

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

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**GLENN DOOLIN**

Appellant,

vs.

**THE STATE OF NEVADA**

Respondent.

---

**Docket No. 80223**

---

Direct Appeal from Order Denying Defendant's Motion to Modify Sentence  
and Amended Order Denying Defendant's Motion to Modify Sentence  
Eighth Judicial District Court  
The Honorable Kathleen Delaney, District Judge  
District Court No. C-12-284106-1

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**APPELLANT'S APPENDIX VOLUME 1 OF 1**

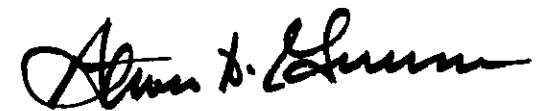
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W. Jeremy Storms  
State Bar #10772  
JoNell Thomas  
State Bar #4771  
Special Public Defender  
330 South 3<sup>rd</sup> Street  
Las Vegas, NV 89155  
(702) 455-6265  
Attorneys for Doolin

Electronically Filed  
Feb 10 2020 04:13 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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CLERK OF THE COURT

1 **INFM**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 NOREEN DEMONTE  
6 Chief Deputy District Attorney  
7 Nevada Bar #008213  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

12 I.A. 9/18/12  
13 10:30 A.M.  
14 P.D.

DISTRICT COURT  
CLARK COUNTY, NEVADA

15 THE STATE OF NEVADA,  
16 Plaintiff,

17 -vs-

18 GLENN DOOLIN, aka  
19 Glenn Miller Doolin, #1990096  
20 Defendant.

CASE NO: C-12-284106

DEPT NO: XXV

I N F O R M A T I O N

21 STATE OF NEVADA )  
22 COUNTY OF CLARK ) ss.

23 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State  
24 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

25 That GLENN DOOLIN, aka Glenn Miller Doolin, the Defendant(s) above named,  
26 having committed the crime of GRAND LARCENY AUTO (Category C Felony - NRS  
27 205.228.2), on or about the 15th day of June, 2012, within the County of Clark, State of  
28 Nevada, contrary to the form, force and effect of statutes in such cases made and provided,  
and against the peace and dignity of the State of Nevada, did then and there intentionally,  
unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal,

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///

1 take, carry away, drive away or otherwise remove a motor vehicle owned by another person,  
2 in the possession of SCOOTER UP LAS VEGAS, to-wit: a 2012 TAOTAO Moped, bearing  
3 VIN No. L9NTEACB0C1013333.

4  
5 STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
6

7 BY /s/NOREEN DEMONTE  
8 NOREEN DEMONTE  
Chief Deputy District Attorney  
9 Nevada Bar #008213  
10

11  
12 **UNDER NO CIRCUMSTANCES IS THE LANGUAGE CONTAINED**  
13 **HEREINAFTER TO BE READ TO A JURY HEARING THE PRIMARY OFFENSE**  
14 **FOR WHICH THE DEFENDANT IS PRESENTLY CHARGED.**

15 Defendant GLENN DOOLIN, aka Glenn Miller Doolin, hereinbefore named, is  
16 placed on notice that, in accordance with the authorization of NRS 207.010, punishment  
17 imposed pursuant to the above-stated habitual criminal statute will be urged upon the Court  
18 if said Defendant is found guilty on the primary offense of GRAND LARCENY AUTO, for  
19 which the Defendant is presently charged.

20 This page concerning the prior convictions hereinbelow set forth is to be considered  
21 by the Court in its discretion ONLY after the finding of guilty of Defendant on the primary  
22 charge herein.

23 That said Defendant GLENN DOOLIN, aka Glenn Miller Doolin, has been FOUR (4)  
24 TIMES convicted of crimes, which, under the laws of the situs of the crime and/or the State  
25 of Nevada, amount to felonies, to-wit:

26 1. That on or about the 23rd day of January, 1995, the Defendant was convicted  
27 in the Commonwealth of Virginia, City of Danville, Circuit Court of Danville, for the crime  
28 of LARCENY, in Case No. C94-011224.

1           2.       That in 2002, the Defendant was convicted in and for the Superior Court of the  
2 State of North Carolina, County of Mecklenburg, for the crime of LARCENY OF AUTO, in  
3 Case No. 02CRS243350.

4           3.       That on or about the 31st day of July, 2008, the Defendant was convicted in  
5 the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the  
6 crime of ATTEMPT FORGERY, in Case No. C244957.

7           4.       That on or about the 26th day of January, 2011, the Defendant was convicted  
8 in the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the  
9 crime of ATTEMPT POSSESSION OF STOLEN VEHICLE, in Case No. C262611.

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

13                               BY /s/NOREEN DEMONTE  
14                               \_\_\_\_\_  
15                               NOREEN DEMONTE  
16                               Chief Deputy District Attorney  
17                               Nevada Bar #008213

18                               **DO NOT READ TO THE JURY**

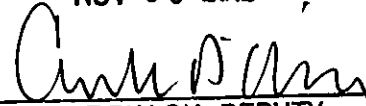
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      (TK1)

ORIGINAL

1 INFM  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 NOREEN DEMONTE  
6 Chief Deputy District Attorney  
7 Nevada Bar #008213  
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

NOV 06 2012

BY,   
CAROLE D'ALOIA, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

C-12-284106-1  
AINF  
Amended Information  
1994707



THE STATE OF NEVADA,  
Plaintiff,

CASE NO: C-12-284106

DEPT NO: XXV

-vs-

GLENN DOOLIN, aka  
Glenn Miller Doolin, #1990096  
Defendant.

AMENDED  
INFORMATION

STATE OF NEVADA }  
COUNTY OF CLARK } ss.

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That GLENN DOOLIN, aka Glenn Miller Doolin, the Defendant(s) above named, having committed the crimes of GRAND LARCENY AUTO (Category C Felony - NRS 205.228.2) and POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor - NRS 205.080), on or about the 15th day of June, 2012, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

COUNT 1 - GRAND LARCENY AUTO

did then and there intentionally, unlawfully, and feloniously, with intent to deprive the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a motor vehicle owned by another person, in the possession of SCOOTER UP LAS VEGAS,

000004

1 to-wit: a 2012 TAOTAO Moped, bearing VIN No. L9NTEACB0C1013333.

2 COUNT 2 - POSSESSION OF BURGLARY TOOLS

3 did wilfully and unlawfully have in his possession, a tool and/or tools commonly used  
4 for the commission of a burglary, larceny, or other crime, to-wit: a screwdriver, under  
5 circumstances evincing an intent by Defendant to use or employ said tools in the  
6 commission of a crime.

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

10 BY NOREEN DEMONTE  
11 NOREEN DEMONTE  
12 Chief Deputy District Attorney  
Nevada Bar #008213

13 Names of witnesses known to the District Attorney's Office at the time of filing this  
14 Information are as follows:

<u>NAME</u>	<u>ADDRESS</u>
ARCINIEGA, DAVID	LVMPD P#14185
COLUCCI, ANGELO	LVMPD P#13379
CUSTODIAN OF RECORDS	CCDC
CUSTODIAN OF RECORDS	LVMPD DISPATCH
CUSTODIAN OF RECORDS	LVMPD RECORDS
DARROW, ROBERT	600 LAS VEGAS BLVD. SO., LVN
DEWERDE, SANTINO	LVMPD P#14183
MCGILL, JOSEPH	LVMPD P#3351
SALAZAR, SALIM	LVMPD P#13350
SCHWALBACH, WAYNE	616 LAS VEGAS BLVD. SO., LVN
TINO, ROCKY	616 LAS VEGAS BLVD. SO., LVN



1                   **UNDER NO CIRCUMSTANCES IS THE LANGUAGE CONTAINED**  
2                   **HEREINAFTER TO BE READ TO A JURY HEARING THE PRIMARY OFFENSE**  
3                   **FOR WHICH THE DEFENDANT IS PRESENTLY CHARGED.**

4           Defendant GLENN DOOLIN, aka Glenn Miller Doolin, hereinbefore named, is  
5 placed on notice that, in accordance with the authorization of NRS 207.010, punishment  
6 imposed pursuant to the above-stated habitual criminal statute will be urged upon the Court  
7 if said Defendant is found guilty on the primary offenses of GRAND LARCENY AUTO, for  
8 which the Defendant is presently charged.

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10 by the Court in its discretion ONLY after the finding of guilty of Defendant on the primary  
11 charge herein.

12           That said Defendant GLENN DOOLIN, aka Glenn Miller Doolin, has been FOUR (4)  
13 TIMES convicted of crimes, which, under the laws of the situs of the crime and/or the State  
14 of Nevada, amount to felonies, to-wit:

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16 in the Commonwealth of Virginia, City of Danville, Circuit Court of Danville, for the crime  
17 of LARCENY, in Case No. C94-011224.

18           2.       That in 2002, the Defendant was convicted in and for the Superior Court of the  
19 State of North Carolina, County of Mecklenburg, for the crime of LARCENY OF AUTO, in  
20 Case No. 02CRS243350.

21           3.       That on or about the 31st day of July, 2008, the Defendant was convicted in  
22 the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the  
23 crime of ATTEMPT FORGERY, in Case No. C244957.

24           ///

25           ///

26           ///

27           ///

28           ///

1           4.     That on or about the 26th day of January, 2011, the Defendant was convicted  
2 in the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the  
3 crime of ATTEMPT POSSESSION OF STOLEN VEHICLE, in Case No. C262611.

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

7                                 BY *N. Demonte*  
8                                 NOREEN DEMONTE  
9                                 Chief Deputy District Attorney  
10                                Nevada Bar #008213

11                                **DO NOT READ TO THE JURY**  
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27     DA#12F09527X/dd-rop  
28     LVMPD EV#120615-0571  
      (TK1)

ORIGINAL

520

GPA  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
NOREEN DEMONTE  
Chief Deputy District Attorney  
Nevada Bar #008213  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

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

JAN 07 2013

BY: Kristen Brown  
KRISTEN BROWN, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

GLENN DOOLIN, aka  
Glenn Miller Doolin, #1990096  
Defendant.

CASE NO: C-12-284106

DEPT NO: XXV

~~MP (ND)~~  
GUILTY PLEA ~~AGREEMENT~~  
COUNT 1:

I hereby agree to plead guilty to: GRAND LARCENY AUTO (Category C Felony -  
AND COUNT 2: POSSESSION OF BURGLARY TOOLS ~~MP~~  
NRS 205.228.2), as more fully alleged in the charging document attached hereto as Exhibit

"1".

~~ND~~ ~~MP~~ There are no negotiations in the instant case.  
My decision to plead guilty is based upon the plea agreement in this case which is as follows.

~~The State and I stipulate to Habitual Criminal treatment, pursuant to NRS 207.010, with a sentence of five (5) years to twelve and a half (12-1/2) years in the Nevada Department of Corrections. Additionally, the Defendant understands that the sentence in this case must be run consecutively to C283685.~~

~~I agree to the forfeiture of any and all weapons or any interest in any weapons seized and/or impounded in connection with the instant case and/or any other case negotiated in whole or in part in conjunction with this plea agreement.~~

///

C-12-284106-1  
GPA  
Guilty Plea Agreement  
2136824



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WS  
ND  
1 ~~I understand and agree that, if I fail to interview with the Department of Parole and~~  
2 ~~Probation, fail to appear at any subsequent hearings in this case, or an independent~~  
3 ~~magistrate, by affidavit review, confirms probable cause against me for new criminal charges~~  
4 ~~including reckless driving or DUI, but excluding minor traffic violations, that the State will~~  
5 ~~have the unqualified right to argue for any legal sentence and term of confinement allowable~~  
6 ~~for the crime(s) to which I am pleading guilty, including the use of any prior convictions I~~  
7 ~~may have to increase my sentence as an habitual criminal to FIVE (5) to TWENTY (20)~~  
8 ~~years, life without the possibility of parole, life with the possibility of parole after TEN (10)~~  
9 ~~years, or a definite TWENTY-FIVE (25) year term with the possibility of parole after TEN~~  
10 ~~(10) years.~~

11 ~~Otherwise I am entitled to receive the benefits of these negotiations as stated in this~~  
12 ~~plea agreement.~~

#### 13 CONSEQUENCES OF THE PLEA

14 I understand that by pleading guilty I admit the facts which support all the elements of  
15 the offense(s) to which I now plead as set forth in Exhibit "1". <sup>ND</sup> <sup>WS</sup> <sup>to COUNT 1</sup>

16 I understand that as a consequence of my plea of guilty the Court must sentence me to  
17 imprisonment in the Nevada Department of Corrections for a minimum term of not less than  
18 ONE (1) year and a maximum term of not more than FIVE (5) years. The minimum term of  
19 imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I  
20 understand that I may also be fined up to \$5,000.00. <sup>WS</sup> <sup>ND</sup> <sup>I understand that as to COUNT 2 the</sup>  
<sup>of one year and a \$2000.00 fine.</sup> Court must sentence me to a maximum

21 Further, I understand that if I am sentenced under the under the "small" habitual  
22 criminal enhancement, the Court must sentence me to a term not less than FIVE (5) years  
23 and a maximum of TWENTY (20) years in the Nevada Department of Corrections. I  
24 understand that if I am sentenced under the "large" habitual criminal enhancement the Court  
25 must sentence me to LIFE without the possibility of parole; life with the possibility of  
26 parole, parole eligibility begins after a minimum term of TEN (10) years has been served;  
27 OR a definite term of TWENTY FIVE (25) years, parole eligibility begins after a minimum  
28 of TEN (10) years has been served.

1 I understand that the law requires me to pay an Administrative Assessment Fee.

2 I understand that, if appropriate, I will be ordered to make restitution to the victim of  
3 the offense(s) to which I am pleading guilty and to the victim of any related offense which is  
4 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to  
5 reimburse the State of Nevada for any expenses related to my extradition, if any.

6 I understand that I am eligible for probation for the offenses to which I am pleading  
7 guilty. I understand that, except as otherwise provided by statute, the question of whether I  
8 receive probation is in the discretion of the sentencing judge.

9 I further understand that if I am pleading guilty to charges of Burglary, Invasion of  
10 the Home, Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled  
11 Substance, or Gaming Crimes, for which I have prior felony conviction(s), I will not be  
12 eligible for probation and may receive a higher sentencing range.

13 I understand that if more than one sentence of imprisonment is imposed and I am  
14 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order  
15 the sentences served concurrently or consecutively.

16 I also understand that information regarding charges not filed, dismissed charges, or  
17 charges to be dismissed pursuant to this agreement may be considered by the judge at  
18 sentencing.

19 I have not been promised or guaranteed any particular sentence by anyone. I know  
20 that my sentence is to be determined by the Court within the limits prescribed by statute.

21 I understand that if my attorney or the State of Nevada or both recommend any  
22 specific punishment to the Court, the Court is not obligated to accept the recommendation.

23 I understand that if the State of Nevada has agreed to recommend or stipulate a  
24 particular sentence or has agreed not to present argument regarding the sentence, or agreed  
25 not to oppose a particular sentence, or has agreed to disposition as a gross misdemeanor  
26 when the offense could have been treated as a felony, such agreement is contingent upon my  
27 appearance in court on the initial sentencing date (and any subsequent dates if the sentencing  
28 is continued). I understand that if I fail to appear for the scheduled sentencing date or I

1 commit a new criminal offense prior to sentencing the State of Nevada would regain the full  
2 right to argue for any lawful sentence.

3 I understand if the offense(s) to which I am pleading guilty to was committed while I  
4 was incarcerated on another charge or while I was on probation or parole that I am not  
5 eligible for credit for time served toward the instant offense(s).

6 I understand that if I am not a United States citizen, any criminal conviction will  
7 likely result in serious negative immigration consequences including but not limited to:

- 8 1. The removal from the United States through deportation;
- 9 2. An inability to reenter the United States;
- 10 3. The inability to gain United States citizenship or legal residency;
- 11 4. An inability to renew and/or retain any legal residency status; and/or
- 12 5. An indeterminate term of confinement, with the United States Federal  
Government based on my conviction and immigration status.

13 Regardless of what I have been told by any attorney, no one can promise me that this  
14 conviction will not result in negative immigration consequences and/or impact my ability to  
15 become a United States citizen and/or a legal resident.

16 I understand that the Division of Parole and Probation will prepare a report for the  
17 sentencing judge prior to sentencing. This report will include matters relevant to the issue of  
18 sentencing, including my criminal history. This report may contain hearsay information  
19 regarding my background and criminal history. My attorney and I will each have the  
20 opportunity to comment on the information contained in the report at the time of sentencing.  
21 Unless the District Attorney has specifically agreed otherwise, then the District Attorney  
22 may also comment on this report.

### 23 WAIVER OF RIGHTS

24 By entering my plea of guilty, I understand that I am waiving and forever giving up  
25 the following rights and privileges:

- 26 1. The constitutional privilege against self-incrimination, including the  
27 right to refuse to testify at trial, in which event the prosecution would  
28 not be allowed to comment to the jury about my refusal to testify.

2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense(s) charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify against me.
4. The constitutional right to subpoena witnesses to testify on my behalf.
5. The constitutional right to testify in my own defense.
6. The right to appeal the conviction with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this conviction, including any challenge based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings as stated in NRS 177.015(4). However, I remain free to challenge my conviction through other post-conviction remedies including a habeas corpus petition pursuant to NRS Chapter 34.

#### VOLUNTARINESS OF PLEA

I have discussed the elements of all of the original charge(s) against me with my attorney and I understand the nature of the charge(s) against me.

I understand that the State would have to prove each element of the charge(s) against me at trial.

I have discussed with my attorney any possible defenses, defense strategies and circumstances which might be in my favor.

All of the foregoing elements, consequences, rights, and waiver of rights have been thoroughly explained to me by my attorney.

I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial would be contrary to my best interest.

I am signing this agreement voluntarily, after consultation with my attorney, and I am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement.

I am not now under the influence of any intoxicating liquor, a controlled substance or other drug which would in any manner impair my ability to comprehend or understand this

1 agreement or the proceedings surrounding my entry of this plea.

2 My attorney has answered all my questions regarding this guilty plea agreement and  
3 its consequences to my satisfaction and I am satisfied with the services provided by my  
4 attorney.

5 DATED this 9 day of Jan 2013  
~~September, 2012.~~

  
6  
7 GLENN DOOLIN, aka  
8 Glenn Miller Doolin  
9 Defendant

8 AGREED TO BY:

9  
10 Noreen Demonte  
11 NOREEN DEMONTE  
12 Chief Deputy District Attorney  
13 Nevada Bar #008213  
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1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the  
3 court hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the  
5 charge(s) to which guilty pleas are being entered.  
6 2. I have advised the Defendant of the penalties for each charge and the  
7 restitution that the Defendant may be ordered to pay.  
8 3. I have inquired of Defendant facts concerning Defendant's immigration status  
9 and explained to Defendant that if Defendant is not a United States citizen any  
10 criminal conviction will most likely result in serious negative immigration  
11 consequences including but not limited to:

- 12 a. The removal from the United States through deportation;  
13 b. An inability to reenter the United States;  
14 c. The inability to gain United States citizenship or legal residency;  
15 d. An inability to renew and/or retain any legal residency status; and/or  
16 e. An indeterminate term of confinement, by with United States Federal  
17 Government based on the conviction and immigration status.

18 Moreover, I have explained that regardless of what Defendant may have been  
19 told by any attorney, no one can promise Defendant that this conviction will  
20 not result in negative immigration consequences and/or impact Defendant's  
21 ability to become a United States citizen and/or legal resident.

- 22 4. All pleas of guilty offered by the Defendant pursuant to this agreement are  
23 consistent with the facts known to me and are made with my advice to the  
24 Defendant.  
25 5. To the best of my knowledge and belief, the Defendant:  
26 a. Is competent and understands the charges and the consequences of  
27 pleading guilty as provided in this agreement,  
28 b. Executed this agreement and will enter all guilty pleas pursuant hereto  
voluntarily, and  
c. Was not under the influence of intoxicating liquor, a controlled  
substance or other drug at the time I consulted with the Defendant as  
certified in paragraphs 1 and 2 above.

29 Dated: This 9 day of January, 2013  
30 September, 2012.

31   
32 ATTORNEY FOR DEFENDANT

33 dd

1 **INFM**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 NOREEN DEMONTE  
6 Chief Deputy District Attorney  
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11 Attorney for Plaintiff

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STEVEN D. GRIERSON  
CLERK OF THE COURT

NOV 06 2012

BY, CAROLE D'ALOIA, DEPUTY

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,  
10  
11 Plaintiff,

CASE NO: C-12-284106

DEPT NO: XXV

12 -vs-

13 GLENN DOOLIN, aka  
14 Glenn Miller Doolin, #1990096  
15 Defendant.

12 **AMENDED**  
13 **INFORMATION**

15 STATE OF NEVADA }  
16 COUNTY OF CLARK } ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State  
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That GLENN DOOLIN, aka Glenn Miller Doolin, the Defendant(s) above named,  
20 having committed the crimes of GRAND LARCENY AUTO (Category C Felony - NRS  
21 205.228.2) and POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor - NRS  
22 205.080), on or about the 15th day of June, 2012, within the County of Clark, State of  
23 Nevada, contrary to the form, force and effect of statutes in such cases made and provided,  
24 and against the peace and dignity of the State of Nevada,

25 COUNT 1 - GRAND LARCENY AUTO

26 did then and there intentionally, unlawfully, and feloniously, with intent to deprive  
27 the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a  
28 motor vehicle owned by another person, in the possession of SCOOTER UP LAS VEGAS,

exhibit 1

000015

1 to-wit: a 2012 TAOTAO Moped, bearing VIN No. L9NTEACB0C1013333.

2 COUNT 2 - POSSESSION OF BURGLARY TOOLS

3 did wilfully and unlawfully have in his possession, a tool and/or tools commonly used  
4 for the commission of a burglary, larceny, or other crime, to-wit: a screwdriver, under  
5 circumstances evincing an intent by Defendant to use or employ said tools in the  
6 commission of a crime.

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

10 BY NOREEN DEMONTE  
11 NOREEN DEMONTE  
12 Chief Deputy District Attorney  
Nevada Bar #008213

13 Names of witnesses known to the District Attorney's Office at the time of filing this  
14 Information are as follows:

<u>NAME</u>	<u>ADDRESS</u>
ARCINIEGA, DAVID	LVMPD P#14185
COLUCCI, ANGELO	LVMPD P#13379
CUSTODIAN OF RECORDS	CCDC
CUSTODIAN OF RECORDS	LVMPD DISPATCH
CUSTODIAN OF RECORDS	LVMPD RECORDS
DARROW, ROBERT	600 LAS VEGAS BLVD. SO., LVN
DEWERDE, SANTINO	LVMPD P#14183
MCGILL, JOSEPH	LVMPD P#3351
SALAZAR, SALIM	LVMPD P#13350
SCHWALBACH, WAYNE	616 LAS VEGAS BLVD. SO., LVN
TINO, ROCKY	616 LAS VEGAS BLVD. SO., LVN

1                   **UNDER NO CIRCUMSTANCES IS THE LANGUAGE CONTAINED**  
2                   **HEREINAFTER TO BE READ TO A JURY HEARING THE PRIMARY OFFENSE**  
3                   **FOR WHICH THE DEFENDANT IS PRESENTLY CHARGED.**

4           Defendant GLENN DOOLIN, aka Glenn Miller Doolin, hereinbefore named, is  
5 placed on notice that, in accordance with the authorization of NRS 207.010, punishment  
6 imposed pursuant to the above-stated habitual criminal statute will be urged upon the Court  
7 if said Defendant is found guilty on the primary offenses of GRAND LARCENY AUTO, for  
8 which the Defendant is presently charged.

9           This page concerning the prior convictions hereinbelow set forth is to be considered  
10 by the Court in its discretion ONLY after the finding of guilty of Defendant on the primary  
11 charge herein.

12           That said Defendant GLENN DOOLIN, aka Glenn Miller Doolin, has been FOUR (4)  
13 TIMES convicted of crimes, which, under the laws of the situs of the crime and/or the State  
14 of Nevada, amount to felonies, to-wit:

15           1.     That on or about the 23rd day of January, 1995, the Defendant was convicted  
16 in the Commonwealth of Virginia, City of Danville, Circuit Court of Danville, for the crime  
17 of LARCENY, in Case No. C94-011224.

18           2.     That in 2002, the Defendant was convicted in and for the Superior Court of the  
19 State of North Carolina, County of Mecklenburg, for the crime of LARCENY OF AUTO, in  
20 Case No. 02CRS243350.

21           3.     That on or about the 31st day of July, 2008, the Defendant was convicted in  
22 the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the  
23 crime of ATTEMPT FORGERY, in Case No. C244957.

24           ///

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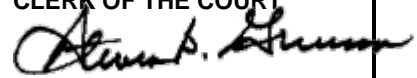
1           4.     That on or about the 26th day of January, 2011, the Defendant was convicted  
2 in the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the  
3 crime of ATTEMPT POSSESSION OF STOLEN VEHICLE, in Case No. C262611.

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

7                                 BY *N. Demonte*  
8                                 NOREEN DEMONTE  
9                                 Chief Deputy District Attorney  
10                                Nevada Bar #008213

11                                **DO NOT READ TO THE JURY**  
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      (TK1)



DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, )  
 )  
Plaintiff, ) Case No. C-12-284106-1  
 )  
vs. ) Dept No. XXV  
 )  
GLENN DOOLIN, )  
 )  
Defendant. )  
 )  
\_\_\_\_\_ )

BEFORE THE HONORABLE KATHLEEN DELANEY

JANUARY 9, 2013, 9:00 A.M.

REPORTER'S TRANSCRIPT  
OF  
ENTRY OF PLEA

APPEARANCES:

For the State:

NOREEN DEMONTE, ESQ.  
Chief Deputy District Attorney  
200 Lewis Avenue  
Las Vegas, NV 89155

For the Defendant:

JEREMY STORMS, ESQ.  
Deputy Public Defender  
330 S. Third Street  
Las Vegas, NV 89155

REPORTED BY: BRENDA SCHROEDER, CCR NO. 867

1 LAS VEGAS, CLARK COUNTY, NEVADA  
2 MONDAY, JANUARY 9, 2013, 9:00 A.M.

3 PROCEEDINGS

4 \* \* \*

5 THE COURT: Calling the matter on page 10, State  
6 of Nevada versus Glenn Doolin. Seeing Mr. Doolin present  
7 in custody. I've got the --

8 MR. STORMS: What you have before you is a  
9 guilty plea. It's not an agreement. He's just pleading  
10 to the sheet, which is Possession of Burglary Tools and  
11 Grand Larceny Auto. We will argue on what the outcome is  
12 just on the open plea.

13 THE COURT: Interesting. All right. Are we  
14 going to need to order up a presentencing?

15 MR. STORMS: PSI, yes.

16 MS. DEMONTE: Yes.

17 THE COURT: All right. And so we are not  
18 actually --

19 MS. DEMONTE: There is no agreement. He is  
20 pleading to the sheet with no negotiations.

21 THE COURT: I get it. So we are just going to  
22 take the plea today without any non-negotiations, no  
23 further agreement, just take the plea.

24 MR. STORMS: That's right.

25 THE COURT: Okay. Mr. Doolin, I do, of course,

1       have a few questions to ask you this morning.

2               THE DEFENDANT:   Yes.

3               THE COURT:   Can you give us your full true name

4       for the record.

5               THE DEFENDANT:   Glen Miller Doolin.

6               THE COURT:   Okay.   Mr. Doolin, how old are you,

7       sir?

8               THE DEFENDANT:   I'm 54 in July.

9               THE COURT:   How far did you go in school?

10              THE DEFENDANT:   Got my GED.

11              THE COURT:   Okay.   Do you read, write and

12       understand the English language?

13              THE DEFENDANT:   Yes, ma'am.

14              THE COURT:   This document was made, I'm

15       assuming, with your input but did you get a chance to

16       read through this and make sure you understand it?

17              THE DEFENDANT:   Yes, ma'am.

18              THE COURT:   All right.   There is a couple of

19       things that we need to discuss.   First of all, the

20       Amended Information that was attached to the guilty plea

21       that you entered, the Amended Information sets forth the

22       two counts.   First count, Grand Larceny Auto, which is a

23       category C Felony.   Second count, Possession of Burglary

24       Tools, a Gross Misdemeanor.

25              Will you waive for me having to read this



1 Amended Information word for word into the record?

2 THE DEFENDANT: Yes.

3 THE COURT: Do you understand the nature of  
4 these charges, sir?

5 THE DEFENDANT: Yes.

6 THE COURT: Did you discuss them with your  
7 counsel?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Okay. Let me ask you first as to  
10 the charge set forth in the Information, first charge,  
11 Grand Larceny Auto, category C Felony, how do you plead;  
12 guilty or not guilty?

13 THE DEFENDANT: Guilty.

14 THE COURT: And as to the second charge,  
15 Possession of Burglary Tools, Gross Misdemeanor, how do  
16 you plead; guilty or not guilty?

17 THE DEFENDANT: Guilty.

18 THE COURT: Okay. I need to make sure that you  
19 are doing this of your own choosing. Are you doing this  
20 of your own choice, sir?

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: Did anybody force you or coerce you  
23 to do this?

24 THE DEFENDANT: No, ma'am.

25 THE COURT: As a result of this plea, did anyone

1       make you any promises, any specific expectations of an  
2       outcome or leniency or anything like that?

3               THE DEFENDANT:  No, ma'am.

4               THE COURT:  And you understand -- and, again, we  
5       don't have the Guilty Plea Agreement but we do have this  
6       plea and you have signed it.  Did you review it before  
7       you signed it?

8               THE DEFENDANT:  Yes.

9               THE COURT:  Okay.  And do you believe that you  
10      understand everything that is contained here?

11              THE DEFENDANT:  Yes, ma'am.  I just want to make  
12      sure that it's left up to the Court for the decision,  
13      right?

14              THE COURT:  And we will get to that in a minute.  
15              You do understood at the time of the sentencing  
16      that the decision of what that sentencing will be will be  
17      mine and mine alone; is that correct?

18              THE DEFENDANT:  Yes, ma'am.

19              THE COURT:  Okay.  Do you have any other  
20      questions before we get to the final wrap-up and go over  
21      some of the facts that led to your plea today.

22              Now do you have any questions for your attorney  
23      or for me?

24              THE DEFENDANT:  No, ma'am.

25              THE COURT:  All right.  Then based on what is in

1 the Amended Information, I've got that as far as Count 1,  
2 Grand Larceny Auto, that the dates relating to this fact  
3 relating to this charge was on the 15th day of June 2012  
4 contrary to form, force and effect of the statutes in the  
5 state of Nevada that you did intentionally, woefully,  
6 unlawfully, feloniously with the intent to deprive the  
7 owner thereof take away from the Scooter Up Las Vegas a  
8 2012 TaTa Moped.

9 Then as to Possession of Burglary Tools, that  
10 you did that same day have in your possession a tool or  
11 other tools commonly used in the commission of burglary,  
12 larceny or other crime, specifically, screwdriver and  
13 with the intent to use or deploy those tools in the  
14 commission of the crime.

15 Now I did not read everything in here but I read  
16 a lot of it. Are these facts fairly representing the  
17 reason why you are entering a plea today?

18 THE DEFENDANT: Yes.

19 THE COURT: And that word -- just meaning that  
20 because I did not read it word for word is that a fair  
21 summary, I guess I should say, of the facts and the  
22 reason why you are entering into the plea today?

23 THE DEFENDANT: Yes.

24 THE COURT: Ms. Demonte, do you have anything  
25 further allocution wise that you need today?

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MS. DEMONTE: No, Your Honor.

THE COURT: Okay. Thank you.

At this time I am going to find that the Defendant's plea of guilty was freely and voluntarily made, the Defendant understands the nature of these offenses and the consequence of this plea.

I will accept this plea of guilty and I will set this matter over for a Presentence Investigation Report by Parole and Probation in the normal course for someone in custody, which is 60 days.

MR. STORMS: Thank you, Your Honor.

THE COURT: Here's your date.

THE CLERK: March 13th at 9:00 a.m.

MS. DEMONTE: Thank you, Your Honor.

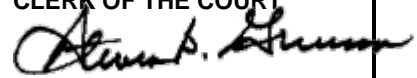
(Proceedings were concluded.)

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DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, )  
 )  
Plaintiff, ) Case No. C-12-284106-1  
 )  
vs. ) Dept No. XXV  
 )  
GLENN DOOLIN, )  
 )  
Defendant. )  
 )  
\_\_\_\_\_ )

BEFORE THE HONORABLE KATHLEEN DELANEY

APRIL 10, 2013, 9:00 A.M.

REPORTER'S TRANSCRIPT  
OF  
SENTENCING

APPEARANCES:

For the State:

NOREEN DEMONTE, ESQ.  
Chief Deputy District Attorney  
200 Lewis Avenue  
Las Vegas, Nevada 89155

For the Defendant:

RYAN BASHOR, ESQ.  
Deputy Public Defender  
309 S. Third Street  
Las Vegas, Nevada 89155

REPORTED BY: BRENDA SCHROEDER, CCR NO. 867

1 LAS VEGAS, CLARK COUNTY, NEVADA  
2 MONDAY, APRIL 10, 2013, 9:00 A.M.

3 PROCEEDINGS

4 \* \* \*

5 THE COURT: Calling the matter on page 7, State  
6 of Nevada versus Glenn Doolin. This matter is on for  
7 sentencing. I do want to note that we did receive the  
8 letters of support on Mr. Doolin's behalf. And we have,  
9 obviously, seen the PSI which needed some corrections; we  
10 got that taken care of.

11 Is there any legal cause or reason that either  
12 counsel knows of that we should not go forward with  
13 sentencing.

14 MS. DEMONTE: No, Your Honor.

15 MR. BASHOR: No, Your Honor.

16 THE COURT: Mr. Doolin did plead guilty in  
17 January to one count of Grand Larceny Auto, a felony, and  
18 one count of Possession of Burglary Tools, a gross  
19 misdemeanor.

20 I have basically a guilty plea but no  
21 negotiations in terms of argument or otherwise, so I am  
22 assuming the State is going to argue.

23 I do have a Sentencing Memorandum besides the  
24 letters from the Public Defender's Office. I have a  
25 Sentencing Memorandum where the State is seeking the

1       habitual treatment and there may be some things it looks  
2       like, counsel, you may have to provide to the Court in  
3       that regard.

4               MS. DEMONTE:   Your Honor, attached to the  
5       memorandum were copies of the judgment just in case --  
6       may I approach your clerk with the actual certified  
7       originals?

8               THE COURT:   Yes.

9               MR. BASHOR:   Your Honor, are you in receipt of  
10      Mr. Storms' Memorandum that we attached to those letters  
11      dated January 2013?

12              THE COURT: Yes, I have it all.

13              MR. BASHOR:   Okay.

14              THE COURT:   And I reviewed it all more  
15      importantly.

16              MR. BASHOR:   Yes.

17              MS. DEMONTE:   Since the Court has read my  
18      Memorandum I will be very very brief.

19              I am not asking to put Mr. Doolin away for the  
20      rest of his life, but at this point in time --

21              THE COURT:   Which you certainly could be  
22      eligible to do.

23              MS. DEMONTE:   He certainly qualifies for it and  
24      he is certainly eligible for it; however, at this point  
25      in time a 12 to 36 month sentence, which is what



1 Mr. Storms asked for in this original Memorandum is  
2 completely inappropriate and completely outside the pail.

3 At this point in Mr. Doolin's criminal career he  
4 absolutely qualifies and has absolutely earned the label  
5 as a habitual criminal and I would ask that he be  
6 sentenced as such.

7 My offer in this case that he waived up on was  
8 actually just a 5 to 12 and a half. It has to be run  
9 consecutive. I will stand by that offer. I believe that  
10 is an appropriate resolution for this case and I would  
11 ask the Court to impose that at this time.

12 THE COURT: All right.

13 Mr. Bashor.

14 THE COURT: Your Honor, if it's okay, can  
15 Mr. Doolin speak before me?

16 THE COURT: Yes. Mr. Doolin can absolutely go  
17 first.

18 THE DEFENDANT: Yes, ma'am. Thank you, Your  
19 Honor. I would like to say I am sorry to the Court, to  
20 Las Vegas for my actions. It stemmed behind my drug  
21 addiction. I've battled drug addiction since I was 18  
22 years old. I think I wrote a letter to you -- did you  
23 receive it from me?

24 THE COURT: I have everything, Mr. Doolin.

25 THE DEFENDANT: Okay. You know I was hooked on

1 pain killers since I was 18 years old because of a motor  
2 cycle wreck I was in. I got in cocaine. Everything I've  
3 done, Your Honor, has been stemmed behind my drug  
4 addiction. I have never robbed anybody. I never broke  
5 into a home. I've done some dumb things and done some  
6 dumb choices.

7 I've got electrical -- I'm an electrical  
8 journeyman. I'm a certified welder. I've got a GED. I  
9 own a home back home and I have a family that has been  
10 reunited. I know you got the letters from them, the  
11 letters of support.

12 I'm also in school in High Desert. I've  
13 completed anger management since I've been back in  
14 November. I've got some computer classes and I'm getting  
15 my high school diploma right now. I've got all the stuff  
16 right here for you -- my certificates.

17 And I also found a one year treatment center  
18 here in Las Vegas that's inpatient treatment for my drug  
19 addiction. They will accept me upon release of prison.

20 I have 17 months left. I have been locked up  
21 since January 2010. I went to Casa Grande, they sent me  
22 there, I relapsed. I'm a chronic relapser of cocaine.  
23 I've been peddling down the strip selling things and  
24 that's why I missed everything. I'm an addict.

25 I have never been to any kind of inpatient

1 treatment. I've never been to any kind of counseling but  
2 AA. I have attended all my classes there. I've got all  
3 my certificates and I am trying to change. My family  
4 has been reunited to me.

5 I know Ms. Demonte, that's her job. And, yes,  
6 I've got some criminal stuff. I'm not trying to make  
7 excuses, Your Honor. I'm an addict. I need help.

8 THE COURT: It sounds like all you are doing,  
9 Mr. Doolin, is making excuses. Not to make light of it  
10 but I have I dealt with a lot of addicts. I've dealt  
11 with a lot of addicts for a long time and I normally hear  
12 them talk and take responsibility for it and it sounds  
13 like that you feel that you have been a victim of  
14 everything including what jobs you were made to do and  
15 what drugs you were taking and I don't hear you taking  
16 responsibility for your actions at all, sir.

17 THE DEFENDANT: I knew that I'd done stuff. I'm  
18 an addict and I have been doing this stuff. Crazy,  
19 stupid choices. I know this now. Now I'm searching and  
20 trying to find out why I've been doing -- medicating all  
21 these feelings and stuff. I mean, I'm not making  
22 excuses. I am trying to tell you that -- I don't know  
23 why I've been high and using drugs all these years. I'm  
24 searching and trying to find out.

25 THE COURT: Okay. That is all you can keep

1       doing, Mr. Doolin. You are still here. The drug  
2       addiction hasn't killed you, it just might, but you're  
3       still here and can still perhaps find some answers.

4               Do you have anything else you want to address  
5       with the Court this morning?

6               THE DEFENDANT: No, Your Honor.

7               MR. BASHOR: Your Honor, he is a 54 year-old  
8       gentleman and it's easy to say let's give up, it's  
9       hopeless, let's label him a habitual criminal. Let's  
10      lock him up for as long as we can. Does he qualify for  
11      it? Certainly. It's here.

12              But I do find it remarkable and interesting that  
13      he has so much mitigation, that he has so many letters  
14      submitted on his behalf and that he has been able to  
15      reunite with his family and he has taken it upon himself  
16      to investigate things that he could take advantage of  
17      should he be released sometime in the future.

18              It is refreshing to see that there are people  
19      out there that haven't given up on him given his age and  
20      given his health. He does admit to a drug addiction. Is  
21      it an excuse? Maybe. But I would like to see somebody  
22      at his age recognize it and still solve the problem and  
23      still live what's left of his life at this relatively  
24      late stage.

25              Mr. Storms did take a risk in taking this

1 negotiation. He is serving a sentence currently, Your  
2 Honor, separate department. He has zero days credit on  
3 this case.

4 THE COURT: I've got two cases that --

5 MR. BASHOR: Correct. He has the parole  
6 violation because he escaped, quote, unquote, from Case  
7 Grande, so he is going to max that sentence out.

8 I would just submit that the ordinary sentencing  
9 range here, Your Honor, you have the discretion to impose  
10 for the conduct that he has committed in this particular  
11 case as a commuter, et cetera, is appropriate.

12 I would ask Your Honor not to treat him as a  
13 habitual criminal. It has to run consecutively to what  
14 he's serving so that this is not somebody who is getting  
15 out tomorrow. He knows that he has a term of  
16 incarceration ahead of him.

17 I would just submit that the ordinary sentencing  
18 range or the underlying offense is appropriate given the  
19 fact that he has zero credit, given the fact that he  
20 still has to expire the other sentence, so he will be  
21 incarcerated for a significant period of time.

22 THE COURT: All right. Thank you. I have read  
23 and reviewed everything. And, yes, I had some heartburn  
24 over Mr. Doolin, but at the end of the day when I look at  
25 a situation like this, we don't ever give up, but we also

1 cannot look at this and say don't treat this as a  
2 habitual.

3 I think Ms. Demonte has been very fair in her  
4 offer and I do want to note that there were seven, is  
5 that correct, Ms. Demonte, of the certified judgments of  
6 convictions that you submitted?

7 MS. DEMONTE: Correct, there were.

8 THE COURT: We have, obviously, a larger prior  
9 criminal history than that but we do have the seven to  
10 support which would support either a small or a large  
11 treatment as a habitual.

12 There's a reason for the saying, the straw that  
13 broke the camel's back. The straw is never the heaviest  
14 thing. It's never the biggest case. It's always the  
15 last little thing that takes us over the top.

16 So, Mr. Dookin, you know, I hope you meant all  
17 these things that you said when you did talk about the  
18 things you are trying to figure out, and you will figure  
19 them out but you will have some significant incarceration  
20 time to do that which is worthy of your entire record  
21 that we see here.

22 I am going to adjudicate you at this time guilty  
23 of Grand Larceny Auto, a felony. I will adjudicate you  
24 as a small habitual criminal. And I am going to sentence  
25 you to a minimum of 60, maximum of 150 months in the

1 Nevada Department of Corrections. That sentence to run  
2 consecutive to cases C283685 and C262611.

3 I will adjudicate you on Count 2, Possession of  
4 Burglary Tools, a gross misdemeanor, to 12 months in the  
5 Clark County Detention Center which will run consecutive  
6 also to Count 1.

7 Much of this is ultimately required by the  
8 statute depending on how you choose your treatment where  
9 I exercise my discretion and I think it's appropriate in  
10 this case.

11 I hope, Mr. Doolin, that you do still find a way  
12 but this record mandates nothing less.

13 MS. DEMONTE: Thank you, Your Honor.

14 THE COURT: And I have credit for time served  
15 not applicable here because of his priors.

16 MS. DEMONTE: Correct, Your Honor.

17 (Proceedings were concluded.)  
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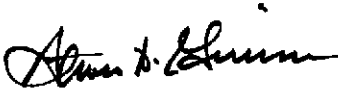
## REPORTER'S CERTIFICATE

STATE OF NEVADA )  
 ) ss.  
COUNTY OF CLARK )

I, BRENDA SCHROEDER, a certified court reporter in and for the State of Nevada, do hereby certify that the foregoing and attached pages 1-11, inclusive, comprise a true, and accurate transcript of the proceedings reported by me in the matter of THE STATE OF NEVADA, Plaintiff, versus STATE OF NEVADA versus GLENN DOOLIN, Defendant, Case No. C284106, on April 10, 2013.

/s/ Brenda Schroeder  
BRENDA SCHROEDER, CCR NO. 867



  
CLERK OF THE COURT

JOCP

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO. C284106-1

DEPT. NO. XXV

GLENN DOOLIN  
aka Glenn Miller Doolin  
#1990096

Defendant.

JUDGMENT OF CONVICTION  
(PLEA OF GUILTY)

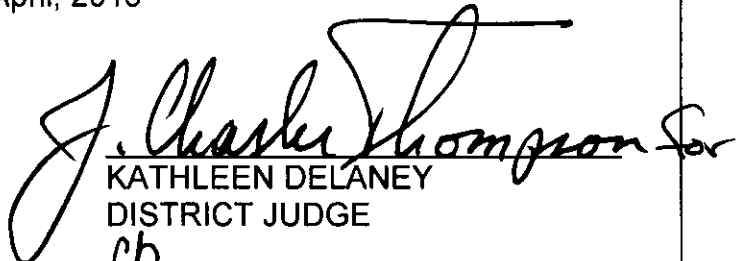
The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – GRAND LARCENY AUTO (Category C Felony), in violation of NRS 205.228.2, and COUNT 2 – POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor), in violation of NRS 205.080; thereafter, on the 10<sup>TH</sup> day of April, 2013, the Defendant was present in court for sentencing with his counsel, RYAN BASHOR, Deputy Public Defender, and good cause appearing,

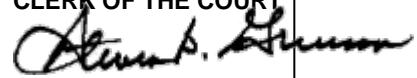
THE DEFENDANT IS HEREBY ADJUDGED guilty of COUNT 2 – POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor) and, under the SMALL HABITUAL Criminal Statute the Defendant is ADJUDGED guilty of COUNT 1 – GRAND LARCENY AUTO (Category C Felony) and, in addition to the \$25.00

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1 Administrative Assessment, the Defendant is sentenced as follows: as to COUNT 1 -  
2 to a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS with a MINIMUM Parole  
3 Eligibility of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC),  
4 COUNT 1 to run CONSECUTIVE to Cases C283685 and C262611; and as to COUNT  
5 2 – TWELVE (12) MONTHS in the Clark County Detention Center (CCDC), COUNT 2  
6 to run CONSECUTIVE to COUNT 1; with ZERO (0) DAYS Credit for Time Served. As  
7 the Fee and Genetic Testing have been previously imposed, the Fee and Testing in the  
8 current case are WAIVED.

9  
10 DATED this 24<sup>th</sup> day of April, 2013

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14 KATHLEEN DELANEY  
15 DISTRICT JUDGE  
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**MOT**

W. JEREMY STORMS  
Nevada Bar No. 10772  
330 South Third Street, 8th Floor  
Las Vegas, NV 89155  
(702) 455-6265  
Fax No. 702-455-6273  
[jeremy.storms@clarkcountynv.gov](mailto:jeremy.storms@clarkcountynv.gov)  
Attorney for Doolin

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

STATE OF NEVADA,	)	CASE NO. C-12-284106-1
	)	DEPT. XXV
Plaintiff,	)	
	)	
vs.	)	
	)	<b>HEARING DATE REQUESTED</b>
GLENN MILLER DOOLIN, #1990096	)	
	)	
Defendant.	)	
	)	

**MOTION TO MODIFY SENTENCE**

DATE: \_\_\_\_\_  
TIME: \_\_\_\_\_

COMES NOW, GLENN MILLER DOOLIN, by and through his attorney, W. Jeremy Storm respectfully requesting this court modify Mr. Doolin's yet-to-be-served sentence of one year in the county jail, altering it to informal probation as he has otherwise served seven years, four months and six days from his date of arrest for the offense that gave rise to this case and will already be supervised on parole until March of 2021.

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TO: District Attorney, Attorney for Plaintiff

## DECLARATION

1. I am an attorney duly licensed to practice law in the State of Nevada; I was the  
Public Defender assigned to represent the Defendant in the instant matter, I now am an  
at the Special Public Defender representing the defendant pro-bono.

3. At the date of his parole, October 30<sup>th</sup>, 2019, Mr. Glenn Miller Doolin will have seven years, four months and six days for this case.

5. Mr. Doolin's parole supervision is set to expire on March 30<sup>th</sup>, 2021, according to counsel's understanding of information provided by the Nevada Department of Corrections.

EXECUTED this \_\_\_\_\_ day of October, 2019.

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1  
2 **POINTS AND AUTHORITIES**

3 In this case, Glenn plead straight-up to grand larceny auto and possession of burglary  
4 tools for taking an orange rental scooter from “Scooter Up!,” using a screwdriver to start the  
5 vehicle. A security guard at the Bible Federal Building observing these acts, notified Metro  
6 who then arrested Glenn. The court imposed a habitual criminal sentence on Mr. Doolin.  
7

8 **ARGUMENT**

9 **I. Mr. Doolin has served over 7 years for his offense, modifying his sentence will**  
10 **allow him to begin the reintegration process and free-up bed space for other**  
11 **offenders at the Clark County Detention Center.**

12 Attached to this motion are the papers Glenn provided counsel, which look to be the  
13 parole hearing report issued by NDOC. (Attached as Exhibit A). Counsel would note for the  
14 court that the report notes that Glenn received a number of merit awards, work assignments  
15 and programs that he completed during his incarceration. He only had one write-up  
16 documented during this same time period. Mr. Doolin plead straight-up in this case hoping the  
17 court would not habitualize him. As Mr. Doolin has yet to begin the imposed 12 month  
18 sentence set to run consecutive to the prison sentence he has been approved to be released upon,  
19 it is still within the jurisdiction of this court to decide the issue. See Passanisi v. State, 108  
20 Nev. 318, 322 (1992). The materially untrue assumption in Glenn’s sentencing that give rise to  
21 the request for a sentencing modification is the substantial body of evidence that long prison  
22 sentences for low level offenses such as the property crime committed here are  
23 counterproductive to fighting crime or rehabilitating the convicted.<sup>1</sup> See Edwards v. State, 112  
24 Nev. 704, 707 (1996).  
25  
26

27  
28 <sup>1</sup> See National Research Council of the National Academies “The Growth of Incarceration in the United States:  
Exploring Causes and Consequences” (2014) found at: <https://www.nap.edu/read/18613/chapter/1>; PEW  
Charitable Trust, “States Can Safely Raise Their Felony Theft Thresholds, Research Shows” (2018) found at

1 Mr. Glenn Miller Doolin will be supervised by Parole and Probation upon his release  
2 from prison already, due to his pending sentence that is set to expire on March, 30<sup>th</sup>, 2021.  
3 Placing Mr. Doolin on informal probation for the yet-to-be-served gross misdemeanor sentence  
4 will put Mr. Doolin in a position to be on parole and integrate back into society. Otherwise,  
5 since he already will be supervised as part of his parole the suspended sentence could be  
6 imposed in the future if it becomes necessary.  
7

8 **CONCLUSION**

9 For the reasons above, the defense respectfully requests that the Court modify Mr.  
10 Glenn Miller Doolin's sentence for possession of burglary tools to informal probation.  
11

12 DATED this 10th day of October, 2019.

13 Respectfully submitted

14 /s/ W. JEREMY STORMS

15 \_\_\_\_\_  
16 W. JEREMY STORMS  
17 Attorney for Doolin  
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27 <https://www.pewtrusts.org/en/research-and-analysis/articles/2018/05/22/states-can-safely-raise-their-felony-theft-thresholds-research-shows>; [The Sentencing Project, sentencingproject.org](https://www.sentencingproject.org); [Scientific American](https://www.scientificamerican.com/article/do-prisons-make-us-safer/) "Do Prisons Make  
28 Us Safer? New research shows that prisons prevent far less violent crime than you might think." By David J. Harding on June 21, 2019: found at <https://www.scientificamerican.com/article/do-prisons-make-us-safer/>

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that service of the Motion To Modify Sentence was made on October 10, 2019, by Electronic Filing to:

DISTRICT ATTORNEY'S OFFICE  
email: [motions@clarkcountyda.com](mailto:motions@clarkcountyda.com)

/s/Elizabeth (Lisa) Araiza

---

An employee of the Special Public Defender

# **EXHIBIT A**





# NEVADA DEPARTMENT OF CORRECTIONS

## PAROLE HEARING REPORT

<b>NDOC#:</b>	0001023173	<b>COMMIT TYPE:</b>	New Commitment
<b>NAME:</b>	DOOLIN, GLENN MILLER	<b>COMMIT DATE:</b>	04/10/2013
<b>AGE:</b>	59.8	<b>RETRO DATE:</b>	10/31/2014
<b>OFFENSE SEVERITY</b>	HIGH	<b>TOTAL TIME SERVED</b>	6 Year(s) And 6 Mo From Retro To: 05/01/2015
<b>PRIMARY LANGUAGE</b>	English: No Interpreter	<b>SECONDARY LANGUAGES</b>	No Second Language

### SENTENCE STRUCTURE

Lvl	S	Case#	Cnt	Offense	MIN	MAX	Retro Date	PED	MPR	
1.01	DCS	283685	1	UNATH ABSENCE FROM PLACE OF ASSIGNMENT	18	48	discharged	discharged	discharged	d
2.01	A	C284106-1	1	HABITUAL CRIMINAL (LESSER)	60	150		10/30/2019	09/27/2020	0

### PRIOR FELONIES

Book No	CaseInfo#	NOC	Offense Description	Cat	Severity	Offen
2012-064153	UNKNOWN	84	INVOLUNTARY MANSLAUGHTER	CAT D	Moderate	09/27/
2012-064153	UNKNOWN	613	THEFT	CAT C	Moderate	09/18/
2012-064153	UNKNOWN	667	LARCENY FROM THE PERSON	CAT C	Low Moderate	03/16/
2012-064153	1998CRS035176	650	GRAND LARCENY OF FIREARM	CAT B	Moderate	01/09/
2012-064153	2000CRS034599	984	POSS CON SUB SCH 1-4 1ST OFF	CAT E	Low	08/12/
2012-064153	2001CRS000005	659	GRAND LARCENY OF MOTOR VEHICLE	CAT B	Low Moderate	12/31/
2012-064153	2002CRS086101	691	POSSESSION STOLEN VEHICLE	CAT B	Low Moderate	01/07/
2012-064153	C244957	632	ATT FORGERY	CAT E	Low Moderate	03/21/
2012-064153	C262611	461	ATT POSSESSION STOLEN VEHICLE	CAT D	Low Moderate	02/16/

### MERIT AWARDS

Date	Merit Award	Credits
12/13/2013	Commitment to Change, Phase I	15
12/13/2013	Commitment to Change, Phase II	15
02/03/2015	Commitment to Change, Phase III	15
10/24/2018	Getting It Right: Contributing to the Community	30
	Total:	75

### CREDIT EARNING

<b>FLAT:</b>	<b>STAT:</b>
2456	1617

### HOLDS AND DETAINERS

Date	Jurisdiction	Hold/Det Type	Extradition Type	Comment
02/20/2018		Gross Misdemeanor Hold	Extradition Indicated	CCDC

### STG INVOLVEMENT

Action Date	Major Group	Minor Group	Validate Action
No STG Actions	No STG Actions	No STG Actions	No STG Actions

STG MEMBER STATUS: NO STATUS

### OFFENSES IN CUSTODY

Date	HR	Charges / Results	Sanctions (Mnth)
01/27/2015	PH	G14: Failure to Follow Rules and Regs M7: Misuse of Supplies	Loss Of Canteen Privi

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EDUCATION  
ELEMENT

From	To
HDSP	SDCC
OUT	HDSP

WORK ASSIGNMENT HISTORY

Inst	Assignment	Start	End	Sts
SDCC	Culinary Janitor Crew	04/18/2019		ACT
SDCC	Gym Workers Sun-Sat (or when yard opens)	04/10/2019		INA
SDCC	Porter	01/29/2018		INA
SDCC	Gym Workers Sun-Sat (or when yard opens)	10/24/2017	04/10/2019	ACT
SDCC	Porter	09/01/2015	01/29/2018	ACT
HDSP	Barbers	11/04/2014		INA
HDSP	Barbers	03/06/2014	11/04/2014	ACT
HDSP	Porter	12/31/2013		INA
HDSP	Porter	09/06/2013	12/31/2013	ACT

CLASSIFICATIONS

Date	Calc	Ovrd	Appr
01/04/2019	MED		MED
07/18/2018	CT	MED	MED
01/31/2018	MED		MED
08/11/2017	MED		MED
02/16/2017	MED		MED
08/02/2016	MED		MED
02/02/2016	MED		MED
08/10/2015	MED		MED
03/02/2015	MED		MED
07/10/2014	MED	MED	MED
12/24/2013	MED		MED
06/27/2013	MED		MED
12/26/2012	MED		MED

PROGRAM ASSIGNMENTS

Description	From	To	Status			
ot: L&L	Educ128	Tu,Th	08:30-10:30	03/21/2019	06/06/2019	Assigned
h I	Steps 1 - 4	Th	14:30 - 15:30	11/13/2018	11/20/2018	Not Completed
2	M&Tu	08:00-10:30	08/28/2018	10/23/2018	Completed	
lics Anon	L1	1st F	1330-1430	01/10/2018	03/05/2019	Completed
lics Anon	L1	3rd F	1330-1430	01/10/2018	03/05/2019	Completed
th5	CCSD EDU BLDG:M-F	08:00-09:00	08/14/2017	08/21/2017	Not Completed	
story	CCSD EDU BLDG:M-F	09:00-10:00	08/14/2017	08/21/2017	Not Completed	
ence	CCSD EDU BLDG:M-F	10:00-11:00	08/14/2017	08/21/2017	Not Completed	
ion Student	02/18/2014	08/26/2014	Completed			
ion Student	02/18/2014	08/26/2014	Completed			
ion Student	09/26/2013	10/01/2013	Not Completed			
ion Student	03/27/2013	04/29/2013	Not Completed			

CURRENT  
EDUCATION

At Intake: HSE  
Completed  
Current: HSE  
Completed

MENTAL HEALTH RESTRICTIONS

Restriction	Assign Date	Expiry Date
No restrictions	11/15/2012	NE



CCS R. Brice

Board of State  
Prison Commissioners

STEVE SISOLAK  
Governor

BARBARA CEGAVSKE  
Secretary of State

AARON FORD  
Attorney General



# STATE OF NEVADA DEPARTMENT OF CORRECTIONS



Southern Desert Correctional Center  
20825 Cold Creek Road  
P.O. Box 208  
Indian Springs, Nevada 89070-0208  
Phone (702) 486-3888 – Fax (702) 879-1212

**DATE:** October 3, 2019

**TO:** Mr. Jeremy Storms

**FROM:** CCS R. Brice

<b>SUBJECT:</b>	<b>NAME:</b>	DOOLIN, GLENN	<b>NDOC#</b>	00010
	<b>AKA:</b>	DOOLIN, GLENN MILLER		
	<b>DOB:</b>	07/08/1959	<b>SSN#</b>	226-80-4
	<b>FBI ID:</b>	880 247 R6		

## Sentence Structure

LVL	S	CASE#	CNT	OFFENSE	MIN	MAX	RETRO DATE	PED	MPR	J
1.01	DCS	283685	1	UNATH ABSENCE FROM PLACE OF ASSIGNMENT	18	48	DISCHARGED	DISCHARGED	DISCHARGED	DISC
2.01	A	C284106- 1	1	HABITUAL CRIMINAL (LESSER)	60	150		10/30/2019	09/19/2020	03/2

The following information is provided by a Nevada Department of Corrections, and is verified by Correctional Caseworker.

**DATE OF INCARCERATION:** 08/15/2012  
**LENGTH OF INCARCERATION:** 18-150 Months

The above listed information has been verified by the undersigned Correctional Casev  
The information provided on this document is considered accurate as of the date noted  
The dates provided above are subject to change at anytime due to credits the inmate ma  
over time. For the most up to date information please contact the NDOC.

**CCS R. Brice**

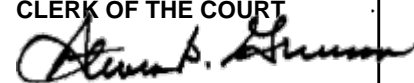
SIGNATURE

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CCS R. Bice

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1 **RSPN**  
2 **STEVEN B. WOLFSON**  
3 **Clark County District Attorney**  
4 **Nevada Bar #001565**  
5 **ALEXANDER CHEN**  
6 **Chief Deputy District Attorney**  
7 **Nevada Bar #0010539**  
8 **200 Lewis Avenue**  
9 **Las Vegas, Nevada 89155-2212**  
10 **(702) 671-2500**  
11 **Attorney for Plaintiff**

7  
8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

9 **THE STATE OF NEVADA,**  
10 **Plaintiff,**

11 **-vs-**

12 **GLENN DOOLIN, aka,**  
13 **Glenn Miller Doolin, #1990096**  
14 **Defendant.**

**CASE NO: C-12-284106-1**

**DEPT NO: XXV**

15 **STATE'S RESPONSE TO DEFENDANT'S MOTION**  
16 **FOR MODIFICATION OF SENTENCE**

17 **DATE OF HEARING: October 21, 2019**  
18 **TIME OF HEARING: 9:00 A.M.**

19 Comes now, the State of Nevada, by Steven B. Wolfson, Clark County District  
20 Attorney, through ALEXANDER CHEN, Chief Deputy District Attorney, and hereby submits  
21 the attached Points and Authorities in Response to Defendant's Motion for Modification of  
22 Sentence.

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

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On November 6, 2012, Glenn Doolin ("Defendant") was charged by way of  
4 Information with one count of Grand Larceny Auto (Category C Felony – NRS 205.228.2)  
5 and one count of Possession of Burglary Tools (Gross Misdemeanor – NRS 205.080).

6 On January 9, 2013, Defendant pleaded guilty to both of these charges. On April 10,  
7 2013, Defendant was sentenced under the small habitual criminal statute as follows: as to the  
8 count of Grand Larceny Auto, he was sentenced to 60 to 150 months in the Nevada Department  
9 of Corrections to run consecutive to cases C283685 and C262611; as to the count of Possession  
10 of Burglary Tools, he was sentenced to 12 months in the Clark County Detention Center and  
11 this sentence was to run consecutive to the sentence imposed for Grand Larceny Auto. On  
12 April 26, 2013, a Judgment of Conviction was filed. Defendant did not file a direct appeal.

13 On January 30, 2015, Defendant filed a Motion to Modify Sentence. The State filed its  
14 Response on February 6, 2015. And on February 9, 2015, Defendant's Motion was denied.  
15 Defendant then filed a Post-Conviction Petition for Writ of Habeas Corpus on February 9,  
16 2016, to which the State responded on April 6, 2016. On April 13, 2016, the Court denied  
17 Defendant's petition and entered a Findings of Fact, Conclusions of Law and Order to that  
18 effect on May 17, 2016.

19 Defendant subsequently filed another Motion for Modification of Sentence on  
20 September 12, 2016. This Court denied the Defendant's Motion on October 26, 2016, based  
21 on the grounds it did not have jurisdiction to modify the sentence. The Defendant tried again  
22 to have his sentence modified in 2017, but his Motion was once again denied on January 17,  
23 2018. In October of 2018, he filed a Motion for Reconsideration again asking for a  
24 modification of his sentence, which this Court again denied. On October 10, 2019, Defendant  
25 through his attorney filed another Motion to Modify Sentence. In addition to the State's past  
26 responses, the State objects and responds now.

27 //

28 //

## ARGUMENT

The Court should deny Defendant's Motion for Modification of Sentence because the claim he raises within is outside the scope of what can be raised in such a motion. In general, a district court lacks jurisdiction to modify a sentence once the defendant has started serving it. *Passanisi v. State*, 108 Nev. 318, 322, 831 P.2d 1371, 1373 (1992). However, a district court does have inherent authority to correct, vacate, or modify a sentence where the defendant can demonstrate the sentence violates due process because it is based on a materially untrue assumption or mistake of fact that has worked to the defendant's extreme detriment. *Edwards v. State*, 112 Nev. 704, 707, 918 P.2d 321, 324 (1996); *see also Passanisi*, 108 Nev. at 322, 831 P.2d at 1373. Not every mistake or error during sentencing gives rise to a due process violation. *State v. District Court*, 100 Nev. 90, 97, 677 P.2d 1044, 1048 (1984). The Nevada Supreme Court has emphasized that a "motion to modify a sentence is limited in scope to sentences based on mistaken assumptions about a defendant's criminal record which work to the extreme detriment of the defendant." *Edwards*, 112 Nev. at 708, 918 P.2d at 325

Here, Defendant asks that this Court "run [his] count 2 (misdemeanor) concurrent with [his] state sentence." Def.'s Mot. for Modification of Sentence at 3. Defendant's claim, however, is outside the scope of what can be raised in a motion to modify a sentence. Defendant has not alleged any materially untrue assumption or mistake of fact that has worked to his extreme detriment. That being the case, this Court should deny Defendant's request.

This Court has already considered and denied Defendant's past motions on this very issue. Even the grounds for modifying his sentence are the same as his past motions. He is asking this Court to show passion, while there is no legal basis to do so.

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1 CONCLUSION

2 Based on the foregoing, the State requests this Court deny Defendant's Motion for  
3 Modification of Sentence.

4 DATED this 14<sup>th</sup> day of October, 2019.

5 Respectfully submitted,

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

9 BY 

10 ALEXANDER CHEN  
11 Chief Deputy District Attorney  
12 Nevada Bar #0010539

13 CERTIFICATE OF ELECTRONIC FILING

14 I hereby certify that service of State's Response to Defendant's Motion for Modification  
15 of Sentence, was made this 14<sup>th</sup> day of October, 2019, by Electronic Filing to:

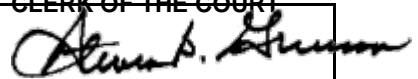
16 W. JEREMY STORMS, Deputy Public Defender  
17 Email: [jeremy.storms@clarkcountynv.gov](mailto:jeremy.storms@clarkcountynv.gov)

18 

19 Secretary for the District Attorney's Office  
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28 12F09527X/AC/ckb/L4





TRAN  
CASE NO. C-12-284106-1  
DEPT. NO. 25

DISTRICT COURT  
CLARK COUNTY, NEVADA

\* \* \* \* \*

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
GLENN DOOLIN, )  
 )  
Defendant. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT  
OF  
DEFT'S MOTION TO MODIFY  
SENTENCE

BEFORE THE HONORABLE KATHLEEN DELANEY  
DISTRICT COURT JUDGE

DATED: MONDAY, OCTOBER 21, 2019

REPORTED BY: SHARON HOWARD, C.C.R. NO. 745

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## 1 APPEARANCES:

2 For the State:

CHAD LEXIS, ESQ.

3  
4 For the Defendant:

WILLIAM STORMS, ESQ.

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1 LAS VEGAS, NEVADA; MONDAY, OCTOBER 21, 2019

2 P R O C E E D I N G S

3 \* \* \* \* \*

4  
5 THE COURT: Page 2, State of Nevada vs. Glenn  
6 Doolin. This is filed pro se. He's seeking to modify his  
7 sentence.

8 MR. STORMS: Judge, I filed one actually, a  
9 motion to modify sentence. I was wondering because it  
10 looks like the State's response didn't actually respond to  
11 what I had written, but seemed to be --

12 THE COURT: We must have missed that too. it  
13 says no attorney, so I made the assumption and then when I  
14 looked at the documents in summary, the briefing my law  
15 clerk put together, I didn't catch it. I apologize.

16 MR. STORMS: If you'd like some time to review  
17 it and move it.

18 Essentially what's happened, Judge, is that he  
19 provided me with his parole report, and then with -- as  
20 well as gave me the name of the half-way house he set up  
21 for himself, as well as an employer. I have been able to  
22 confirm both. There is an affidavit in the front about my  
23 confirmation of where he'll be living. There's these  
24 other things as exhibits. So if you want to look at  
25 them.

1           It's a little different then what he's been so far,  
2           filing his own motions, saying pretty please, Judge, will  
3           you consider doing this. I've got some substantive things  
4           to show the court.

5           THE COURT: Did you address the State made  
6           procedural issue of the fact that he's serving the  
7           sentence now and maybe this isn't the proper mechanism.

8           MR. STORMS: Judge, the argument is he's serving  
9           his sentence. He's serving the felony part of his  
10          sentence, but he has yet to serve the part we're talking  
11          about, which is consecutive gross misdemeanor here in CCDC  
12          custody. So what's going to happen the 30th or the 31st  
13          of this month is paroling on his felony sentence of  
14          habitual sentence of 5 to 12 years that the court imposed.  
15          And then the court ran a gross misdemeanor consecutive.  
16          So what I'm asking, essentially, is to stay the imposition  
17          of that sentence. He's already going to be supervised for  
18          his parole. And then, at that point, from my  
19          understanding from his is if he ends up messing up we can  
20          address what happens with the gross misdemeanor and run it  
21          with his other sentence.

22          THE COURT: I need some more time to connect.  
23          I'm sorry.

24          MR. STORMS: My argument is he hasn't -- the  
25          sentence isn't actually being served yet. It's going to

1       be -- it's going to start being served on the 30th or the  
2       31st, once he paroles from his felony sentence. And that  
3       was my basis -- that's the basis why this is not just  
4       procedurally barred.

5               THE COURT: Who is the attorney, Mr. Lexis. I  
6       have Alexander Chen having done the response. I don't  
7       know if that's just his current assignment or he was the  
8       person familiar with the case. Do you know.

9               MR. STORMS: This was habitual prosecution back  
10      before. I'm not sure. I can't recall honestly who it  
11      was.

12              THE COURT: It's a 2012 case, so it does go back  
13      a ways.

14              MR. LEXIS: I think it was Noreen.

15              MR. STORMS: Noreen DeMonte.

16              THE COURT: All right.

17              I need more time to catch up to it. I'll let  
18      any final comments be made once we've had a chance to  
19      review everything, if the State has anything to add  
20      further.

21              It is a little tricky to be asked, you know,  
22      part of the sentence is served and some part isn't, that  
23      somehow we consider that mechanism different then what the  
24      Supreme Court has told us that post-conviction mechanism  
25      should be. It gives me a minute to connect to that, and

1 to take a look at those cases.

2 MR. STORMS: If the court wants anything  
3 additional, I'd be happy to provide it.

4 There's two issues. One whether or not the sentence  
5 is being served. Secondly, there is a material mistake of  
6 fact on that prong, and I talk about the statistical --  
7 the data suggesting that long prison sentences for  
8 something like a property crime, there's more and more  
9 data suggesting that doesn't deter a crime, as far as  
10 resources. There's two prongs to get past to consider  
11 this and that was my argument on that point.

12 THE COURT: All right.

13 Next Wednesday.

14 THE CLERK: October 30th at 9:00.

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CERTIFICATE  
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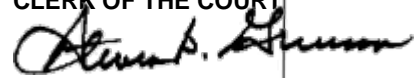
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I, the undersigned certified court reporter in and for the  
State of Nevada, do hereby certify:

That the foregoing proceedings were taken before me at the  
time and place therein set forth; that the testimony and  
all objections made at the time of the proceedings were  
recorded stenographically by me and were thereafter  
transcribed under my direction; that the foregoing is a  
true record of the testimony and of all objections made at  
the time of the proceedings.

A handwritten signature in cursive script, reading "Sharon Howard", is written over a horizontal line. The signature is fluid and includes a large, circular flourish at the end.

Sharon Howard  
C.C.R. #745



**MOT**

W. JEREMY STORMS  
NSB No. 10772  
330 South Third Street, 8th Floor  
Las Vegas, NV 89155  
(702) 455-6265  
Fax No. 702-455-6273  
jeremy.storms@clarkcountynv.gov  
Attorney for Doolin

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

STATE OF NEVADA,	)	CASE NO. C-12-284106-1
	)	DEPT. XXV
Plaintiff,	)	
	)	
vs.	)	
	)	<b>HEARING DATE REQUESTED</b>
GLENN MILLER DOOLIN, #1990096	)	
	)	
Defendant.	)	

**ADDENDUM TO MOTION TO MODIFY SENTENCE**

DATE:  
TIME:.

COMES NOW, GLENN MILLER DOOLIN, by and through his attorney, W. Jeremy Storms respectfully requesting this court modify Mr. Miller's sentence to serve one year in the county jail to informal or formal probation as he has otherwise served seven years, four months and six days from his date of arrest for the offense that gave rise to this case.

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2 **POINTS AND AUTHORITIES**

3 **ARGUMENT**

4 **I. Mr. Doolin has yet to begin serving the consecutive gross misdemeanor sentence**  
5 **imposed upon him as it was run consecutive to the charge he has been serving in**  
6 **prison since 2013.**

7 When counsel last appeared, the Court had questions as to whether it could even  
8 consider modifying Mr. Doolin's sentence because the state claimed he had already begun to  
9 serve the sentence. Although Mr. Doolin has served part of his sentence, the habitual offender  
10 enhanced grand-larceny,<sup>1</sup> he has served no time whatsoever on the gross misdemeanor that this  
11 court ran consecutive. The Court can consider the parole hearing report provided as "Exhibit  
12 A" to the motion filed on October 10th to see that Mr. Doolin has not been serving his gross  
13 misdemeanor sentence in the prison. This is so because the prison in which he is housed has  
14 no legal authority to hold him for the gross misdemeanor sentence he has yet to serve.<sup>2</sup>  
15 Although the court's sentencing of Mr. Doolin *began* when the judgement of conviction filed  
16 in this case, he has yet to serve a single day of time on the gross misdemeanor ran consecutive  
17 to the sentence he has been serving since 2013. See Miller v. Hayes, 95 Nev. 927, 929, 604  
18 P.2d 117, 118 (1979). Accordingly, the court has the authority to modify the sentence on the  
19 gross misdemeanor charge that Mr. Doolin has yet to serve time on.  
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26 <sup>1</sup> A category B felony is a felony for which the minimum term of imprisonment in the *state prison* that may be  
27 imposed is not less than 1 year and the maximum term of imprisonment that may be imposed is not more than 20  
28 years, as provided by specific statute. NRS 193.130 (*emphasis added*)

<sup>2</sup> Every person convicted of a gross misdemeanor shall be punished by imprisonment in the *county jail* for not  
more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment, unless the statute in  
force at the time of commission of such gross misdemeanor prescribed a different penalty. NRS 193.140  
(*emphasis added*).

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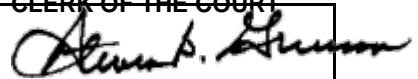
DATED this 23rd day of October, 2019.

/s/ W. JEREMY STORMS

CERTIFICATE OF ELECTRONIC FILING

DISTRICT ATTORNEY'S OFFICE  
email: [motions@clarkcountynvda.com](mailto:motions@clarkcountynvda.com)

### An employee of the Special Public Defender



TRAN  
CASE NO. C-12-284106-1  
DEPT. NO. 25

DISTRICT COURT  
CLARK COUNTY, NEVADA

\* \* \* \* \*

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
GLENN DOOLIN, )  
 )  
Defendant. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT  
OF  
DEFT'S MOTION TO MODIFY  
SENTENCE

BEFORE THE HONORABLE KATHLEEN DELANEY  
DISTRICT COURT JUDGE

DATED: WEDNESDAY, OCTOBER 30, 2019

REPORTED BY: SHARON HOWARD, C.C.R. NO. 745

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## 1 APPEARANCES:

2 For the State:

JOHN JONES, ESQ.

3  
4 For the Defendant:

WILLIAM STORMS, ESQ.

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1 LAS VEGAS, NEVADA; WEDNESDAY, OCTOBER 30, 2019

2 P R O C E E D I N G S

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4  
5 THE COURT: Page 2, State of Nevada vs. Glenn  
6 Doolin. This is the motion to modify sentence. We had  
7 continued this because I really wanted more time to sort  
8 of think this through and connect to some of the things  
9 that had come up during the discussions. I also,  
10 obviously, when I do continue these things while it's not  
11 necessarily a situation where we'll have a new set of  
12 argument, I always, in reflection after we have a  
13 discussion if there is anything anybody wishes to add.

14 Mr. Jones looks like he's ready to jump in with  
15 something.

16 MR. JONES: I do. Before we really get started,  
17 your Honor, I have heard from appeals on this case. They  
18 indicated they have not had an opportunity to respond to  
19 to the addendum that was filed last week by the public  
20 defender. So we're asking for an opportunity to respond  
21 to that addendum.

22 THE COURT: Was it an addendum or a reply.

23 MR. JONES: It says addendum.

24 MR. STORMS: It was an addendum. I was -- you  
25 know, Judge, when you talked about, did he start serving

1 his sentence, I was just pointing out that the gross  
2 misdemeanor statute and the felony statutes would preclude  
3 him from serving the sentence where's he's been for the  
4 last 7 years. He's been in prison, which has no legal  
5 authority to house him for that sentence. And now he's  
6 been released to the County to serve that sentence because  
7 only jails can have someone serve a gross misdemeanor  
8 sentence.

9 All arguments they make, they made in the earlier  
10 motion against things that the client has raised on his  
11 own and so on. I ask we decide this issue.

12 THE COURT: I appreciate your frustration, Mr.  
13 Storms. Here's what I don't want to have happen.

14 I don't want to have, on faced with the request, say,  
15 well, because this was styled as an addendum and  
16 apparently they think they have something they want to say  
17 that maybe they haven't covered before, if I don't give  
18 them that opportunity that's just going to be the first  
19 sentence of the writ or the first sentence of the  
20 appeal.

21 MR. STORMS: So the Court is aware --

22 THE COURT: Make it quick.

23 MR. STORMS: Just so the court is aware now, Mr.  
24 Doolin now has been transported down here to CCDC as of  
25 today to start serving that gross misdemeanor sentence.

1 This whole thing is about he had not started serving the  
2 sentence when we filed the motion. So I ask, I mean, just  
3 because --

4 THE COURT: It won't ruin it.

5 MR. STORMS: -- this is nunc pro tunc back to the  
6 date of filing, it's not his not fault that we're now into  
7 him actually serving his sentence.

8 THE COURT: It's entirely not his fault that  
9 we're now into him serving his sentence, and I absolutely  
10 would, should the relief be considered to be granted  
11 ultimately nunc pro tunc back, and deal with it that  
12 way.

13 I would like to -- did the appeal suggest how quickly  
14 they can turn it around.

15 MR. JONES: No, your Honor. We'll comply with  
16 whatever schedule you give us.

17 THE COURT: In fairness, just because I think we  
18 do need to get this wrapped up, and the addendum isn't  
19 terribly lengthy, I think we should try to get that  
20 response by next Tuesday and hear this next Wednesday.

21 MR. STORMS: Thank you.

22 THE COURT: I do want it by noon, so we have an  
23 opportunity to -- my law clerk have a chance to get it  
24 briefed. And it needs to be courtesy copied, delivered to  
25 chambers. It can be emailed to the law clerk. That's



1 fine. Of course a copy to Mr. Storms.

2 MR. STORMS: I'd ask he email me a copy too so I  
3 can get it immediately in case I want to --

4 THE COURT: It should come immediately when it's  
5 filed and served now, as opposed to coming electronically  
6 if you signed up for the system. Just in an abundance of  
7 caution I'll ask for that extra step, personal service  
8 with email to both Mr. Storms and the chambers so we can  
9 see it by noon on the 5th -- November 5, by noon.

10 MR. JONES: All right.

11 THE COURT: Then we'll have it on the calendar  
12 by the 6th.

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CERTIFIED COURT REPORTER

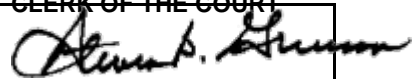
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Sharon Howard  
C.C.R. #745



TRAN  
CASE NO. C-12-284106-1  
DEPT. NO. 25

DISTRICT COURT  
CLARK COUNTY, NEVADA

\* \* \* \* \*

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
GLENN DOOLIN, )  
 )  
Defendant. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT  
OF  
DEFT'S MOTION TO MODIFY  
SENTENCE

BEFORE THE HONORABLE KATHLEEN DELANEY  
DISTRICT COURT JUDGE

DATED: WEDNESDAY, NOVEMBER 6, 2019

REPORTED BY: SHARON HOWARD, C.C.R. NO. 745

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## 1 APPEARANCES:

2 For the State:

MEGAN THOMSON, ESQ.

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4 For the Defendant:

WILLIAM STORMS, ESQ.

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1 LAS VEGAS, NEVADA; WEDNESDAY, NOVEMBER 6, 2019

2 P R O C E E D I N G S

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4  
5 THE COURT: Page 4, State of Nevada vs. Glenn  
6 Doolin.

7 We had continued this matter, again, from the  
8 30th. It's on for the motion to modify sentence. We've  
9 been back and forth on this one a few times. The court  
10 truly appreciates the opportunity to have looked at it and  
11 to have heard argument from it.

12 MR. STORMS: We passed this for the State to  
13 respond. My understanding is they are not going to  
14 respond at this point.

15 MS. THOMSON: That is correct. When we had an  
16 opportunity --

17 THE COURT: I hadn't seen it, but I didn't know  
18 if there was going to be some effort to ask for oral  
19 argument or more time. I just went back and refreshed on  
20 what we had before.

21 MS. THOMSON: When we had an opportunity to look  
22 at it more closely, it appears to be more of a reply than  
23 a supplement, so we don't have a response.

24 THE COURT: Okay. Like I said, we had the  
25 motion to modify sentence. We saw the State's response to

1       that. Then there was that supplement that clarified some  
2       of the circumstances of the time and the timing.

3               MR. STORMS: Not just the timing, but the  
4       jurisdiction of the place that he's been, which is prison  
5       for the last 7 years, that, by law, could not house him  
6       for those gross misdemeanors we're here to talk about  
7       today. So I'd ask the court to recognize that it does  
8       have the ability, as far as deciding whether or not to  
9       impose that sentence still, or to allow him to do the  
10      parole that he has set up, along with the housing, the job  
11      that he has set up for himself.

12             THE COURT: I hear you. I don't want to  
13      interfere with the things that Mr. Doolin has set up for  
14      himself. The thing that the court is going back and forth  
15      with, and for those of you who have practiced in front of  
16      me long enough do know, this is how I tend to approach  
17      things.

18             I'm not shy to either break new ground or try  
19      something creative if I think in the end it's going to  
20      benefit the community, the State, the defendant, all  
21      things considered, as long as it's within some parameter  
22      of what is colorable decision making for me. Meaning that  
23      there's some legal basis for me to make that decision that  
24      I can hang my hat on.

25             My problem here, Mr. Storms, although I think the

1 argument is very strongly made and well thought out and  
2 well set forth is that I ultimately agreed with the State  
3 that I just don't have the ability to modify the sentence  
4 at this time.

5 MR. STORMS: On what basis, if I might ask.

6 THE COURT: On the basis that he has started  
7 serving it, that even though he has already served time  
8 towards that sentence that I just don't have the  
9 jurisdiction to suspend, or modify, or do anything with it  
10 at this time.

11 I think in the ultimate outcome, I know you've  
12 indicated he hasn't served the time for the gross  
13 misdemeanor charge in the sense of what he has had to  
14 serve, but at the end of the day, the circumstances are I  
15 really do just believe I don't have jurisdiction. I  
16 appreciate the argument that I may have it. I've looked  
17 at it and one of the reasons I struggled with it so much  
18 is I was really trying to figure out is there something I  
19 can, in fact, hang my hat on. I'm not saying you haven't  
20 given me some really good arguments, but I real think when  
21 the dust settles at the end of the day, I'm on that side  
22 of outcome when it's challenged. I'm assuming you'll  
23 challenge it. If the State were to challenge it, if I was  
24 on the other side of the outcome, it would come back very  
25 quickly with I exceeded my and abused my jurisdiction and

1 discretion to find there was jurisdiction here to do  
2 this.

3 At the end of the day --

4 MR. STORMS: Is it based upon the case saying  
5 that once the judgment of conviction is issued that  
6 nothing can be modified, or is there a particular point of  
7 law they're citing to that makes the Court -- gives the  
8 Court that pause.

9 THE COURT: There's several cases, right.  
10 There's the standard cases of Edwards and Pasanici (ph)  
11 that talk about where we have the ability to make changes  
12 where there's a mistake of fact, something that's worked  
13 to the defendant's extreme detriment. Maybe we come  
14 closer to that than anything else. But, again, as is  
15 pointed out by the State not every mistake or error during  
16 the sentencing gives rise to a due process violation. And  
17 that ultimately these motions to modify sentence is  
18 limited in scope, and at the end of the day, yes, once  
19 they start serving it we really are precluded from being  
20 able to do it.

21 It's based on all of those things. I'm ultimately  
22 persuaded by the State that the court simply does not have  
23 the jurisdiction and it would be an abuse of discretion to  
24 attempt to exercise it in the way you've asked me to  
25 exercise it.



1           It's a tough call to make. Like I said, I do like to  
2           be creative within appropriate parameters. This is just  
3           to creative for the court to believe it would stand up  
4           upon appellate review. I will happily stand corrected  
5           when you take it up to the next level, which I'm assuming  
6           you will, to try to get some clarification further on this  
7           as to whether or not this is a situation where that  
8           jurisdiction existed or that discretion would have been  
9           proper to exercise. I'll have no quibble with that  
10          whatsoever. I can't make that call at this time.

11                 MR. STORMS: That's fine, your Honor. I would  
12          like -- I'm asking these questions because if ultimately  
13          you're saying the reason I say this is his sentence is  
14          overly punitive, whatnot, the justification I give for why  
15          the court might consider changing it, are you willing to  
16          entertain that. Cause there's multiple things I have to  
17          pass here. If you're saying we fail on all of them,  
18          that's a different place then saying, hey, I think under  
19          this circumstance given the amount of people at the jail,  
20          the over-crowding, the cost, the fact that he has  
21          supervision, a place to stay, a job, then I would say that  
22          this was a moment where, but for my inability to change  
23          the JOC because there's a case that says once it's ordered  
24          I can't change it, I would consider these other things.

25                 THE COURT: Very fair assessment. That is

1       essentially the consideration I've given, which is all of  
2       the reasons that have been given are very compelling. I  
3       just do not believe I have the ability to consider them.  
4       So between Pasanici, Edwards and the circumstances, if I  
5       had the ability to consider them, I would find them very  
6       compelling and likely a basis to grant the motion.

7               MR. STORMS: That --

8               THE COURT: I don't believe I can consider  
9       them.

10              MR. STORMS: This could be an issue that might  
11       be resolvable, if you would consider it once we got past  
12       that jurisdictional point of once a JOC gets issued, it's  
13       out of my hands.

14              THE COURT: Your assessment of my outcome is  
15       spot on.

16              MR. STORMS: Great.

17              THE COURT: Ms. Thomson, I know -- go ahead and  
18       finish that, but I do want to -- because I just made a  
19       statement you probably want to put in the notes.

20              MS. THOMSON: I do.

21              THE COURT: Mr. Storms asked me to clarify  
22       whether or not, like, all the arguments just failed or  
23       whether or not it was based on, again, Pasanici and those  
24       cases that the court felt didn't have the ability to  
25       consider those arguments and would I indicate that if I

1        had the ability to consider those arguments I would find  
2        them persuasive and likely a basis to grant the motion.  
3        And I did say it was true. I wanted to make sure that  
4        that makes its way into the notes. Because the State is  
5        going to have to prepare the order, because the State did  
6        prevail on this, I think that is appropriate to be  
7        included that even though its dicta, whatever you wanted  
8        to call it -- do we get to dicta at the district court  
9        level -- I don't know.

10                MR. STORMS: I would say, no.

11                THE COURT: You can have a chance to weigh in on  
12        the order and the motion to modify sentence, but  
13        ultimately we'll have this record regardless of what the  
14        court has said.

15                I'll direct you prepare the order. I appreciate the  
16        opportunity to make that clarification.

17                MR. STORMS: Thank you.

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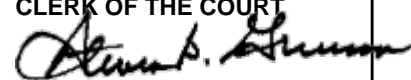
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Sharon Howard  
C.C.R. #745



**ORDD**  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
MEGAN THOMSON  
Chief Deputy District Attorney  
Nevada Bar #011002  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

GLENN DOOLIN, aka,  
Glenn Miller Doolin,  
#1990096

Defendant.

CASE NO: C-12-284106-1

DEPT NO: XXV

**ORDER DENYING DEFENDANT'S MOTION TO MODIFY SENTENCE**

DATE OF HEARING: November 6, 2019  
TIME OF HEARING: 9:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 6th day of November, 2019, the Defendant being present, Represented by, WILLIAM J. STORMS, Chief Deputy Special Public Defender, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through MEGAN THOMSON, Chief Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

///

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///

1 IT IS HEREBY ORDERED that the Defendant's Motion to Modify Sentence, shall be,  
2 and it is DENIED, and STATED FINDINGS; ultimately Court agrees with the State that It  
3 does not have the ability to modify Deft's. sentence at this time on the basis Deft. has already  
4 started serving his Gross Misdemeanor sentence, and based upon the rulings in Edwards v.  
5 State and Passanins and other cases. Not every mistake by the State give rise to a due process  
6 error. Once Deft. started serving the sentence the Court is precluded from doing anything. It  
7 does not have jurisdiction and can't exercise jurisdiction in the way Deft. is asking.

8 DATED this 14<sup>th</sup> day of November, 2019.

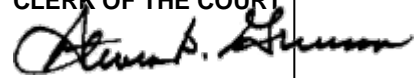
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DISTRICT JUDGE

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

13  
14 BY 

MEGAN THOMSON  
15 Chief Deputy District Attorney  
16 Nevada Bar #011002  
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28 12F09527X/ckb/L4



1 NOAS  
2 JoNell Thomas  
3 Special Public Defender  
4 NSB No. 4771  
5 W. Jeremy Storms  
6 Chief Deputy Special Public Defender  
7 NSB No. 10772  
8 330 South Third Street, 8th Floor  
9 Las Vegas, NV 89155  
10 (702) 455-6265  
11 Fax No. 702-455-6273  
12 [Jonell.thomas@clarkcountynv.gov](mailto:Jonell.thomas@clarkcountynv.gov)  
13 [stormswj@ClarkCountyNV.gov](mailto:stormswj@ClarkCountyNV.gov)  
14 Attorneys for Doolin

10 DISTRICT COURT  
11  
12 CLARK COUNTY, NEVADA

13 \* \* \*

14 THE STATE OF NEVADA,

CASE NO. C-12-284106-1

15 Plaintiff,

DEPT. XXV

16 vs.

17 GLENN MILLER DOOLIN, #1990096,

18 Defendant.  
19  
20

21 **NOTICE OF APPEAL**

22 TO: THE STATE OF NEVADA, Plaintiff;

23 TO: CLARK COUNTY DISTRICT ATTORNEY, Plaintiff's attorney; and

24 TO: DEPARTMENT 25 OF THE EIGHTH JUDICIAL DISTRICT COURT  
25 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK:

26 NOTICE is hereby given that Glenn Miller Doolin hereby appeals to the Nevada  
27  
28

1 Supreme Court from the Order Denying Defendant's Motion to Modify Sentence which was  
2 filed November 18, 2019 (as of this date, the Notice of Entry of Order has not been filed).

3 DATED this 9th day of December, 2019.

4 Respectfully submitted

5 /s/ W. JEREMY STORMS  
6

7 \_\_\_\_\_  
8 W. Jeremy Storms  
9 Chief Deputy Special Public Defender  
10 NSB No. 10772  
11 330 South Third Street, 8th Floor  
12 Las Vegas, NV 89155  
13 (702) 455-6265  
14 Attorneys for Doolin

15 **CERTIFICATE OF MAILING**

16 The undersigned does hereby certify that on 12/9/19, I deposited in the United States  
17 Post Office at Las Vegas, Nevada, a copy of the Notice of Appeal, postage prepaid, addressed  
18 to the following:  
19

20 District Attorney's Office  
21 200 Lewis Ave., 3<sup>rd</sup> Floor  
22 Las Vegas NV 89155

23 Nevada Attorney General  
24 100 N. Carson  
25 Carson City, NV 89701-4717

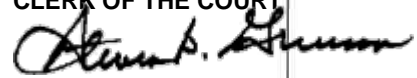
26 Glenn M. Doolin, ID 01990096  
27 Clark County Detention Center  
28 330 S. Casino Center Blvd.  
Las Vegas NV 89101

Dated: 12/9/19

/s/ KATHLEEN FITZGERALD

\_\_\_\_\_  
An employee of The Special Public  
Defender's Office





**MOT**  
W. JEREMY STORMS  
NSB No. 10772  
330 South Third Street, 8th Floor  
Las Vegas, NV 89155  
(702) 455-6265  
Fax No. 702-455-6273  
stormswj@ClarkCountyNV.gov  
Attorney for GLENN DOOLIN

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

\* \* \*

THE STATE OF NEVADA,

Plaintiff,

vs.

GLENN MILLER DOOLIN, #1990096,

Defendant.

CASE NO. C-12-284106-1

DEPARTMENT: XXV

**HEARING DATE REQUESTED**

**DEPARTMENT XXV**  
**NOTICE OF HEARING**  
**DATE** 2/5/20 **TIME** 9:00am  
**APPROVED BY** JG

**MOTION TO CORRECT ORDER PURSUANT TO NRS 178.552**  
**AND REQUEST FOR ORDER SHORTENING TIME**

DATE: \_\_\_\_\_  
TIME: \_\_\_\_\_

COMES NOW, GLENN MILLER DOOLIN, by and through his attorney, W. Jeremy respectfully requesting this Court correct the order filed in this case on November 11<sup>th</sup> 2018 as it did not reflect what occurred in court nor did its production comport with the Court's order.

In addition, Doolin requests that the hearing for this matter be set on an expedited basis as the Fast Track Statement is due to be filed in the Nevada Supreme Court on February 12, 2020 and the corrected Order is necessary to be included in the appendix to be submitted simultaneously with the Fast Track Statement under Supreme Court case number 80223.

1 **NOTICE OF MOTION**

2 TO: STATE OF NEVADA, Plaintiff; and

3 TO: District Attorney, Attorney for Plaintiff

4 YOU WILL PLEASE TAKE NOTICE that the undersigned will bring on the above and  
5 foregoing MOTION on for hearing on \_\_\_\_\_, at the hour of \_\_\_\_\_, or as soon  
6 thereafter as counsel may be heard.  
7

8 **ORDER SHORTENING TIME**

9 This matter having come before the Court, the Court being fully advised in the premises,  
10 and good cause appearing, it is hereby

11 ORDERED, ADJUDGED, AND DECREED that the Motion to Correct Order Pursuant  
12 to NRS 178.552, will be heard on February 5<sup>th</sup>, 2020, at the hour of  
13 9:00 a.m.  
14

15 DATED and DONE: January 23, 2020

16  
17  
18 DISTRICT COURT JUDGE *JS*

19 **POINTS AND AUTHORITIES**

20 **ARGUMENT**

- 21 I. **The "Order Denying Defendant's Motion to Modify Sentence" prepared by the**  
22 **District Attorney which was filed on November 18<sup>th</sup>, 2019 did not reflect the**  
23 **Court's findings and is in err with respect to the facts of the case.<sup>1</sup>**

24 In this case, the Court denied Mr. Doolin's motion to modify his sentence, indicating  
25 that the Court believed that its hands were tied as to whether it had jurisdiction to rule on the  
26 issue. See Exhibit A. The Court, however, also held that if it had the jurisdiction to entertain  
27

28 <sup>1</sup> Counsel views the error in this Order to be a product of clerical error made by staff at the  
Clark County District Attorney's office, not an error made by counsel at that office.

1 Mr. Doolin's basis for requesting a modification of sentence that it would "find them  
2 persuasive and likely a basis to grant the motion." The Court went on to ask the State to  
3 prepare an order reflecting the Court's reasoning. The Court invite Mr. Doolin to appeal its  
4 ruling. The order, in relevant part, memorializing the Court's ruling stated:

6 IT IS HEREBY ORDERED that the Defendant's Motion to Modify Sentence,  
7 shall be, and it is DENIED, and STATED FINDINGS; ultimately Court agrees  
8 with the State that It does not have the ability to modify Deft's. sentence at this  
9 time on the basis Deft. has already started serving his Gross Misdemeanor  
10 sentence,<sup>2</sup> and based upon the rulings in Edwards v. State and Passanins and other  
11 cases. However, Not every mistake by the State give rise to a due process error.  
Once Deft. started serving the sentence the Court is precluded from doing  
anything. It does not have jurisdiction and can't exercise jurisdiction in the way  
Deft. is asking.

12 See Exhibit B

13 As this language does not reflect the Court's reasoning, the following language is  
14 proposed to correct the error:

16 IT IS HEREBY ORDERED that the Defendant's Motion to Modify Sentence,  
17 shall be, and is DENIED, and STATED THESE FINDINGS: the Court finds  
18 pursuant to Passanisi v. State, et. al., that it does not have the jurisdiction to rule  
19 on the Defendant's Motion to Modify Sentence as the defendant has already  
20 began to serve the sentence when he went to prison to serve the felony portion of  
21 the sentence imposed. The Court further held, however, that it found the  
22 Defendant's arguments in this case regarding mistaken assumptions about a  
23 defendant's criminal record which worked to the defendant's extreme detriment  
24 persuasive and a basis to grant his motion.

25 <sup>2</sup> This is factually incorrect. Mr. Doolin had not started serving his gross misdemeanor sentence  
26 when the motion was filed. The State's multiple requests for a delay in the proceedings caused  
27 the motion to be ruled on after his transport from the prison system to the local jail. The Court  
28 concurred that Mr. Doolin had not begun to serve his sentence when the motion was filed and  
that the record would view the motion as being ruled on prior to his transport to the Clark  
County Detention Center to serve his gross misdemeanor sentence. See Exhibit C, page 5, lines  
8-12.

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DATED this 22<sup>ND</sup> day of January, 2020.

W. P.

# CERTIFICATE OF ELECTRONIC FILING

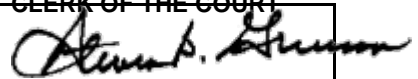
## PARTY

STATE OF NEVADA

Dated: 1/22/2020

An employee of the  
Special Public Defender

## EXHIBIT A



TRAN  
CASE NO. C-12-284106-1  
DEPT. NO. 25

DISTRICT COURT  
CLARK COUNTY, NEVADA

\* \* \* \* \*

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
GLENN DOOLIN, )  
 )  
Defendant. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT  
OF  
DEFT'S MOTION TO MODIFY  
SENTENCE

BEFORE THE HONORABLE KATHLEEN DELANEY  
DISTRICT COURT JUDGE

DATED: WEDNESDAY, NOVEMBER 6, 2019

REPORTED BY: SHARON HOWARD, C.C.R. NO. 745

000091

## 1 APPEARANCES:

2 For the State:

MEGAN THOMSON, ESQ.

3  
4 For the Defendant:

WILLIAM STORMS, ESQ.

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1 LAS VEGAS, NEVADA; WEDNESDAY, NOVEMBER 6, 2019

2 P R O C E E D I N G S

3 \* \* \* \* \*

4  
5 THE COURT: Page 4, State of Nevada vs. Glenn  
6 Doolin.

7 We had continued this matter, again, from the  
8 30th. It's on for the motion to modify sentence. We've  
9 been back and forth on this one a few times. The court  
10 truly appreciates the opportunity to have looked at it and  
11 to have heard argument from it.

12 MR. STORMS: We passed this for the State to  
13 respond. My understanding is they are not going to  
14 respond at this point.

15 MS. THOMSON: That is correct. When we had an  
16 opportunity --

17 THE COURT: I hadn't seen it, but I didn't know  
18 if there was going to be some effort to ask for oral  
19 argument or more time. I just went back and refreshed on  
20 what we had before.

21 MS. THOMSON: When we had an opportunity to look  
22 at it more closely, it appears to be more of a reply than  
23 a supplement, so we don't have a response.

24 THE COURT: Okay. Like I said, we had the  
25 motion to modify sentence. We saw the State's response to



1       that. Then there was that supplement that clarified some  
2       of the circumstances of the time and the timing.

3               MR. STORMS: Not just the timing, but the  
4       jurisdiction of the place that he's been, which is prison  
5       for the last 7 years, that, by law, could not house him  
6       for those gross misdemeanors we're here to talk about  
7       today. So I'd ask the court to recognize that it does  
8       have the ability, as far as deciding whether or not to  
9       impose that sentence still, or to allow him to do the  
10      parole that he has set up, along with the housing, the job  
11      that he has set up for himself.

12             THE COURT: I hear you. I don't want to  
13      interfere with the things that Mr. Doolin has set up for  
14      himself. The thing that the court is going back and forth  
15      with, and for those of you who have practiced in front of  
16      me long enough do know, this is how I tend to approach  
17      things.

18             I'm not shy to either break new ground or try  
19      something creative if I think in the end it's going to  
20      benefit the community, the State, the defendant, all  
21      things considered, as long as it's within some parameter  
22      of what is colorable decision making for me. Meaning that  
23      there's some legal basis for me to make that decision that  
24      I can hang my hat on.

25             My problem here, Mr. Storms, although I think the

1 argument is very strongly made and well thought out and  
2 well set forth is that I ultimately agreed with the State  
3 that I just don't have the ability to modify the sentence  
4 at this time.

5 MR. STORMS: On what basis, if I might ask.

6 THE COURT: On the basis that he has started  
7 serving it, that even though he has already served time  
8 towards that sentence that I just don't have the  
9 jurisdiction to suspend, or modify, or do anything with it  
10 at this time.

11 I think in the ultimate outcome, I know you've  
12 indicated he hasn't served the time for the gross  
13 misdemeanor charge in the sense of what he has had to  
14 serve, but at the end of the day, the circumstances are I  
15 really do just believe I don't have jurisdiction. I  
16 appreciate the argument that I may have it. I've looked  
17 at it and one of the reasons I struggled with it so much  
18 is I was really trying to figure out is there something I  
19 can, in fact, hang my hat on. I'm not saying you haven't  
20 given me some really good arguments, but I real think when  
21 the dust settles at the end of the day, I'm on that side  
22 of outcome when it's challenged. I'm assuming you'll  
23 challenge it. If the State were to challenge it, if I was  
24 on the other side of the outcome, it would come back very  
25 quickly with I exceeded my and abused my jurisdiction and

1 discretion to find there was jurisdiction here to do  
2 this.

3 At the end of the day --

4 MR. STORMS: Is it based upon the case saying  
5 that once the judgment of conviction is issued that  
6 nothing can be modified, or is there a particular point of  
7 law they're citing to that makes the Court -- gives the  
8 Court that pause.

9 THE COURT: There's several cases, right.  
10 There's the standard cases of Edwards and Pasanici (ph)  
11 that talk about where we have the ability to make changes  
12 where there's a mistake of fact, something that's worked  
13 to the defendant's extreme detriment. Maybe we come  
14 closer to that than anything else. But, again, as is  
15 pointed out by the State not every mistake or error during  
16 the sentencing gives rise to a due process violation. And  
17 that ultimately these motions to modify sentence is  
18 limited in scope, and at the end of the day, yes, once  
19 they start serving it we really are precluded from being  
20 able to do it.

21 It's based on all of those things. I'm ultimately  
22 persuaded by the State that the court simply does not have  
23 the jurisdiction and it would be an abuse of discretion to  
24 attempt to exercise it in the way you've asked me to  
25 exercise it.

1           It's a tough call to make. Like I said, I do like to  
2           be creative within appropriate parameters. This is just  
3           to creative for the court to believe it would stand up  
4           upon appellate review. I will happily stand corrected  
5           when you take it up to the next level, which I'm assuming  
6           you will, to try to get some clarification further on this  
7           as to whether or not this is a situation where that  
8           jurisdiction existed or that discretion would have been  
9           proper to exercise. I'll have no quibble with that  
10          whatsoever. I can't make that call at this time.

11                 MR. STORMS: That's fine, your Honor. I would  
12          like -- I'm asking these questions because if ultimately  
13          you're saying the reason I say this is his sentence is  
14          overly punitive, whatnot, the justification I give for why  
15          the court might consider changing it, are you willing to  
16          entertain that. Cause there's multiple things I have to  
17          pass here. If you're saying we fail on all of them,  
18          that's a different place then saying, hey, I think under  
19          this circumstance given the amount of people at the jail,  
20          the over-crowding, the cost, the fact that he has  
21          supervision, a place to stay, a job, then I would say that  
22          this was a moment where, but for my inability to change  
23          the JOC because there's a case that says once it's ordered  
24          I can't change it, I would consider these other things.

25                 THE COURT: Very fair assessment. That is

1       essentially the consideration I've given, which is all of  
2       the reasons that have been given are very compelling. I  
3       just do not believe I have the ability to consider them.  
4       So between Pasanici, Edwards and the circumstances, if I  
5       had the ability to consider them, I would find them very  
6       compelling and likely a basis to grant the motion.

7               MR. STORMS: That --

8               THE COURT: I don't believe I can consider  
9       them.

10              MR. STORMS: This could be an issue that might  
11       be resolvable, if you would consider it once we got past  
12       that jurisdictional point of once a JOC gets issued, it's  
13       out of my hands.

14              THE COURT: Your assessment of my outcome is  
15       spot on.

16              MR. STORMS: Great.

17              THE COURT: Ms. Thomson, I know -- go ahead and  
18       finish that, but I do want to -- because I just made a  
19       statement you probably want to put in the notes.

20              MS. THOMSON: I do.

21              THE COURT: Mr. Storms asked me to clarify  
22       whether or not, like, all the arguments just failed or  
23       whether or not it was based on, again, Pasanici and those  
24       cases that the court felt didn't have the ability to  
25       consider those arguments and would I indicate that if I

1       had the ability to consider those arguments I would find  
2       them persuasive and likely a basis to grant the motion.  
3       And I did say it was true. I wanted to make sure that  
4       that makes its way into the notes. Because the State is  
5       going to have to prepare the order, because the State did  
6       prevail on this, I think that is appropriate to be  
7       included that even though its dicta, whatever you wanted  
8       to call it -- do we get to dicta at the district court  
9       level -- I don't know.

10               MR. STORMS: I would say, no.

11               THE COURT: You can have a chance to weigh in on  
12       the order and the motion to modify sentence, but  
13       ultimately we'll have this record regardless of what the  
14       court has said.

15               I'll direct you prepare the order. I appreciate the  
16       opportunity to make that clarification.

17               MR. STORMS: Thank you.


18  
19  
20                       \* \* \* \* \*

CERTIFICATE  
OF  
CERTIFIED COURT REPORTER

\* \* \* \* \*

I, the undersigned certified court reporter in and for the  
State of Nevada, do hereby certify:

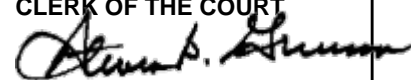
That the foregoing proceedings were taken before me at the  
time and place therein set forth; that the testimony and  
all objections made at the time of the proceedings were  
recorded stenographically by me and were thereafter  
transcribed under my direction; that the foregoing is a  
true record of the testimony and of all objections made at  
the time of the proceedings.

A handwritten signature in cursive script, reading "Sharon Howard", is written over a horizontal line. The signature is fluid and includes a large, circular flourish at the end.

Sharon Howard  
C.C.R. #745

## EXHIBIT B





**ORDD**  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
MEGAN THOMSON  
Chief Deputy District Attorney  
Nevada Bar #011002  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

GLENN DOOLIN, aka,  
Glenn Miller Doolin,  
#1990096

Defendant.

CASE NO: C-12-284106-1

DEPT NO: XXV

**ORDER DENYING DEFENDANT'S MOTION TO MODIFY SENTENCE**

DATE OF HEARING: November 6, 2019  
TIME OF HEARING: 9:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 6th day of November, 2019, the Defendant being present, Represented by, WILLIAM J. STORMS, Chief Deputy Special Public Defender, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through MEGAN THOMSON, Chief Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

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///

1 IT IS HEREBY ORDERED that the Defendant's Motion to Modify Sentence, shall be,  
2 and it is DENIED, and STATED FINDINGS; ultimately Court agrees with the State that It  
3 does not have the ability to modify Deft's. sentence at this time on the basis Deft. has already  
4 started serving his Gross Misdemeanor sentence, and based upon the rulings in Edwards v.  
5 State and Passanins and other cases. Not every mistake by the State give rise to a due process  
6 error. Once Deft. started serving the sentence the Court is precluded from doing anything. It  
7 does not have jurisdiction and can't exercise jurisdiction in the way Deft. is asking.

8 DATED this 14<sup>th</sup> day of November, 2019.

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DISTRICT JUDGE

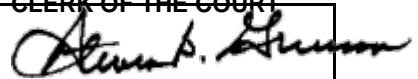
11 STEVEN B. WOLFSON  
12 Clark County District Attorney  
Nevada Bar #001565

13  
14 BY 

MEGAN THOMSON  
15 Chief Deputy District Attorney  
16 Nevada Bar #011002  
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28 12F09527X/ckb/L4

## EXHIBIT C



TRAN  
CASE NO. C-12-284106-1  
DEPT. NO. 25

DISTRICT COURT  
CLARK COUNTY, NEVADA

\* \* \* \* \*

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
GLENN DOOLIN, )  
 )  
Defendant. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT  
OF  
DEFT'S MOTION TO MODIFY  
SENTENCE

BEFORE THE HONORABLE KATHLEEN DELANEY  
DISTRICT COURT JUDGE

DATED: WEDNESDAY, OCTOBER 30, 2019

REPORTED BY: SHARON HOWARD, C.C.R. NO. 745

000105

## 1 APPEARANCES:

2 For the State:

JOHN JONES, ESQ.

3  
4 For the Defendant:

WILLIAM STORMS, ESQ.

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1 LAS VEGAS, NEVADA; WEDNESDAY, OCTOBER 30, 2019

2 P R O C E E D I N G S

3 \* \* \* \* \*

4  
5 THE COURT: Page 2, State of Nevada vs. Glenn  
6 Doolin. This is the motion to modify sentence. We had  
7 continued this because I really wanted more time to sort  
8 of think this through and connect to some of the things  
9 that had come up during the discussions. I also,  
10 obviously, when I do continue these things while it's not  
11 necessarily a situation where we'll have a new set of  
12 argument, I always, in reflection after we have a  
13 discussion if there is anything anybody wishes to add.

14 Mr. Jones looks like he's ready to jump in with  
15 something.

16 MR. JONES: I do. Before we really get started,  
17 your Honor, I have heard from appeals on this case. They  
18 indicated they have not had an opportunity to respond to  
19 to the addendum that was filed last week by the public  
20 defender. So we're asking for an opportunity to respond  
21 to that addendum.

22 THE COURT: Was it an addendum or a reply.

23 MR. JONES: It says addendum.

24 MR. STORMS: It was an addendum. I was -- you  
25 know, Judge, when you talked about, did he start serving

1 his sentence, I was just pointing out that the gross  
2 misdemeanor statute and the felony statutes would preclude  
3 him from serving the sentence where's he's been for the  
4 last 7 years. He's been in prison, which has no legal  
5 authority to house him for that sentence. And now he's  
6 been released to the County to serve that sentence because  
7 only jails can have someone serve a gross misdemeanor  
8 sentence.

9 All arguments they make, they made in the earlier  
10 motion against things that the client has raised on his  
11 own and so on. I ask we decide this issue.

12 THE COURT: I appreciate your frustration, Mr.  
13 Storms. Here's what I don't want to have happen.

14 I don't want to have, on faced with the request, say,  
15 well, because this was styled as an addendum and  
16 apparently they think they have something they want to say  
17 that maybe they haven't covered before, if I don't give  
18 them that opportunity that's just going to be the first  
19 sentence of the writ or the first sentence of the  
20 appeal.

21 MR. STORMS: So the Court is aware --

22 THE COURT: Make it quick.

23 MR. STORMS: Just so the court is aware now, Mr.  
24 Doolin now has been transported down here to CCDC as of  
25 today to start serving that gross misdemeanor sentence.

1       This whole thing is about he had not started serving the  
2       sentence when we filed the motion. So I ask, I mean, just  
3       because --

4               THE COURT: It won't ruin it.

5               MR. STORMS: -- this is nunc pro tunc back to the  
6       date of filing, it's not his not fault that we're now into  
7       him actually serving his sentence.

8               THE COURT: It's entirely not his fault that  
9       we're now into him serving his sentence, and I absolutely  
10      would, should the relief be considered to be granted  
11      ultimately nunc pro tunc back, and deal with it that  
12      way.

13              I would like to -- did the appeal suggest how quickly  
14      they can turn it around.

15              MR. JONES: No, your Honor. We'll comply with  
16      whatever schedule you give us.

17              THE COURT: In fairness, just because I think we  
18      do need to get this wrapped up, and the addendum isn't  
19      terribly lengthy, I think we should try to get that  
20      response by next Tuesday and hear this next Wednesday.

21              MR. STORMS: Thank you.

22              THE COURT: I do want it by noon, so we have an  
23      opportunity to -- my law clerk have a chance to get it  
24      briefed. And it needs to be courtesy copied, delivered to  
25      chambers. It can be emailed to the law clerk. That's



1 fine. Of course a copy to Mr. Storms.

2 MR. STORMS: I'd ask he email me a copy too so I  
3 can get it immediately in case I want to --

4 THE COURT: It should come immediately when it's  
5 filed and served now, as opposed to coming electronically  
6 if you signed up for the system. Just in an abundance of  
7 caution I'll ask for that extra step, personal service  
8 with email to both Mr. Storms and the chambers so we can  
9 see it by noon on the 5th -- November 5, by noon.

10 MR. JONES: All right.

11 THE COURT: Then we'll have it on the calendar  
12 by the 6th.

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CERTIFICATE  
OF  
CERTIFIED COURT REPORTER

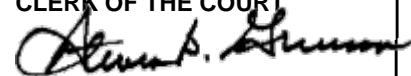
\* \* \* \* \*

I, the undersigned certified court reporter in and for the  
State of Nevada, do hereby certify:

That the foregoing proceedings were taken before me at the  
time and place therein set forth; that the testimony and  
all objections made at the time of the proceedings were  
recorded stenographically by me and were thereafter  
transcribed under my direction; that the foregoing is a  
true record of the testimony and of all objections made at  
the time of the proceedings.

A handwritten signature in cursive script, reading "Sharon Howard", is written over a horizontal line. The signature is fluid and includes a large, circular flourish at the end.

Sharon Howard  
C.C.R. #745



RSPN  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
ALEXANDER CHEN  
Chief Deputy District Attorney  
Nevada Bar #10539  
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-

GLENN MILLER DOOLIN,  
#1990096

Defendant.

CASE NO: C-12-284106-1

DEPT NO: XXV

**STATE'S RESPONSE TO DEFENDANT'S MOTION TO CORRECT ORDER  
PURSUANT TO NRS 178.552**

DATE OF HEARING: FEBRUARY 5, 2020  
TIME OF HEARING: 9:00 AM

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through ALEXANDER CHEN, Chief Deputy District Attorney, and files this Response to Defendant's Motion to Correct Order Pursuant to NRS 178.552.

This Motion 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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An Order was filed on November 18, 2019 and signed by this Court. The Order appears to mirror the language of the minutes from the November 6, 2019 hearing. This is a standard practice used by the secretaries in the District Attorney's Office when a request is made for the State to prepare findings of fact or court orders.

The State takes no position now on the request of the Defendant to modify the Order. Ultimately, the Order should reflect the Court's intent, which is best known by the Court itself.

DATED this 29 day of January, 2020.

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

BY

ALEXANDER CHEN  
Chief Deputy District Attorney  
Nevada Bar #10539

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I hereby certify that service of State's Response to Defendant's Motion to Correct Order Pursuant to NRS 178.552 was made this 29th day of January, 2020, by electronic filing to:

**W. JEREMY STORMS, Deputy Public Defender**  
Email: [stormswj@clarkcountynv.gov](mailto:stormswj@clarkcountynv.gov)

BY:

Secretary for the District Attorney's Office

12F09527X/AC/ckb/L4

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

FEB 05 2020

BY, *Shelley Boyle*  
**SHELLEY BOYLE, DEPUTY**

**ORDD**  
JoNELL THOMAS  
SPECIAL PUBLIC DEFENDER  
Nevada Bar #4771  
W. JEREMY STORMS  
Chief Deputy Special Public Defender  
Nevada Bar #10772  
330 So. Third Street, Suite #800  
Las Vegas, Nevada 89155  
(702) 455-6265  
FAX: (702) 455-6273  
EMAIL:jeremy.storms@clarkcountynv.gov  
Attorneys for Doolin



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
  
Plaintiff  
  
vs.  
  
GLENN DOOLIN, ID: 1990096  
  
Defendant.

CASE NO. C-12-284106-1  
DEPT. NO. XXV

**AMENDED ORDER DENYING DEFENDANT'S MOTION TO MODIFY SENTENCE**

<sup>5<sup>th</sup></sup>  
DATE OF HEARING: February 4, 2020  
TIME OF HEARING: 9:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 5<sup>th</sup> day of February, 2020, the Defendant being present, Represented by, WILLIAM J. STORMS, Chief Deputy Special Public Defender, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through ALEX CHIN, Chief Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

IT IS HEREBY ORDERED that the Defendant's Motion to Modify Sentence, shall be, and it is DENIED, and STATED FINDINGS; ultimately Court agrees with the State that It does not have the ability to modify Deft's. sentence at this time on the basis Deft. has already started serving his Gross Misdemeanor sentence, and based upon the rulings in Edwards v. State and Passanins and other cases. Not every mistake by the State give rise to

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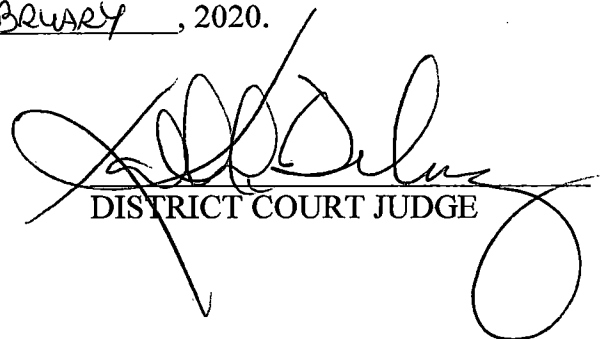
1 a due process error. Once Deft. started serving the sentence the Court is precluded from  
2 doing anything. It does not have jurisdiction and can't exercise jurisdiction in the way Deft.  
3 is asking.

4 **WHEREAS**, on January 23<sup>rd</sup> 2020, the Defendant filed a "MOTION TO CORRECT  
5 ORDER PURSUANT TO NRS 178.552 and good cause appearing therefore,


6 **IT IS HEREBY ORDERED**, that the Defendant's Motion to Modify Sentence,  
7 shall be, and is DENIED, and STATED THESE FINDINGS: the Court finds pursuant to  
8 Passanisi v. State, et. al., that it does not have the jurisdiction to rule on the Defendant's  
9 Motion to Modify Sentence as the defendant has already began to serve the sentence when  
10 he went to prison to serve the felony portion of the sentence imposed. The Court further  
11 held, however, that it found the Defendant's arguments in this case regarding mistaken  
12 assumptions about a defendant's criminal record which worked to the defendant's extreme  
13 detriment persuasive and a basis to grant his motion.  
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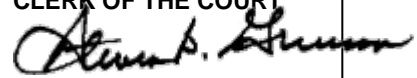
16 This is a nunc pro tunc order pursuant to NRS 155.127 correcting the previous  
17 "Order Denying Defendant's Motion to Modify Sentence" filed on November 18<sup>th</sup>, 2019.  
18

19 DATED this 5<sup>th</sup> day of FEBRUARY, 2020.

20  
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22   
DISTRICT COURT JUDGE

23 RESPECTFULLY SUBMITTED

24  
25   
26 W. JEREMY STORMS  
27 Attorney for Doolin  
28



1 **NEO**  
JoNELL THOMAS  
2 SPECIAL PUBLIC DEFENDER  
Nevada Bar #4771  
3 **W. JEREMY STORMS**  
Chief Deputy Special Public Defender  
4 Nevada Bar #10772  
330 So. Third Street, Suite #800  
5 Las Vegas, Nevada 89155  
(702) 455-6265  
6 FAX: (702) 455-6273  
EMAIL:jeremy.storms@clarkcountynv.gov  
7 Attorneys for Doolin

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,

11 Plaintiff

12 vs.

13 GLENN DOOLIN, ID: 1990096

14 Defendant.

CASE NO. C-12-284106-1  
DEPT. NO. XXV

15 **NOTICE OF ENTRY OF AMENDED ORDER DENYING**  
16 **DEFENDANT'S MOTION TO MODIFY SENTENCE**

17 DATE OF HEARING: February 5, 2020  
18 TIME OF HEARING: 9:00 A.M.

19 **TO: STATE OF NEVADA; and**

20 **TO: CLARK COUNTY DISTRICT ATTORNEY, attorney for The State of Nevada:**

21 Please take notice that an Amended Order Denying Defendant's Motion to Modify  
22 Sentence was filed on February 5, 2020 (a true and correct copy is attached hereto).

23 DATED this 6<sup>th</sup> day of February, 2020.

24 RESPECTFULLY SUBMITTED

25 /s/ W. JEREMY STORMS

26 \_\_\_\_\_  
27 W. JEREMY STORMS  
28 Attorney for Doolin

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CERTIFICATE OF SERVICE

I hereby certify that service of the Notice of Entry of Amended Order Denying Defendant’s Motion to Modify Sentence, was made pursuant to EDCR 7.26 on the attorney for the named parties by means of electronic mail to the email address provided to the court’s electronic filing system for this case. Proof of Service is the date service is made by the court’s electronic filing system by email to the parties and contains a link to the file stamped document.

PARTY	EMAIL
STATE OF NEVADA	DISTRICT ATTORNEY’S OFFICE
	email: <a href="mailto:motions@clarkcountyda.com">motions@clarkcountyda.com</a>
Dated: 2/6/2020	/s/ KATHLEEN FITZGERALD
	<hr/> Employee for the Special Public Defender



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

FEB 05 2020

BY, *Shelley Boyle*  
**SHELLEY BOYLE, DEPUTY**

1 **ORDD**  
2 JoNELL THOMAS  
3 SPECIAL PUBLIC DEFENDER  
4 Nevada Bar #4771  
5 W. JEREMY STORMS  
6 Chief Deputy Special Public Defender  
7 Nevada Bar #10772  
8 330 So. Third Street, Suite #800  
9 Las Vegas, Nevada 89155  
10 (702) 455-6265  
11 FAX: (702) 455-6273  
12 EMAIL:jeremy.storms@clarkcountynv.gov  
13 Attorneys for Doolin



DISTRICT COURT  
CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,  
11 Plaintiff  
12 vs.  
13 GLENN DOOLIN, ID: 1990096  
14 Defendant.

CASE NO. C-12-284106-1  
DEPT. NO. XXV

**AMENDED ORDER DENYING DEFENDANT'S MOTION TO MODIFY SENTENCE**

<sup>5<sup>th</sup></sup>  
DATE OF HEARING: February 4, 2020  
TIME OF HEARING: 9:00 A.M.

18 THIS MATTER having come on for hearing before the above entitled Court on the  
19 5<sup>th</sup> day of February, 2020, the Defendant being present, Represented by, WILLIAM J.  
20 STORMS, Chief Deputy Special Public Defender, the Plaintiff being represented by  
21 STEVEN B. WOLFSON, District Attorney, through ALEX CHIN, Chief Deputy  
22 District Attorney, and the Court having heard the arguments of counsel and good cause  
23 appearing therefor,

24 IT IS HEREBY ORDERED that the Defendant's Motion to Modify Sentence, shall  
25 be, and it is DENIED, and STATED FINDINGS; ultimately Court agrees with the State that  
26 It does not have the ability to modify Deft's. sentence at this time on the basis Deft. has  
27 already started serving his Gross Misdemeanor sentence, and based upon the rulings in  
28 Edwards v. State and Passanins and other cases. Not every mistake by the State give rise to

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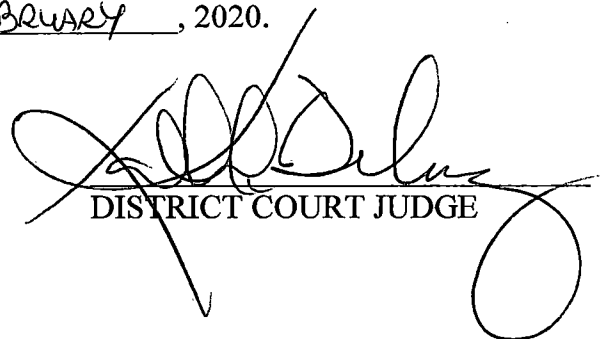
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7 shall be, and is DENIED, and STATED THESE FINDINGS: the Court finds pursuant to  
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9 Motion to Modify Sentence as the defendant has already began to serve the sentence when  
10 he went to prison to serve the felony portion of the sentence imposed. The Court further  
11 held, however, that it found the Defendant's arguments in this case regarding mistaken  
12 assumptions about a defendant's criminal record which worked to the defendant's extreme  
13 detriment persuasive and a basis to grant his motion.  
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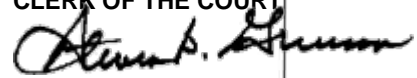
16 This is a nunc pro tunc order pursuant to NRS 155.127 correcting the previous  
17 "Order Denying Defendant's Motion to Modify Sentence" filed on November 18<sup>th</sup>, 2019.  
18

19 DATED this 5<sup>th</sup> day of FEBRUARY, 2020.

20  
21  
22   
DISTRICT COURT JUDGE

23 RESPECTFULLY SUBMITTED

24  
25   
26 W. JEREMY STORMS  
27 Attorney for Doolin  
28



1 NOAS  
2 JoNell Thomas  
3 Special Public Defender  
4 NSB No. 4771  
5 W. Jeremy Storms  
6 Chief Deputy Special Public Defender  
7 NSB No. 10772  
8 330 South Third Street, 8th Floor  
9 Las Vegas, NV 89155  
10 (702) 455-6265  
11 Fax No. 702-455-6273  
12 Jonell.thomas@clarkcountynv.gov  
13 stormswj@ClarkCountyNV.gov  
14 Attorneys for Doolin

10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA

12 \* \* \*

14 THE STATE OF NEVADA,

15 Plaintiff,

16 vs.

18 GLENN MILLER DOOLIN, #1990096,

19 Defendant.

CASE NO. C-12-284106-1

DEPT. XXV

21 **SUPPLEMENTAL NOTICE OF APPEAL**

22 TO: THE STATE OF NEVADA, Plaintiff;

23 TO: CLARK COUNTY DISTRICT ATTORNEY, Plaintiff's attorney; and

24 TO: DEPARTMENT 25 OF THE EIGHTH JUDICIAL DISTRICT COURT  
25 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK:

26 NOTICE is hereby given that Glenn Miller Doolin hereby appeals to the Nevada  
27  
28 ...

1  
2 Supreme Court from the Amended Order Denying Defendant's Motion to Modify Sentence  
3 which was filed February 5, 2020.<sup>1</sup>

4 DATED this 6<sup>th</sup> day of February, 2020.

5 Respectfully submitted

6 /s/ W. JEREMY STORMS  
7

8  
9 W. Jeremy Storms  
10 Chief Deputy Special Public Defender  
11 NSB No. 10772  
12 330 South Third Street, 8th Floor  
13 Las Vegas, NV 89155  
14 (702) 455-6265  
15 Attorneys for Doolin

13 **CERTIFICATE OF MAILING**

14 The undersigned does hereby certify that on 2/6/2020, I deposited in the United States  
15 Post Office at Las Vegas, Nevada, a copy of the Supplemental Notice of Appeal, postage  
16 prepaid, addressed to the following:  
17

18 District Attorney's Office Nevada Attorney General  
19 200 Lewis Ave., 3<sup>rd</sup> Floor 100 N. Carson  
20 Las Vegas NV 89155 Carson City, NV 89701-4717

21 Glenn M. Doolin, ID 01990096  
22 Clark County Detention Center  
23 330 S. Casino Center Blvd.  
24 Las Vegas NV 89101

25 Dated: 12/9/19

26 /s/ KATHLEEN FITZGERALD

27 An employee of The Special Public Defender  
28

27 <sup>1</sup>A Notice of Appeal from the Order Denying Defendant's Motion to Modify Sentence was  
28 filed December 9, 2019. The appeal was docketed in the Nevada Supreme Court December 16,  
2019 under Case Number 80223.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 18, 2012**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**September 18, 2012    10:30 AM      Initial Arraignment**

**HEARD BY:**    De La Garza, Melisa

**COURTROOM:**    RJC Lower Level  
                                 Arraignment

**COURT CLERK:**    Carole D'Aloia

**RECORDER:**    Kiara Schmidt

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Doolin, Glenn	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Lynn Robinson, Chief Dep. D.A., present on behalf of the State and W. Jeremy Storms, Dep. P.D., present for Defendant. Following CONFERENCE AT BENCH, COURT ORDERED, matter CONTINUED for thirty (30) days.

CUSTODY (COC)

10/16/12 10:30 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 16, 2012**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**October 16, 2012      10:30 AM      Arraignment Continued**

**HEARD BY:**    De La Garza, Melisa

**COURTROOM:**    RJC Lower Level  
                                 Arraignment

**COURT CLERK:**    Sylvia Perez; Carole D'Aloia; Andrea Davis; Katrina Hernandez(kmh)

**RECORDER:**    Kiara Schmidt

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Doolin, Glenn	Defendant
	Mitchell, Scott S.	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Storms, William J.	Attorney

**JOURNAL ENTRIES**

- Pursuant to CONFERENCE AT BENCH, COURT ORDERED matter CONTINUED.

CUSTODY (COC)

11/6/12 10:30 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 06, 2012**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**November 06, 2012    10:30 AM      Arraignment Continued**

**HEARD BY:**    De La Garza, Melisa

**COURTROOM:**    RJC Lower Level  
                                 Arraignment

**COURT CLERK:**    Carole D'Aloia

**RECORDER:**    Kiara Schmidt

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Doolin, Glenn	Defendant
	Public Defender	Attorney

**JOURNAL ENTRIES**

- Tom Carroll, Chief Dep. D.A., present on behalf of the State and Ryan Bashor, Dep. P.D., present for Defendant. Amended Information FILED IN OPEN COURT. DEFENDANT DOOLIN ARRAIGNED, PLED NOT GUILTY AND INVOKED THE SIXTY (60) DAY RULE. Court ACCEPTED plea and, ORDERED, matter set for JURY TRIAL.

CUSTODY (COC)

12/3/12 9:30 AM CALENDAR CALL

12/10/12 10:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 03, 2012**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**December 03, 2012      9:30 AM      Calendar Call**

**HEARD BY:**    Delaney, Kathleen E.

**COURTROOM:**   RJC Courtroom 15A

**COURT CLERK:**   Kristen Brown

**RECORDER:**

**REPORTER:**    Brenda Schroeder

**PARTIES**

<b>PRESENT:</b>	Bashor, Ryan	Attorney for the Defendant
	Doolin, Glenn	Defendant
	O'Brien, Glen	Attorney for the State
	Public Defender	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Bashor stated this matter is resolved and requested the trial date be vacated and set for a status check regarding negotiations. Statement by the deft. COURT ORDERED, Trial VACATED and matter set for status check regarding negotiations. State to prepare a transport order.

NIC (COC-NDC)

1/09/13 9:00 AM ENTRY OF PLEA



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 09, 2013**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**January 09, 2013      9:00 AM      Entry of Plea**

**HEARD BY:**    Delaney, Kathleen E.

**COURTROOM:**    RJC Courtroom 15A

**COURT CLERK:**    Kristen Brown; Tia Everett/te

**REPORTER:**      Brenda Schroeder

**PARTIES**          Noreen Demonte, Deputy District Attorney, present on behalf of the State.

**PRESENT:**        Defendant present in custody and represented by Jeremy Storms, Deputy Public Defender.

**JOURNAL ENTRIES**

- Noreen Demonte, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Jeremy Storms, Deputy Public Defender.

NEGOTIATIONS are as contained in the Guilty Plea FILED IN OPEN COURT. DEFT. DOOLIN ARRAIGNED AND PLED GUILTY TO COUNT 1 - GRAND LARCENY (F) and COUNT 2 - POSSESSION OF BURGLARY TOOLS (F). Court ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing.

NIC (COC-NDC)

3/13/2013 9:00 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 13, 2013**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**March 13, 2013      9:00 AM      Sentencing**

**HEARD BY:** Delaney, Kathleen E.      **COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Kristen Brown; Tia Everett/te

**REPORTER:** Brenda Schroeder

**PARTIES**      Noreen Demonte, Deputy District Attorney, present on behalf of the State.  
**PRESENT:**      Defendant present in custody and represented by Ryan Bashor, Deputy Public  
                                 Defender.

**JOURNAL ENTRIES**

- Noreen Demonte, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Ryan Bashor, Deputy Public Defender.

Ms. Demonte advised there are issues with the criminal history in the Pre Sentence Investigation Report (PSI) as well as issues with the habitual notice which was filed in this case. Further, Ms. Demonte requested the matter be continued to correct the PSI and file a new habitual notice. Colloquy regarding PSI errors. COURT ORDERED, matter CONTINUED.

NIC (COC-NDC)

CONTINUED TO: 4/03/2013 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 03, 2013**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**April 03, 2013      9:00 AM      Sentencing**

**HEARD BY:**    Brennan, James

**COURTROOM:**    RJC Courtroom 15A

**COURT CLERK:**    Kristen Brown

**RECORDER:**

**REPORTER:**    Brenda Schroeder

**PARTIES**

<b>PRESENT:</b>	Dickson, Dianne    M	Attorney for the Defendant
	Doolin, Glenn	Defendant
	Jimenez, Sonia V.	Attorney for the State
	Public Defender	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. Dickson requested matter be CONTINUED for Mr. Bashor's presence, COURT SO ORDERED.

NIC (COC-NDC)

4/10/13 9:00 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 10, 2013**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**April 10, 2013      9:00 AM      Sentencing**

**HEARD BY:**    Delaney, Kathleen E.

**COURTROOM:**   RJC Courtroom 15A

**COURT CLERK:**   Kristen Brown

**RECORDER:**

**REPORTER:**    Brenda Schroeder

**PARTIES**

<b>PRESENT:</b>	Bashor, Ryan	Attorney for the Defendant
	Demonte, Noreen C.	Attorney for the State
	Doolin, Glenn	Defendant
	Public Defender	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Argument by Ms. Demonte. Certified Judgments of Convictions presented and ADMITTED. Statements by deft. and Mr. Bashor. DEFT DOOLIN ADJUDGED GUILTY of COUNT 1 - GRAND LARCENY AUTO (F) and COUNT 2 - POSSESSION OF BURGLARY TOOLS (GM). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Deft. SENTENCED under the SMALL HABITUAL CRIMINAL STATUTE as to COUNT 1 - to a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS in the Nevada Department of Corrections (NDC) to run CONSECUTIVE to C283685 and C262611; and as to COUNT 2 - to TWELVE (12) MONTHS in the Clark County Detention Center (CCDC) to run CONSECUTIVE to Count 1 with ZERO (0) DAYS credit for time served. COURT FURTHER ORDERED, the \$150.00 DNA Analysis fee including testing to determine genetic markers is WAIVED as it has already been taken. BOND, if any, EXONERATED.

NDC



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 09, 2015**

C-12-284106-1      State of Nevada  
vs  
Glenn Doolin

**February 09, 2015      9:00 AM      Motion to Modify Sentence**

**HEARD BY:** Delaney, Kathleen E.

**COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Kristen Brown

**RECORDER:**

**REPORTER:** Sharon Howard

**PARTIES**

**PRESENT:**      Cooper, Jonathan      Attorney for the State  
State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Court stated that it is not taking any arguments today. Court stated its findings and ORDERED, Deft's Pro Per Motion for Modification is DENIED. Court stated that to the extent that the deft's motion was construed as a Petition for Writ of Habeas Corpus, ORDERED, Petition is DENIED as being untimely. State to prepare the Order.

NDC

CLERK'S NOTE: Minute order AMENDED to clarify the Court's statement regarding the Pro Per Petition for Writ of Habeas Corpus as one was never filed./kb

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 04, 2016**

C-12-284106-1      State of Nevada  
vs  
Glenn Doolin

**January 04, 2016      9:00 AM      Motion to Withdraw as Counsel**

**HEARD BY:** Delaney, Kathleen E.

**COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Jennifer Kimmel

**REPORTER:** Sharon Howard

**PARTIES**

**PRESENT:** Rhoades, Kristina A.  
State of Nevada

D.A./Attorney for the State  
Plaintiff

**JOURNAL ENTRIES**

Court stated, Deputy Public Defender, Ryan Bashor was the Defendant's prior attorney and should have the file. COURT directed the Public Defender, Mr. Gutierrez, Esq. to file paperwork or something indicating the file has been sent to the Defendant. COURT ORDERED, matter set for Status Check.

NDC

2/1/16 9:00 A.M. STATUS CHECK: TRANSFER OF FILE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 28, 2016**

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**January 28, 2016      8:20 AM      Minute Order**

**HEARD BY:** Delaney, Kathleen E.

**COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Dania Batiste

**JOURNAL ENTRIES**

- COURT ORDERED, Status Check currently set for February 1, 2016 VACATED, as proof of mailing was filed on January 21, 2016 by the Public Defender's Office.

NDC

**CLERK'S NOTE:** A copy of this Minute Order has been electronically mailed to Deputy D.A. Kristina Rhoades, Esq., and Deputy P.D. Seth Gutierrez. /db 1.28.16



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 13, 2016**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**April 13, 2016      9:00 AM      Defendant's Petition for Writ of  
Habeas Corpus (Post-Conviction)**

**HEARD BY:** Delaney, Kathleen E.

**COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Dania Batiste

**REPORTER:** Sharon Howard

**PARTIES**

**PRESENT:** Lexis, Chad N.

Deputy District Attorney

**JOURNAL ENTRIES**

- Defendant not present, incarcerated in the Nevada Department of Corrections (NDC).

Noting no oral argument will be entertained for today's hearing, COURT ORDERED, Petition DENIED, as the State is correct in that it is barred by NRS 34.276; additionally, Defendant failed to show good cause or prejudice to overcome the mandatory procedural bar. State to prepare the order.

NIC

**CLERK'S NOTE:** A copy of this Minute Order has been mailed to Defendant. /db 4.14.2016

PRINT DATE: 04/14/2016

Page 1 of 1

Minutes Date: April 13, 2016

000134

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 03, 2016**

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**October 03, 2016      9:00 AM      Defendant's Pro Per  
Motion for Modification of  
Sentence**

**HEARD BY:** Delaney, Kathleen E.

**COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Natalie Ortega

**REPORTER:** Sharon Howard

**JOURNAL ENTRIES**

- Deft. not present; incarcerated in the Nevada Department of Corrections (NDC). COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 10/5/16 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 05, 2016**

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**October 05, 2016      9:00 AM      All Pending Motions**

**HEARD BY:** Delaney, Kathleen E.

**COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Natalie Ortega

**REPORTER:** Sharon Howard

**JOURNAL ENTRIES**

- DEFENDANT'S NOTICE OF MOTION MOTIONS FOR MODIFICATION OF  
SENTENCE...DEFENDANT'S PRO PER MOTION AND ORDER FOR TRANSPORTATION OF  
INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, FOR APPEARANCE BY  
TELEPHONE OR VIDEO CONFERENCE

COURT ORDERED, matters CONTINUED.

NDC

CONTINUED TO: 10/26/16 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 26, 2016**

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

**October 26, 2016      9:00 AM      All Pending Motions**

**HEARD BY:** Delaney, Kathleen E.

**COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Phyllis Irby

**RECORDER:**

**REPORTER:** Sharon Howard

**PARTIES**

**PRESENT:**      State of Nevada      Plaintiff  
                         Thomson, Megan      Attorney for the State

**JOURNAL ENTRIES**

- The Court noted upon review of the paperwork that has been provided, this Court does not have jurisdiction to modify sentence being outside the scope. COURT ORDERED, MOTIONS DENIED. The State to prepare the Orders.

NDC

Felony/Gross Misdemeanor

COURT MINUTES

January 17, 2018

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

January 17, 2018      09:00 AM      Defendant's Pro Per Motion to Modify Sentence

HEARD BY:      Delaney, Kathleen E.      COURTROOM: RJC Courtroom 03F

COURT CLERK: Boyle, Shelley

RECORDER:

REPORTER:      Silvaggio, Renee

PARTIES PRESENT:

Megan Thomson      Attorney for Plaintiff

State of Nevada      Plaintiff

**JOURNAL ENTRIES**

Deft. not present. COURT NOTED Deft. is asking for a modification on compassion and mercy grounds, and STATED ITS FINDINGS; there is no reason for Court to modify Deft's. sentence, the case law supports the State's position. COURT ORDERED, Deft's. Motion DENIED. The State is to prepare the Order.

NDC

CLERK'S NOTE: A copy of this minute order was mailed to Deft. (Glenn Doolin, BAC 1023173, SDCC, PO BOX 208, Indian Springs, NV 89070. / sb 01/19/18

DISTRICT COURT  
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

August 29, 2018

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

August 29, 2018      09:00 AM      Defendant's Motion For Reconsideration

HEARD BY:      Delaney, Kathleen E.      COURTROOM: RJC Courtroom 03F

COURT CLERK: Boyle, Shelley

RECORDER:

REPORTER:      Daly, Jennifer

PARTIES PRESENT:

Hetty O. Wong      Attorney for Plaintiff

State of Nevada      Plaintiff

**JOURNAL ENTRIES**

Deft. not present, Nevada Department of Corrections.

COURT NOTED, it is not entirely clear what Deft. would like reconsidered, and ORDERED, Motion DENIED as Motion for Reconsideration, and DENIED as a Motion for Modification of Sentence. Deft's. request may be more appropriate before the Parole Board. State to prepare the Order.

NDC

CLERK'S NOTE: A copy of this minute order was mailed to Deft. (Glenn Doolin 123173, 20825 Cold Creek Rd, PO B OX 208, Indian Springs, NV 89070). /sb 08/30/18

Felony/Gross Misdemeanor

COURT MINUTES

October 21, 2019

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

October 21, 2019      09:00 AM      Defendant's Motion to Modify Sentence

HEARD BY:      Delaney, Kathleen E.      COURTROOM: RJC Courtroom 15B

COURT CLERK: Boyle, Shelley

RECORDER:

REPORTER:      Howard, Sharon

PARTIES PRESENT:

Chad N. Lexis      Attorney for Plaintiff

State of Nevada      Plaintiff

William J. Storms      Attorney for Defendant

**JOURNAL ENTRIES**

Deft. not present, Nevada Department of Corrections (NDC).

Colloquy regarding rescheduling the matter, if it was proper to file the Motion, and the Gross Misdemeanor portion of Deft's. sentence that was to be served consecutively to the Felony charge. COURT STATED It needs to review everything, and ORDERED, matter CONTINUED.

NDC

CONTINUED TO: 10/30/19 9:00 A.M.

Felony/Gross Misdemeanor

COURT MINUTES

October 30, 2019

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

October 30, 2019      09:00 AM      Defendant's Motion to Modify Sentence

HEARD BY:      Delaney, Kathleen E.      COURTROOM: RJC Courtroom 15B

COURT CLERK: Boyle, Shelley

RECORDER:

REPORTER:      Howard, Sharon

PARTIES PRESENT:

John T. Jones, Jr.      Attorney for Plaintiff

State of Nevada      Plaintiff

William J. Storms      Attorney for Defendant

**JOURNAL ENTRIES**

Mr. Jones requested a continuance; his Appeals Department have not had the chance to respond to the Addendum filed the prior week. Mr. Storms argued all the State's arguments have been raised in earlier motions. Deft. has been transferred to the Clark County Detention Center (CCDC) to start serving the Gross Misdemeanor sentence. It is not Deft's. fault we are now into him serving his sentence. COURT ADVISED It would absolutely nunc pro tunc it back to when Deft. began serving his sentence. COURT ORDERED, State's Response DUE 11/05, matter CONTINUED; State's Response is to be emailed to the Court and Mr. Storms.

NDC

CONTINUED TO: 11/6/2019 9:00 AM



Felony/Gross Misdemeanor

COURT MINUTES

November 06, 2019

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

November 06, 2019      09:00 AM      Defendant's Motion to Modify Sentence

HEARD BY:      Delaney, Kathleen E.      COURTROOM: RJC Courtroom 15B

COURT CLERK: Boyle, Shelley

RECORDER:

REPORTER:      Howard, Sharon

PARTIES PRESENT:

Glenn Doolin	Defendant
Megan Thomson	Attorney for Plaintiff
State of Nevada	Plaintiff
William J. Storms	Attorney for Defendant

**JOURNAL ENTRIES**

Mr. Storms stated the matter was continued for the State to respond; he understands they won't be responding at this point. Ms. Thomson stated upon review of the file, it appears to be more of a Reply to the Supplement therefore, the State won't be responding. Mr. Storms argued regarding jurisdiction; by law, where Deft. has been housed for the last 4 years could not house Deft. for the Gross Misdemeanor sentence. Mr. Storms requested Deft. be allowed to parole with the job and house he has set up.

COURT ORDERED, Motion DENIED, and STATED FINDINGS; ultimately Court agrees with the State that It does not have the ability to modify Deft's. sentence at this time on the basis Deft. has already started serving his Gross Misdemeanor sentence, and based upon the rulings in Edwards v. State and Passanins and other cases. Not every mistake by the State give rise to a due process error. Once Deft. started serving the sentence the Court is precluded from doing anything. It does not have jurisdiction and can't exercise jurisdiction in the way Deft. is asking. COURT NOTED It expects Its decision to be appealed. State is to prepare the Order.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

November 06, 2019

---

C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

November 06, 2019      09:00 AM      Defendant's Motion to Modify Sentence

HEARD BY:      Delaney, Kathleen E.      COURTROOM: RJC Courtroom 15B

COURT CLERK: Boyle, Shelley

RECORDER:

REPORTER:      Howard, Sharon

PARTIES PRESENT:

Glenn Doolin	Defendant
Megan Thomson	Attorney for Plaintiff
State of Nevada	Plaintiff
William J. Storms	Attorney for Defendant

**JOURNAL ENTRIES**

Mr. Storms stated the matter was continued for the State to respond; he understands they won't be responding at this point. Ms. Thomson stated upon review of the file, it appears to be more of a Reply to the Supplement therefore, the State won't be responding. Mr. Storms argued regarding jurisdiction; by law, where Deft. has been housed for the last 4 years could not house Deft. for the Gross Misdemeanor sentence. Mr. Storms requested Deft. be allowed to parole with the job and house he has set up.

COURT ORDERED, Motion DENIED, and STATED FINDINGS; ultimately Court agrees with the State that It does not have the ability to modify Deft's. sentence at this time on the basis Deft. has already started serving his Gross Misdemeanor sentence, and based upon the rulings in Edwards v. State and Passanins and other cases. Not every mistake by the State give rise to a due process error. Once Deft. started serving the sentence the Court is precluded from doing anything. It does not have jurisdiction and can't exercise jurisdiction in the way Deft. is asking. COURT NOTED It expects Its decision to be appealed. State is to prepare the Order.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

February 05, 2020

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C-12-284106-1      State of Nevada  
                                 vs  
                                 Glenn Doolin

---

February 05, 2020      09:00 AM      Defendant's Motion to Correct Order Pursuant to NRS 178.552  
and Request for Order Shortening Time

HEARD BY:      Delaney, Kathleen E.      COURTROOM: RJC Courtroom 15B

COURT CLERK: Boyle, Shelley

RECORDER:

REPORTER:      Cangemi, Robert

PARTIES PRESENT:

Glenn Doolin	Defendant
John T. Jones, Jr.	Attorney for Plaintiff
State of Nevada	Plaintiff
William J. Storms	Attorney for Defendant

**JOURNAL ENTRIES**

Amended Order Denying Deft's. Motion to Modify Sentence FILED IN OPEN COURT.

Mr. Storms relayed the history of the case and Court's decision at the last hearing, and argued the State's Order was missing important language pertaining to the Court's findings. Following review of Mr. Storm's proposed Order, COURT ORDERED, Deft's. Motion GRANTED, and SIGNED the Order provided by Mr. Storms IN OPEN COURT. A copy of the signed Order was provided to counsel for their records.

CUSTODY