPD #15890

1	FREEMAN, DAVID E.	LVMPD #4487
2	GUIDRY, RONALD	217 NE San Rafael St., Portland, OR
3	GLASS, ROBERT	Westin Hotel, 160 E. Flamingo Rd., LV, NV
4	HUNT, DER'RONTAE	217 NE San Rafael St., Portland, OR
5	JOHNSON, FIANCE	217 NE San Rafael St., Portland, OR
6	JOHNSON, PROMISE	217 NE San Rafael St., Portland, OR
7	LANDALE, TIMOTHY	270 E. Flamingo Rd. #321, Las Vegas, NV
8	LANDIN, STEVEN	1224 S. Canyon Rd., Stillwater, OK
9	LEHR, ZACHARY	918 4th St., Baldwin City, KS
10	LOVATO, DAVID	3530 Osceola St., Denver, CO
11	LOVATO, KELLY	7600 Cozy Loft Dr., Las Vegas, NV
12	PATTON, TERESA	2323 NE Killingsworth St., Portland, OR
13	SALISBURY, KENNETH	LVMPD #8264
14	SANORICO, NOELLE	1709 Ludwig Dr., Las Vegas, NV

15 DATED this 8th day of August, 2019.

16
17
18
19
20 By: 
21 Craig A. Mueller, Esq.
22 Nevada Bar No. 4703
23 723 South 7th Street
24 Las Vegas, Nevada 89101
25 Telephone: (702) 382-1200
26 Facsimile: (702) 637-4817
27 electronicservice@craigmuellerlaw.com
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Rosa Ramos
An Employee of Mueller & Associates, Inc.

1 **SAO**

2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 MARC DIGIACOMO
6 Chief Deputy District Attorney
7 Nevada Bar #6955
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

AUG 12 2019

BY Carol Donahoe
CAROL DONAHOO, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 RONNEKA GUIDRY,

13 Defendant.

CASE NO: C-18-329810-1
DEPT NO: 9

STIPULATION AND ORDER WAIVING SEPARATE
PENALTY HEARING

16 THIS MATTER being tried before a jury and pursuant thereto on 12th day of August,
17 2019; if the jury returns a verdict of guilty of Murder of the First Degree With or Without
18 The Use Of A Deadly Weapon, the Defendant being represented by counsel, Craig Mueller,
19 the State being represented by Deputies MARC DIGIACOMO and JORY
20 SCARBOROUGH, and pursuant to the provisions of NRS 175.552, the parties hereby

21 //

22 //

23 //

24 //

25 //

C-18-329810-1
SAO
Stipulation and Order
4856119

26 //

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28 //

1 stipulate and agree to waive the separate penalty hearing and pursuant to said Stipulation and
2 Waiver stipulate to agree to have the sentence determined by the Honorable CHRISTINA
3 SILVA presiding trial judge.

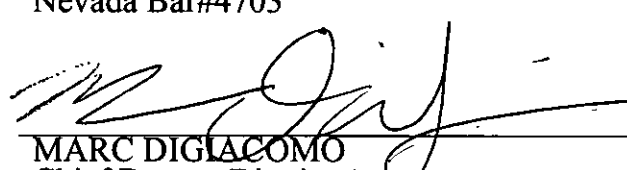
4
5
6 DATED this 12th day of August, 2019.


RONNEKA GUIDRY

8 DATED this 12th day of August, 2019.


CRAIG MUELLER
Nevada Bar #4703

10
11 DATED this 12th day of August, 2019.


MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #6955

13
14
15 DATED this 12th day of August, 2019.


JORY SCARBOROUGH
Deputy District Attorney
Nevada Bar #14265

16
17
18 IT IS SO ORDERED

19 DATED this 12th day of August, 2019.

20
21
22 
DISTRICT JUDGE

ORIGINAL

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT
AUG 13 2019

BY, *Carol Donahoo*
CAROL DONAHOO, DEPUTY

JURL

DISTRICT COURT
CLARK COUNTY, NEVADA

The State of Nevada,

Plaintiff,

-VS-

Ronneka Guidry,

Defendant.

CASE NO. C329810

DEPT. NO. IX

JURY LIST

1. Jeffrey Triebwasser
2. Cesar Solano
3. Omar Green
4. Justin Jackson
5. John Kramer
6. Lonzy Anderson
7. Mariana Galvin

8. Dayna Whitlock
9. Rogers Mobley, Jr.
10. Maria Pasion
11. Amie Eldred
12. Annie Nicholson

ALTERNATES

13. Jeffrey Yang

14. Tiffany Johnson

C - 18 - 329810 - 1
JURL
Jury List
4856120



AUG 16 2019

DISTRICT COURT

BY: Tia Everett
TIA EVERETT, DEPUTY

CLARK COUNTY, NEVADA

THE STATE OF NEVADA

Plaintiff(s),

CASE NO. C329810

-vs-

DEPT. NO. 9

RONNEKA GUIDRY,

Defendant(s).

DEFENDANTS' PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL

Attached hereto are the proposed jury instructions which were offered to the Court, but not submitted to the jury in the above entitled action.

DATED: This August 16, day of, 2019

Steven D. Grierson, Clerk of the Court

By: Tia Everett

Tia Everett, Deputy Clerk

C-18-329810-1
PINU
Proposed Jury Instructions Not Used At Tri:
4856765



Vehicular Manslaughter

In Nevada, a driver commits "vehicular manslaughter" by:

- Violating a traffic law, and
- Negligently causing the death of another person.

Simple negligence. Generally, crimes have two components that the prosecution must prove: an act or omission and a mental state. In Nevada, the mental state for vehicular manslaughter is "simple negligence." A person acts with simple negligence by failing to exercise the degree of care that a reasonable person would under like circumstances.

Causation. A driver cannot be convicted of vehicular manslaughter unless there is proof that the victim's death was a "natural or probable" result of the driver's negligence. It's not enough to merely show the defendant was negligent and someone died-there needs to be a link between the negligence and the death. Vehicular manslaughter is a misdemeanor in Nevada.

INSTRUCTION NO. _____

Vehicular manslaughter occurs when:

1. A person who, while driving or in actual physical control of any vehicle, proximately causes the death of another person through an act of omission that constitutes simple negligence is guilty of vehicular manslaughter.

NRS 484B.657

AUG 16 2019

BY Tia Everett
TIA EVERETT, DEPUTY

JURL

DISTRICT COURT

CLARK COUNTY, NEVADA

The State of Nevada,

Plaintiff,

CASE NO. C329810

DEPT. NO. IX

-vs-

Ronneka Guidry,

Defendant.

AMENDED JURY LIST

1. Jeffrey Triebwasser
2. Cesar Solano
3. Omar Green
4. Justin Jackson
5. John Kramer
6. Lonzy Anderson
7. Mariana Galvan

8. Dayna Whitlock
9. Rogers Mobley, Jr.
10. Maria Pasion
11. Amie Eldred
12. Annie Nicholson

ALTERNATES

13. Jeffrey Yang

14. Tiffany Johnson

C-18-329810-1
AJUR
Amended Jury List
4856756



AUG 13 2019 3:34pm

ORIGINAL

BY

April Watkins
APRIL WATKINS, DEPUTY

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONNEKA ANN GUIDRY,

Defendant.

CASE NO: C-18-329810-1

DEPT NO: IX

VERDICT

We, the jury in the above entitled case, find the Defendant RONNEKA ANN GUIDRY, as follows:

COUNT 1 - MURDER WITH USE OF A DEADLY WEAPON

(please check the appropriate box, select only one)

- ☐ Guilty of First Degree Murder with Use of a Deadly Weapon
- ☐ Guilty of First Degree Murder
- ☐ Guilty of Second Degree Murder with Use of a Deadly Weapon
- ☒ Guilty of Second Degree Murder
- ☐ Guilty of Involuntary Manslaughter
- ☐ Not Guilty

C-18-329810-1
VER
Verdict
4857168



1 COUNT 2 – ROBBERY WITH USE OF A DEADLY WEAPON

2 *(please check the appropriate box, select only one)*

3 ☐ Guilty of Robbery with Use of a Deadly Weapon

4 ☒ Guilty of Robbery

5 ☐ Not Guilty

6
7 COUNT 3 – GRAND LARCENY

8 *(please check the appropriate box, select only one)*

9 ☒ Guilty of Grand Larceny > \$3500

10 ☐ Guilty of Grand Larceny < \$3500

11 ☐ Guilty of Petit Larceny

12 ☐ Not Guilty

13
14 COUNT 4 - DUTY TO STOP AT A SCENE OF CRASH INVOLVING DEATH OR
15 PERSONAL INJURY

16 *(please check the appropriate box, select only one)*

17 ☒ Guilty of Duty to Stop at a Scene of Crash Involving Death or Personal
18 Injury.

19 ☐ Not Guilty

20
21 DATED this 19th day of August, 2019

22
23 
24 FOREPERSON
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FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

AUG 13 2019 3:34pm

BY *April Watkins*
APRIL WATKINS, DEPUTY

ORIGINAL

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RONNEKA ANN GUIDRY,
#2645844

Defendant.

CASE NO: C-18-329810-1

DEPT NO: IX

INSTRUCTIONS TO THE JURY (INSTRUCTION NO. 1)

MEMBERS OF THE JURY:

It is now my duty as judge to instruct you in the law that applies to this case. It is your duty as jurors to follow these instructions and to apply the rules of law to the facts as you find them from the evidence.

You must not be concerned with the wisdom of any rule of law stated in these instructions. Regardless of any opinion you may have as to what the law ought to be, it would be a violation of your oath to base a verdict upon any other view of the law than that given in the instructions of the Court.

C-18-329810-1
INST
Instructions to the Jury
4857169



If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

An Indictment is but a formal method of accusing a person of a crime and is not of itself any evidence of her guilt.

In this case, it is charged in an Indictment that on or about the 3rd day of January, 2018, the Defendant, committed the offenses of Murder with Use of a Deadly Weapon, Robbery with Use of a Deadly Weapon, Grand Larceny, and Duty to Stop at Scene of Crash Involving Death or Personal Injury. It is the duty of the jury to apply the rules of law contained in these instructions to the facts of the case and determine whether or not the Defendant is guilty of the offense charged.

COUNT 1 - MURDER WITH USE OF A DEADLY WEAPON

did willfully, unlawfully, feloniously and with malice aforethought, kill EDUARDO OSORIO, a human being, with use of a deadly weapon, to wit: a motor vehicle, by driving at and/or into and/or over the body of EDUARDO OSORIO with a motor vehicle, the actions of the Defendant resulting in the death of EDUARDO OSORIO, the said killing having been committed during the perpetration or attempted perpetration of a robbery.

COUNT 2 – ROBBERY WITH USE OF A DEADLY WEAPON

did willfully, unlawfully, and feloniously take personal property, to wit: a Rolex watch from the person of EDUARDO OSORIO, or in his presence, by means of force or violence, or fear of injury to, and without the consent and against the will of EDUARDO OSORIO, with use of deadly weapon, to wit: a motor vehicle, Defendant using force or fear to obtain or retain possession of the property, to prevent or overcome resistance to the taking of the property, and/or to facilitate escape.

COUNT 3 – GRAND LARCENY

did then and there willfully, unlawfully, feloniously, and intentionally, with intent to deprive the owner permanently thereof, steal, take and carry away, lead or drive away property owned by EDUARDO OSORIO, having the value of \$3,500.00 or greater, to wit: a Rolex watch.

1 COUNT 4 – DUTY TO STOP AT A SCENE OF CRASH INVOLVING DEATH OR
2 PERSONAL INJURY

3 did then and there willfully, unlawfully, feloniously while driving a motor vehicle on
4 a highway or on premises to which the public has access, located at East Flamingo Road and
5 Koval lane, Las Vegas, Clark County, Nevada, and after being involved in a crash resulting
6 in bodily injury or death to EDUARDO OSORIO, fail to immediately stop at the scene of
7 the crash or as close to thereto as possible, fail to return forthwith to the scene of the crash
8 and/or fail to remain at the scene of the crash until she fulfilled the requirements of NRS
9 484E.030.

10 It is the duty of the jury to apply the rules of law contained in these instructions to the
11 facts of the case and determine whether or not the Defendant is guilty of the offenses
12 charged.

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In this case the Defendant is accused in an Indictment alleging a charge of Murder. This charge includes and encompasses Murder of the First Degree, Murder of the Second Degree, and Involuntary Manslaughter.

The jury must decide if the Defendant is guilty of any offense and, if so, of which offense.

Murder is the unlawful killing of a human being with malice aforethought, either express or implied. The unlawful killing may be effected by any of the various means by which death may be occasioned.

Malice aforethought means the intentional doing of a wrongful act without legal cause or excuse or what the law considers adequate provocation. The condition of mind described as malice aforethought may arise, from anger, hatred, revenge, or from particular ill will, spite or grudge toward the person killed. It may also arise from any unjustifiable or unlawful motive or purpose to injure another, proceeding from a heart fatally bent on mischief or with reckless disregard of consequences and social duty. Malice aforethought does not imply deliberation or the lapse of any considerable time between the malicious intention to injure another and the actual execution of the intent but denotes an unlawful purpose and design as opposed to accident and mischance.

Express malice is that deliberate intention unlawfully to take away the life of a human being, which is manifested by external circumstances capable of proof.

Malice may be implied when no considerable provocation appears, or when all the circumstances of the killing show an abandoned and malignant heart.

There is a kind of murder which carries with it conclusive evidence of premeditation and malice aforethought. This class of murder is murder committed in the perpetration or attempted perpetration of a robbery. Therefore, a killing which is committed in the perpetration or attempted perpetration of a robbery is deemed to be Murder of the First Degree, whether the killing was intentional or unintentional or accidental. This is called the Felony-Murder Rule.

For the purposes of the Felony–Murder Rule, the intent to take the property must have arisen before or during the conduct resulting in death.

Robbery is the unlawful taking of personal property from the person of another, or in his presence, against his will, by means of force or violence or fear of injury, immediate or future, to his person or property, or the person or property of a member of his family, or of anyone in his company at the time of the robbery. Such force or fear must be used to:

1. Obtain or retain possession of the property,
2. To prevent or overcome resistance to the taking of the property, or
3. To facilitate escape with the property.

In any case the degree of force is immaterial if used to compel acquiescence to the taking of or escaping with the property. Such taking constitutes robbery whenever it appears that, although the taking was fully completed without the knowledge of the person from whom taken, such knowledge was prevented by the use of force or fear.

The value of property or money taken is not an element of the crime of Robbery, and it is only necessary that the State prove the taking of some property or money.

Robbery is not confined to a fixed locus, but may spread over considerable and varying periods of time. All matters immediately antecedent to and having direct causal connection with the robbery are deemed so closely connected with it as to form in reality a part of the occurrence. Thus, although acts of violence and intimidation preceded or followed the actual taking of the property and may have been primarily intended for another purpose, it is enough to support the charge of robbery when a person takes the property by taking advantage of the terrifying situation she created.

All murder which is not Murder of the First Degree is Murder of the Second Degree.

Murder of the second degree includes:

1. A killing with malice aforethought, but not committed in the perpetration or attempted perpetration of a robbery.
2. An unintentional killing occurring in the commission of an unlawful act, which, in its consequences, naturally tends to destroy the life of a human being, or is committed in the prosecution of a felonious intent. However, if the felony is Robbery, the crime is First Degree Murder.

If you find that the State has established that the Defendant has committed Murder of the First Degree, you shall select Murder of the First Degree as your verdict.

The crime of Murder of the First Degree includes the crime of Murder of the Second Degree. You may find the Defendant guilty of the lesser-included offense of Murder of the Second Degree if:

(1) after first fully and carefully considering the charge of Murder of the First Degree, you either (a) find the Defendant not guilty of that charge, or (b) are unable to agree whether to acquit or convict on that charge; and

(2) all twelve of you are convinced beyond a reasonable doubt that the Defendant is guilty of Murder of the Second Degree.

If you are convinced beyond a reasonable doubt that the killing was unlawful, but you have reasonable doubt whether the crime is Murder of the First Degree or Murder of the Second Degree, you must give the Defendant the benefit of that doubt and return a verdict of Murder of the Second Degree.

Involuntary Manslaughter is the killing of a human being, without any intent to do so, in the commission of an unlawful act or a lawful act which probably might produce such a consequence in an unlawful manner; but where the involuntary killing occurs in the commission of an unlawful act, which, in its consequences, naturally tends to destroy the life of a human being, or is committed in the prosecution of a felonious intent, the offense is Murder.

Involuntary manslaughter does not involve the conscious use of a deadly weapon in the commission of a crime.

If you find that the State has established that the Defendant has committed Murder, you shall select the appropriate degree as your verdict.

The crime of Murder of the Second Degree includes the crime of Involuntary Manslaughter. You may find the Defendant guilty of the lesser-included offense of Involuntary Manslaughter if:

(1) after first fully and carefully considering the charge of Murder of the Second Degree, you either (a) find the Defendant not guilty of that charge, or (b) are unable to agree whether to acquit or convict on that charge; and

(2) all twelve of you are convinced beyond a reasonable doubt that the Defendant is guilty of Involuntary Manslaughter.

If you are convinced beyond a reasonable doubt that the killing was unlawful, but you have reasonable doubt whether the crime is Murder or Involuntary Manslaughter, you must give the Defendant the benefit of that doubt and return a verdict of Involuntary Manslaughter.

The killing of another person in self-defense is justified and not unlawful when the person who does the killing actually and reasonably believes:

1. That there is imminent danger that the assailant will either kill her or cause her great bodily injury; and

2. That it is absolutely necessary under the circumstances for her to use in self-defense force or means that might cause the death of the other person, for the purpose of avoiding death or great bodily injury to herself.

A bare fear of death or great bodily injury is not sufficient to justify a killing. To justify taking the life of another in self-defense, the circumstances must be sufficient to excite the fears of a reasonable person placed in a similar situation. The person killing must act under the influence of those fears alone and not in an effort to continue her felonious activity.

An honest but unreasonable belief in the necessity for self-defense does not negate malice and does not reduce the offense from murder to manslaughter.

The right of self-defense is not generally available to an original aggressor, that is a person who has sought a quarrel with the design to force a deadly issue and thus through her fraud, contrivance or fault, to create a real or apparent necessity for making a felonious assault.

The original aggressor is only entitled to exercise self-defense, if she makes a good faith endeavor to decline any further struggle before the mortal blow was given.

However, where a person without voluntarily seeking, provoking, inviting, or willingly engaging in a difficulty of her own free will, is attacked by an assailant, she has the right to stand her ground and need not retreat when faced with the threat of deadly force.

Notwithstanding, a person who is engaged in criminal activity must retreat instead of using deadly force.

Actual danger is not necessary to justify a killing in self-defense. A person has a right to defend from apparent danger to the same extent as she would from actual danger. The person killing is justified if:

1. She is confronted by the appearance of imminent danger which arouses in her mind an honest belief and fear that he is about to be killed or suffer great bodily injury; and
2. She acts solely upon these appearances and her fear and actual beliefs; and
3. A reasonable person in a similar situation would believe herself to be in like danger.

The killing is justified even if it develops afterward that the person killing was mistaken about the extent of the danger.

If evidence of self-defense is present, the State must prove beyond a reasonable doubt that the Defendant did not act in self-defense. If you find that the State has failed to prove beyond a reasonable doubt that the Defendant did not act in self-defense, you must find the Defendant not guilty.

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2 If a person kills another in self-defense, it must appear that the danger was so urgent
3 and pressing that, in order to save her own life, or to prevent her receiving great bodily harm,
4 the killing of the other was absolutely necessary; and the person killed was the assailant, or
5 that the slayer had really, and in good faith, endeavored to decline any further struggle
6 before the mortal blow was given.
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2 A victim of a larceny, has the right to use force to resist the taking, or the escape of
3 the perpetrator with the property. A person who has taken property may not rely upon self-
4 defense when the need to utilize the force is in response to the victim seeking to prevent the
5 taking or escape with the property.

6 In other words, the use of force by the person who has taken the property to escape
7 with the property of another elevates the taking to a robbery.
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If you find the Defendant guilty of First Degree Murder or Robbery, you must also determine whether or not a deadly weapon was used in the commission of this crime.

If you find beyond a reasonable doubt that a deadly weapon was used in the commission of such an offense, then you shall return the appropriate guilty verdict reflecting "With Use of a Deadly Weapon".

If, however, you find that a deadly weapon was not used in the commission of such an offense, but you find that it was committed, then you shall return the appropriate guilty verdict reflecting that a deadly weapon was not used.

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2 A "deadly weapon" is any instrument which, if used in the ordinary manner
3 contemplated by its design and construction, will or is likely to cause substantial bodily harm
4 or death; or any weapon, device, instrument, material or substance which, under the
5 circumstances in which it is used, attempted to be used or threatened to be used, is readily
6 capable of causing substantial bodily harm or death.

Any person who steals, takes and carries away, leads away or drives away person goods or property of another, having a value of \$3500 or more, with the specific intent to permanently deprive the owner thereof is guilty of Grand Larceny > \$3500.

If the value is greater that \$650 but less that \$3500, the person is guilty of Grand Larceny < \$3500.

If the value is less than \$650.00, the person is guilty of Petit Larceny.

Value may be shown by evidence as to purchase price, price tag, or by replacement cost.

When the value of the property alleged to have been taken by theft must be determined, the reasonable and fair market value at the time and in the locality of the theft shall be the test. That value is the highest price, estimated in terms of money for which the property would have sold in the open market at that time and in that locality, if the owner was desirous of selling but under no urgent necessity of doing so, if the seller had a reasonable time within which to find a purchaser, and if the buyer had knowledge of the character of the property and of the uses to which it might be put.

Any expression of opinion on value that the court has received in evidence may be considered by you in determining value. You are not bound to accept any such opinion as conclusive, but you should give it the weight to which you shall find it to be entitled. You may disregard any such opinion if you find it to be unreasonable.

The driver of any vehicle involved in a collision resulting in injury to any person shall immediately stop such vehicle at the scene of such collision or as close thereto as possible, and shall forthwith return to and in every way shall remain at the scene of the collision.

Every such stop shall be made without obstructing traffic more than is necessary.

A stop is possible, whenever a person is a safe enough distance to not fear for their own safety.

Any person who knowingly fails to comply is guilty of the offense of Leaving the Scene of an Accident.

Injury in a motor vehicle accident means any personal injury accidentally caused in, by or as the proximate result of the movement of motor vehicle on a public street or highway, whether the injured person was the operator of the vehicle or another vehicle, a passenger in the vehicle or another vehicle, a pedestrian, or had some other relationship to the movement of a vehicle.

Accident means an unexpected or unforeseen event happening suddenly or violently, with or without human fault, and producing at the time objective symptoms of an injury.

The driver of any vehicle involved in a collision resulting in bodily injury to or death of any person or damage to any vehicle or other property which is driven or attended by any person shall:

(1) Give his or her name, address and the registration number of the vehicle that he or she is driving, and shall upon request and if available, exhibit his or her license to operate a motor vehicle to any person injured in such accident or to the driver or occupant of or person attending any vehicle or other property damaged in such accident; and

(2) Give such information and upon request, manually surrender, such license to any police officer at the scene of the accident or who is investigating the accident; and

(3) Render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary, or if such carrying is requested by the injured person.

If no police officer is present, the driver of any vehicle involved in such accident shall forthwith report such accident to the nearest office of a police authority or of the Nevada Highway Patrol.

“Bodily injury” means any injury to the body.

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In order to find that a driver has committed the crime of leaving the scene of an accident, you must find that the driver knew or should have known that he or she had been involved in a collision with a person or the property of another. You need not find that the driver knew that he or she had injured someone.

“Highway” means the entire width between the boundary lines of every way dedicated to a public authority when any part of the way is open to the use of the public for purposes of vehicular traffic, whether or not the public authority is maintaining the way.

“East Flamingo Road” is a highway.

“Motor vehicle” means every vehicle which is self-propelled, but not operated upon rails. A car is a motor vehicle.

“Premises to which the public has access” means property in private or public ownership onto which members of the public regularly enter, are reasonably likely to enter, or are invited or permitted to enter as invitees or licensees, whether or not access to the property by some members of the public is restricted or controlled by a person or a device.

The term includes, but is not limited to:

- (1) A parking deck, parking garage or other parking structure;
- (2) A paved or unpaved parking lot or other paved or unpaved areas where vehicles are parked or are reasonably likely to be parked;
- (3) A way that provides access to or is appurtenant to:
 - (a) A place of business;
 - (b) A governmental building;
 - (c) An apartment building;
 - (d) A mobile home park;
 - (e) A residential area or residential community which is gated or enclosed or the access to which is restricted or controlled by a person or a device; or
 - (f) Any other similar area, community, building or structure.

The term does not include:

- (1) A private way on a farm; or
- (2) The driveway of an individual dwelling.

To constitute the crime charged, there must exist a union or joint operation of an act forbidden by law and an intent to do the act.

The intent with which an act is done is shown by the facts and circumstances surrounding the case.

Do not confuse intent with motive. Motive is what prompts a person to act. Intent refers only to the state of mind with which the act is done.

Motive is not an element of the crime charged and the State is not required to prove a motive on the part of the Defendant in order to convict. However, you may consider evidence of motive or lack of motive as a circumstance in the case.

In your deliberations as to whether the State has met its burden beyond a reasonable doubt, the subject of penalty or punishment is not to be discussed or considered by you and should in no way influence your verdict.

You are here to determine whether the State of Nevada has met its burden of proof as to the Defendant from the evidence in the case. You are not called upon to return a verdict as to any other person other than the named Defendant in this matter. So, if the evidence in the case convinces you beyond a reasonable doubt of the guilt of the Defendant, you should so find, even though you may believe one or more persons are also guilty.

The evidence which you are to consider in this case consists of the testimony of the witnesses, the exhibits, and any facts admitted or agreed to by counsel.

There are two types of evidence: direct and circumstantial. Direct evidence is the testimony of a person who claims to have personal knowledge of the commission of the crime which has been charged, such as an eyewitness. Circumstantial evidence is the proof of a chain of facts and circumstances which tend to show whether the Defendant is guilty or not guilty. The law makes no distinction between the weight to be given either direct or circumstantial evidence. Therefore, all of the evidence in the case, including the circumstantial evidence, should be considered by you in arriving at your verdict. It is up to you to determine the weight to be given any evidence. Statements, arguments and opinions of counsel are not evidence in the case. However, if the attorneys stipulate to the existence of a fact, you must accept the stipulation as evidence and regard that fact as proved.

You must not speculate to be true any insinuations suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

You must disregard any evidence to which an objection was sustained by the court and any evidence ordered stricken by the court.

Anything you may have seen or heard outside the courtroom is not evidence and must also be disregarded.

The credibility or believability of a witness should be determined by his manner upon the stand, his relationship to the parties, his fears, motives, interests or feelings, his opportunity to have observed the matter to which he testified, the reasonableness of his statements and the strength or weakness of his recollections.

If you believe that a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

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2 The Defendant is presumed innocent unless the contrary is proved. This presumption
3 places upon the State the burden of proving beyond a reasonable doubt every element of the
4 crime charged and that the Defendant is the person who committed the offense or offenses.

5 A reasonable doubt is one based on reason. It is not mere possible doubt but is such a
6 doubt as would govern or control a person in the more weighty affairs of life. If the minds of
7 the jurors, after the entire comparison and consideration of all the evidence, are in such a
8 condition that they can say they feel an abiding conviction of the truth of the charge, there is
9 not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or
10 speculation.

11 If you have a reasonable doubt as to the guilt of the Defendant, she is entitled to a
12 verdict of not guilty.
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2 It is a constitutional right of a Defendant in a criminal trial that she may not be
3 compelled to testify. Thus, the decision as to whether she should testify is left to the
4 Defendant on the advice and counsel of her attorney. You must not draw any inference of
5 guilt from the fact that she does not testify, nor should this fact be discussed by you or enter
6 into your deliberations in any way.
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A witness who has special knowledge, skill, experience, training or education in a particular science, profession or occupation is an expert witness. An expert witness may give his or her opinion as to any matter in which he or she is skilled.

You should consider such expert opinion and weigh the reasons, if any, given for it. You are not bound, however, by such an opinion. Give it the weight to which you deem it entitled, whether that be great or slight, and you may reject it, if, in your judgment, the reasons given for it are unsound.

Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind that such inferences should not be based on speculation or guess.

A verdict may never be influenced by sympathy, prejudice or public opinion. Your decision should be the product of sincere judgment and sound discretion in accordance with these rules of law.

During your deliberations you are not to communicate with anyone, in any manner regarding the facts and circumstances of this case or its merits, either by phone, email, text messaging, internet, or other means.

You are admonished not to read, watch, or listen to any news or media accounts or commentary about the case. You are not permitted to do any independent research, such as consulting dictionaries, using the internet, or any other reference materials.

You are further admonished to not conduct any investigation, test a theory of the case, re-create any aspect of the case, or in any other manner investigate or learn about the case on your own.

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2 When you retire to consider your verdict, you must select one of your number to act
3 as foreperson who will preside over your deliberation and will be your spokesperson here in
4 court.

5 During your deliberation, you will have all the exhibits which were admitted into
6 evidence, these written instructions and forms of verdict which have been prepared for your
7 convenience.

8 Your verdict must be unanimous. As soon as you have agreed upon a verdict, have it
9 signed and dated by your foreperson and then return with it to this room.

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Now you will listen to the arguments of counsel who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever counsel may say, you will bear in mind that it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between each Defendant and the State of Nevada.

GIVEN: 

DISTRICT JUDGE

Steven D. Grierson

1 **ROC**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 MICHELLE FLECK
6 Chief Deputy District Attorney
7 Nevada Bar #010040
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 PAMELA BORDEAUX, aka,
13 Pamela Rene Schoening #1372299,
14 Defendant.

CASE NO: C-19-340404-1

DEPT NO: XXI

RECEIPT OF COPY

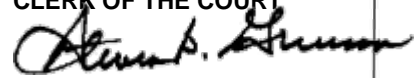
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16
17 RECEIPT OF COPY of the above and foregoing CD containing documents Bates
18 numbered 738-760 and 282 photos totaling 502 MB as provided by CCOCME is hereby
19 acknowledged this 26th day of Aug., 2019.

20
21 ROBERT DRASKOVICH
22 ATTORNEY FOR DEFENDANT

23 BY

S.R. [Signature]
815 S. Casino Center Blvd.
Las Vegas, Nevada 89101

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28 19F08023X jn/MVU



1 **EXH.**
2 CRAIG MUELLER & ASSOCIATES
3 Nevada Bar No. 4703
4 723 South Seventh Street
5 Las Vegas, NV 89101
6 (702) 382-1200
7 Attorney for Defendant

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**NINTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,
Plaintiff,

Case No.: C-18-329810-1

vs.

Dept. No.: 9

RONNEKA ANN GUIDRY,
Defendant.

**EXHIBITS IN SUPPORT OF
DEFENDANT AT SENTENCING**

Date of Sentencing: October 18th, 2019

Time of Hearing: 10:00 am

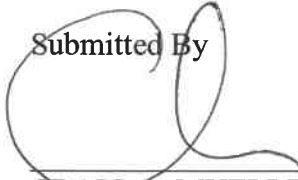
COMES NOW, the Defendant, RONNEKA ANN GUIDRY, by and through her attorney,
CRAIG A. MUELLER, ESQ., of the law firm CRAIG MUELLER & ASSOCIATES and respectfully
submits the following Exhibits in aid of sentencing:

1. Letter from Shauna Harris
2. Letter from Gregory Spears
3. Letter from Michelle Wickliff
4. Letter from Ronald Guidry
5. Letter from Promise Johnson

- 1 6. Letter from Fiance Azair Johnson
2 7. Letter from Derrontae Hunt
3 8. Letter from Deanna Smith
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18 DATED this 17th day of October, 2019.
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Submitted By


CRAIG A. MUELLER, ESQ.
Nevada Bar No. 4703
723 South Seventh Street
Las Vegas, Nevada 89101
(702) 382-1200
Attorney for Defendant

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Clark County District Attorney's Office
200 Lewis Ave., 3rd Floor
Las Vegas, NV 89155
motions@clarkcountynvda.com
pdmotions@clarkcountynvda.com

An Employee of Mueller & Associates, Inc.

Exhibit 1

Shauna Harris

10251 Ridgeline Dr

Kennewick, WA 99338

October 14, 2019

Ronneka Ann Guidry Case # C-18-329810-1

To The Honorable Judge Christina Silva,

My name is Shauna Harris and I am writing this letter on behalf of Ms. Guidry. Ms. Guidry is my cousin and who I also consider as my big sister. I've known her my whole life and since I was a kid I remember her always telling me that sky is the limit meaning to always stay focus to accomplish my goals. She has always and still do bring out the happiness not only just with me but with everyone she is around. Ms. Guidry is a full time mother of three that she cares for and support. Me being a business owner and working in Property Management, I was planning for the year 2018 to have her assist me with my online business since she was planning to go back to school for Business Management. Her plans are to continue her education and to own her own business.

I have three words to describe Ms. Guidry; artistic, positive, and fun. Artistic because she inspires people around her and constantly reminds me that sky is the limit. Positive because she always have a good attitude and uplifts people who she is around. Fun because she is enjoyable to be around and brings the excitement out of everyone. Have I seen her turn a negative situation and flip it to a positive one? Yes, she has flipped my negative situations into a positive one and that lead to a positive outcome. Ronneka Guidry is good person and she has demonstrated honesty and integrity.

Thank you, Your Honor, for taking these thoughts into consideration as you deliberate on the appropriate sentence. I stand ready to offer further support to Ronneka Guidry as she may require.

Respectfully,



Shauna Harris

Exhibit 2



Ronald Guidry <ronaldguidry49@gmail.com>

Letter to judge silva

1 message

greg.spears71112 <greg.spears71112@gmail.com>
To: ronaldguidry49@gmail.com

Wed, Oct 16, 2019 at 8:59 PM

To the honorable judge Christine Silva Your honor let me introduce myself my name is Gregory spears and I am the Uncle of raneka guidrey I would like to extend my deepest most heartfelt condolences to the victim and his family And this most tragic case I wanted to take a moment to share my insights about Raneka To say that raneka has had to deal with a host of circumstances That no child should have to endure is an understatement1st her mother was a drug addict we eventually died of an overdoseEven though her mom had many issues raneka and her mother were very closeAnd her sudden death was devastating to RanekaShe again lost the only other mother she had her maternal grandmother shortly after her mother passed awayHer brother was also murdered just a few short years agoHer father was largely absent for most of her development due to drug addictionBut I am glad to report today he is clean and sober employed and working hard to be the best man possibleRaneka also has 3 minor children who are devastated by these circumstancesI want to be clear that I don't want to over shadow the victim and his familyAnd the heartbreak that they have had to endureMy objective is to give you some insight on who Raneka isAnd how so many tragedies that were outside of her control have contributed to this situationThank you for your time and considerationSincerely Gregory spears

Sent from my Sprint Samsung Galaxy S8+.

Exhibit 3

Your Honorable Judge,

I am writing on behalf of Ronnekka Guidry. I am truly at a loss for words, due to the circumstances of this tragedy. I would like to send my condolences to the victims' family, for their loss, of their son. They will forever be in my prayers. I believe it was never, Ronneka's intention for this matter or any of this extreme, to end in such a traumatic tragedy, unfortunately, it has for both parties, her family and the victims. For that, I am truly sorry, and I believe she is too.

My name is Michelle Wickliff, I am not as close to Ronneka, as I would like to be, but I am pretty close to her children and very close her sisters and their kids. My hands are tied when it comes to her children, as the grandfathers. Their family, whom I may care for them, but not enough or have their best interest and/or abilities at heart. From dysfunctional behaviors, to unhealthy choices they make for her children, as adults. People have different lifestyles and backgrounds, I am not judging, but these kids need their mom.

I am requesting and pleading for her freedom. If any way possible for the court to reconsider their decision to keep her locked up and away from her children, any longer, they have suffered tremendously, (as their mother, as a young child and young adult), they need their mother. Her actions may not be justified, wrong is wrong. But, again her intentions were never deliberate, to hurt and harm the victim.

I understand that any mother, should want their child, and vice versa, but sometimes that is not the case. Due to life circumstances, it can be no one's fault and not of anyone's control. But for yourself your Honorable Judge, it would over all be up to you and the jury to make a final decision to reconsider on her children's behalf.

Ronnekka, as any young woman, whom may have been through many things in life, not just a few, with her parents, sisters and other family members. As independent as she is, for her children and herself, she can only deal, with a way of life she has chosen and/or experienced.

Sometimes our judgment may not be the best, when our lifestyle has only taught us to give or take, not from a family we may have always wanted, but others. When crisis arises, it's the flight or fight, when cornered, only because she may not have been taught any other way, but to take flight. Although, some of her experiences in life have deprived her of having a mother daughter or father daughter, relationship, in her younger years and critical stages of her life. Her father has been there for her through this trying time and is doing his best, at this present time in her life, under these circumstances. Earlier her kids' lives, by getting clean and sober, wanting to help with her, her sisters and their children, whenever he was and is able to so.

I believe that if Ronnekka is given a second chance, she will do things differently and be accountable to her children and all other circumstances, she should encounter moving forward in her life.

I thank you for taking time out of your busy schedule to read my request for Ronnekka to return to her children, so that she may continue to care for them at their critical stages of their lives.

Respectfully,

Michelle Wickliff

Exhibit 4

Honorable Judge,

My name is Ronald Guidry, I am Ronneka Ann Guidry's, father.

I would like to acknowledge first, by sending my continued prayers and condolences to the victim's, family for their loss of their son. The family will forever be in my prayers. Also, my daughter Ronneka, has tremendous and deep remorse for her carelessness and reckless behavior on January 3 2017, which added to this misfortune, that has impacted both their's and our families dearly.

My daughter Ronneka has had a tough life, losing her Mother, on May 13th 2007, to drugs related to her addiction. She also, lost her maternal grandmother, and her mother's sister, Ronneka's, aunt earlier in the year on January 2007, who was disabled. They were stuck in a fire, could not escape or be rescued from the third level, did not get out in time. It was a horrible experience and tragic situation that has taken a toll on the whole family. She has also lost a brother, do to unnecessary gun violence in July 4th 2015 as an innocent bystander, walking out of a night club. Your Honorable Judge, Ronneka and her two sisters, and I have had to endure up until to this day.

A few years earlier in life she gave birth to a son, which his name is Der'rontae Hunt (14). He was born on November 19th, 2004. She also has given birth to fraternal twins, on August 6, 2008. Their names are Promise, and Fiancé Johnson (11).

I just want to acknowledge the fact that, I wasn't there for her or her sisters growing up, due to my own fight with my addiction of cocaine and alcohol. I am able now to be here to support, although I lack many skills as a parent. Now, I am drug free and sober for the past 10 years, since October 11, 2009. It feel so wonderful, your Honor, isn't God great!

Ever since Ronneka's, Mother passed, things been real rough for Ronneka and her sister's. Also, she has fell victim to a life of human trafficking. She met her first boyfriend, a so call pimp. That had her targeting men wearing, Rolex watches. He had her away from her kids as babies for a long period of time. He didn't even want her to talk to me, Your Honor. That was a terrible situation that I had to go through, after her mom passed and my grandkids as babies, not seeing their mom, my daughter. That is how much these so called pimp, have influences in these young women lives.

Honorable Judge, if you can find in your heart to have mercy and forgiveness for Ronneka, for her reckless and careless behavior of the morning of January 3th 2017. I pray that the court can have mercy and leniency, for Ronneka, reckless behavior and careless ways. I know your Honor that Ronneka, should be punished for her actions, all that I asked, if there is any way that the court can give Ronneka a second chance in life, due to the circumstances of her past and accidental loss that she is involved in and her children needing her at this

critical age. This is a horrific situation. I ask so that she can be a better parent, than I was to her.

Again, I am deeply saddened from this situation and for the families' loss. I can relate to the victim's family. I lost a son too. Again on July 4, 2015, do to senseless gun violence. It hurt's deeply, your Honor. Also, I would like to reiterate my deepest condolences to the family, and may the Lord God be with the family, always, now in the present and in the future. May the Lord, God easy their pain. I'm praying for the family, always.

I'm praying for my grandkids, they're taking this real hard, since their mom's been there for them. Especially my grandson Fiancé, he's eleven years old. He's acting out in a trouble way with everyone and fighting in school. He's not use to being without his mother. Now she going to be out of their life, again. Just the thought, your Honor, affects him deeply. Their family on their father's side has not been very supportive or caring, the children are raising themselves.

I want to say again, your Honorable Judge, I pray that the victim family, can find in their hearts to forgive my daughter, Ronneka for her carelessness and reckless ways, that morning on January 3rd, 2017, that ended in a loss for victims' family and have compassion for her and her young children, your Honor. I pray that you have forgiveness in your heart and compassion, and have mercy and leniency on her sentencing date, for my daughter, Ronneka Ann Guidry and my grandkids.

Thank you, your Honorable Judge, for taking time out to read this letter. May God be with you!

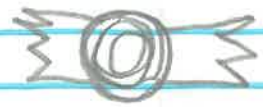
Sincerely,

Ronald Guidry

Exhibit 5

From Promise to Judge

Dear Judge



We really need our mom because she will make us go some where in life and my mom very smart and my mom will take us to go shopping and clothes and be there on the first day of school and she never missed a day of school and now she have miss birthday and first day of school it won't feel so right to be without your mom or parents it will feel so sad and um we miss her a lot I'm a lot. and my dad need her to he said he miss her to my mom have a great heart when we see someone she will give a homeless a dollar when she see a homeless person and my mom wanted me to go with her to go sea some mermaid with her when we went they were a sleep and my mom promise we will come back but it never happen because she not here and she never break a promise my mom take us fun place's she take us to the movie she take us any where we want to go and my mom very happy when see us I make me feel happy to I like when my parents are happy and my mom make me feel happy and she teach us some thing to learn in school and now I don't feel smart anymore without her because she is my best friend no matter what 11 year old have too grow up without a mom and dad stick together no matter and now my mom is missing in the picture and we don't want that to happen so judge help us get our mom back and my best friend

Exhibit 6

Dear Judge my mom is a nice and
kind person and me and my sister miss
her so much thing are hard with
out her my dad is good with us but
it's better when there together and
they both are helping each other
it's awesome and fun. But when there not
and the other one is in jail it's
very sad and it's hard for a kid
to grow up it could cause more
breaks and it's very sad not wanting
up without seeing her a 14 year olds
should not go through this please
help us see our mom Judge
please please.

Sincerely fiance Johnson.

Exhibit 7

Dear Judge I'm Derrontae Hunt, well also the oldest of 3 on my mom side (Bonnetta Guidry) It's been almost 2 years since the police took her away from us. My mom is the strongest Black woman I know she's my hero. She had me at 17 years of age didn't ask for anyone's help she dropped out of school because she had me and still found a way to feed and put clothes on not just me my sister and brother, and also herself, with a roof over our heads. My mom is basically a single mom well my dad is there for me but she's really our provider. I know this might not mean nothing to you but I'm going to try anyway I just want you to at least make a way for us to see her before I'm 18 I just want to see her one more time with her, have good times, spend another day with my mom. We all know she was in the wrong she knows too but she didn't want this to happen and to the family my condolences to their lost loved ones and forgive her for her action and know she didn't mean to do what the court room believe she did.

My Last thing is #Free my Mom Fast and
Jude hope and pray that this letter will
have you considering less time for her.
MOM I Love YOU!!

Exhibit 8

To 3/10/11 A May Concern

My name is Deanna Smith I'm
Ronikas twins grandmother, In there fathers
mom well they love there Dad in all but it's
never the same without a mother. She is a
real good mom and there education is real
important to her. They are so use to there
Mother being there on the first day and ever-
day, they are not the same. I'm asking to
Please think of her 11 year old twins and
have mercy for them when you sentence her.
She already been gone 2 years she know things
wasnt right and she had a very big heart she
not a person she goes around hurting others.
I'm very sorry for what happen but please
let her come home to her 3 children see
this is not just about her also her 3
children they lives with there father for
her after son with his father they are
use to being together. They go to school but
it's not the same they really need her
in there life never being away from
this 2 years has been to 77. Please find

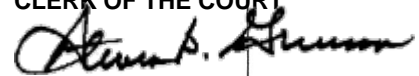
Thurs

My Name is Deanna Smith
I Romkeas Keds grandma. I'm
writing this letter cause I have the kids
in with me and they are have a problem-
deal with this situation. Romkeas is
a great mom she makes sure her kids
get to school there education is very important
to her still they do real well in school
they still use to the idea of mom not
being there. She is a very involved mother
teach them alot of different things
they are in and out they go through
not talking not doing still in school. I
just hoping with my medical problem she
be able to come home to them. not have
any mother is more than anything.

They have days they just don't care. My son
is doing the best he can but we can't fill
the the role of them missing there
mom.

in your heart that her children need
her and how special she is to them
these good kids. But mom is gone. May
you let them have their mother and let
our future be great they are our
future.

Christine
Slings



1 JOCP

2
3 DISTRICT COURT

4 CLARK COUNTY, NEVADA

5
6 THE STATE OF NEVADA,

7 Plaintiff,

8 -vs-

9 RONNEKA ANN GUIDRY
10 #2645844

11 Defendant.


CASE NO. C-18-329810-1

DEPT. NO. IX

12 JUDGMENT OF CONVICTION
13 (PLEA OF GUILTY)

14
15 The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 – MURDER
16 WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010,
17 200.030, 193.165; COUNT 2 – ROBBERY WITH USE OF A DEADLY WEAPON (Category
18 B Felony) in violation of NRS 200.380, 193.165; COUNT 3 – GRAND LARCENY (Category
19 B Felony) in violation of NRS 205.220.1, 205.222.3; and COUNT 4 – DUTY TO STOP AT
20 SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY (Category B Felony) in
21 violation of NRS 484E.010; and the matter having been tried before a jury and the Defendant
22 having been found guilty of the crimes of COUNT 1 – SECOND DEGREE MURDER
23 (Category A Felony) in violation of NRS 200.010, 200.030.5; COUNT 2 – ROBBERY
24 (Category B Felony) in violation of NRS 200.380; COUNT 3 – GRAND LARCENY (Category
25 B Felony) in violation of NRS 205.220.1, 205.222.3; and COUNT 4 – DUTY TO STOP AT
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<input type="checkbox"/> Nolle Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent. (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input type="checkbox"/> Transferred (before/during trial)	<input type="checkbox"/> Conviction
<input type="checkbox"/> Other (define): of Disposition	

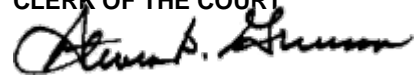


1 SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY (Category B Felony) in
2 violation of NRS 484E.010; thereafter, on the 18th day of October, 2019, the Defendant was
3 present in Court for sentencing with counsel CRAIG A. MUELLER, ESQ., and good cause
4 appearing,
5

6 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition
7 to the \$25.00 Administrative Assessment, \$1,891.05 Extradition Costs, \$59,227.93 Restitution
8 and \$2,000.00 Fine as to Count 4 plus \$3.00 DNA Collection Fee, the Defendant is sentenced to
9 the Nevada Department of Corrections (NDC) as follows: **COUNT 1** – LIFE with the
10 eligibility for parole after serving a MINIMUM of TEN (10) YEARS; **COUNT 2** – a
11 MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM Parole
12 Eligibility of SEVENTY-TWO (72) MONTHS, CONCURRENT with COUNT 1; **COUNT 3** –
13 a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole
14 Eligibility of FORTY-EIGHT (48) MONTHS; CONSECUTIVE to COUNTS 1 and 2; and
15 **COUNT 4** – a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a
16 MINIMUM Parole Eligibility of FORTY-EIGHT (48) MONTHS; CONSECUTIVE to COUNT
17 3; with SIX HUNDRED TEN (610) DAYS credit for time served. As the \$150.00 DNA
18 Analysis Fee and Genetic Testing have been previously imposed, the Fee and Testing in the
19 current case are WAIVED. The AGGREGATE TOTAL sentence is LIFE with a MINIMUM
20 PAROLE ELIGIBILITY OF EIGHTEEN (18) YEARS.
21
22

23
24 DATED this 28th day of October, 2019.

25
26
27 
28 CRISTINA D. SILVA
DISTRICT COURT JUDGE 



1 **NOT**
2 **CRAIG MUELLER**
3 Nevada Bar No. 4703
4 723 S. Seventh Street
5 Las Vegas, NV 89101
6 702-382-1200
7 702-940-1235 Fax

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

10 THE STATE OF NEVADA

11 Plaintiff,

12 vs.

13 RONNEKA GUIDRY,

14 Defendant.

Case No. C-18-329810-1

Dept No. 9

NOTICE OF APPEAL

16 PURSUANT TO NRS 266.595, notice is hereby given that RONNEKA GUIDRY, the
17 Defendant above named, hereby appeals to the Supreme Court of Nevada from the Final Judgment
18 entered in this action on the October 29, 2019.

19 DATED this 29th day of October 2019.

20
21
22
23 By /s/ Craig Mueller
24 CRAIG A. MUELLER, ESQ.
25 Nevada Bar No. 4703
26 723 South Seventh Street
27 Las Vegas, Nevada 89101
28

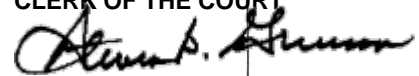
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CERTIFICATE OF ELECTRONIC SERVICE

I HEREBY CERTIFY that on the 29th of November 2019, I served a true and correct copy of the
NOTICE OF APPEAL upon each of the parties by electronic service through Odyssey/Wiznet, the
Eighth Judicial Court's e-filing/e-service system, pursuant to N.E.F.C.R.9; addressed as follows:

Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101
motions@clarkcountyda.com
pdmotions@clarkcountyda.com

/s/ Rosa Ramos
An Employee of Craig Mueller & Associates



1 JOCP

2
3 DISTRICT COURT

4 CLARK COUNTY, NEVADA

5
6 THE STATE OF NEVADA,

7 Plaintiff,

8 -VS-

9 RONNEKA ANN GUIDRY
10 #2645844

11 Defendant.

CASE NO. C-18-329810-1

DEPT. NO. IX

12 JUDGMENT OF CONVICTION
13 (PLEA OF GUILTY)

14
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16 WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of NRS 200.010,
17 200.030, 193.165; COUNT 2 – ROBBERY WITH USE OF A DEADLY WEAPON (Category
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20 SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY (Category B Felony) in
21 violation of NRS 484E.010; and the matter having been tried before a jury and the Defendant
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24 (Category B Felony) in violation of NRS 200.380; COUNT 3 – GRAND LARCENY (Category
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<input type="checkbox"/> Nolle Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent. (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input type="checkbox"/> Transferred (before/during trial)	<input type="checkbox"/> Conviction
<input type="checkbox"/> Other (define): of Disposition	

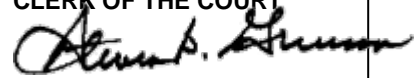
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4 appearing,
5

6 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition
7 to the \$25.00 Administrative Assessment, \$1,891.05 Extradition Costs, \$59,227.93 Restitution
8 and \$2,000.00 Fine as to Count 4 plus \$3.00 DNA Collection Fee, the Defendant is sentenced to
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11 MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM Parole
12 Eligibility of SEVENTY-TWO (72) MONTHS, CONCURRENT with COUNT 1; **COUNT 3** –
13 a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM Parole
14 Eligibility of FORTY-EIGHT (48) MONTHS; CONSECUTIVE to COUNTS 1 and 2; and
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17 3; with SIX HUNDRED TEN (610) DAYS credit for time served. As the \$150.00 DNA
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19 current case are WAIVED. The AGGREGATE TOTAL sentence is LIFE with a MINIMUM
20 PAROLE ELIGIBILITY OF EIGHTEEN (18) YEARS.
21
22
23

24 DATED this 28th day of October, 2019.

25
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28

CRISTINA D. SILVA
DISTRICT COURT JUDGE *AK*



1 **CAS**
2 **CRAIG A. MUELLER, ESQ.**
3 Nevada Bar No. 4703
4 723 South Seventh Street
5 Las Vegas, NV 89101
6 702-382-1200 Phone
7 702-940-1235 Fax

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

10 THE STATE OF NEVADA

11 Plaintiff,

12 vs.

13 RONNEKA ANN GUIDRY

14 Defendant.

Case No. C-18-329810-1

Dept No. 9

15 **CASE APPEAL STATEMENT**

- 16 1. **Name of Appellant filing this Case Appeal Statement:** Ronneka Ann Guidry, an individual and
17 resident of Clark County, Nevada.
18
- 19 2. **Identify the Judge issuing the decision, judgment or order appealed from:** The Honorable
20 Judge Cristina D. Silva; Department 9.
21
- 22 3. **Identify each Appellant and the name and address of counsel for each appellant:** Appellant,
23 Ronneka Ann Guidry, retained and was represented by CRAIG A. MUELLER, ESQ., of the law
24 firm MUELLER & ASSOCIATES, located at 723 South Seventh Street, Las Vegas, Nevada 89101;
25 Telephone: (702) 382-1200.
26
27
28

1 4. **Identify each respondent and the name and address of appellate counsel if known, for each**
2 **respondent (if the name of a respondent's counsel is unknown, indicate as much and provide**
3 **the name and address of that respondent's trial counsel:**

4
5 (a) THE STATE OF NEVADA, respondent, is represented by STEVEN WOLFSON, ESQ., of the
6 DISTRICT ATTORNEY'S OFFICE. 200 Lewis Ave. Las Vegas, NV 89155.

7 5. **Indicate whether any attorney identified above in response to question 3 or 4 is not licensed**
8 **to practice law in Nevada and, if so, whether the district court granted that attorney**
9 **permission to appear under SCR 42 attach a copy of any district court order granting such**
10 **permission:** All attorneys of record are licensed to practice law in the State of Nevada.

11
12 6. **Indicate whether appellate was represented by appointed or retained counsel in the district**
13 **court:** Appellant, Ronneka Ann Guidry, retained and was represented by CRAIG A. MUELLER,
14 ESQ., of the law firm MUELLER & ASSOCIATES, located at 723 South Seventh Street, Las
15 Vegas, Nevada 89101; Telephone: (702) 382-1200, in the district court.

16
17 7. **Indicate whether appellant is represented by appointed or retained counsel on appeal:**
18 Appellant, Ronneka Ann Guidry, is filing this appeal in proper person, in this appeal.

19
20 8. **Indicate whether appellant was granted leave to proceed *in forma pauperis*, and the date the**
21 **of the district court order granting such leave:** No leave was sought or granted.

22
23 9. **Indicate the date of the proceedings commenced in the district court (e.g. date of complaint,**
24 **indictment, information, or petition was filed):** THE STATE OF NEVADA filed its indictment
25 against the Appellant, RONNEKA ANN GUIDRY, on February 9, 2018.

26
27 10. **Provide a brief description of the nature of the action and result in district court including**
28 **the type of judgment or order being appealed and the relief granted by the district court:** The

1 Appellant, RONNEKA ANN GUIDRY, was found guilty of the counts of Second Degree Murder,
2 Robbery, Grand Larceny and Duty to Stop at a Scene of Crash Involving Death or Personal injury.

3
4 **11. Indicate whether the case has previously been the subject of an appeal to or original writ**
5 **proceeding in the Supreme Court, and if so, the caption and Supreme Court docket number**
6 **of the prior proceedings:** This case has not previously been subject of an appeal to or original
7 writ proceeding in the Supreme Court.
8

9 **12. Indicate whether this appear involves child custody or visitation:** This case does not involve
10 child custody or visitation.

11 **13. If this case is a civil case, indicate whether this appeal involves the possibility of settlement:**
12
13 There is no possibility of settlement.

14 DATED this 29th day of November, 2019.

15
16
17 By /s/ Craig Mueller
18 CRAIG A. MUELLER, ESQ.
19 Nevada Bar No. 4703
20
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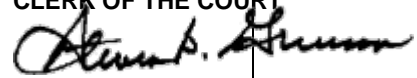
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REQT
CRAIG A. MUELLER, ESQ.
Nevada Bar No. 4703
MUELLER & ASSOCIATES, CHTD
723 S. Seventh Street
Las Vegas, Nevada 89101
Attorney for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA

Plaintiff,

vs.

RONNEKA GUIDRY,

Defendant.

Case No. C-18-329810-1

Dept. No. 9

NV Sup. Ct. Case No. 80156

REQUEST FOR TRANSCRIPTS

To: Gina Villani, Court Reporter

Defendant requests preparation of transcripts of the proceedings in this court as follows:

Judge or Officer hearing the Proceeding: Judge Cristina D. Silva

Dates of proceedings for which transcripts are being requested and Specific portions of the transcript being requested: Jury Trial dates of August 12, 2019, August 13, 2019, August 14, 2019, August 15, 2019, August 16, 2019, August 19, 2019 and October 18, 2019 (Sentencing).

This notice requests a transcript of only those portions of the district court proceedings which counsel reasonably and in good faith believes are necessary to determine whether appellate issues are present. Voir dire examination of jurors, opening statements, and closing arguments of trial counsel, and the reading of Jury instructions shall be transcribed.

I recognize that I must personally serve a copy of this form on the above named court reporter and opposing counsel, and that the above named court reporter shall have thirty (30) days

1 from the receipt of this notice to prepare and submit to the district court the transcripts requested
2 herein.

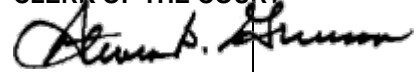
3 DATED this 10th day of February, 2020.
4

5
6 /s/ Craig A. Mueller
CRAIG A. MUELLER, ESQ.
7 Nevada Bar No. 4703
Mueller & Associates, Chtd.
8 723 S. Seventh St.
Las Vegas, NV 89101
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State of Nevada, Respondent
Steven Wolfson, Esq.
Clark County District Attorney
200 S. Lewis Ave.
Las Vegas, NV 89101
pdmotions@clarkcountyda.com
motions@clarkcountyda.com
Counsel for Respondent

/s/Rosa Ramos
An employee of MUELLER & ASSOCIATES



1 **REQT**
2 CRAIG A. MUELLER, ESQ.
3 Nevada Bar No. 4703
4 MUELLER & ASSOCIATES, INC.
5 723 S. Seventh Street
6 Las Vegas, Nevada 89101
7 *Attorney for Defendant*

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

10 RONNEKA ANN GUIDRY,)
11)
12)
13 Appellant,)
14) Case No. C-18-329810-1
15 vs.)
16)
17)
18 THE STATE OF NEVADA,)
19)
20)
21 Respondent.)

22 **EX-PARTE MOTION TO DECLARE APPELLANT**
23 **INDIGENT FOR PURPOSES OF TRANSCRIPTS COSTS**

24 COMES NOW, the Appellant, RONNEKA ANN GUIDRY, by and through her counsel,
25 CRAIG A. MUELLER, ESQ., and hereby requests that this court find Appellant indigent for
purposes of having Clark County pay for the costs associated with preparing the necessary
transcripts for her appeal. This motion is based upon the pleadings and attached Memorandum
Of Points And Authorities

Dated this 23th day of April, 2020.

21 /s/Craig Mueller
22 CRAIG MUELLER, ESQ.
23 Nevada Bar No. 4703
24 MUELLER & ASSOCIATES
25 723 South 7th Street
Las Vegas, NV 89101
(702) 382-1200
receptionist@craigmuellerlaw.com
Attorney for Appellant

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **FACTS IN SUPPORT**

3 Defendant RONNEKA ANN GUIDRY was convicted on August 19, 2019, after a jury
4 trial. She was convicted of one count of Second Degree Murder, one count of Robbery, one
5 count of Grand Larceny and one count of Duty To Stop At Scene Of Crash Involving Death Or
6 Personal Injury. On October 18, 2019, she was sentenced to an aggregate total of 18 years to life
7 with 610 days credit for time served. The Judgment Of Conviction was filed October 29, 2019.
8 The Notice Of Appeal and Case Appeal Statement were filed on November 29, 2019. A Request
9 For Transcripts was filed February 10, 2020.

10 **ARGUMENT**

11 There is clear precedent for this request, even for retained counsel. In *Widdis v. Second*
12 *Judicial Dist. Court*, 114 Nev. 1224 (1998), an attorney was hired to represent an accused.
13 Because the accused was allegedly indigent and his family was unable to pay for any defense
14 services beyond the attorney's fee, the attorney filed a motion seeking payment of defense
15 services at public expense. However, the trial court denied that motion. Two weeks later, the
16 accused pled guilty to a reduced charge and he was released on bail, pending sentencing. In
17 preparation for sentencing, the accused's attorney hired a clinical psychologist to evaluate the
18 accused. After his client was sentenced, the attorney filed an original petition for mandamus in
19 the State Supreme Court seeking an order compelling the trial court to order payment of defense
20 costs. The state supreme court held that, although the attorney's motion for a writ of mandamus
21 was procedurally appropriate and timely, the supreme court was unable to determine whether the
22 trial court acted arbitrarily or capriciously in denying the attorney's motion because the trial court
23 had not been given the opportunity to make specific findings with respect to whether the accused
24 was indigent and whether the psychologist's services were reasonably necessary. The state
25 supreme court issued a writ of mandamus that directed the district court (1) to vacate its order

1 denying the attorney's motion for payment of defense services and transcripts at public expense,
2 and (2) to grant the attorney's motion if the district court determined that the attorney's client was
3 indigent and that the clinical psychologist's evaluation was reasonably necessary for the client's
4 defense. The Nevada Supreme Court stated the following at 1226-1227:

5 Widdis's argument is twofold: (1) generally, an indigent criminal defendant
6 who has retained private counsel is nonetheless entitled to necessary defense
7 services at public expense; and (2) in the present case, this court's extraordinary
8 relief is warranted to compel the district court to order the payment of Dr.
9 Mahaffey's fee with public funds. While we agree with Widdis' first proposition,
10 we conclude that our extraordinary relief in this specific case would be premature
11 at this juncture...

12 The Nevada Supreme Court held specifically at 1228, that "the State has a duty to
13 provide reasonable and necessary defense services at public expense to indigent criminal
14 defendants who have nonetheless retained private counsel."

15 In this case Appellant has been incarcerated for over two years. She has exhausted her
16 savings and has no source of income. Her family and friends are unable to pay for the necessary
17 transcripts necessary for her appeal. The transcripts of various hearings and her jury trial are
18 necessary to his appeal. She cannot afford to pay the costs of these transcripts and so requests
19 that Clark County be ordered to pay these costs.

20 CONCLUSION

21 Based on the foregoing, Defendant RONNEKA ANN GUIDRY respectfully requests that
22 this Honorable Court declare her indigent for purposes of paying for the transcripts necessary to
23 his appeal.

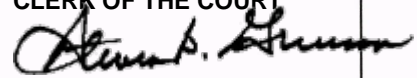
24 Respectfully SUBMITTED this 23th day of April, 2020.

25 /s/Craig Mueller
CRAIG MUELLER, ESQ.
Nevada Bar No. 4703

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State of Nevada, Respondent
Steven Wolfson, Esq.
Clark County District Attorney
200 S. Lewis Ave.
Las Vegas, NV 89101
pdmotions@clarkcountyda.com
motions@clarkcountyda.com
Counsel for Respondent

/s/Rosa Ramos
An employee of MUELLER & ASSOCIATES



1 **ORDR**
2 CRAIG A. MUELLER, ESQ.
3 Nevada Bar No. 4703
4 MUELLER & ASSOCIATES, INC.
5 723 S. Seventh Street
6 Las Vegas, Nevada 89101
7 *Attorney for Defendant*

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

10 RONNEKA ANN GUIDRY,)

11 Appellant,)

12 Case No. C-18-329810-1

13 vs.)

14 THE STATE OF NEVADA,)

15 Respondent.)

16 **ORDER REGARDING COSTS OF TRANSCRIPTS ON APPEAL**

17 Upon the application of Counsel for Appellant RONNEKA ANN GUIDRY, and upon finding
18 the Appellant is indigent,

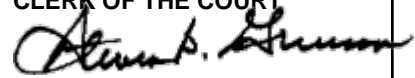
19 IT IS HEREBY ORDERED pursuant to *Widdis v. Second Judicial District Court*, 114 Nev.
20 1224, 968 P.2d 1165 (1998), that transcript costs related to ^{her} ~~his~~ appeal be paid for by Clark County, State
21 of Nevada. IT IS FURTHER ORDERED that transcripts be prepared by Clark County, State of Nevada.

22 DATED this 27th day of April, 2020.

23 
24 DISTRICT COURT JUDGE

25 Submitted by:

26 /s/Craig Mueller
27 CRAIG A. MUELLER, ESQ.
28 Nevada Bar No. 4703
MUELLER & ASSOCIATES
723 South 7th Street



REQT

DARIN F. IMLAY, PUBLIC DEFENDER
NEVADA BAR No. 5674
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
(702) 455-4685
Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)
)
 Plaintiff,) CASE NO. C-18-329810-1
)
 v.) DEPT. NO. IX
)
 RONNEKA ANN GUIDRY,)
)
 Defendant.)

**APPELLANT'S SUPPLEMENTAL REQUEST FOR
CERTIFIED TRANSCRIPT OF PROCEEDINGS**

TO: Jill Hawkins
Court Recorder, Department XI

Sara Richardson
Court Recorder, Department III

Gina Villani
Court Recorder, Department IX

Appellant requests preparation, at State expense, of a transcript of the proceedings before the District Court, as follows:

Judge or officer hearing the proceeding: Judge Cristina Silva.

Date or dates of proceeding: 02/09/18, 03/20/18,
04/05/18, 04/17/18, 05/03/18, 05/09/18, 05/17/18, 05/23/18,
05/31/18, 06/14/18, 06/19/18, 06/26/18, 07/05/18, 08/01/18,
08/15/18, 08/21/18, 09/25/18, 10/02/18, 10/11/18, 10/24/18,

1 11/20/18, 12/05/18, 01/08/19, 01/23/19, 02/20/19, 03/05/19,
2 03/07/19, 03/12/19, 03/19/19, 03/20/19, 05/15/19, 06/12/19,
3 07/10/19, 07/25/19, 08/08/19, 08/12/19, 08/13/19, 08/14/19,
4 08/15/19, 08/16/19 and 08/19/19.

5 Portions of the transcript requested: 02/09/18 (Jill
6 Hawkins) - Any and all proceedings, all transcripts to include
7 word index; 03/20/18, 04/05/18, 04/17/18, 05/03/18, 05/09/18,
8 05/17/18, 05/23/18, 05/31/18, 06/14/18, 06/19/18, 06/26/18,
9 07/05/18, 08/01/18, 08/15/18, 08/21/18, 09/25/18, 10/02/18,
10 10/11/18, 10/24/18, 11/20/18, 12/05/18, 01/08/19, 01/23/19,
11 02/20/19, 03/05/19, 03/07/19, 03/12/19, 03/19/19, 03/20/19,
12 05/15/19, 06/12/19, 07/10/19, 07/25/19 (Sara Richardson) - Any and
13 all proceedings, all transcripts to include word index; 08/08/19
14 (Gina Villani) - Any and all proceedings, all transcripts to
15 include word index; 08/12/19, 08/13/19, 08/14/19, 08/15/19,
16 08/16/19, 08/19/19 - Trial transcripts - All transcripts, include
17 word index - Any and all proceedings, jury voir dire, jury
18 selection, opening statements, testimony, matters heard outside
19 the presence of the jury, settling of instructions, closing
20 arguments, verdict, any and all bench conferences (The trial
21 transcripts have already been filed, however, certain portions may
22 have been omitted as they were not prepared including jury voir
23 dire, jury selection, settling of instructions, closing arguments,
24 verdict and any and all bench conferences).

1
2 **Number of copies required:** Two.

3 I hereby certify that on this date I ordered this
4 transcript from the court reporter named above. I further certify
5 that Appellant is indigent and exempt from paying the required
6 deposit.

7 EXECUTED on the 23 day of July, 2020.

8 DARIN F. IMLAY
9 CLARK COUNTY PUBLIC DEFENDER

10 By: /s/ Howard S. Brooks
11 HOWARD S. BROOKS, #3374
12 Deputy Public Defender
13 309 S. Third Street, Ste. 226
 Las Vegas, Nevada 89155
 (702) 455-4685

14 **CERTIFICATE OF ELECTRONIC FILING**

15 I hereby certify that service of the above and foregoing
16 was made this 11th day of January, 2017, by Electronic Filing to:

17 District Attorneys Office
18 E-Mail Address:

19 PDMotions@clarkcountyda.com

20 Jennifer.Garcia@clarkcountyda.com

21 Eileen.Davis@clarkcountyda.com

22 hawkinsj@clarkcountycourts.us

23 richardsons@clarkcountycourts.us

24 villanig@clarkcountycourts.us

25 /s/ Carrie M. Connolly
26 Secretary for the
27 Public Defender's Office
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 09, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

February 09, 2018 11:45 AM Grand Jury Indictment

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 10B

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

PARTIES

PRESENT:	Fattig, John T	Deputy District Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Patti Hayden, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 17CGJ008X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-329810-1, Department III.

State requested a warrant, argued the no bail setting in Justice Court continue, and advised Deft is not in custody. COURT ORDERED, INDICTMENT WARRANT ISSUED, NO BAIL. COURT FURTHER ORDERED, Exhibits 1 - 25 to be lodged with the Clerk of the Court.

Upon inquiry of the Court, State advised there are no material witness warrants to be quashed. Mr. Fattig requested that the Justice Court case (18F01097X) remain at this time.

I.W. (NIC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 20, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

March 20, 2018 9:00 AM Indictment Warrant Return

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

COURT CLERK: April Watkins

RECORDER: Sara Richardson

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney for Pltff.
	Guidry, Ronneka Ann	Defendant
	Pandullo, Michael R.	Attorney for Deft.
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. DiGiacomo advised Mr. Momot withdrew and Mr. Pandullo was appointed. Mr. Pandullo CONFIRMED as counsel. DEFT. GUIDRY ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. Mr. DiGiacomo advised matter is not likely to go to the committee. Court stated this case will stay in Department III and ORDERED, matter set for trial. Further, counsel has 21 days from today for any writ and if matter goes to the committee, counsel to advise the Court. Mr. Pandullo stated there is no bail set. Court stated counsel to file motion.

CUSTODY (COC)

4/17/18 9:00 AM STATUS CHECK: TRIAL READINESS

5/3/18 9:00 AM CALENDAR CALL

5/7/18 10:00 AM JURY TRIAL

PRINT DATE: 04/10/2018

Page 1 of 1

Minutes Date: March 20, 2018

Felony/Gross Misdemeanor

COURT MINUTES

April 05, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

April 05, 2018 09:00 AM Defendant's Motion to Set Reasonable Bail

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

COURT CLERK: Miller, Deborah

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Bryan A. Schwartz Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Pandullo not present. COURT ORDERED, matter CONTINUED to status check date.

CUSTODY

CONTINUED TO: 4/17/18 9:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 17, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

April 17, 2018 09:00 AM All Pending Motions

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

COURT CLERK: Kidd, Lauren; Miller, Deborah

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

DEFENDANT'S MOTION TO SET REASONABLE BAIL..STATUS CHECK: TRIAL READINESS

Mr. Pandullo noted concern as to being prepared for the instant trial due to another trial set for April 30, 2018. Mr. DiGiacomo advised the State is ready, however, the State is waiting on the watch to arrive that is in an evidence locker out of state. Mr. DiGiacomo understands the need for the defense to continue trial depending on the Lachaux case. Arguments by counsel in support of motion. State argued in opposition. Statement by Defendant. COURT ORDERED, motion DENIED, trial date STANDS.

CUSTODY

5/03/18 9:00 AM CALENDAR CALL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-18-329810-1 State of Nevada
vs
Ronneka Guidry

May 03, 2018 9:00 AM Calendar Call

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

PRESENT:	Di Giacomo, Marc P.	Attorney for State
	Guidry, Ronneka Ann	Defendant
	Pandullo, Michael R.	Attorney for Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

Upon Court's inquiry, defendant stated she has not spoken to Mr. Pandullo as he has not responded to calls from her family or visited her. Court stated Mr. Pandullo has been removed from appointed cases due to some issues raised to the Court, therefore, he will appoint an attorney if defendant cannot afford to hire another attorney even though Ms. Guidry has retained Mr. Pandullo. Mr. DiGiacomo had no opposition to a continuance, noting the State was not going to announce ready as they are still waiting on the watch. Court stated he will continue matter to allow additional time to attempt to contact Mr. Pandullo. Mr. Pandullo now present. Court advised Mr. Pandullo that he is going to continued matter until next Wednesday to allow him to speak with defendant. COURT ORDERED, trial VACATED, status check SET.

CUSTODY

5/09/18 9:30 AM STATUS CHECK: TRIAL SETTING

PRINT DATE: 05/07/2018

Page 1 of 1

Minutes Date: May 03, 2018

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 09, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

May 09, 2018 9:30 AM Status Check: Trial Setting

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

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney for State
	Guidry, Ronneka Ann	Defendant
	Pandullo, Michael R.	Attorney for Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

Mr. DiGiacomo stated parties are working on a possible negotiation, noting he will be speaking with the family today. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 5/17/18 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 17, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

May 17, 2018 9:30 AM Status Check: Trial Setting

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

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

PARTIES

PRESENT:	Guidry, Ronneka Ann	Defendant
	Moskal, Thomas J.	Attorney for State
	Pandullo, Michael R.	Attorney for Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

Mr. Pandullo advised that Mr. Moskal indicated that Mr. DiGiacomo is continuing to have discussions with the victim's family and requested a week continuance. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 5/23/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 23, 2018

C-18-329810-1 State of Nevada
vs
Ronneka Guidry

May 23, 2018 9:30 AM Status Check: Trial Setting

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

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney for State
	Guidry, Ronneka Ann	Defendant
	Pandullo, Michael R.	Attorney for Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

Mr. DiGiacomo advised he spoke to the victim's mother, however, will be speaking with the father and his attorney today. COURT ORDERED, matter CONTINUED, noting trial date will be set at the next hearing if matter is not resolved. Court requested parties contact the Court over the next week to discuss trial dates if parties do not believe matter will be resolved.

CUSTODY

CONTINUED TO: 5/31/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 31, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

May 31, 2018 9:00 AM Status Check: Trial Setting

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

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney for State
	Guidry, Ronneka Ann	Defendant
	Pandullo, Jennifer	Attorney for Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

Mr. DiGiacomo advised he is still discussing negotiation with the family, noting he has been having issues due to needing an interpreter. Ms. Pandullo requested a status check on negotiations be set, as well as, a trial date be set within 60 days. Court stated he may have to find another court to hear the trial due to court's trial schedule. COURT ORDERED, matter SET for trial and status check.

CUSTODY

6/14/18 9:00 AM STATUS CHECK: NEGOTIATIONS

7/19/18 9:00 AM CALENDAR CALL

7/30/18 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 14, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

June 14, 2018 9:00 AM Status Check: Negotiations

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

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

PARTIES

PRESENT:	Guidry, Ronneka Ann	Defendant
	Lamanna, Brianna K.	Attorney for State
	State of Nevada	Plaintiff

JOURNAL ENTRIES

Court stated Mr. Pandullo is not present, therefore, ORDERED matter CONTINUED. Statement by Defendant.

CUSTODY

CONTINUED TO: 6/19/18 9:00 AM

CLERK'S NOTE: Mr. DiGiacomo appeared after the instant case was called and advised that he provided a Guilty Plea Agreement to Mr. Pandullo approximately one week ago. Counsel was notified via e-mail of the new date. dm6/14/18.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 19, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

June 19, 2018 9:00 AM Status Check: Negotiations

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

COURT CLERK: Deborah Miller/dm
 Christopher Darling

RECORDER: Sara Richardson

PARTIES

PRESENT: Guidry, Ronneka Ann Defendant
 Pandullo, Michael R. Attorney for Defendant

JOURNAL ENTRIES

Also present: Taleen Pandukht, Deputy District Attorney.

Matter TRAILED and RECALLED. Same parties present. Upon Court's inquiry, Mr. Pandullo advised matter has not been resolved. noting he needs to speak further with Mr. DiGiacmo about the offer. Discussion regarding bail motion. Court stated bail motion would need to be in writing. Statement by Defendant. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 6/26/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 26, 2018

C-18-329810-1 State of Nevada
vs
Ronneka Guidry

June 26, 2018 9:00 AM Status Check: Negotiations

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

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney for State
	Guidry, Ronneka Ann	Defendant
	Pandullo, Michael R.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

Court stated it is his understanding that Mr. Pandullo is withdrawing as counsel. Statement by Defendant. COURT ORDERED, Michael Pandullo, Esq. WITHDRAWN. Mr. Pandullo now present. Mr. Pandullo confirmed that he is withdrawing as counsel. Court stated he will refer matter to Mr. Christensen for appointment of counsel. Upon Court's inquiry, Mr. DiGiacomo noted offer of Leaving the Scene of an Accident resulting in Death and Grand Larceny with an aggregate sentence of 10/25 years. Statement by Defendant. COURT ORDERED, matter SET for Status Check.

CUSTODY

7/5/18 9:00 AM STATUS CHECK: COUNSEL/NEGOTIATIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 05, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

July 05, 2018 9:00 AM Status Check: Negotiations

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

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney for State
	Guidry, Ronneka Ann	Defendant
	Hawkins, Sarah	Deputy Public Defender

JOURNAL ENTRIES

Also present: Taleen Pandukht, Deputy District Attorney, present on behalf of the State.

Ms. Hawkins stated the Public Defender can confirm as counsel of record. COURT SO NOTED. Court stated parties previously discussed it will be difficult to maintain the trial date. Court requested counsel review discovery and discuss any possible negotiations with the State, as well as, trial dates if the trial needs to be reset. COURT FURTHER ORDERED, Calendar Call date STANDS. Matter RECALLED. Marc DiGiacomo now present. Court informed Mr. DiGiacomo of the discussions he had with Ms. Hawkins and requested he discuss potential offer with her.

CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

July 19, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

July 19, 2018 09:00 AM Calendar Call

HEARD BY: Smith, Douglas E. COURTROOM: RJC Courtroom 16C

COURT CLERK: Miller, Deborah

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Conor M. Slife, ESQ Attorney for Defendant

Giancarlo Pesci Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Slife advised he was assigned to the case last week and requested a status check to reset the trial.
COURT ORDERED, matter SET for Status Check.

CUSTODY

8/01/18 9:30 AM STATUS CHECK: TRIAL SETTING

Felony/Gross Misdemeanor

COURT MINUTES

August 01, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 01, 2018 09:30 AM Status Check: Trial Setting

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

COURT CLERK: Miller, Deborah

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Conor M. Slife, ESQ Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

Willard N Ewing Attorney for Defendant

JOURNAL ENTRIES

Court stated a trial needs to be set, noting a couple of motions have also been filed. Mr. Slife stated the defendant has indicated that she would like to hire another attorney. Statement by Defendant. COURT ORDERED, pending motions RESET to August 15, 2018. Matter TRAILED and RECALLED. Same parties present. Mr. Slife stated he spoke to the defendant and parties agree to set trial in March 2019. Upon Court's inquiry, Mr. DiGiacomo believes trial will take one and one-half weeks. COURT ORDERED, matter SET for trial and status check.

CUSTODY

10/24/18 9:30 AM STATUS CHECK: TRIAL READINESS

3/07/19 9:00 AM CALENDAR CALL

3/18/19 10:00 AM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

August 15, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 15, 2018 09:30 AM All Pending Motions

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

COURT CLERK: Miller, Deborah

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Conor M. Slife, ESQ Attorney for Defendant

Ronneka Ann Guidry Defendant

Willard N Ewing Attorney for Defendant

JOURNAL ENTRIES

Also present: Jacqueline Bluth, Deputy District Attorney, present on behalf of the State, appearing for Marc DiGiacomo, Chief Deputy District Attorney.

DEFENDANT'S MOTION TO DISMISS BASED ON STATE'S FAILURE TO PRESENT EXCULPATORY EVIDENCE AT THE GRAND JURY...DEFENDANT'S MOTION FOR LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DUE TO INEFFECTIVE ASSISTANCE OF PRIOR COUNSEL....DEFENDANT'S MOTION FOR SETTING OF REASONABLE BAIL

Mr. Slife stated Mr. DiGiacomo is currently in trial and the State is requesting a continuance. Ms. Bluth concurred. Mr. Slife stated the defense does not oppose a continuance. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 8/21/18 9:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

August 21, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 21, 2018 09:00 AM All Pending Motions

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

COURT CLERK: Miller, Deborah

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Conor M. Slife, ESQ Attorney for Defendant

Ronneka Ann Guidry Defendant

Willard N Ewing Attorney for Defendant

JOURNAL ENTRIES

Arguments by counsel. As to Defendant's Motion for Leave to File Petition for Writ of Habeas Corpus Due to Ineffective Prior Counsel, COURT ORDERED, motion DENIED, noting jurisdictional. As to Defendant's Motion to Dismiss Based on State's Failure to Present Exculpatory Evidence at the Grand Jury, Court stated FINDINGS and ORDERED, motion DENIED. As to Defendant's Motion for Setting of Reasonable Bail, COURT ORDERED, motion DENIED.

CUSTODY

10/24/18 9:00 AM STATUS CHECK: TRIAL READINESS

Felony/Gross Misdemeanor

COURT MINUTES

September 25, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

September 25, 2018 10:30 AM Defendant's Motion to Place on Calendar for Attorney to
Substitute in as Attorney of Record and Request Discovery

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Deputy Public Defender Justin Glasgow also present.

Mr. Mueller requested to substitute in as attorney of record, COURT ORDERED, Motion GRANTED. Mr. Mueller stated he filed a separate petition for an investigator under the Widdis decision. COURT DIRECTED Mr. Mueller to submit an Affidavit regarding indigency. Mr. Glasgow indicated this case was the Public Defender's and he will have the file sent to Mr. Mueller. COURT FURTHER DIRECTED the Public Defender's Office to provide the Discovery to Mr. Mueller, adding the State can produce a copy as well.

CUSTODY

10/2/18 9:00 A.M. DEFENDANT'S MOTION FOR AUTHORIZATION OF EMPLOYMENT OF EXPERT ASSISTANCE

10/24/18 9:00 A.M. STATUS CHECK: TRIAL READINESS

3/7/19 9:00 A.M. CALENDAR CALL

3/18/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

October 02, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

October 02, 2018 09:00 AM Defendant's Motion for Authorization of Employment of Expert Assistance

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

COURT CLERK: Schlitz, Kory

RECORDER: Garcia, Trisha

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Michael J. Scarborough Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Court advised they never received the affidavit from Mr. Mueller. Mr. Mueller indicated the Defendant filled out the paperwork and mailed it to his office yesterday. Court further advised they need Mr. Mueller to file an Affidavit regarding retainer fees, which can be submitted for in camera review or filed under seal. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 10/11/18 9:00 A.M.

10/24/18 9:00 A.M. STATUS CHECK: TRIAL READINESS

3/7/19 9:00 A.M. CALENDAR CALL

3/18/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

October 11, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

October 11, 2018 09:00 AM Defendant's Motion for Authorization of Employment of Expert Assistance

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Ronneka Ann Guidry

Defendant

State of Nevada

Plaintiff

Taleen R Pandukht

Attorney for Plaintiff

JOURNAL ENTRIES

Craig Mueller Esq. not present.

COURT ADVISED, Mr. Mueller did not file the appropriate affidavits and ORDERED matter CONTINUED.

CUSTODY

10/24/18 9:30 A.M. DEFENDANT'S MOTION FOR AUTHORIZATION OF EMPLOYMENT OF EXPERT ASSISTANCE... STATUS CHECK: TRIAL READINESS

3/7/19 9:00 A.M. CALENDAR CALL

3/18/19 10:00 A.M. JURY TRIAL

CLERK'S NOTE: Subsequent to Court, Mr. Mueller was informed of the continuance. (10-12-18 ks)

Felony/Gross Misdemeanor

COURT MINUTES

October 24, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

October 24, 2018 09:30 AM All Pending Motions

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIESDEFENDANT'S MOTION FOR AUTHORIZATION OF EMPLOYMENT OF EXPERT ASSISTANCE...
STATUS CHECK: TRIAL READINESS...

Marty Hart Esq. present on behalf of Craig Mueller Esq.

COURT ADVISED they received the Affidavit, and ORDERED Motion GRANTED in the amount of up to \$3,000.00; matter CONTINUED.

CUSTODY

CONTINUED TO: 1/23/19 9:30 A.M.

3/7/19 9:00 A.M. CALENDAR CALL

3/18/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

November 20, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

November 20, 2018 09:00 AM Defendant's Motion to Suppress; Notice

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Craig Mueller Esq. not present. Mr. Di Giacomo requested the matter be continued for Mr. Mueller's presence. COURT ORDERED, matter CONTINUED.

MATTER RECALLED. Ms. Cannizzaro present, Mr. Mueller present. Mr. Mueller stated he does not believe he has all the Discovery, and requested an Evidentiary Hearing based upon what the Defendant has told him. Mr. Mueller requested the State canvass their file to ensure the Defense has all the Discovery. COURT DIRECTED Ms. Cannizzaro to speak with Mr. Di Giacomo and inform him to provide all the Discovery to Mr. Mueller. COURT ORDERED, Motion to Suppress CONTINUED.

CUSTODY

CONTINUED TO: 12/5/18 9:30 A.M.

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

3/7/19 9:00 A.M. CALENDAR CALL

3/18/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

December 05, 2018

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

December 05, 2018 09:30 AM Defendant's Motion to Suppress; Notice

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Mueller argued in support of the Motion requesting an Evidentiary Hearing. Mr. Di Giacomo argued an Evidentiary Hearing is not appropriate. COURT STATED ITS FINDINGS, and ORDERED Motion to Suppress DENIED. Mr. Mueller made an oral request for Discovery. COURT ORDERED, Defendant's Motion GRANTED PURSUANT TO STATUTE in what the Defense is entitled to under Brady and Giglio, with the ongoing obligation of the State to provide Discovery. COURT DIRECTED parties to conduct a file review. Mr. Mueller additionally requested the Defendant's vehicle be release. Mr. Di Giacomo requested a written Motion, stating the car is evidence to the crime and the State does not release evidence prior to trial. COURT DIRECTED, Mr. Mueller to file in a written Motion.

CUSTODY

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

3/7/19 9:00 A.M. CALENDAR CALL

3/19/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

January 08, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

January 08, 2019 09:00 AM Defendant's Motion for Return of Property

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Marc P. Di Giacomo	Attorney for Plaintiff
Ronneka Ann Guidry	Defendant
State of Nevada	Plaintiff
Susana Reyes	Attorney for Defendant

JOURNAL ENTRIES

Matt Christian Esq. present on behalf of Las Vegas Metropolitan Police Department.

Ms. Reyes argued in support of the Motion, requesting the property be returned, adding the State does not have any reason to keep the vehicle, and it serves no purpose for the State to keep it, additionally requested any fees be waived regarding the impound. COURT ADVISED the vehicle is the subject of a forfeiture action. Ms. Reyes indicated she was not served in that action, and just found out that information this morning, and requested time to respond. COURT DIRECTED, Ms. Reyes to review the forfeiture action, and if additional information is found to re-notice is this motion. Mr. Di Giacomo added there was a wrongful death suit filed by the Decedents family, which included a Writ of Attachment for the vehicle, which is a separate civil case. Mr. Christian stated that issue was not part of their opposition since they did not know about the case. COURT ORDERED, Motion for Return of Property is DENIED WITHOUT PREJUDICE.

CUSTODY

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

3/7/19 9:00 A.M. CALENDAR CALL

3/19/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

January 23, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

January 23, 2019 09:30 AM Status Check: Trial Readiness

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Mueller stated he is working towards trial, adding there are some Motion that will be filed with more particularity, and he anticipates ready for trial. Mr. Mueller further stated there was DNA evidence and requested the Discovery. Mr. Di Giacomo stated there was DNA evidence in this case, however he does not know if it has been tested and was initially disclosed to the previously attorney. COURT DIRECTED the parties to complete a file review before the next status check; and further DIRECTED Mr. Mueller to pick the status check date on his Motions when he files them.

CUSTODY

CONTINUED TO: 2/20/19 9:30 A.M.

3/7/19 9:00 A.M. CALENDAR ALL

3/18/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

February 20, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

February 20, 2019 09:30 AM Status Check: Trial Readiness

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Marc P. Di Giacomo

Attorney for Plaintiff

Ronneka Ann Guidry

Defendant

State of Nevada

Plaintiff

Susana Reyes

Attorney for Defendant

JOURNAL ENTRIES

Ms. Reyes indicated she will be filing a Motion to Suppress Evidence, and requested two weeks. COURT ADVISED the trial is set in thirty days and DIRECTED the Defense to file the Motion to Suppress Evidence on or before February 25, 2019; State's Opposition shall be filed on or before March 4, 2019; and ORDERED matter SET for argument on March 7, 2019.

CUSTODY

3/7/19 9:00 A.M. CALENDAR CALL... MOTION TO SUPPRESS...

3/18/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

March 05, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

March 05, 2019 09:00 AM Defendant's Notice of Motion and Motion to Withdraw as Attorney
of Record

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

COURT CLERK: Packer, Nylasia; Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Mueller stated the Defense would be withdrawing their Motion to Withdraw as Attorney of Record, and they still plan on filing a Motion to Suppress. COURT ORDERED, briefing schedule SET as follows: Defendant's Motion to Suppress shall be filed on or before March 11, 2019; State's Opposition shall be filed on or before March 15, 2019; Motion to Suppress RESET to date of trial.

CUSTODY

3/7/19 9:00 A.M. CALENDAR CALL

3/18/19 10:00 A.M. MOTION TO SUPPRESS... JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

March 07, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

March 07, 2019 09:00 AM Calendar Call

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

COURT CLERK: Packer, Nylasia; Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Mueller stated he has been set for trial in front of Judge Jones, and he cannot do both trials at the same time, adding the Motion to Suppress is being drafted today. Upon Court's inquiry, Mr. Di Giacomo stated he recognizes that Mr. Mueller is set for trial in another case involving another murder, and historically the State does not object, and anticipates being ready. COURT ORDERED, trial date STANDS; adding due to the Court's calendar, another Homicide Department will hear the trial, adding this Court will hear the Motion to Suppress. Upon Court's inquiry, Mr. Di Giacomo stated 15-20 witnesses, trial lasting about a week, adding there are two out of the country witnesses. Mr. Mueller stated 4-5 witnesses, and he has not discussed waiving of the penalty phase with the Defendant. COURT FURTHER ORDERED, matter SET for status check to verify Mr. Mueller has counsel available to try the trial.

CUSTODY

3/12/19 9:00 A.M. STATUS CHECK: TRIAL READINESS

3/18/19 10:00 A.M. MOTION TO SUPPRESS... JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

March 12, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

March 12, 2019 09:00 AM Status Check: Trial Readiness

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

COURT CLERK: Packer, Nylasia; Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Mueller announced ready on this case. COURT ADVISED they will hear the Motion to Suppress, however this case may be heard by a different homicide department. Mr. Di Giacomo asked the Court to read the Motion to Suppress before asking the State to respond, adding it was the same motion filed as before. COURT ADVISED they have not reviewed the Motion yet, and ORDERED trial to start at 1:00 p.m. on Monday March 18, 2019.

3/18/19 9:00 A.M. MOTION TO SUPPRESS

3/18/19 1:00 P.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 14, 2019**

C-18-329810-1 State of Nevada
vs
Ronneka Guidry

March 14, 2019 7:30 AM Minute Order

HEARD BY: Herndon, Douglas W. **COURTROOM:** Chambers

COURT CLERK: Kory Schlitz

PARTIES None – Minute Order Issued from Chambers

PRESENT:

JOURNAL ENTRIES

- In the instant matter, the Defense filed a Motion to Suppress Evidence on November 9, 2018. The State filed an Opposition and the motion was heard by the Court on December 5, 2018. The Motion asked to Suppress Evidence (from a phone search) alleging that during a search warrant based home search, police officers lied to the Defendant s children, bribed them and then accessed the Defendant s phone without her consent. After oral argument, the COURT RULED that there was no need for any evidentiary hearing and the motion was ORDERED DENIED with the COURT FINDING: (1) the phone in question was located during a vehicle search which was conducted only after a legal and proper search warrant was obtained, (2) thereafter, the phone that was located was searched only after a separate legal and proper search warrant was obtained for the phone and (3) arguably, there was no impropriety in the officers contacting and speaking with Defendant s children since they were home alone when the home search occurred and the probable cause that existed in each warrant did not involve any information gleaned from any children so any contact the officers had with the Defendant s children was irrelevant to the search warrants.

On March 8, 2019, the Defense filed a new Motion to Suppress Evidence (again directed at the search of Defendant s phone). However, a review of the Motion reveals it to be an almost verbatim recitation of the original Motion. The same allegation is raised: that officers lied to, and bribed, the Defendant s children and searched her phone without her consent. Because this Motion directs itself to the exact same issue previously litigated in the case and raises no new legal arguments and alleges no new factual matters, there is no basis for reconsideration and the motion is ORDERED DENIED on the pleadings.

PRINT DATE: 03/14/2019

Page 1 of 2

Minutes Date: March 14, 2019

Finally, the instant case is a Homicide Team case currently assigned to District Court Department 3. The case is set for trial to begin March 18, 2019, and the parties are prepared for trial. Unfortunately, DC 3 is unable to hear the trial due to concurrently being in another homicide trial. Administrative Order 17-05 gives this court, as the Homicide Team Case Management Judge, the authority to assign out in the first instance, and then reassign as necessity requires, all homicide cases.

Due to all other Homicide Team Judges are scheduled for trial during the week of March 18th, this Court reached out to the broader Eighth Judicial District Court bench and DC 8 is available to hear the instant trial. This COURT FINDS that necessity justifies the reassignment of the instant matter to DC 8. Therefore, based on the totality of circumstances present, this Court, as Homicide Team Case Management Judge and pursuant to Administrative Order 17-05, ORDERS the REASSIGNMENT of the instant case to DC 8. The case will begin trial Monday March 18, 2019, at 9:30 am. The parties are to contact DC 8 chambers for questions and/or further instructions.

CUSTODY

3/18/19 9:30 A.M. JURY TRIAL (DEPT 8)

CLERK'S NOTE: A copy of this Minute Order has been emailed to Craig Mueller Esq. (cmueller@muellerhinds.com) ; and Deputy District Attorney Marc Di Giacomo (marc.digiacomo@clarkcountyda.com). (3-14-19 ks)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 19, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

March 19, 2019 9:30 AM Jury Trial

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Phyllis Irby

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT:	Guidry, Ronneka Ann	Defendant
	Mueller, Craig A	Attorney for the Deft
	Scarborough, Michael J.	Attorney for the State
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Mueller requested a continuance of trial; advised the Court he has spoken with Deft and learned there is additional information that needs to be investigated. The State has no objections.
COURT ORDERED, TRIAL CONTINUED,.

CUSTODY

7-31-19 8:00 AM CALENDAR CALL (DEPT. VIII)

8:05-19 9:30 AM JURY TRIAL (DEPT. VIII)

PRINT DATE: 03/19/2019

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Minutes Date: March 19, 2019

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 19, 2019**

C-18-329810-1 State of Nevada
vs
Ronneka Guidry

March 19, 2019 10:30 AM Minute Order

HEARD BY: Herndon, Douglas W. **COURTROOM:** Chambers

COURT CLERK: Kory Schlitz

PARTIES None – Minute Order Issued from Chambers
PRESENT:

JOURNAL ENTRIES

- The instant case is a Homicide Team case originally assigned to District Court Department 3. The case was set for trial to begin March 18, 2019, and the parties were prepared for trial. Because DC 3 was engaged in a separate homicide trial, the matter was transferred to DC 8 to hear the trial. At some point thereafter, the Defense requested to continue the trial and that request was granted.

Administrative Order 17-05 gives this court, as the Homicide Team Case Management Judge, the authority to assign out in the first instance, and then reassign as necessity requires, all homicide cases.

Since this case is a homicide team case, it was only assigned out to DC 8 because of the unavailability of DC 3 for the March 18, 2019 trial date. Since the trial was continued, it now must be reassigned back to the homicide case team. Therefore, based on the totality of circumstances present, this Court, as Homicide Team Case Management Judge and pursuant to Administrative Order 17-05, ORDERS the REASSIGNMENT of the instant case back to DC 3. Any future dates set by DC 8 will be vacated. The case will be placed on DC 3 s calendar for a status check on March 20, 2019.

CUSTODY

3/20/19 9:00 A.M. STATUS CHECK: TRIAL SETTING (DEPT 3)

PRINT DATE: 03/19/2019

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Minutes Date: March 19, 2019

Felony/Gross Misdemeanor

COURT MINUTES

March 20, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

March 20, 2019 09:30 AM Status Check: Trial Setting

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

COURT CLERK: Schlitz, Kory

RECORDER: Richardson, Sara

REPORTER:

PARTIES PRESENT:

Cristina A. Hinds Attorney for Defendant

Michael J. Scarborough Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

COURT ADVISED the matter was continued after it was already reassigned and set for trial in Department 8, adding the matter has been transferred back to Department 3 and ORDERED, matter SET for trial; status check SET.

CUSTODY

5/15/19 9:30 A.M. STATUS CHECK: TRIAL READINESS

7/25/19 9:00 A.M. CALENDAR CALL

8/5/19 10:00 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 15, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

May 15, 2019 9:30 AM Status Check: Trial Readiness

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

COURT CLERK: April Watkins

RECORDER: Jill Jacoby

PARTIES

PRESENT:	Einhorn, Kelsey R.	Attorney for Pltff.
	Guidry, Ronneka Ann	Defendant
	Mueller, Craig A.	Attorney for Deft.
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Mueller stated case is on track and advised there are a couple of motions in progress. COURT ORDERED, matter CONTINUED and counsel to use continuance date for motions.

CUSTODY

CONTINUED TO: 6/12/19 9:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

June 12, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

June 12, 2019 09:30 AM Status Check: Trial Readiness

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

COURT CLERK: Schlitz, Kory

RECORDER: Pruchnic, Sandra

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Mueller said the case is on track, adding there is a Motion to Suppress that should be filed in the next couple of days. COURT DIRECTED Mr. Mueller to file the Motions by June 26, 2019; State's Opposition shall be filed on or before July 8, 2019; the matter can be orally argued and ORDERED status check CONTINUED.

CUSTODY

CONTINUED TO: 7/10/19 9:30 A.M.

7/25/19 9:00 A.M. CALENDAR CALL

8/5/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

July 10, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

July 10, 2019 09:30 AM All Pending Motions

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

COURT CLERK: Schlitz, Kory

RECORDER: Jacoby, Jill

REPORTER:

PARTIES PRESENT:

Jay Maynard Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIESDEFENDANT'S MOTION TO SUPPRESS EVIDENCE... STATUS CHECK: TRIAL
READINESS...

Mr. Maynard argued in support of the Motion to Suppress and requested the evidence be suppressed. Upon Court's inquiry, Mr. Maynard stated this Motion to Suppress is different than the two previous Motions, since the Court invited the Defense to resubmit with a more robust legal analysis of it, which he believes he has provided. Mr. Di Giacomo argued the only thing different in the phone was utilized between the time the car was sealed and the time the Search Warrant was executed, and here is no basis for an evidentiary hearing at this point, and there is no new basis made in this motion. Further arguments by Mr. Maynard. COURT STATED ITS FINDINGS and ORDERED, Motion to Suppress DENIED; trial date STANDS.

CUSTODY

7/25/19 9:00 A.M. CALENDAR CALL

8/5/19 10:00 A.M. JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

July 25, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

July 25, 2019 09:00 AM Calendar Call

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

COURT CLERK: Schlitz, Kory

RECORDER: Jacoby, Jill

REPORTER:

PARTIES PRESENT:

Jay Maynard Attorney for Defendant

Michael J. Scarborough Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Scarborough announced ready, adding there is an issue with a witness who is out of the country and requested the trial start on August 12, adding there are 19 witnesses and the trial should last 5-7 days. Mr. Maynard had no objection. COURT ORDERED, trial date SET.

CUSTODY

8/12/19 9:00 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 01, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 01, 2019 3:46 PM Minute Order

HEARD BY: Villani, Michael

COURTROOM: Chambers

COURT CLERK: Olivia Black

JOURNAL ENTRIES

- Pursuant to EDCR 1.31 "Criminal Presiding Judge" (b) (4), DC 3 is homicide team department and is unavailable to hear the instant trial. This court finds that necessity justifies the reassignment of the instant matter to DC 9. Therefore, and for good cause appearing that due to the unavailability of trial judge to try this case, the case is hereby transferred for trial to Department 9, Judge Silva to commence on August 12, 2019 at 10:00 am.

CUSTODY

08/12/19 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 08, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 08, 2019 10:00 AM All Pending Motions

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

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- STATUS CHECK: TRIAL READINESS . . . DEFT.'S MOTION IN LIMINE TO EXCLUDE EVIDENCE

Marc DiGiacomo, Chf Dep DA, present on behalf of the State and Jay Maynard, Esq., appearing on behalf of Deft. Guidry. who is also present.

This is the time set for the Status Check on Trial Readiness and Deft.'s Motion in Limine to Exclude Evidence, which is not set for hearing until August 19, 2019. Upon Court's inquiry as to whether the parties were ready for trial, Mr. Maynard advised that he needs to file a witness list. COURT ORDERED, the witness list must be filed by 9:00 a.m. tomorrow morning (August 9).

Mr. DiGiacomo advised that the State is willing to WAIVE the Penalty Hearing if Deft. agrees. After speaking with the Deft., Mr. Maynard advised that the Deft. will WAIVE. Mr. DiGiacomo advised that the State would prepare a Stipulation and Order and will have it ready prior to the start of trial for the parties to sign. Colloquy regarding scheduling issues; Mr. DiGiacomo advised that he believes the trial can be done in three (3) to four (4) days once jury selection is complete. COURT ORDERED, that the trial will start at 10:30 a.m. on Monday (August 12).

PRINT DATE: 08/14/2019

Page 1 of 2

Minutes Date: August 08, 2019

Deft.'s Motion in Limine to Exclude Evidence: Court noted that it reviewed the Motion. Since the State did not have an opportunity to respond in writing, they may respond orally.

Mr. Maynard submitted on the Motion. Mr. DiGiacomo provided the Court with the MEME, which is mentioned in the Motion for consideration; he discussed the underlying facts of the case. The State's theory of the case is that this is a prostitution trick roll; the Deft. intended to lure the victim to her vehicle so she could take his Rolex watch. For the reasons stated on the record, the State believes the MEME is evidence of the Deft.'s intent and motive and is very relevant.

Court advised that it would like additional information regarding what the State's cell phone expert finds about the image; i.e., if it was shared or sent as the court is concerned that the image on the phone predates the crime at issue. COURT ORDERED, the Motion is ADVANCED but the decision is DEFERRED until the additional information is received. For the record, Mr. Maynard advised that the Defense believes the MEME is unfairly prejudicial for the reasons state on the record and as discussed in their Motion.

Mr. Digiacomo advised that he has one last thing; he discussed the Motion to Suppress about the phone snap chatting between the time it was sealed in the car until the time the search warrant was executed on it. A new search warrant was executed on the phone and he has copy of the Examination Report, which he would like to make a part of the record.

CUSTODY

08/12/19 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 12, 2019

C-18-329810-1 State of Nevada
vs
Ronneka Guidry

August 12, 2019 10:30 AM Jury Trial

HEARD BY: Silva, Cristina D.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Trisha Garcia

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Chf Dep DA, and Jory Scarborough, Dep DA, present on behalf of the State; Craig Mueller, Esq., present on behalf Deft. Guidry, who is also present.

11:25 a.m. Jury Trial commenced. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: The Court heard oral argument on the Deft.'s Motion and Notice of Motion in Limine to Exclude Evidence on August 8, 2019, but deferred its ruling. After considering the Motion further, COURT ORDERED, the Motion is GRANTED; as the Court believes the MEME is more prejudicial than probative. The Deft. has agreed to WAIVE the Penalty Hearing; Stipulation and Order Waiving Separate Penalty Hearing SIGNED and FILED IN OPEN COURT.

PROSPECTIVE JURORS PRESENT: Court and counsel begin Voir Dire examination of the prospective Jurors.

5:00 p.m. Court ADJOURNED, COURT ORDERED, Jury Trial CONTINUED.

CUSTODY

CONTINUED TO: 08/13/19 10:30 AM

PRINT DATE: 11/08/2019

Page 1 of 1

Minutes Date: August 12, 2019

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 13, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 13, 2019 10:30 AM Jury Trial

HEARD BY: Silva, Cristina D.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Trisha Garcia

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Chf Dep DA, and Jory Scarborough, Dep DA, present on behalf of the State; Craig Mueller, Esq., present on behalf Deft. Guidry, who is also present.

10:40 a.m. Jury Trial resumed. Court and counsel continue Voir Dire examination of the prospective Jurors.

Jury and two (2) alternate(s) selected and sworn. Clerk read the Indictment to the Jury and stated the Deft. s plea thereto.

Opening statements by Mr. DiGiacomo and Mr. Mueller.

4:10 p.m. Court ADJOURNED: COURT ORDERED, Jury Trial CONTINUED.

CUSTODY

CONTINUED TO: 08/14/19 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 14, 2019 10:30 AM Jury Trial

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

COURT CLERK: Carol Donahoo

RECORDER: Trisha Garcia

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Chf Dep DA, and Jory Scarborough, Dep DA, present on behalf of the State; Craig Mueller, Esq., present on behalf Deft. Guidry, who is also present.

10:45 a.m. Jury Trial resumed. Exclusionary Rule INVOKED. Testimony and exhibits presented (see workseets). Thirawat Apichonrattanakorn sworn and as a stand-by interpreter for the witnesses, Numo Osario and Lucas Siomes.

5:03 p.m. Court ADJOURNED; COURT ORDERED, Jury Trial CONTINUE.

CUSTODY

CONTINUED TO: 08/15/19 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 15, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 15, 2019 9:00 AM Jury Trial

HEARD BY: Silva, Cristina D.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Trisha Garcia

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Chf Dep DA, and Jory Scarborough, Dep DA, present on behalf of the State; Craig Mueller, Esq., present on behalf Deft. Guidry, who is also present.

9:16 a.m. Jury Trial resumed. Testimony and exhibits presented (seek worksheets). During the presentation of the State's case, Mr. DIGiacomo moved to admit State's Exhibit 111, which is a recorded voluntary statement of the Deft. The recorded statement was ADMITTED and played for the Jury; the following stipulation was read prior to it being played: During the course of the witness' testimony you are going to watch a video recorded statement of the Deft. Portions of the statement have been redacted based on the agreement of the parties and order of the Court. You are not to speculate as to the content of the redacted portions or draw any inferences from the fact that the statement has been redacted.

4:00 p.m. JURY PRESENT: Court Clerk Olivia Black now present. Testimony and Exhibits presented (see worksheet). CONFERENCE AT BENCH

OUTSIDE THE PRESENCE OF THE JURY: Jury instructions settled on the record.

5:00 p.m. Court ADJOURNED; COURT ORDERED, Jury Trial CONTINUED.

CUSTODY

CONTINUED TO: 08/16/19 10:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

August 16, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 16, 2019 10:30 AM Jury Trial

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

COURT CLERK: Everett, Tia

RECORDER: Villani, Gina

REPORTER:

PARTIES PRESENT:

Craig A Mueller Attorney for Defendant

Marc P. Di Giacomo Attorney for Plaintiff

Michael J. Scarborough Attorney for Plaintiff

Ronneka Ann Guidry Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

JURY PRESENT:

Testimony and exhibits presented. (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Defendant advised of her right not to testify. Instructions settled. Mr. Mueller advised during the lunch break State provided the documents which were discussed regarding the supplemental report and he has no objection to those documents with the exception of those beginning at page 55 that are named speed calculation and speed workup. Further, Mr. Mueller advised he was never provided this information which he believes is prejudicial and he would request a mistrial, or in the alternative, a curative instruction. Mr. DiGiacomo advised the detective was noticed as an expert and the information was all contained within the main officer report and Defendant was not prejudiced by this as all information was in there. Further, Mr. DiGiacomo advised should Mr. Mueller request until Monday to have someone review the information he would have no objection. Further arguments. Colloquy regarding alternatives. Court suggested Mr. Mueller call the Detective Salisbury as defense witness as he did notice him as a witness. Mr. Mueller accepted the suggestion of the Court.

JURY PRESENT:

Testimony and exhibits presented. (See worksheets). Court instructed jury. Closing arguments by counsel. At the hour of 4:23 PM, the jury retired to deliberate.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 19, 2019

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

August 19, 2019 9:00 AM Jury Trial

HEARD BY: Silva, Cristina D.

COURTROOM: RJC Courtroom 11B

COURT CLERK: April Watkins / aw
Nylasia Packer

RECORDER: Gina Villani

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney for Pltf.
	Guidry, Ronneka Ann	Defendant
	Mueller, Craig A.	Attorney for Deft.
	Scarborough, Michael J.	Attorney for Pltf.
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:

Court advised counsel question was received by deliberating jury and the Court is inclined to refer them back to certain jury instructions. Mr. DiGiacomo stated he is fine with the Court instructing the jury. Mr. Mueller objected to the Court directing jury to certain instructions and argued in support. Court stated the jury will be directed to the following jury instructions: 8, 11, 12, 13 & 14. Exhibits presented. (See worksheets).

At the hour of 3:34 p.m., the jury returned with the following verdict of GUILTY of Count 1 SECOND DEGREE MURDER (F), GUILTY of Count 2 ROBBERY (F), GUILTY of Count 3 GRAND LARCENY (F) and GUILTY of Count 4 DUTY TO STOP AT A SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY (F).

Jury polled.

PRINT DATE: 08/20/2019

Page 1 of 2

Minutes Date: August 19, 2019

Court thanked and excused the jury.

OUTSIDE THE PRESENCE OF THE JURY:

COURT ORDERED, Deft. REMANDED WITHOUT BAIL, matter referred to the Division of Parole and Probation (P & P) and set for sentencing.

CUSTODY

10/18/19 11:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 18, 2019**

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

October 18, 2019 11:00 AM Sentencing

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

COURT CLERK: Kidd, Lauren

RECORDER: Garcia, Trisha

REPORTER:

PARTIES PRESENT:

Craig A Mueller	Attorney for Defendant
Marc P. Di Giacomo	Attorney for Plaintiff
Michael J. Scarborough	Attorney for Plaintiff
Ronneka Ann Guidry	Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

Portuguese Interpreter, Tim Apichonrattankorn, present for Victim Speaker.

Court advised the verdict in this matter was returned on 8/19/19 and the Pre-Sentence Investigation (PSI) Report was produced 10/01/19. Upon Court's inquiry, Mr. Muller and Defendant indicated there were no changes or corrections necessary with regard to the PSI. Mr. DiGiacomo indicated the State provided the Court with recordings of telephone calls Defendant made from the jail as well as transcripts. Court confirmed receipt of a compact disk (CD) with the call recordings and transcripts and advised the CD would be marked as a composite exhibit labeled Court's Exhibit 1 (see worksheet). Mr. Muller made an objection to the admission of the calls and transcripts. Court inquired as to whether Mr. Muller wished to review the CD with Defendant. Mr. Muller advised he would a minute to review them. MATTER TRAILED.

MATTER RECALLED. Mr. Muller indicated he reviewed the CD with his client and noted that he still objected to the admission of the records. Arguments by counsel with regard to the appropriate sentencing for the Defendant. Victim SWORN and testimony presented through an interpreter. Statements by the Court. DEFENDANT GUIDRY ADJUDGED GUILTY of COUNT 1 - SECOND DEGREE MURDER (F); COUNT 2 - ROBBERY (F); COUNT 3 - GRAND LARCENY (F); and COUNT 4 - DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, WAIVED as previously taken, \$3.00 DNA Collection fee, a \$2,000.00 Fine as to Count 4, an Extradition fee of \$1,891.05, and Restitution in the amount of \$59,227.93, Defendant SENTENCED in COUNT 1 - to a MINIMUM parole eligibility of TEN (10) YEARS and a MAXIMUM of LIFE in the Nevada Department of Corrections (NDC); in COUNT 2 - to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the NDC; COUNT 1 to run CONCURRENT with COUNT 2; in COUNT 3- to a MINIMUM of FORTY (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120)

MONTHS; COUNT 3 to run CONSECUTIVE with COUNT 1 and COUNT 2; and in COUNT 4 - to a MINIMUM of FORTY (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS; COUNT 3 to run CONSECUTIVE with COUNT 3; for an AGGREGATE TOTAL of a MINIMUM of EIGHTEEN (18) YEARS and a MAXIMUM of LIFE in the NDC, WITH 610 DAYS credit for time served. BOND, if any, EXONERATED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 17, 2020

C-18-329810-1 State of Nevada
 vs
 Ronneka Guidry

**June 17, 2020 1:45 PM Confirmation of Counsel: Supreme Court Remand to
Secure Appellate Counsel**

HEARD BY: Silva, Cristina D.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Quanisha Holloway, Dep DA, present on behalf of the State; neither Deft. Guidry nor her counsel, Craig Mueller, is present.

This is the time set for Confirmation of Counsel, pursuant to the Supreme Court Order Granting Motion to Withdraw and Remanding to Secure Appellate Counsel. Craig Mueller, Esq., filed a Motion to Withdraw as counsel for Appellant (Deft.). The Supreme Court then remanded this matter for the limited purpose of securing counsel for Appellant.

Court noted that this Court's staff contacted the Public Defender's office and their office can accept this case. Therefore, COURT ORDERED, Mr. Mueller is relieved of any further responsibility to represent the Appellant in this case; the Court will APPOINT the Public Defender as counsel of record.

NDC

PRINT DATE: 06/19/2020

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RONNEKA GUIDRY,) No. 80156
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)
Appellant,)
)
v.)
)
THE STATE OF NEVADA,)
)
)
Respondent.)
_____)

DARIN IMLAY Clark County Public Defender 309 South Third Street Las Vegas, Nevada 89155-2610 Attorney for Appellant	STEVE WOLFSON Clark County District Attorney 200 Lewis Avenue, 3 rd Floor Las Vegas, Nevada 89155 AARON FORD Attorney General 100 North Carson Street Carson City, Nevada 89701-4717 (702) 687-3538 Counsel for Respondent
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I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 23 day of March 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

RONNEKA GUIDRY, #1138388
FLORENCE MCCLURE WOMENS CORRECTIONAL CENTER
4370 SMILEY RD, LAS VEGAS, NV 89115

BY /s/ Rachel Howard
Employee, Clark County Public Defender's Office