

**IN THE SUPREME COURT OF  
THE STATE OF NEVADA**

**JACK PAUL BANKA,**

Appellant,

vs.

**THE STATE OF NEVADA,**

Respondent.

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Elizabeth A. Brown  
Clerk of Supreme Court

S. Ct. No.: **80181**

District Ct. No.: **C333254**

**PETITIONER'S APPENDIX (PA)**

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**TRANSCRIPT OF MOTION FOR BAIL PENDING APPEAL (2/24/2020)**

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TRAN

DISTRICT COURT  
CLARK COUNTY, NEVADA  
\* \* \* \* \*

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-18-333254-1
	)	DEPT NO. V
vs.	)	
	)	
JACK PAUL BANKA,	)	<b>TRANSCRIPT OF</b>
	)	<b>PROCEEDINGS</b>
Defendant.	)	

BEFORE THE HONORABLE CAROLYN ELLSWORTH, DISTRICT COURT JUDGE

MONDAY, FEBRUARY 24, 2020

**RE: DEFENDANT'S MOTION FOR BAIL PENDING APPEAL  
PURSUANT TO NRS 178.488 AND NEVADA CASE LAW**

APPEARANCES:

FOR THE STATE: MICHAEL G. GILES, ESQ.  
Deputy District Attorney

FOR THE DEFENDANT: JOHN G. WATKINS, ESQ.  
MICHAEL D. PARIENTE, ESQ.

RECORDED BY: LARA CORCORAN, COURT RECORDER  
TRANSCRIBED BY: JD REPORTING, INC.

1 **LAS VEGAS, CLARK COUNTY, NEVADA, FEBRUARY 24, 2020, 9:34 A.M.**

2 \* \* \* \* \*

3 THE COURT: Case Number C333254 State of Nevada  
4 versus Jack Banka.

5 MR. WATKINS: Good morning, Your Honor. May it  
6 please, Your Honorable Court, John Watkins. Mr. Pariente's  
7 here, Michael has the flu. So with your permission I'll be  
8 arguing.

9 THE COURT: Okay. So, Mr. Watkins, I've got only 10  
10 minutes I think with you this morning because I have trial --

11 MR. WATKINS: Okay.

12 THE COURT: -- and so -- and it's a huge calendar --

13 MR. WATKINS: Okay.

14 THE COURT: -- so I'm just -- if you need more time  
15 than that then we can reset for a different time. I just  
16 wanted you to know because you do usually take some time and  
17 that's fine. I'm just telling you I don't have a lot of time  
18 this morning so if you need more than 10 minutes, let's go talk  
19 about it.

20 MR. WATKINS: I think we should pass it a couple of  
21 days?

22 THE COURT: Couple of days, no.

23 MR. WATKINS: No, when can we argue?

24 THE COURT: When we're out of our trial.

25 Staff?

1 THE CLERK: We're looking at either --

2 MR. WATKINS: I'll just do it this morning.

3 THE COURT: Okay. It's with -- I'm in the middle of  
4 a trial.

5 MR. WATKINS: I appreciate that you're giving me the  
6 opportunity, Your Honor.

7 THE COURT: Sure.

8 MR. WATKINS: But Jack's in custody here and he's got  
9 his family.

10 Where's the family?

11 UNIDENTIFIED SPEAKER: In the back row over there.

12 THE COURT: Sure. All right. So I have read all of  
13 the pleadings. So there are many, but there's the motion for  
14 bail pending appeal is -- I've read that. I've read the  
15 State's opposition. I've read the reply to the opposition. I  
16 have read the supplemental points and authorities regarding the  
17 motion for bail pending appeal.

18 I've also read the State's opposition to the  
19 supplemental points and authorities. I have also read the  
20 amended reply to the State's opposition. I read the reply and  
21 then I read the amended reply, but the amended took the place  
22 in -- of the reply. So I've read all of that.

23 MR. WATKINS: Okay. With that, Your Honor, I'd like  
24 to, you know, just potentially just summarize, but right now I  
25 need to point something that's important to the Court. On our

1 amended we made a heading here, preliminary remarks. If you  
2 remember, the prosecution indicated that not only was the older  
3 lady injured in the case, but the male who was 86 had five  
4 broken ribs.

5 I spoke with Jack, and he asked me to check into that  
6 scenario. I in fact did check into that scenario and that is  
7 incorrect. That gentlemen did not suffer any broken ribs at  
8 all, okay, and he went to the hospital, was just checked out  
9 and released immediately and -- but there was no pain killers  
10 or anything given to him. I made copies of the pertinent  
11 section of the grand jury transcript where he testified if  
12 you'd like to see that?

13 THE COURT: I've already looked at that and I -- so  
14 I'm aware. My understanding was it was the female that was in  
15 the other car who suffered the more serious injuries.

16 MR. WATKINS: Yes. The gentleman didn't suffer any  
17 injuries, but -- but the State represented to you in our  
18 argument and obviously that has an impact I believe, you know,  
19 versus, you know, he really wasn't injured or five broken ribs.  
20 Also so I wanted to make sure that you understood that, you  
21 know.

22 And also you must have been given some erroneous  
23 information at the time of the plea because you were of the  
24 impression that Jack was again facing two counts of felony DUI  
25 substantial bodily injury. He had at no time ever faced two

1 counts; he only faced the one count. And apparently when you  
2 accepted the plea you were of the impression that he had two,  
3 and he was getting a real break here because he was only going  
4 to be pleading to one. And I want you to know that that's  
5 incorrect and I -- somehow you got erroneous information; I  
6 don't know how you got that, but I do have --

7 THE COURT: At the time of the entry of the plea?

8 MR. WATKINS: Yes, Your Honor, and I actually have --  
9 and it's on page 14. And what it said -- and I believe, Judge,  
10 strike that it was on the motion to withdraw the plea is where  
11 you indicated, if I may briefly, But we had a discussion and he  
12 acknowledged that he understood. He understood, excuse me,  
13 what the Alford decision was and that that was that. In fact,  
14 he was going to not admit to his guilt, but he still wanted me  
15 to accept his plea of guilty because he didn't want to run the  
16 risk of being convicted of the original and more serious  
17 charges, which of course included two counts of driving under  
18 the influence with substantial bodily harm, so.

19 THE COURT: Okay. So what was the -- I can't  
20 remember what the original charge was.

21 MR. GILES: And my memory, Your Honor, is that it was  
22 there were two victims named in the one count, but it's two  
23 counts total one --

24 THE RECORDER: Mr. Giles, can you move the mic,  
25 please.

1 THE COURT: All right. One was leaving the scene of  
2 the accident --

3 MR. GILES: One leaving the scene and one DUI  
4 substantial, both of which have a 2 to 20 requirement.

5 MR. WATKINS: Well, I'll finish on what I was  
6 reading, and it says, as well as a felony, you know, fleeing  
7 the scene, failure to stop which you know there was a lot of  
8 evidence about that.

9 So, you know, Your Honor, Jack did not injure this  
10 other gentleman, okay. And -- and there was not two DUIs, and  
11 I think that's very important that you understand that because  
12 it appears based on what you said you were under the  
13 impression. So I'm going to leave that with you.

14 Now, just briefly here there's really four issues to  
15 be decided, okay. One is our appeal, okay, frivolous or are  
16 they for purpose of delay, is Jack a flight risk, or is he a  
17 danger to the community; those are the four issues that I  
18 believe are before the Court based upon the case law and the  
19 statutory language, okay.

20 And I -- I can't see for the life of me how you would  
21 say that our appeals are frivolous, okay. We have, you know,  
22 our motion arrest of judgment which we believe there wasn't a  
23 crime charged by the State. There's no statute that's  
24 prohibiting that kind of conduct.

25 Also, Your Honor, in addition to -- in addition to

1 that there's no delay. Mr. Pariente and I have been very  
2 diligent with Jack in representing this case, and you know  
3 that. So there's no purpose of delay.

4 So also, Jack is not a flight risk, and he's not a  
5 danger to the community. He was released since December  
6 the 1st of 2016, on bail, and there was no conditions that --  
7 the State didn't have any check in, you know, for anything.

8 So, Judge, we're asking that you grant bail pending  
9 appeal. Jack has never had any problems at all. This is the  
10 only incident that he had.

11 Now, I did point out to you that's why you asked to  
12 do the supplement, and the State admits the police reports are  
13 incorrect about the accident, okay, the direction, and I  
14 presented to you that it's important the arresting officer know  
15 who was -- who caused the accident.

16 The State's argument was that it was conjecture or  
17 scrivener error. Well, conjecture has absolutely no place  
18 here, and both reports were done by the police officer so  
19 there's no error. Bottom line there was a question as to who  
20 was doing what, and I pointed that out.

21 The other issues that I pointed out for the Court  
22 that you wanted to know dealing with the -- the field  
23 sobrieties and some other inconsistencies. Basically the State  
24 said, well, the inconsistencies there was no room on the police  
25 report for the officer to go ahead and put down really what

1 happened so he put down what was on the form. Well, I point  
2 out then he's not giving, you know, correct information.

3 Just to summarize, Your Honor, again this is not a  
4 frivolous appeal that we have. And it's the two issues that,  
5 you know, one is the withdrawal in the plea and the other one  
6 is, you know, the motion arrest of judgment, and he's not a  
7 flight risk, and he's clearly not a danger to the community  
8 based upon the action by the Court. And this Court actually,  
9 you know, made it clear to the State you never asked for any of  
10 this before, okay. So we're asking the Court to at a minimum  
11 grant bail pending appeal for Jack.

12 We also, you pointed out when I went through and I  
13 made my argument that apparently weren't things, you know,  
14 there was some additional information that you wanted to be put  
15 in writing, and I put all that information in writing to you.  
16 I won't go through it because of the time constraints. You've  
17 read it all; you know what's there. And it's -- and you said  
18 that, you know, you potentially could, you know, consider this  
19 I guess in regards to some kind of reconsideration for him to  
20 allow to withdraw the plea --

21 THE COURT: Okay. On Honeycutt I could even though  
22 it was on appeal I could certify to the Supreme Court --

23 MR. WATKINS: Yeah.

24 THE COURT: -- if I so implied that I wanted to  
25 change my mind --

1 MR. WATKINS: Yes.

2 THE COURT: -- on a previous ruling and send such a  
3 notice to the Supreme Court so that they could remand it back,  
4 but, you know, that's what I was talking about --

5 MR. WATKINS: I understand that --

6 THE COURT: -- in other words --

7 MR. WATKINS: -- and the State said you can't do it.  
8 Well, we know that you can and that was the reason -- that was  
9 the reason for the amended that I did because I've done my  
10 research on that, and I wanted to point out the Dingwall  
11 [phonetic] case, and you were aware of all of those I know.

12 So again, Your Honor, Jack has had absolutely no  
13 problems with this legal system at all except for this  
14 incident, and we're asking that at a minimum you grant bail  
15 pending appeal. We're going to ask that you reconsider and let  
16 him allow -- let him to withdraw the plea in this case.

17 THE COURT: Okay. State.

18 MR. GILES: And, Your Honor, to start from the top  
19 Martin Luber [phonetic] told me himself in pretrials, we were  
20 getting ready for trial that he had broken ribs. What was said  
21 at the prelim several years previously clearly is at odds; I  
22 will accept Mr. Watkins's representation. It doesn't matter  
23 because Maxine had a crushed sternum, and she was named as a  
24 victim in the SBH count and/or Martin Luber and then they're  
25 both named in the fleeing the scene count where the substantial

1 nature of the injuries isn't required, just injury.

2 And again, we've already dealt with the two counts  
3 versus two victims. I think that was just a language  
4 transposition there that happened.

5 Just to remind everybody, basically what happened  
6 last time we were here on the motion for bail. At the very end  
7 of it after I believe the Court had begun to make a ruling on  
8 the issue, Mr. Watkins began talking about all the missing  
9 evidence that was never dealt with, and the Court gave him an  
10 opportunity to supplement the record.

11 Well, the essence of the supplementation is that the  
12 police officer wrote a report where he properly noted the  
13 directions of travel in the narrative section and then down in  
14 the conclusory section transposed one of the directions of  
15 travel.

16 That does not change what the firefighter said in his  
17 sworn testimony and what he would say at trial as to the  
18 direction of travel and who was at fault for the accident. It  
19 doesn't change what the physical evidence shows, which is that  
20 the defendant was at fault for the accident, and he left the  
21 scene, and he was chased down, and he appeared impaired.

22 And Mr. Watkins discussing the report and the fact  
23 that the language on the checkmarked boxes is different than  
24 the language used in the written narrative, that's a choice  
25 Henderson PD made to use a form where they give officers a

1 quick option to checkmark boxes. It doesn't change the fact  
2 that all the things noted showed signs of impairment, that they  
3 went through their investigation before taking the defendant  
4 down to test him evidentiary for alcohol in his system, and it  
5 came back substantially above the legal limit within two hours.

6 And so the essence of the motion -- and I will  
7 apologize about whether the Court had the ability to reconsider  
8 the prior motion on appeal. I talked to our appellate  
9 division. I've never done appellate work, and they all advised  
10 me that, no, they felt that once it was up there that that  
11 issue had moved up. I understand the Court has the ability to  
12 send something up to the Supreme Court saying I got it wrong  
13 please send it back.

14 I don't think that that's necessary because in  
15 essence what we're here today on is the question of  
16 dangerousness. I'm not going to weigh in; I didn't weigh in  
17 before on the frivolous and for purposes of delay even if I  
18 have an opinion, I believe the case law is pretty solid on that  
19 issue.

20 But this case is about a DUI where an individual  
21 drove, crashed into a car and then fled the scene. DUIs are  
22 not like other crimes. We can't look at history and say well,  
23 you've got all these little predicate crimes leading up to this  
24 one big crime. It's about one moment in time where a person  
25 who has very likely done the same behavior again and again and

1 again gets into that crash.

2 MR. WATKINS: I'm going to have to object, Your  
3 Honor. There's absolutely no evidence that Jack has had any  
4 similar problem and drives while drinking. That's  
5 inappropriate that just like five broken ribs --

6 THE COURT: Well, he's not -- he didn't say that the  
7 defendant. He's just saying in general it's the type of crime  
8 that people don't generally get, you know, their first DUI  
9 isn't as a nature, you know, substantial bodily harm or death,  
10 but it does happen. I've seen it many times --

11 MR. WATKINS: Sure you have.

12 THE COURT: -- it is their only time that they were  
13 arrested whether or not they weren't arrested before, you know,  
14 we never know about those things. It's just like any other  
15 case people come in and say to me, well, my client has been  
16 crime free.

17 Well, I don't know that. I know he hasn't been  
18 arrested. I don't know if he's actually been crime free. I  
19 can only go with has he been -- does he -- been arrested for  
20 any new cases I can give you that. What he's done in the  
21 meantime otherwise I don't know. And so that's all I think  
22 he's saying, but there's --

23 MR. WATKINS: Well, you shouldn't consider that, you  
24 know.

25 THE COURT: I'm not. I'm not considering that.

1 MR. WATKINS: Okay.

2 MR. GILES: And it's being said simply for the fact,  
3 Your Honor, that we now have an individual who isn't cloaked  
4 with the belief of being not guilty; the innocence is gone  
5 here. Mr. Banka has driven drunk in the past and has caused  
6 substantially bodily harm, and all the promises in the world  
7 doesn't change that fact that he won't do it again, and the  
8 dangerousness to the community.

9 This isn't a targeted individual, this isn't a  
10 specific victim class that would be potentially impacted by  
11 Mr. Banka. It's society as a whole if he was released.

12 And other than that unless the Court has any  
13 questions about our opposition I will submit to the Court that  
14 bail at this time is inappropriate. It should be denied and  
15 Mr. Banka's appeal should be allowed to go forward.

16 MR. WATKINS: If I could just briefly respond, Your  
17 Honor.

18 First off, the State obviously is not saying that our  
19 appeal is for delay or it's frivolous. There's no flight risk.  
20 The only thing they're saying is now he's a threat to the  
21 public, okay. And again there has been absolutely nothing in  
22 Jack's life before or after this horrible incident on December  
23 1st of 2016.

24 The prosecutor comes in now as trying to paint a  
25 picture here oh, he's a real risk to you, he's this to the

1 community, et cetera, et cetera, when in fact their previous  
2 conduct showed that they didn't believe that. This is just  
3 argument to keep this gentleman sitting in prison when we are  
4 trying to fight his case legally and have a --

5 THE COURT: Okay. Tamp it down.

6 MR. WATKINS: -- basis to do so.

7 THE COURT: Just like exclamation marks in your  
8 papers don't move me neither does shouting in court.

9 MR. WATKINS: I'm going to stop doing that because  
10 Jack Howard said that exclamation marks is not good.

11 THE COURT: Yeah.

12 MR. WATKINS: So I'm not going to do that and I'm not  
13 going to do as much underlying of and I try to, you know, kind  
14 of keep my voice --

15 THE COURT: There you go.

16 MR. WATKINS: -- you know, but, Judge --

17 THE COURT: Okay. I understand what you're saying,  
18 and I, you know, I've read everything. So I'm saying it again.  
19 You've already said it in the papers --

20 MR. WATKINS: Okay.

21 THE COURT: -- and you've said now in oral argument.  
22 It doesn't do it any good to say it a third time. I understand  
23 what you're saying.

24 MR. WATKINS: And I'm not trying to repeat; I'm  
25 trying to respond to them saying that, you know, he is a danger

1 to the community when none of that took place before, but now  
2 because we are now trying to get Jack on bail because you  
3 realize that if we're successful on appeal, and he's in custody  
4 he has appeared victory. He's being punished.

5 Our position is why punish him at this point. Let us  
6 do our appeal. You can make -- for example, Jack will  
7 surrender his driver's license to this Honorable Court. He  
8 won't drive during the interim.

9 THE COURT: All right. So as far as that goes, I  
10 mean, yes, okay, every single person who is sentenced to  
11 incarceration and has an appeal right, they -- they're in that  
12 same boat or you can say, okay, well, every single person  
13 should be given appeal, you know, bond on appeal pending  
14 appeal, and that's why the Supreme Court has said, well, there  
15 are things that we look at, right. And it's not just are they  
16 a threat or is the appeal frivolous or -- our Supreme Court has  
17 pretty much said you can look at anything. Here I'm looking at  
18 some discrete things.

19 So whether or not your client is a threat to the  
20 community I really don't know, you know. I mean, he -- he  
21 hasn't while he was at liberty. He wasn't arrested for DUI  
22 again. I don't know whether he would be inclined to drink and  
23 drive again if he were released I don't know.

24 That -- you know that -- are people that drink and  
25 drive a threat to the community? Yes. And we've had people

1 that have gone through the felony DUI program for three years  
2 and still then later drink and drive again, and that's  
3 horrifying, and you'd like to think that they wouldn't, you  
4 know. They've got a lot to lose, et cetera if they do that.

5 But so I don't know. I mean, I don't see that he's a  
6 threat in the same way that the Supreme Court was discussing a  
7 murderer, you know, that, no, he's, you know, he, yeah,  
8 intentionally drove drunk, and he as a result got into an  
9 accident. I think that the evidence for that is overwhelming,  
10 frankly, in this case, and someone was gravely injured, and he  
11 fled the scene. And there's not really any dispute about that  
12 that he fled first in his car, that then when the car became  
13 inoperable he tried to also flee on foot, but --

14 MR. WATKINS: Judge, just so I could --

15 THE COURT: -- let me just say this that I think that  
16 the additional facts that you presented to me at my invitation  
17 regarding your arguments about the case itself, which I wanted  
18 to know because that would obviously impact whether I thought I  
19 had made a mistake about permitting him to withdraw his plea,  
20 would it, you know, result in a manifest injustice on the  
21 totality of the circumstances. I really don't think that  
22 anything that you put in the papers does rise to that level.

23 I agree with what the State has said. I mean, there  
24 were -- there was an eyewitness, a reliable eyewitness who saw  
25 the accident happen, testified about the directions of the

1 vehicles, followed the defendant and kept him from eventually  
2 fleeing on foot so.

3 And, you know, there was field sobriety and  
4 eventually a blood draw with -- he was, you know, blood alcohol  
5 in violation of the limits.

6 So nothing that's been presented by the defense makes  
7 me think that under a totality of the circumstances I should  
8 have granted the motion to withdraw the plea. So I'm not  
9 granting on sending anything up to the Supreme Court under  
10 Honeycutt saying that I want to change that.

11 Now, based on the complete procedural posture of this  
12 case, particularly that the defendant had the option of  
13 proceeding to trial on the date that was set either with his  
14 original counsel or with his current counsel and instead he  
15 chose to plead guilty pursuant to Alford where he acknowledged  
16 that he did not want to run the risk of the conviction at  
17 trial.

18 And then the offer of proof was made by the State,  
19 that offer of proof indicated substantial if not overwhelming  
20 evidence to the Court.

21 Based upon that I find that this motion as well as  
22 all of the procedure that has gone on with this -- like I say,  
23 he could have gone to trial. Instead we have all of this  
24 machinations to delay that. I believe that this current motion  
25 is also for the purpose of delay in this matter, and so I'm not

1 going to grant it.

2 Do I think that your appeal is frivolous? I don't  
3 like to say that an appeal is frivolous. When it goes on  
4 appeal, the Supreme Court is going to decide whether it's  
5 frivolous or not. In certain instances maybe the trial Court  
6 can say an appeal is frivolous because it's not grounded in any  
7 law, that there's not any potential argument. I don't -- I  
8 don't find your arguments persuasive which because if I had, I  
9 would have granted your motions. But so I --

10 MR. WATKINS: That doesn't mean that it's not.

11 THE COURT: Exactly.

12 MR. WATKINS: Thank you.

13 THE COURT: That's why I'm saying that I don't think  
14 it's frivolous. I think for something to be frivolous,  
15 frankly, for a Court, a trial Court to make a finding of a  
16 frivolous appeal that it's a further finding or it certainly  
17 insinuates that counsel really doesn't have a true belief that  
18 there is any merit to the appeal; I don't think that. I think  
19 that you do believe there's merit.

20 MR. WATKINS: I strongly believe in it.

21 THE COURT: Right. And you've indicated that to me  
22 every which and every time. So I'm not making a finding of  
23 frivolousness.

24 I'm making a finding that I think it's for the  
25 purpose of delay, and therefore it's denied. Obviously you can

1 reapply for bail and appeal to the Supreme Court.

2 MR. WATKINS: And, Your Honor, just one thing and  
3 then I'll be out of here. Is that you're making it sound that  
4 Jack had Michael Pariente and myself of counsel to represent  
5 him you would not let us substitute in, and you were going to  
6 require us to be ready for trial --

7 THE COURT: I let -- that's right.

8 MR. WATKINS: -- and we could not be ready for trial  
9 and represent this gentleman with a five-day window so he  
10 didn't have us. And then he was scared to death because you  
11 wouldn't let us come in, and then they increased it from two  
12 years to four years because we as attorneys, okay --

13 THE COURT: Okay. Let's --

14 MR. WATKINS: -- wanted to represent Jack.

15 THE COURT: Mr. Watkins, it's now been 20 minutes  
16 even though I said 10. So thank you.

17 MR. WATKINS: Judge, thanks. By the way, is the  
18 husband doing, okay?

19 THE COURT: Of course. Thank you.

20 MR. WATKINS: Okay. Thank you.

21 MR. GILES: Thank you, Your Honor.

22 MR. WATKINS: Your Honor -- nevermind. I assume  
23 you'll do the order.

24 THE COURT: The State will prepare the order, and I  
25 will review it and make any changes necessary.

1 MR. WATKINS: Are we going to get a chance to see it  
2 before it goes to you or?

3 THE COURT: Well, if you can get it done in the time  
4 frame, it's supposed to be done in 10 days so.

5 MR. WATKINS: Would you send it to me?

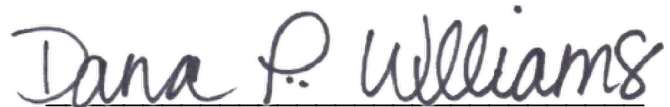
6 MR. GILES: I will cc them, Your Honor.

7 THE COURT: Okay.

8 (Proceedings adjourned 10:01 a.m.)

9 -oOo-

10 ATTEST: I do hereby certify that I have truly and correctly  
11 transcribed the audio/video proceedings in the above-entitled  
12 case.

13   
14

15 Dana L. Williams  
16 Transcriber  
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8/25 9/9 12/15 14/14 16/16</p> <p><b>myself</b> [1] 19/4</p> <hr/> <p><b>N</b></p> <p><b>named</b> [3] 5/22 9/23 9/25</p> <p><b>narrative</b> [2] 10/13 10/24</p> <p><b>nature</b> [2] 10/1 12/9</p> <p><b>necessary</b> [2] 11/14 19/25</p> <p><b>need</b> [3] 2/14 2/18 3/25</p> <p><b>neither</b> [1] 14/8</p> <p><b>NEVADA</b> [5] 1/2 1/6 1/14 2/1 2/3</p> <p><b>never</b> [5] 7/9 8/9 10/9 11/9 12/14</p> <p><b>nevermind</b> [1] 19/22</p> <p><b>new</b> [1] 12/20</p> <p><b>no</b> [18] 1/7 1/7 2/22 2/23 4/9 4/25 6/23 7/1 7/3 7/6 7/17 7/19 7/24 9/12 11/10 12/3 13/19 16/7</p> <p><b>none</b> [1] 15/1</p> <p><b>not</b> [38]</p> <p><b>noted</b> [2] 10/12 11/2</p> <p><b>nothing</b> [2] 13/21 17/6</p> <p><b>notice</b> [1] 9/3</p> <p><b>now</b> [11] 3/24 6/14 7/11 13/3 13/20 13/24 14/21 15/1 15/2 17/11 19/15</p> <p><b>NRS</b> [1] 1/14</p> <p><b>Number</b> [1] 2/3</p> <hr/> <p><b>O</b></p> <p><b>object</b> [1] 12/2</p> <p><b>obviously</b> [4] 4/18 13/18 16/18 18/25</p> <p><b>odds</b> [1] 9/21</p> 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11/8 13/13 13/18 15/5 15/6 15/16</p> <p><b>out</b> [9] 2/24 4/8 7/11 7/20 7/21 8/2 8/12 9/10 19/3</p> <p><b>over</b> [1] 3/11</p> <p><b>overwhelming</b> [2] 16/9 17/19</p> <hr/> <p><b>P</b></p> <p><b>page</b> [1] 5/9</p> <p><b>pain</b> [1] 4/9</p> <p><b>paint</b> [1] 13/24</p> <p><b>papers</b> [3] 14/8 14/19 16/22</p> <p><b>PARIENTE</b> [3] 1/21 7/1 19/4</p> <p><b>Pariente's</b> [1] 2/6</p> <p><b>particularly</b> [1] 17/12</p> <p><b>pass</b> [1] 2/20</p> <p><b>past</b> [1] 13/5</p> <p><b>PAUL</b> [1] 1/9</p> <p><b>PD</b> [1] 10/25</p> <p><b>pending</b> [7] 1/14 3/14 3/17 7/8 8/11 9/15 15/13</p> <p><b>people</b> [4] 12/8 12/15 15/24 15/25</p> <p><b>permission</b> [1] 2/7</p> <p><b>permitting</b> [1] 16/19</p> <p><b>person</b> [3] 11/24 15/10 15/12</p> <p><b>persuasive</b> [1] 18/8</p> <p><b>pertinent</b> [1] 4/10</p> <p><b>phonetic</b> [2] 9/11 9/19</p> <p><b>physical</b> [1] 10/19</p> <p><b>picture</b> [1] 13/25</p> <p><b>place</b> [3] 3/21 7/17 15/1</p> <p><b>Plaintiff</b> [1] 1/7</p> 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<p><b>really</b> [7] 4/19 6/14 7/25 15/20 16/11 16/21 18/17</p> <p><b>reapply</b> [1] 19/1</p> <p><b>reason</b> [2] 9/8 9/9</p> <p><b>reconsider</b> [2] 9/15 11/7</p>	<p><b>reconsideration</b> [1] 8/19</p> <p><b>record</b> [1] 10/10</p> <p><b>RECORDED</b> [1] 1/23</p> <p><b>RECORDER</b> [1] 1/23</p> <p><b>regarding</b> [2] 3/16 16/17</p> <p><b>regards</b> [1] 8/19</p> <p><b>released</b> [4] 4/9 7/5 13/11 15/23</p> <p><b>reliable</b> [1] 16/24</p> <p><b>remand</b> [1] 9/3</p> <p><b>remarks</b> [1] 4/1</p> <p><b>remember</b> [2] 4/2 5/20</p> <p><b>remind</b> [1] 10/5</p> <p><b>repeat</b> [1] 14/24</p> <p><b>reply</b> [5] 3/15 3/20 3/20 3/21 3/22</p> <p><b>report</b> [3] 7/25 10/12 10/22</p> <p><b>REPORTING</b> [1] 1/24</p> <p><b>reports</b> [2] 7/12 7/18</p> <p><b>represent</b> [3] 19/4 19/9 19/14</p> <p><b>representation</b> [1] 9/22</p> <p><b>represented</b> [1] 4/17</p> <p><b>representing</b> [1] 7/2</p> <p><b>require</b> [1] 19/6</p> <p><b>required</b> [1] 10/1</p> 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<p><b>type</b> [1] 12/7</p> <p><b>U</b></p> <p><b>under</b> [4] 5/17 6/12 17/7 17/9</p> <p><b>underlying</b> [1] 14/13</p> <p><b>understand</b> [5] 6/11 9/5 11/11 14/17 14/22</p> <p><b>understanding</b> [1] 4/14</p> <p><b>understood</b> [3] 4/20 5/12 5/12</p> <p><b>unless</b> [1] 13/12</p> <p><b>up</b> [5] 11/10 11/11 11/12 11/23 17/9</p> <p><b>upon</b> [3] 6/18 8/8 17/21</p> <p><b>us</b> [5] 15/5 19/5 19/6 19/10 19/11</p> <p><b>use</b> [1] 10/25</p> <p><b>used</b> [1] 10/24</p> <p><b>usually</b> [1] 2/16</p>	<p><b>V</b></p> <p><b>VEGAS</b> [1] 2/1</p> <p><b>vehicles</b> [1] 17/1</p> <p><b>versus</b> [3] 2/4 4/19 10/3</p> <p><b>very</b> [4] 6/11 7/1 10/6 11/25</p> <p><b>victim</b> [2] 9/24 13/10</p> <p><b>victims</b> [2] 5/22 10/3</p> <p><b>victory</b> [1] 15/4</p> <p><b>video</b> [1] 20/11</p> <p><b>violation</b> [1] 17/5</p> <p><b>voice</b> [1] 14/14</p> <p><b>W</b></p> <p><b>want</b> [4] 5/4 5/15 17/10 17/16</p> <p><b>wanted</b> [9] 2/16 4/20 5/14 7/22 8/14 8/24 9/10 16/17 19/14</p> 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15/25</p> <p><b>you</b> [99]</p> <p><b>you'd</b> [2] 4/12 16/3</p> <p><b>you'll</b> [1] 19/23</p> <p><b>you're</b> [4] 3/5 14/17 14/23 19/3</p> <p><b>you've</b> [5] 8/16 11/23 14/19 14/21 18/21</p> <p><b>your</b> [25]</p>
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