

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONNEKA ANN GUIDRY,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Electronically Filed
Jul 09 2021 01:12 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 80156

RESPONDENT'S APPENDIX

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State of Nevada

AARON D. FORD
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Nevada Bar # 007704
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Counsel for Appellant

Counsel for Respondent

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 9th day of July, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

ARRON D. FORD
Nevada Attorney General

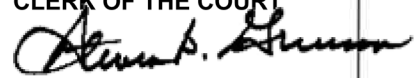
SHARON G. DICKINSON
Chief Deputy Public Defender

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney

/s/ J. Garcia

Employee, Clark County
District Attorney's Office

JEV/Brittini Griffith/jg



NWEW
STEVEN B. WOLFSON
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MARC DIGIACOMO
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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 AMENDED NOTICE OF WITNESSES AND/OR EXPERT WITNESSES
[NRS 174.234]**

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 AMENDMENTS

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

28 ///

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

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

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

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

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

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

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

28 ///

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

3 A copy of each expert witness' curriculum vitae, if available, is attached hereto.
4

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

8 BY /s/MARC DIGIACOMO
9 MARC DIGIACOMO
10 Chief Deputy District Attorney
11 Nevada Bar #6955

12 CERTIFICATE OF ELECTRONIC FILING

13 I hereby certify that service of the above and foregoing, was made this 20th day of
14 February, 2019 by Electronic Filing to:

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

17
18 BY: /s/ Stephanie Johnson
19 Secretary for the District Attorney's Office
20
21
22
23
24
25
26
27

28 18F01097X/saj/MVU

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 06/25/10

Name: Kathryn Aoyama P#: 8025 Classification: Forensic Scientist I

Current Discipline of Assignment: Latent Prints

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints	X	Crime Scene Investigations	
Serology		Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	
Quality Assurance		Technical Support /	

EDUCATION			
Institution	Dates Attended	Major	Degree Completed
University of California, San Diego	9/84 to 6/89	Biology	B.A.
University of Nevada, Las Vegas	8/83 to 5/84	Biology	None

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
ASCLD /LAB International Preparation Course	Henderson, NV	12/01-12/03/09
Nevada State IAI Tristate Conference – IND/Zn Workshop	Las Vegas, NV	10/07/09
Latent Print Certification Preparation	Las Vegas, NV	06/08-06/10/09
Analysis of Distortion in Latent Prints	Las Vegas, NV	02/09-02/10/09
GWS-L Latent User Methods and Operations	Las Vegas, NV	09/17-09/18/08
RUVIS Training	Las Vegas, NV	8/6/2008
Application of Statistics to Ridgeology And ACE-V Methodology	Las Vegas, NV	3/31-4/04/08
Witnessing 101 - Clark County DA's Office	Las Vegas, NV	5/9/08

RA 000005

ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
Application of Statistics to Ridgeology and the ACE-V Methodology	Las Vegas, NV	3/31 to 4/4/08
Forensic Photography	Las Vegas, NV	2/11-2/13/08
24-Hour Application Study in Forensic Photography	Las Vegas, NV	02/14/08
Forensic Digital Imaging	Las Vegas, NV	1/7/08 - 1/10/08
2007 2 nd Tri-Division IAI Educational Conference	Salt Lake City, UT	11/6/07 - 11/9/07
IAI 92 nd International Educational Conference	San Diego, CA	7/23/07 - 7/27/07
Driver=s Training	Las Vegas, NV	7/3/07
2006 1 st Tri-Division IAI Educational Conference	Henderson, NV	8/21/06 - 8/24/06
Forensic Photography II	Las Vegas, NV	1/06 - 5/06
Testifying in Court	Las Vegas, NV	11/30/05
Problem Solving, Independent Decision Making	Las Vegas, NV	8/10/05
Effective Interpersonal Communication	Las Vegas, NV	6/23/05
Searching Public Records Part I and II	Las Vegas, NV	3/2/05 - 3/3/05
Criminal Law for Civilians	Las Vegas, NV	11/4/04
Forensic Photography I	Las Vegas, NV	8/04 - 12/04
Forensic Science 101 and 201, American Institute of Applied Science	NC	8/03 - 5/04

COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
Las Vegas, NV District Court 7	Latent Prints	2
Las Vegas, NV District Court 6	Latent Prints	1

EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department	Forensic Scientist I - Latent Prints	4/08 to present

EMPLOYMENT HISTORY		
Employer	Job Title	Date
Las Vegas Metropolitan Police Department	Forensic Scientist Trainee - Latent Prints	3/07 to 4/08

PROFESSIONAL AFFILIATIONS	
Organization	Date(s)
International Association for Identification (IAI)	7-10-07 to present

PUBLICATIONS / PRESENTATIONS:
Presentations:
05/04/10 Poster Presentation: Latent Prints from Firearms Evidence (Statistics 2008-2009), Association of Firearms & Tool Mark Examiners Training Seminar, Henderson, NV
06/11/08 "Historical and Scientific Development of Latent Print Methodologies", LVMPD, Las Vegas, NV
1/16/08 "Introduction to Latent Print Collection", LVMPD Laughlin Substation, NV
11/7/07 "Back to Basics - The Biological Basis for Latent Print Examination", 2 nd Tri-Division IAI Educational Conference, Salt Lake City, UT
08/21/07 "Disguising and Disrupting Fingerprints", LVMPD, Las Vegas, NV
08/07/07 "Distortion in Latent Prints", LVMPD, Las Vegas, NV
06/14/07 "Ridge Flows and Crease Patterns of the Hands and Feet", LVMPD, Las Vegas, NV
OTHER QUALIFICATIONS:
None

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
FORENSIC LABORATORY
STATEMENT OF QUALIFICATIONS**

Date: 01/25/11

Name: Craig King P#: 9971 Classification: Forensic Scientist II

Current Discipline of Assignment: Biology/DNA

EXPERIENCE IN THE FOLLOWING DISCIPLINE(S)			
Controlled Substances		Blood Alcohol	
Toolmarks		Breath Alcohol	
Trace Evidence		Arson Analysis	
Toxicology		Firearms	
Latent Prints		Crime Scene Investigations	
Serology	X	Clandestine Laboratory Response Team	
Document Examination		DNA Analysis	X
Quality Assurance		Technical Support /	

EDUCATION			
<i>Institution</i>	<i>Dates Attended</i>	<i>Major</i>	<i>Degree Completed</i>
Towson University	9/1996-5/1998	Biology	B.S.

ADDITIONAL TRAINING / SEMINARS		
<i>Course / Seminar</i>	<i>Location</i>	<i>Dates</i>
HID University 240, Basic GMIDX	Las Vegas, NV	07/28/09
Hair Evaluation for DNA Analysis	Las Vegas, NV	03/16/09
Forensic Biology Screening Workshop-NFSTC	Las Vegas, NV	10/15 - 10/19/07
Promega Workshop-Applied Statistics	Hollywood, CA	10/01/07
18 th Internat'l. Symposium on Human Identification	Hollywood, CA	10/01 - 10/04/07
AAFS 59 th ANNUAL MEETING	San Antonio, TX	2/07

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ADDITIONAL TRAINING / SEMINARS		
Course / Seminar	Location	Dates
Advanced Topics in STR DNA		
AAFS 58 th ANNUAL MEETING	Seattle, WA	2/06
AAFS 57 th ANNUAL MEETING	New Orleans, LA	2/05
14 th Internat'l. Symposium on Human Identification	Phoenix, AZ	10/03
AAFS 55 TH ANNUAL MEETING	Chicago, IL	2/03
Forensic Mitochondrial DNA Analysis: A Community Forum Workshop Recovery, Examination, and Evidence of Decomposed and Skeletonized Bodies: An Anthropological and Entomological Approach Workshop		
AAFS 54 TH Annual Meeting	Atlanta, GA	2/02
Forensic Imaging Techniques	Las Vegas, NV	01/08
COURTROOM EXPERIENCE		
Court	Discipline	Number of Times
Las Vegas District Court	DNA	2
EMPLOYMENT HISTORY		
Employer	Job Title	Date
LVMPD	Forensic Scientist II	01/11-Present
DAE Systems	Forensic Scientist III	10/09-01/11
LVMPD	Forensic Scientist II	05/07-10/09
American Registry of Pathology/Armed Forces DNA Identification Laboratory	Forensic Scientist II	08/03-05/07
American Registry of Pathology/Armed Forces DNA Identification Laboratory	Forensic Scientist I	07/01- 08/03

PROFESSIONAL AFFILIATIONS	
<i>Organization</i>	<i>Date(s)</i>
None	
PUBLICATIONS / PRESENTATIONS:	
Presenter at AAFS 59 TH ANNUAL MEETING "Drowned at Sea: Identification of a Sailor From the USS Gherardi Fifty-Two Years Later"	
11/07- Grand jury presentation on DNA and DNA processing at the LVMPD Forensic Lab	
4/08- Teach DNA and collection techniques to the new LVMPD CSA Academy	
OTHER QUALIFICATIONS:	
None	

**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

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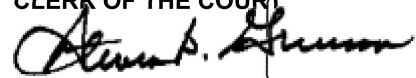
Finally, the instant case is a Homicide Team case currently assigned to District Court Department 3. The case is set for trial to begin March 18, 2019, and the parties are prepared for trial. Unfortunately, DC 3 is unable to hear the trial due to concurrently being in another homicide trial. Administrative 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)



1 **NOTC**

2 MUELLER & ASSOCIATES, INC.
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4 Nevada Bar No. 4703
5 723 South 7th Street
6 Las Vegas, Nevada 89101
7 Telephone: (702) 382-1200
8 Facsimile: (702) 637-4817
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10 Attorney for Defendant
11 RONNEKA GUIDRY

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

11 STATE OF NEVADA,
12 Plaintiff

13 v.

14 RONNEKA GUIDRY,
15 Defendant

) Case No.: C-18-329810-1
) Dept. No: IX
)

) **DEFENDANT'S NOTICE OF WITNESS**
) **LIST PURSUANT TO NRS 174.234**
)

16 TO: CLARK COUNTY DISTRICT ATTORNEY:

17
18 You, and each of you, will please take notice that the Defendant, RONNEKA GUIDRY,
19 incorporates and endorses all witnesses noticed by the State. In addition, the Defendant would like
20 to notice:

21 NAMES

ADDRESS

22 ADKINS, PHILLIP

LVMPD #14699

23 BOCU, CHRISTINA

7897 Desert Willow Dr., Las Vegas, NV

24 BUTLER, CASSANDRA

776 S. Norfolk St., Aurora, CO 80017

25 CHERRY, JAMAL

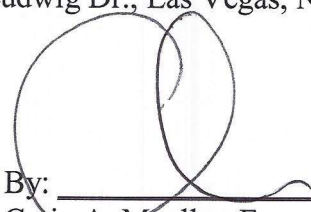
Westin Hotel, 160 E. Flamingo Rd., LV, NV

26 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
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Clark County District Attorney's Office
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Rosa Ramos
An Employee of Mueller & Associates, Inc.