

1 **NOAS**

2 DARIN F. IMLAY, PUBLIC DEFENDER
3 NEVADA BAR No. 5674
4 309 South Third Street, Suite 226
5 Las Vegas, Nevada 89155
6 (702) 455-4685
7 Attorney for Defendant

Electronically Filed
Dec 31 2019 11:49 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

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

10 THE STATE OF NEVADA,)
11)
12 Plaintiff,) CASE NO. C-16-316382-1
13 v.) DEPT. NO. XII
14)
15 ARMANDO VASQUEZ-REYES,)
16)
17 Defendant.)

18 **NOTICE OF APPEAL**

19 TO: THE STATE OF NEVADA

20 STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY,
21 NEVADA and DEPARTMENT NO. XII OF THE EIGHTH JUDICIAL
22 DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE
23 COUNTY OF CLARK.

24 NOTICE is hereby given that Defendant, Armando Vasquez-
25 Reyes, presently incarcerated in the Nevada State Prison, appeals
26 to the Supreme Court of the State of Nevada from the judgment
27 entered against said Defendant on the 17 day of December, 2019,
28 whereby he was convicted of Cts. 1 and 2 - Lewdness with a Child
Under the Age of 14; Cts. 3, 4, 5, 6, 7, 8, 9 and 10 - Sexual
Assault with a Minor Under Fourteen Years of Age and sentenced to
\$25 Admin. Fee; \$150 DNA analysis fee; genetic markers \$3 DNA
collection fee; Cts. 1 and 2 - Ten Years to Life in Prison, Ct. 2
concurrent with Ct. 1; Ct. 3 - 35 years to Life consecutive to Ct.
2; Ct. 4 - 35 years to Life concurrent with Ct. 3; Ct. 5 - 35
years to life concurrent with Ct. 3; Ct. 6 - 35 years to Life

1 concurrent with Ct. 3; Ct. 7 - 35 years to Life concurrent to Ct.
2 3; Ct. 8 - 35 years to Life concurrent with Ct. 3; Ct. 9 - 35
3 years to Life concurrent with Ct. 3 - Ct. 9 - 35 years to Life
4 concurrent with Ct. 3 - Ct. 10 - 35 years to Life concurrent with
5 Ct. 3; 1,333 days CTS. The aggregate total sentence is 45 years
6 to Life. Special sentence of Lifetime supervision, register as a
7 sex offender 48 hours after any release from custody.

8 DATED this 19 day of December, 2019.

9 DARIN F. IMLAY
10 CLARK COUNTY PUBLIC DEFENDER

11 By: /s/ Howard S. Brooks
12 HOWARD S. BROOKS, #3374
13 Deputy Public Defender
14 309 S. Third Street, Ste. 226
15 Las Vegas, Nevada 89155
16 (702) 455-4685
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1 **CERTIFICATE OF ELECTRONIC FILING**

2 I hereby certify that service of the above and foregoing
3 was made this 19 day of December, 2019, by Electronic Filing to:

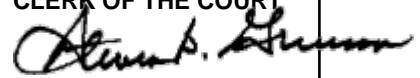
4 District Attorneys Office
5 E-Mail Address:

6 PDMotions@clarkcountyda.com

7 Jennifer.Garcia@clarkcountyda.com

8 Eileen.Davis@clarkcountyda.com

9
10 /s/ Carrie M. Connolly
11 Secretary for the
12 Public Defender's Office
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CAS

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,)	
)	
Plaintiff,)	CASE NO. C-16-316382-1
)	
v.)	DEPT. NO. XII
)	
ARMANDO VASQUEZ-REYES,)	
)	
Defendant.)	
)	

CASE APPEAL STATEMENT

1. Appellant filing this case appeal statement:
Armando Vasquez-Reyes.

2. Judge issuing the decision, judgment, or order
appealed from: Michelle Leavitt.

3. All parties to the proceedings in the district
court (the use of et al. To denote parties is prohibited): The
State of Nevada, Plaintiff; Armando Vasquez-Reyes, Defendant.

4. All parties involved in this appeal (the use of
et. al. to denote parties is prohibited): Armando Vasquez-
Reyes, Appellant; The State of Nevada, Respondent.

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

3 DARIN F. IMLAY
4 Clark County Public Defender
309 South Third Street, #226
5 Las Vegas, Nevada 89155-2610

STEVEN B. WOLFSON
Clark County District Attorney
200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155

6 Attorney for Appellant

AARON FORD
Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717
(702) 687-3538

Counsel for Respondent

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

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

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

17 9. Date proceedings commenced in the district court
18 (e.g., date complaint, indictment, information, or petition was
19 filed): Information 07/14/16.

20 DATED this 19th day of December, 2019.

21 DARIN F. IMLAY
22 CLARK COUNTY PUBLIC DEFENDER

23
24 By: /s/ Howard S. Brooks
25 HOWARD S. BROOKS, #3374
26 Deputy Public Defender
309 S. Third Street, Ste. 226
27 Las Vegas, Nevada 89155
(702) 455-4685

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District Attorneys Office
E-Mail Address:

Jennifer.Garcia@clarkcountydade.com

/s/ Carrie M. Connolly
Secretary for the
Public Defender's Office

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-16-316382-1**

State of Nevada
vs
ARMANDO VASQUEZ-REYES

§ Location: **Department 12**
§ Judicial Officer: **Leavitt, Michelle**
§ Filed on: **07/12/2016**
§ Cross-Reference Case Number: **C316382**
§ Defendant's Scope ID #: **7030886**
§ ITAG Booking Number: **0**
§ ITAG Case ID: **2040512**
§ Lower Court Case # Root: **16F06076**
§ Lower Court Case Number: **16F06076X**
§ Metro Event Number: **1604162346**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court					
1. LEWDNESS WITH A CHILD UNDER THE AGE OF 14 PCN: 0025618067 ACN: 1604162346 Arrest: 04/16/2016 MET - Metro	201.230.2	F	01/21/2007	Case Status:	12/17/2019 Closed
2. LEWDNESS WITH A CHILD UNDER THE AGE OF 14	201.230.2	F	01/21/2007		
3. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	01/21/2007		
4. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	01/21/2007		
5. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	01/21/2007		
6. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	01/21/2007		
7. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	01/21/2007		
8. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	01/21/2007		
9. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	01/21/2007		
10. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	01/21/2007		

Statistical Closures

12/17/2019 Guilty Plea with Sentence (before trial) (CR)

DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number C-16-316382-1
Court Department 12
Date Assigned 07/12/2016
Judicial Officer Leavitt, Michelle

PARTY INFORMATION

		<i>Lead Attorneys</i>
Defendant	VASQUEZ-REYES, ARMANDO	Public Defender Public Defender 702-455-4685(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

CASE SUMMARY**CASE NO. C-16-316382-1**

EVENTS & ORDERS OF THE COURT

DATE

INDEX

EVENTS

07/12/2016	 Criminal Bindover Packet Las Vegas Justice Court
07/14/2016	 Information <i>Information</i>
08/12/2016	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings Preliminary Hearing 7/12/16</i>
08/31/2016	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses and/or Expert Witnesses</i>
01/13/2017	 Motion <i>Motion To Dismiss Counsel And Appointment Of Alternate Counsel</i>
05/04/2017	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses and/or Expert Witnesses [NRS 174.234]</i>
05/19/2017	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy</i>
08/17/2017	 Motion Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Motion to Dismiss ounsel and Appointment of Alternate Counsel</i>
09/21/2017	 Order <i>Order Denying Defendant's Pro Per Motion to Dismiss Counsel and Appoint Alternate Counsel</i>
01/08/2018	 Motion to Compel Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Motion to Compel Production of Discovery & Brady Material</i>
01/08/2018	 Motion to Suppress Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Motion to Suppress</i>
01/12/2018	 Opposition <i>State's Opposition to Defendant s Motion to Suppress</i>
01/12/2018	 Supplemental Witness List <i>State's Supplemental Notice Of Witnesses And/Or Expert Witnesses</i>
05/09/2018	 Order <i>Order Denying Defendant's Motion to Suppress</i>
05/11/2018	 Motion to Suppress Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Motion to Suppress Defendant's Statement</i>

CASE SUMMARY
CASE NO. C-16-316382-1

05/14/2018	 Notice of Expert Witnesses Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2)</i>
05/15/2018	 Notice of Motion Filed By: Plaintiff State of Nevada <i>Notice of Motion and Motion to Strike Defendant's Expert Due to Untimely Notice</i>
05/21/2018	 Ex Parte Order Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Ex Parte Order for Transcript</i>
05/25/2018	 Supplemental Witness List <i>State's Second Supplemental Notice of Witnesses and/or Expert Witnesses</i>
05/29/2018	 Notice of Motion <i>State's Notice of Motion and Motion In Limine To Preclude Evidence That Victim G.A. Tested Positive For The Sexually Transmitted Disease</i>
05/31/2018	 Opposition <i>State's Opposition to Defendant s Motion To Suppress Defendant's Statement</i>
06/07/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Jackson v. Denno Hearing; Defendant's Motion to Dismiss, Thursday, April 26, 2018</i>
06/18/2018	 Opposition to Motion in Limine <i>Defendant's Opposition to State's Motion in Limine</i>
06/25/2018	 Order <i>Order Granting State's Motion in Limine to Preclude Evidence that Victim G.A. Tested Positive for the Sexually Transmitted Disease Chlamidia</i>
07/03/2018	 Ex Parte Order Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Ex Parte Request and Order Granting Motion to File Document Under Seal</i>
07/05/2018	 Filed Under Seal <i>Ex Parte Order for Transport</i>
09/14/2018	 Order of Commitment Pursuant to NRS 178.425 Filed By: Plaintiff State of Nevada <i>Order of Commitment</i>
11/09/2018	 Order <i>Order to Transport Defendant from Southern Nevada Adult Mental Health Rawson-Neal Psychiatric Hospital</i>
11/16/2018	 Findings of Competency Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Findings of Competency</i>















CASE SUMMARY

CASE NO. C-16-316382-1

02/25/2019	 Notice of Witnesses and/or Expert Witnesses Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2)</i>
02/26/2019	 Notice of Motion <i>State's Notice of Motion and Motion to Strike Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2)</i>
03/05/2019	 Supplemental <i>State's Supplemental Points and Authorities in Support of Motion to Strike Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2) and/or State's Motion to Preclude Testimony of State's Expert Witness and/or State's Motion for Court Order Allowing State's Expert to Conduct a Neuropsychological Evaluation of the Defendant to assess his Cognitive Function</i>
03/11/2019	 Opposition to Motion Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Defendant's Opposition to State's Motion to Strike Defendant's Expert</i>
03/22/2019	 Notice of Expert Witnesses Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2)</i>
03/25/2019	 Amended Notice Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Amended Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2)</i>
04/22/2019	 Supplemental Witness List <i>State's Third Supplemental Notice of Witnesses and/or Expert Witnesses</i>
05/03/2019	 Motion to Dismiss Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Motion to Dismiss for Failure to Preserve Exculpatory Evidence</i>
05/03/2019	 Motion to Reconsider Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Motion to Reconsider Admissibility of Evidence Victim G.A. Tested Positive for Chlamydia</i>
05/03/2019	 Motion to Exclude Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Motion to Exclude Improper Expert Opinion</i>
05/06/2019	 Supplemental Witness List <i>State's Fourth Supplemental Notice of Witnesses and/or Expert Witnesses</i>
05/09/2019	 Opposition <i>State's Opposition to Defendant's Motion to Reconsider Admissibility of Evidence Victim G.A. testified Positive for Chlamydia</i>
05/09/2019	 Opposition <i>State's Opposition to Defendant's Motion to Exclude Improper Testimony</i>
05/09/2019	 Opposition <i>State's Opposition to Defendant's Motion to Dismiss for Failure to Preserve Evidence</i>


CASE SUMMARY


CASE NO. C-16-316382-1


05/09/2019	 Notice of Motion <i>State's Notice of Motion and Motion in Limine</i>
05/13/2019	 Notice of Witnesses Party: Defendant VASQUEZ-REYES, ARMANDO <i>Defendant's Notice of Witnesses, Pursuant to NRS 174.234</i>
05/17/2019	 Receipt of Copy <i>Receipt of Copy</i>
05/22/2019	 Supplemental Witness List <i>State's Fifth Supplemental Notice of Witnesses and/or Expert Witnesses</i>
06/05/2019	 Competency Evaluations <i>Competency reports</i>
09/09/2019	 Supplemental Witness List <i>State's Sixth Supplemental Notice of Witnesses and/or Expert Witnesses</i>
10/01/2019	 Motion in Limine <i>Notice of Motion and Motion in Limine to Preclude or Permit Evidence of Specific Statements in Defendant's Statement to Police on April 26, 2018</i>
10/04/2019	 Notice of Witnesses Party: Defendant VASQUEZ-REYES, ARMANDO <i>Defendant's Notice of Witnesses, Pursuant to NRS 174.234</i>
10/07/2019	 Audiovisual Transmission Equipment Appearance Request <i>AUDIOVISUAL TRANSMISSION EQUIPMENT APPEARANCE REQUEST</i>
10/07/2019	 Opposition to Motion <i>Defendant Opposition to State's Motion to Preclude or Permit Evidence of Specific Statements in Defendant's Statement to Police on April 26, 2018</i>
10/07/2019	 Opposition to Motion <i>Defendant's Opposition to State's Motion to Preset Propensity Evidence and/or Res Gestae Evidence</i>
10/07/2019	 Notice of Motion <i>Notice of Motion and Motion to Preset Propensity Evidence and/or Res Gestae Evidence</i>
10/09/2019	 Brief <i>State's Bench Brief Regarding Unconscious Bias</i>
10/09/2019	 Jury List
10/10/2019	 Ex Parte Order Filed By: Defendant VASQUEZ-REYES, ARMANDO <i>Ex Parte Order for Transcript</i>
10/10/2019	 Recorders Transcript of Hearing <i>Transcript of Proceedings: Portion of Jury Trial - Day 1 (Jackson v. Denmo Hearing),</i>


CASE SUMMARY
CASE NO. C-16-316382-1

Monday, October 7, 2019


10/11/2019  Audiovisual Transmission Equipment Appearance Request


10/14/2019  Audiovisual Transmission Equipment Appearance Request
Audiovisual Transmission Equipment Appearance Request


10/14/2019  Proposed Jury Instructions Not Used At Trial
Defendant's Proposed Jury Instructions

10/15/2019  Verdict

10/15/2019  Instructions to the Jury

11/22/2019  PSI

12/17/2019  Judgment of Conviction
Judgment of Conviction (Jury Trial)

12/17/2019  Criminal Order to Statistically Close Case
Criminal Order to Statistically Close Case

12/19/2019  Notice of Appeal (criminal)
Notice of Appeal

12/19/2019  Case Appeal Statement
Case Appeal Statement

DISPOSITIONS

- 10/15/2019 **Disposition** (Judicial Officer: Leavitt, Michelle)
1. LEWDNESS WITH A CHILD UNDER THE AGE OF 14
Guilty
PCN: 0025618067 Sequence:
 2. LEWDNESS WITH A CHILD UNDER THE AGE OF 14
Guilty
PCN: Sequence:
 3. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE
Guilty
PCN: Sequence:
 4. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE
Guilty
PCN: Sequence:
 5. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE
Guilty
PCN: Sequence:
 6. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE
Guilty
PCN: Sequence:
 7. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE
Guilty

CASE SUMMARY
CASE NO. C-16-316382-1

PCN: Sequence:

8. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

Guilty

PCN: Sequence:

9. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

Guilty

PCN: Sequence:

10. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

Guilty

PCN: Sequence:

HEARINGS

07/14/2016



Initial Arraignment (10:00 AM) (Judicial Officer: Hillman, Ralph R.)

Matter Continued;

Journal Entry Details:

Deputized Law Clerk, Vivian Luong appearing for the State. At the request of counsel, COURT ORDERED, matter CONTINUED. CUSTODY 8/02/16 10:00 AM ARRAIGNMENT COURT (LLA);

08/02/2016



Arraignment Continued (10:00 AM) (Judicial Officer: De La Garza, Melisa)

Trial Date Set;

Journal Entry Details:

DEFT. VASQUEZ-REYES ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. CUSTODY 9/20/16 8:30 AM CALENDAR CALL (DEPT. 12) 9/27/16 1:30 PM JURY TRIAL (DEPT. 12);

09/20/2016



Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Set Status Check;

Journal Entry Details:

Deft. present with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. Mr. Feliciano not present. Court TRAILED and RECALLED matter. Spanish Interpreter not present. Mr. Feliciano not present. Ms. Clemons advised Mr. Feliciano is out sick today, further noting she spoke with defense counsel, and parties agreed to vacate the current trial date. Court stated Deft. invoked. Ms. Navarro advised she speaks Spanish, and can let Deft. know that the trial date will be pushed further out. Court TRAILED and RECALLED matter. Ms. Navarro stated she spoke with Deft. in Spanish about what is going on, and Mr. Feliciano had gone over ramifications with Deft, and he agrees to waive the 60 day rule. Ms. Clemons advised parties do not have Mr. Feliciano's trial schedule. At request of counsel, and there being no objection by State, COURT ORDERED, trial date VACATED; status check hearing SET. Ms. Clemons noted for the record that State does not object to having the trial date reset, and this is Deft's Motion to continue trial. SO NOTED; Motion is GRANTED. CUSTODY 10/04/16 8:30 A.M. STATUS CHECK: RESET TRIAL DATE ;

09/27/2016

CANCELED Jury Trial (1:30 PM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

10/04/2016



Status Check: Reset Trial Date (8:30 AM) (Judicial Officer: Leavitt, Michelle)

MINUTES

Trial Date Set;

Journal Entry Details:

Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alex Andrade. Mr. Feliciano advised it was the first trial setting, and defense will request a new

CASE SUMMARY

CASE NO. C-16-316382-1

trial date, further noting he just got the discovery. Additionally, Deft. agrees to waive. Court stated Deft. waived back on September 20, 2016. COURT ORDERED, Deft's Motion to continue trial date GRANTED; trial date VACATED AND RESET. CUSTODY 3/07/17 8:30 A.M. CALENDAR CALL 3/14/17 1:30 P.M. TRIAL BY JURY ;

SCHEDULED HEARINGS



Calendar Call (03/07/2017 at 8:00 AM) (Judicial Officer: Leavitt, Michelle)

CANCELED Jury Trial (03/14/2017 at 1:30 PM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

02/07/2017



Motion to Withdraw as Counsel (8:30 AM) (Judicial Officer: Leavitt, Michelle)

02/07/2017, 02/21/2017

Defendant's Motion to Dismiss Counsel and Appointment of Alternate Counsel

Continued;

Off Calendar;

Journal Entry Details:

Deft. present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. Mr. Feliciano not present. Court TRAILED and RECALLED matter. Mr. Feliciano is now present in Court. Upon Court's inquiry, Mr. Feliciano advised the issue did not resolve, further noting he will provide discovery to Deft, except medical records, however, he will show him everything. Upon Court's inquiry, Deft. stated he understands, but he needs his discovery. Court clarified to Deft. he can have discovery, and he can look at the medical records with his attorney, however, he is not permitted to have copies of medical records in his possession, and nobody will give him copies of the medical records either. Deft. stated he needs his discovery in Spanish. Court clarified his attorney will review the discovery with him, and a Spanish Interpreter will also be present, to interpret the discovery in Spanish for him. COURT ORDERED, Motion OFF CALENDAR. CUSTODY 3/07/17 8:30 A.M. CALENDAR CALL 3/14/17 1:30 P.M. TRIAL BY JURY ;

Continued;

Off Calendar;

Journal Entry Details:

Deft. present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. Ms. Sauter appeared for Mr. Feliciano. At request of defense counsel, COURT ORDERED, matter CONTINUED two weeks. CUSTODY 2/21/17 8:30 A.M. DEFT'S MOTION TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL 3/07/17 8:30 A.M. CALENDAR CALL 3/14/17 1:30 P.M. TRIAL BY JURY CLERK'S NOTE: Mr. Feliciano had contacted Chambers earlier, and had requested a continuance of two weeks to meet with Deft. to resolve the issues outlined in Motion, which was filed by Deft. on his own. /// sj ;

03/07/2017



Calendar Call (8:00 AM) (Judicial Officer: Leavitt, Michelle)

MINUTES

Vacated and Reset;

Journal Entry Details:

Deft. present in custody with assistance from Certified Spanish Court Interpreter, Yul Haasmann. At request of defense counsel, due to needing more time to prepare for trial, and there being no objection by State, COURT ORDERED, Deft's Motion to continue trial GRANTED; trial date VACATED AND RESET. CUSTODY 6/13/17 8:30 A.M. CALENDAR CALL 6/20/17 1:30 P.M. TRIAL BY JURY;

SCHEDULED HEARINGS



Calendar Call (06/13/2017 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)

CANCELED Jury Trial (06/20/2017 at 1:30 PM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

03/14/2017

CANCELED Jury Trial (1:30 PM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

06/13/2017



Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Vacated and Reset;

Journal Entry Details:


CASE SUMMARY

CASE NO. C-16-316382-1

Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alex Andrade. CONFERENCE AT BENCH. At request of counsel, and there being no objection by State, COURT ORDERED, Motion to continue trial GRANTED; trial date VACATED AND RESET. Deft. objected to the trial continuance; and asked to come to the Bench. Court DENIED the request. Deft. argued he requested discovery. Mr. Feliciano advised Deft. wants a copy of the medical records. Court advised Deft. he is not entitled to have medical records, and his attorney will not give medical records to him, as he is not entitled to them, however, he can review the records with his attorney. Court advised Deft. it told Mr. Feliciano to get discovery to him, and his attorney is going to provide him a copy of appropriate discovery. Deft. argued his attorney is violating his rights. Mr. Feliciano disagreed; and stated he does not want to address Deft. at this time in Court. CUSTODY 1/09/18 8:30 A.M. CALENDAR CALL 1/16/18 1:30 P.M. TRIAL BY JURY ;

06/20/2017 **CANCELED Jury Trial (1:30 PM)** (Judicial Officer: Leavitt, Michelle)
Vacated - per Judge

09/07/2017  **Motion to Dismiss (8:30 AM)** (Judicial Officer: Leavitt, Michelle)
Defendant's Pro Per Motion to Dismiss Counsel and Appointment of Alternate Counsel Denied;
Journal Entry Details:
Deft. present in custody with assistance from Certified Spanish Court Interpreter, Irma Sanchez-Gastelum. Court stated it reviewed the Motion; and asked Deft. if there is anything he wants to say. Mr. Feliciano advised the issue is with medical records of complaining witness. Court stated Deft. is not going to have possession of those records. Mr. Feliciano advised he can review a copy of the records with him. Court reminded Deft. it told him last time he was here in Court, that his attorney can come and show him the records, however, the attorney is required to take the medical records back, and he cannot have them in his possession at the jail. Upon Court's inquiry, Mr. Feliciano confirmed the records are not voluminous, and there were subsequent follow up doctor visits. SO NOTED. Court provided Deft. with the trial date. Deft. stated he does not want Mr. Feliciano as his attorney anymore, he has done nothing for him, he is only lying to him, he has come to see him twice, and says he is going and never shows up. Mr. Feliciano informed Court he told Deft. he will see him next week, it has been difficult in the beginning, there are things that need to get done before trial, and he can work with Deft. on defending him. Deft. stated he has never been difficult, and the attorney is only telling him lies. Upon Court's inquiry, Mr. Feliciano confirmed Deft. has been provided with discovery, but no medical records, further noting he can go visit Deft, and see what he has and compare it to what defense has. Deft. stated he does not want Mr. Feliciano as his attorney. Court reminded Deft. he does not get to choose court appointed counsel, and based on what has been said, Court will not dismiss Mr. Feliciano as his attorney. Deft. stated he just gave him the police report. Court advised Deft. Mr. Feliciano said he gave him more than that. Mr. Feliciano stated he will make another copy of discovery and provide it to him. Court asked Mr. Feliciano to provide a receipt of copy of discovery for the record. Court advised Deft. it is ready for trial, and it does not need anything. Mr. Feliciano advised defense should be ready to go. Mr. Sweeten confirmed State will be ready. Following discussions, Court advised Deft. Mr. Feliciano can convey any offers to him, and his attorney is doing what he is supposed to do, if State makes an offer. Deft. stated he just wants his attorney to do his job. COURT ORDERED, Motion DENIED. Matter OFF CALENDAR. CUSTODY 1/09/18 8:30 A.M. CALENDAR CALL 1/16/18 1:30 P.M. TRIAL BY JURY ;

01/09/2018  **Calendar Call (8:30 AM)** (Judicial Officer: Leavitt, Michelle)
01/09/2018, 01/11/2018
Continued;
Trial Date Set;
Journal Entry Details:
Mr. Sweetin is present on behalf of State. Deft. is present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. CONFERENCE AT BENCH. COURT ORDERED, trial date SET. Pre-trial motions will be heard on January 16, 2018 at 8:30 a.m. CUSTODY 1/16/18 8:30 A.M. DEFT'S MOTION TO SUPPRESS...DEFT'S MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL 1/22/18 10:30 A.M. TRIAL BY JURY;
Continued;
Trial Date Set;
Journal Entry Details:
Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alicia

CASE SUMMARY
CASE NO. C-16-316382-1

CASE SUMMARY**CASE NO. C-16-316382-1**

Matter Heard;

Journal Entry Details:

Deft. present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. DEFT'S MOTION TO SUPPRESS Court stated it is not sure what the contention is, and whether defense put forth enough for this Motion. Mr. Feliciano advised there are certain things not in the motion, that only Deft. can explain. Upon Court's inquiry, Mr. Feliciano confirmed he will request a Jackson vs. Denno hearing on this. Mr. Sweetin submitted. Mr. Feliciano advised he will meet with Deft. to prepare him for the hearing, and he will show Deft. the video. Discussions as to Deft. having received the transcript of the proceedings. COURT ORDERED, Motion CONTINUED; hearing also SET. State provided a copy of the video to Court for review. DEFT'S MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL Mr. Sweetin advised he believes parties worked out discovery issues at this point, and one issue is regarding CPS records, and the records relate to this particular incident. Thereafter, Mr. Sweetin provided CPS records to Court for review. Upon Court's inquiry, Mr. Sweetin advised he believes these records are discoverable to defense counsel. Court stated it will review records, and based on what State said, the Court may provide a copy of the records to defense. As to therapy records, Court asked what the basis is, for defense to have them. Mr. Feliciano advised he would want those records reviewed by Court. Mr. Sweetin advised there was counseling that occurred after the incident was reported to police, he does not know if there are records, State does not have possession of them, and State's position is that these records are privileged. Mr. Feliciano advised those records will not be provided to defense directly. Discussions. Arguments by counsel. Court noted it does not believe defense put a showing that this Court would need to review the records, defense would not be entitled to them, and State does not have therapy records and is not required to turn them over. COURT ORDERED, request for therapy records DENIED. As to request No.'s 33 and 34, as to any prior allegations and other source of knowledge, Mr. Feliciano requested State to make inquiry during pre-trial, to see if those materials exist. Mr. Sweetin made no objection; and stated he has no knowledge at this point. COURT ORDERED, State to make initial disclosure and determine whether there is any information. Court advised defense counsel if State was aware of such information, the State would be required to turn it over. Mr. Sweetin noted for the record he spoke with defense counsel, and there were redactions made on Deft's recorded statements, to which State is seeking to play at trial. CONFERENCE AT BENCH. CUSTODY 1/22/18 10:30 A.M. JACKSON VS. DENNO HEARING...TRIAL BY JURY ;

01/22/2018

Jury Trial (10:30 AM) (Judicial Officer: Leavitt, Michelle)
Vacated and Reset;

01/22/2018

Jackson v Denno Hearing (10:30 AM) (Judicial Officer: Leavitt, Michelle)
Off Calendar;

01/22/2018



All Pending Motions (10:30 AM) (Judicial Officer: Leavitt, Michelle)

MINUTES

Matter Heard;

Journal Entry Details:

JACKSON VS. DENNO HEARING...DEFT'S MOTION TO SUPPRESS...TRIAL BY JURY OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Deft. present in custody with assistance from Certified Spanish Court Interpreter, Elsa Marsico. Mr. Feliciano noted for the record parties had a meeting with Court in Chambers, last week on Friday, January 19, 2018, and upon review of medical records, defense believes an expert may be needed; and defense would be requesting a continuance of the Jackson vs. Denno hearing, and trial. Mr. Feliciano further noted discussions in Chambers were made about the STD issue coming into evidence, defense would be seeking to admit such evidence, and State had submitted a written bench brief to the Court, which was not calendared. Court advised defense counsel if he is seeking to admit the STD information, he would have to seek relief before the Court, requesting to admit it. Mr. Sweetin advised State would oppose the trial continuance on the basis defense had stated. Mr. Sweetin argued there is no basis as to Deft's high blood pressure issue, as this is not out of the ordinary, and it could be due to allegations being brought against Deft, and State does not believe Deft. seeking to get tested for the STD and for defense to bring the information in, is relevant. Discussions. Court advised Deft. about his attorney seeking a trial continuance; and advised Deft. should he get tested, the results of such test could be admitted at trial. Deft. asked how long the trial continuance would be. Mr. Feliciano advised parties were looking at a trial date for May 29, 2018. Deft. objected. Court stated it has not released the jury panel for today. Deft. spoke with his attorney in open Court. Court stated it does not

CASE SUMMARY

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need Def't's consent about the request for trial continuance, and Court had told the parties at the conference in Chambers that it would grant a continuance. Upon Court's inquiry, Def't. acknowledged regarding his attorney seeking a continuance and Court being inclined to grant it. COURT ORDERED, Def't's Motion to continue trial GRANTED; trial date VACATED AND RESET; Jackson vs. Denno hearing OFF CALENDAR. Mr. Feliciano advised State had made an offer. Mr. Sweetin requested a status check hearing be set; and advised parties have discussed the offer, and there needs to be information given to the Court, as to whether or not the Jackson vs. Denno hearing would go forward, and what would be presented. Mr. Sweetin provided the offer on the record; and advised the offer would remain open until a scheduled status check hearing. Mr. Feliciano advised he will discuss the offer with Def't. one more time, and he would hope to find a doctor who can get Def't. tested. COURT FURTHER ORDERED, status check hearing also SET. Awaiting Prospective Jury Panel was DISCHARGED by Court. CUSTODY 2/08/18 8:30 A.M. STATUS CHECK: NEGOTIATIONS / RESET JACKSON VS. DENNO HEARING...DEFT'S MOTION TO SUPPRESS 5/22/18 8:30 A.M. CALENDAR CALL 5/29/18 1:30 P.M. TRIAL BY JURY;

SCHEDULED HEARINGS

Calendar Call (05/22/2018 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)
CANCELED Jury Trial (05/29/2018 at 1:30 PM) (Judicial Officer: Leavitt, Michelle)
Vacated - per Judge

02/08/2018

Status Check (8:30 AM) (Judicial Officer: Leavitt, Michelle)
Status Check: Negotiations / Reset Jackson vs. Denno Hearing

MINUTES

Hearing Set;

SCHEDULED HEARINGS

Jackson v Denno Hearing (04/26/2018 at 10:30 AM) (Judicial Officer: Leavitt, Michelle)

02/08/2018



All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

Journal Entry Details:

STATUS CHECK: NEGOTIATIONS...DEFT'S MOTION TO SUPPRESS Court TRAILED and RECALLED matter for defense counsel to appear. Def't. present in custody with assistance from Certified Spanish Court Interpreter, Alex Andrade. Mr. Feliciano requested the Jackson vs. Denno hearing be set, further noting there is a medical expert he is working with, records need to be provided to the expert, and the turn-around time would take a few days. Additionally, defense has a consultation to do in three weeks, and defense would request the hearing be set out longer. Mr. Feliciano added there was an offer made, and the offer was not discussed until today. Mr. Sweetin provided the offer on the record, which included one Count of sexual assault and another Count of Lewdness with a minor; and noted State would retain right to argue. Def't. laughed in open Court. Court stated it is not sure how funny this is. Discussions as to range of punishment on the current charges, and the charges with State's offer. Court noted Def't. is facing multiple life sentences with the current charges. Upon Court's inquiry, Def't. stated of course not he will not accept the offer, and he is rejecting State's offer today. Upon Court's inquiry, Mr. Sweetin confirmed State is withdrawing the offer, and will not be making the offer again. COURT ORDERED, Def't's Motion CONTINUED; hearing SET. Def't. asked why so long. Court stated his attorney is asking for more time. Def't. stated the attorney does not do anything, and this is going around in circles. Court noted when parties met with the Court previously on this case, it was made clear to the Court that Mr. Feliciano did a substantial amount of work on this case, he has been preparing on this case, and there has been a substantial amount of work done, getting this case ready for trial. Mr. Feliciano noted he will do everything he can to get the case ready for the Jackson vs. Denno hearing, and as far as getting Def't. ready to testify, this has been almost impossible, as he would go visit the Def't. at the jail, the previous meetings were quick, and Def't. would end the meetings and go back to his cell immediately during the visits. Mr. Sweetin noted for the record Def't. has been smirking and chuckling during entire proceedings in this case, and it appears Def't. is not being receptive, as he has had a nonchalant demeanor and attitude throughout proceedings. CUSTODY 3/29/18 10:30 A.M. JACKSON VS. DENNO HEARING...DEFT'S MOTION TO SUPPRESS 5/22/18 8:30 A.M. CALENDAR CALL 5/29/18 1:30 P.M. TRIAL BY JURY ;

04/26/2018

Jackson v Denno Hearing (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 Evidentiary Hearing;

CASE SUMMARY**CASE NO. C-16-316382-1**

04/26/2018

**All Pending Motions (10:30 AM)** (Judicial Officer: Leavitt, Michelle)*All Pending Motions (4/26/2018)*




Matter Heard;

Journal Entry Details:

JACKSON VS. DENNO HEARING...DEFT'S MOTION TO SUPPRESS Deft. present in custody with assistance from Certified Spanish Court Interpreter, Magdalena Becerra. Discussions as to witness line up, and defense seeking to introduce Deft's medical records from the jail. Arguments by counsel as to witness from the jail not being available, custodian of records from CCDC having been requested to appear and testify about the medical records and Deft's blood pressure reading, EMT being present in Court from CCDC who is not the custodian of records or original EMT, offer having been made to stipulate to the records, and State not being in agreement. Court advised defense counsel if she wants records in, defense would have to figure out how to get those records in. Ms. Hojjat noted she has an affidavit. Mr. Sweetin made objection as to defense trying to get information in, and there needing to be testimony from medical expert who reviewed the medical records. Further arguments as to assessment having been done indicating no problems with Deft. functioning. Mr. Sweetin advised he spoke with the EMT who is present in Court, State is fine with getting records in, as long as other records come in, further noting the records do not appear to be clear. Court noted if defense lays proper foundation, the expert can testify to things made known to them; and if there is a stipulation to admit the entire medical records, Court can order them admitted. Ms. Hojjat provided Deft's medical records to Court; and requested to invoke the Exclusionary Rule. **COURT ORDERED, EXCLUSIONARY RULE INVOKED.** Discussions as to State's concerns about the medical records having substantial significance, and reasons whether the medical expert is not needed. Mr. Sweetin argued regarding relevance, and State having to explain about the blood pressure issue. Ms. Hojjat argued this is State's burden. Court stated yes; however, the motion was filed, and based on the pleadings, State met the burden. Ms. Hojjat argued defense's concerns and Court not having heard from the Deft. yet on this issue. Court stated defense has to have a legal basis and not just on one statement, further noting State does not have to call a medical witness or EMT. Ms. Hojjat argued the EMT present in Court is not qualified, and defense will submit it, further noting defense argues Deft. was not feeling well at time of interview with police. Testimony and Exhibits presented (See Worksheets.). Mr. Sweetin argued as to statements having been made by Deft. being voluntary. Further arguments as to acknowledgment of rights having been given and signed by Deft, Deft's interview being short, Deft. having seemed more casual and in a relaxed state during interview, Deft. not having had great deal of anxiety, questions having been answered, clarification having been made, denial having been made by Deft, Deft. having brought up information during interview, Deft. saying he did not remember, Miranda having been given adequately, there being no evidence of coercion, Deft's medical records not saying anything as to issues before this Court, and blood pressure reading having been taken at time Deft. was booked into the detention center. Discussions between Court and the Marshal regarding the witness from CCDC being asked for, by the jail. Court apologized; and **ORDERED**, the witness to be excused. Further arguments by State as to no assessment sheet from evening, assessment sheet having been done the following day after, clinician's observation, Deft. having been oriented, Deft's perception having been appropriate, and medical records showing there being no way the blood pressure was otherwise consistent. Ms. Hojjat argued the blood pressure reading of Deft. was not normal, expert could not testify on how Deft. was feeling at the time, Deft. had asked for help and had said he needed to take medications, it is undisputed that Deft. was denied help, he was not feeling well, he was trying to get out of the interview room, nobody was disputing he had asked and was denied medical attention, there was no warrant to arrest Deft. at the residence, and Deft. was placed in handcuffs. Court stated the only evidence is Deft. had consented to that, and state of record is Deft. went with police voluntarily. Ms. Hojjat requested to re-open the evidence to talk to Deft. about this further. Court stated these proceedings are going forward, this case is two years old, and defense should know the information by now. Further arguments by counsel. Ms. Hojjat moved to suppress the entire interrogation with the police. Court stated defense can file any written motion deemed appropriate. **COURT ORDERED**, Deft's motion to suppress statement **DENIED**, the jury can hear the statement, and it will be up to the jury to determine if Deft's statement was voluntary. Discussions regarding current trial date. Ms. Hojjat noted defense may need to file a motion to seek a Franks hearing, however, the goal for defense is to be ready for trial. Discussions as to other medical related issue raised by defense. Ms. Hojjat stated she was not made aware if Mr. Feliciano will be introducing test results, or whether there are test results. Court stated if the issue comes up, the Court would want the issues briefed. Court's Exhibit No. 1 is **ORDERED, SEALED. CUSTODY 5/22/18 8:30 A.M. CALENDAR CALL 5/29/18 1:30 P.M. TRIAL BY JURY;**

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CASE NO. C-16-316382-1

05/22/2018	Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle) Set Status Check;
05/22/2018	Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) 05/22/2018, 06/05/2018, 06/19/2018 <i>Defendant's Motion to Suppress Defendant's Statement</i> Continued; Continued; Continued; Continued; Continued; Continued; Continued; Continued; Continued;
05/22/2018	Motion to Strike (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>State's Notice of Motion and Motion to Strike Defendant's Expert Due to Untimely Notice</i> Moot;
05/22/2018	 All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>All Pending Motions (5/22/2018)</i> Matter Heard; Journal Entry Details: <i>Deft. present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. CALENDAR CALL...DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT...STATE'S MOTION TO STRIKE DEFT'S EXPERT DUE TO UNTIMELY NOTICE CONFERENCE AT BENCH. COURT ORDERED, trial date VACATED; Deft's Motion CONTINUED; matter SET for status check; and State's Motion To Strike Deft's Expert Due To Untimely Notice is MOOT. State to file written Opposition to Deft's Motion to suppress, if not already done so. CUSTODY 6/05/18 8:30 A.M. DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT...STATUS CHECK: RESET TRIAL DATE ;</i>
05/29/2018	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i>
06/05/2018	Status Check: Reset Trial Date (8:30 AM) (Judicial Officer: Leavitt, Michelle) MINUTES Trial Date Set; SCHEDULED HEARINGS  Calendar Call (07/17/2018 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)
06/05/2018	 All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>All Pending Motions (6/05/18)</i> Matter Heard; Journal Entry Details: <i>STATUS CHECK: RESET TRIAL DATE...DEFENDANT'S MOTION TO SUPPRESS DEFENDANT'S STATEMENT Defendant present in custody with assistance from Certified Spanish Court Interpreter, Michelle Roth. CONFERENCE AT BENCH. COURT ORDERED, trial date RESET; Defendant's Motion to suppress CONTINUED. Mr. Feliciano inquired if the trial will start July 23, 2018 with jury selection, and if this case is the first and only case set on calendar for trial that week. Court confirmed yes. Defendant made statements; and asked why the trial keeps getting delayed. Court noted for the record trial is set. CUSTODY 6/19/18 8:30 A.M. STATE'S MOTION IN LIMINE TO PRECLUDE EVIDENCE THAT VICTIM G A TESTED POSITIVE FOR THE SEXUALLY TRANSMITTED DISEASE CHLAMYDIA...DEFENDANT'S MOTION TO SUPPRESS DEFENDANT'S STATEMENT 7/17/18 8:30 A.M. CALENDAR CALL 7/23/18 8:30 A.M. TRIAL BY JURY (START TIME SET AT REQUEST OF COURT);</i>
06/19/2018	Motion in Limine (8:30 AM) (Judicial Officer: Leavitt, Michelle)

CASE SUMMARY

CASE NO. C-16-316382-1

State's Motion In Limine to Preclude Evidence that Victim G.A. Tested Positive for the Sexually Transmitted Disease Chlamydia
Granted;

06/19/2018



All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

Journal Entry Details:

Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alicia Herrera. STATE'S MOTION IN LIMINE TO PRECLUDE EVIDENCE THAT VICTIM G.A. TESTED POSITIVE FOR THE SEXUALLY TRANSMITTED DISEASE CHLAMYDIA Court reviewed Deft's Opposition filed yesterday. COURT ORDERED, Motion GRANTED. State to prepare order. DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT Arguments by parties regarding defense counsel's claim about unlawful arrest, Deft's statements to police, and detainer. Court stated it will allow defense counsel to explore on this issue further, and Court will handle this motion at time of trial. COURT ORDERED, Motion CONTINUED. CUSTODY 7/17/18 8:30 A.M. CALENDAR CALL 7/23/18 8:30 A.M. TRIAL BY JURY....DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT ;

07/17/2018



Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Referred to Competency Court;

Journal Entry Details:

Spanish Interpreter, Alex Avants, present. Request for Competency Evaluation provided to the Court. Mr. Feliciano advised he has no choice other than referring Deft. to Competency Court. COURT ORDERED, matter REFERRED to Competency Court and all upcoming matters VACATED. Mr. Sweetin added the State would have been ready to proceed to trial. 8/10/18 9:00 AM FURTHER PROCEEDINGS: COMPETENCY;

07/23/2018

CANCELED Jury Trial (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Vacated

08/17/2018



Further Proceedings: Competency (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Set Status Check;

Journal Entry Details:

Also present: Spanish Interpreter Ximena Fiene. Ms. Murphy advised this is Ms. Hojjat's case and requested it be trailed. Matter TRAILED. Matter RECALLED. Ms. Murphy advised Ms. Hojjat is requesting a 30 day continuance to schedule a MRI, noting final approval was just received. COURT ORDERED, matter SET for status check. CUSTODY 9/14/18 9:00 AM STATUS CHECK: MRI;

09/14/2018



Status Check (9:00 AM) (Judicial Officer: Bell, Linda Marie)

Status Check: MRI

Referred to Lakes Crossing;

Journal Entry Details:

Appearances Continued: Kimberly Alexander of the Specialty Courts present. Spanish Interpreter, Yul Hassman, present. Court NOTED Drs. Colosimo and Harder indicate not competent; therefore, pursuant to the doctors' reports and the Dusky Standard, FINDS Defendant NOT COMPETENT as he/she is not capable of understanding the charges against him/her and is unable to assist counsel in his/her defense. Pursuant to NRS 178.425, COURT ORDERED, Defendant is REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, Defendant will be returned to this court for findings and referred back to the originating department for further proceedings. CUSTODY (L.C.);

11/16/2018



Further Proceedings: Competency-Return From Stein (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Found Competent;

Journal Entry Details:

Also present: Kimberly Alexander of the Specialty Courts. There being no challenge by Defense Counsel, COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him / her and is

CASE SUMMARY

CASE NO. C-16-316382-1

able to assist counsel in his / her defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings. CUSTODY 11/27/18 8:30 am FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT DEPT. 12 ;

11/27/2018



Further Proceedings: Competency-Return From Lakes Crossing (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Further Proceedings: Competency - Return From Lakes Crossing

Trial Date Set;

Journal Entry Details:

Def. present in custody with assistance from Certified Spanish Court Interpreter, Jeff Hanks. COURT ORDERED, trial date SET. Mr. Sweetin noted for the record the Jackson vs. Denno hearing was initially going to be heard first day of trial. Court confirmed yes. CUSTODY 3/12/19 8:30 A.M. CALENDAR CALL 3/19/19 1:30 P.M. TRIAL BY JURY...JACKSON VS. DENNO HEARING;

03/12/2019

Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)

03/12/2019

Motion to Strike (8:30 AM) (Judicial Officer: Leavitt, Michelle)

State's Notice of Motion and Motion to Strike Defendant's Notice of Expert Witnesses Pursuant to NRS 174.234(2)

03/12/2019



All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

Journal Entry Details:

STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2) CALENDAR CALL Spanish Interpreter, Jeff Hanks present. As to State's Notice of Motion and Motion to Strike Defendant's Notice of Expert Witnesses: Arguments by counsel regarding the merits of the motion. COURT FINDS that cognitive function was not enough and Defense would have an opportunity to supplement the expert witness notice. COURT ORDERED, motion DENIED. As to Calendar Call: Mr. Feliciano announced ready noting that Defendant wished to proceed with trial even though the expert issue was outstanding. COURT NOTED due to a Court's schedule conflict, COURT ADDITIONALLY ORDERED, trial VACATED and RESET. 04/09/19 8:30 AM STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2) 05/14/19 8:30 AM CALENDAR CALL 05/28/19 1:30 PM JURY TRIAL ;

03/19/2019

CANCELED Jury Trial (1:30 PM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

04/09/2019



Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle)

04/09/2019, 05/07/2019

STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2)

Matter Continued; STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2)

Off Calendar;

Matter Continued; STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2)

Off Calendar;

Journal Entry Details:

Spanish Interpreter, Carlos Calvo, also present. Mr. Feliciano noted the State may be seeking an examination of the Defendant and requested time to supplement the pleading in that regard. COURT ORDERED, State is to file a supplement; matter CONTINUED and SET for Hearing. Mr. Feliciano stated he will file a response within a week after the supplement is received. CUSTODY 05/07/19 8:30 AM HEARING CONTINUED TO: 05/07/19 8:30 AM;

05/07/2019

Hearing (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

05/07/2019



All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)



CASE SUMMARY

CASE NO. C-16-316382-1

Matter Heard;







Journal Entry Details:

STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2) ... HEARING Spanish Interpreter, Ricardo Pico, also present. Based upon a new notice by the Defense, Mr. Feliciano noted the State is not going to proceed on their Motion. State confirmed as long as the Defense agrees that their expert doctor will not due any further exams on the Defendant and will only be referring to the ones done 06/08/18 as well as 08/10/18. Mr. Feliciano confirmed that there will be no further evaluations. COURT ORDERED, Motion OFF CALENDAR. Defendant requested all of the documents from the doctor that shows all of the medication that he is receiving due to receiving medication that is not good for his health. Defendant addressed a concern that someone is putting stuff in his food that is making him not feel well. Mr. Feliciano advised the records do not show that they are tainting the Defendant's food. Court stated Mr. Feliciano can provide the medical records to the Defendant. Defendant stated he needs names of all of the pills. Mr. Feliciano advised he will order all of the records. Defendant requested the Court not delay his trial any further. Court noted that this Court will do everything it can to move forward with trial. CUSTODY;

- | | |
|------------|--|
| 05/14/2019 | Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)
Referred to Competency Court; |
| 05/14/2019 | Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle)
Events: 05/03/2019 Motion to Dismiss
<i>Defendant's Motion to Dismiss for Failure to Preserve Exculpatory Evidence</i>
Off Calendar; |
| 05/14/2019 | Motion to Reconsider (8:30 AM) (Judicial Officer: Leavitt, Michelle)
<i>Defendant's Motion to Reconsider Admissibility of Evidence Victim G.A. Tested Positive for Chlamydia</i>
Off Calendar; |
| 05/14/2019 | Motion in Limine (8:30 AM) (Judicial Officer: Leavitt, Michelle)
<i>State's Notice of Motion and Motion in Limine</i>
Off Calendar; |
| 05/14/2019 | Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle)
<i>Defendant's Motion to Exclude Improper Expert Opinion</i>
Off Calendar; |
| 05/14/2019 |  All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)
Matter Heard;
Journal Entry Details:
<i>Spanish Interpreter, Norma Caucas, also present. CALENDAR CALL CONFERENCE AT BENCH. MATTER TRAILED. MATTER RECALLED. All parties present as before. Based upon what has been reviewed, COURT ORDERED, matter REFERRED and SET in Competency Court; trial dates VACATED; pending motions OFF CALENDAR. STATE'S NOTICE OF MOTION AND MOTION IN LIMINE COURT ORDERED, Motion OFF CALENDAR. DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO PRESERVE EXCULPATORY EVIDENCE COURT ORDERED, Motion OFF CALENDAR. DEFENDANT'S MOTION TO EXCLUDE IMPROPER EXPERT OPINION COURT ORDERED, Motion OFF CALENDAR. DEFENDANT'S MOTION TO RECONSIDER ADMISSIBILITY OF EVIDENCE VICTIM G.A. TESTED POSITIVE FOR CHLAMYDIA COURT ORDERED, Motion OFF CALENDAR. CUSTODY 06/07/19 10:00 AM FURTHER PROCEEDINGS: COMETENCY ;</i> |
| 05/28/2019 | CANCELED Jackson v Denno Hearing (1:30 PM) (Judicial Officer: Leavitt, Michelle)
<i>Vacated - per Judge</i> |
| 05/28/2019 | CANCELED Jury Trial (1:30 PM) (Judicial Officer: Leavitt, Michelle)
<i>Vacated - per Judge</i> |
| 06/07/2019 |  Further Proceedings: Competency (10:00 AM) (Judicial Officer: Bell, Linda Marie) |


CASE SUMMARY

CASE NO. C-16-316382-1

	<p>Set Status Check; Journal Entry Details: <i>Appearances Continued: Ximena Chica, Spanish Interpreter, Denise Baker of the Specialty Courts also present. Mr. Feliciano advised he has a challenge to the findings and requested the matter be SET for status check. COURT SO ORDERED. CUSTODY 06/21/19 10:00 AM STATUS CHECK: SET CHALLENGE HEARING;</i></p>
06/21/2019	<p> Status Check (10:00 AM) (Judicial Officer: Bell, Linda Marie) <i>STATUS CHECK: SET CHALLENGE HEARING</i></p> <p>MINUTES Continued; Journal Entry Details: <i>Also present: Denise Baker of the Specialty Courts, and Spanish Interpreter Jeffrey Hanks. Ms. Romney advised Mr. Feliciano has had an independent evaluation completed and is waiting on the reports and requested a two week continuance. COURT SO ORDERED. CUSTODY CONTINUED TO: 07/12/19 10:00 AM ;</i></p> <p>SCHEDULED HEARINGS</p> <p> Status Check (07/12/2019 at 10:00 AM) (Judicial Officer: Bell, Linda Marie) <i>STATUS CHECK: SET CHALLENGE HEARING</i></p>
07/12/2019	<p> Status Check (10:00 AM) (Judicial Officer: Bell, Linda Marie) <i>STATUS CHECK: SET CHALLENGE HEARING</i></p> <p>MINUTES Found Competent; Journal Entry Details: <i>Appearances Continued: Danika Navar of the Specialty Courts and Carola Anderson, Spanish Interpreter, also present. There being no challenge by Defense Counsel, COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him / her and is able to assist counsel in his / her defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings. CUSTODY 7/16/19 8:30 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT DEPT. 12;</i></p> <p>SCHEDULED HEARINGS</p> <p> Further Proceedings: Return from Competency Court (07/16/2019 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)</p>
07/16/2019	<p> Further Proceedings: Return from Competency Court (8:30 AM) (Judicial Officer: Leavitt, Michelle) Trial Date Set; Journal Entry Details: <i>Spanish Interpreter, Ricardo Pico, also present. Court noted the Defendant was returned from Competency and there is not a finding. Colloquy regarding trial dates. COURT ORDERED, matter SET for trial. Statement by Defendant. Court noted trial has been set as soon as this Court can accommodate. CUSTODY 10/01/19 8:30 AM CALENDAR CALL 10/08/19 1:30 PM JURY TRIAL;</i></p>
10/01/2019	<p> Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>State's Notice of Motion and Motion in Limine to Preclude or Permit Evidence of Specific Statements in Defendant's Statement to Police on April 26, 2018 FILED IN OPEN COURT and SET to be heard. Upon Court's inquiry, both parties announced ready for trial. Mr. Feliciano noted trial will last one and a half weeks. State advised they will have ten witnesses, the defense will also have witnesses and trial will last 6-7 days. COURT ORDERED, matter SET for trial. Court noted counsel will be contacted regarding trial start time. COURT FURTHER ORDERED, all motions taken off calendar 05/14/19 are now SET to be heard; Jackson v Denno hearing SET. CUSTODY 10/07/19 10:30 AM ALL PENDING MOTIONS ... JACKSON V DENNO 10/07/19 1:00 PM JURY TRIAL CLERK'S NOTE: Counsel emailed and notified of</i></p>

CASE SUMMARY
CASE NO. C-16-316382-1

trial start time. hvp/10/1/19;

- | | |
|------------|---|
| 10/07/2019 | <p>Motion in Limine (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 <i>State's Notice of Motion and Motion in Limine</i>
 Granted in Part;</p> |
| 10/07/2019 | <p>Motion in Limine (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 <i>State's Notice of Motion and Motion in Limine to Preclude or Permit Evidence of Specific Statements in Defendant's Statement to Police on April 26,2018</i>
 Granted in Part;</p> |
| 10/07/2019 | <p>Motion in Limine (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 <i>Defendant's Motion to Dismiss for Failure to Preserve Exculpatory Evidence</i>
 Denied;</p> |
| 10/07/2019 | <p>Motion in Limine (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 <i>Defendant's Motion to Exclude Improper Expert Opinion</i>
 Decision Made;</p> |
| 10/07/2019 | <p>Motion in Limine (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 <i>Defendant's Motion to Reconsider Admissibility of Evidence Victim G.A. Tested Positive For Chlamydia</i>
 Denied;</p> |
| 10/07/2019 | <p>Jackson v Denno Hearing (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 Matter Heard;</p> |
| 10/07/2019 | <p>Motion to Suppress (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 <i>Defendant's Motion to Suppress Defendant's Statement</i>
 Denied;</p> |
| 10/07/2019 | <p> All Pending Motions (10:30 AM) (Judicial Officer: Leavitt, Michelle)
 Matter Heard;
 Journal Entry Details:</p> <p><i>Spanish Interpreter, Maria Peralta De Gomez, also present. DEFENDANT'S MOTION TO SUPPRESS DEFENDANT'S STATEMENT ... JACKSON V DENNO HEARING Maria Corral and Mark Pretti SWORN and TESTIFIED. Court canvassed the Defendant is to testifying in today's hearing. Defendant confirmed his understanding. Maria Peralta De Gomez SWORN and interpreted for witness/Defendant's testimony. Armando Vasquez-Reyes SWORN and TESTIFIED. Following arguments by Mr. Sweetin and Ms. Hojjat, COURT ORDERED, Defendant's Motion to Suppress DENIED. DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO PRESERVE EXCULPATORY EVIDENCE Ms. Hojjat argued and requested a hearing regarding the body cam. Mr. Sweetin stated an evidentiary hearing can be done and argued. Ms. Hojjat further argued the P#'s 1200 and above all have body cameras. Following further argument, COURT ORDERED, Motion DENIED; however, the Defense can ask the witnesses anything they feel is appropriate. DEFENDANT'S MOTION TO EXCLUDE IMPROPER EXPERT OPINION Ms. Hojjat argued regarding the expert's opinion and excluding that there wasn't an impression of probable abuse. COURT ORDERED, expert is not to testify as to a box that was checked; however, the doctor can testify as to the findings of the medical examination. Mr. Feliciano requested live testimony, even though it was agreed last Friday that she not be present. State argued. COURT directed counsel to ask the expert to be present and then inform the court in order to make a decision. DEFENDANT'S MOTION TO RECONSIDER ADMISSIBILITY OF EVIDENCE VICTIM G.A. TESTED POSITIVE FOR CHLAMYDIA At request of Mr. Feliciano and Ms. Hojjat, COURT STATED, the State can't just order someone to take an STD test on someone; further, Defense was allowed to test their client. Ms. Hojjat argued it is not the Defense's burden to test their client. COURT STATED a previous ruling was already made. Further arguments by counsel, COURT ORDERED, Motion to Reconsider DENIED. MATTER TRAILED. MATTER RECALLED. Spanish Interpreter, Bette Brooks, now present. All parties present as before. Notice of Motion and Motion to Present Propensity Evidence and/or Res Gestae Evidence FILED IN OPEN COURT. STATE'S NOTICE OF MOTION AND MOTION IN LIMINE TO PRECLUDE OR PERMIT EVIDENCE OF SPECIFIC STATEMENTS IN DEFENDANT'S STATEMENT TO POLICE ON April 26,2018 ... STATE'S NOTICE OF MOTION AND MOTION IN LIMINE</i></p> |

CASE SUMMARY

CASE NO. C-16-316382-1

State argued as to the Defendant's statement not being brought in of drug and alcohol as well as allegations of someone else committing the offense. Mr. Feliciano argued the Statement regarding someone else committing the crime should not be redacted. As to the statement of drugs and alcohol, Mr. Feliciano argued it is not relevant as to the time of interview. COURT ORDERED, as to the allegations of the other boy, motion GRANTED as to drugs and alcohol matter DEFERRED to the time of trial as it could become relevant. NOTICE OF MOTION AND MOTION TO PRESENT PROPENSITY EVIDENCE AND/OR RES GESTAE EVIDENCE Mr. Sweetin argued as to the conduct and it all being sexual conduct under the statute. Mr. Feliciano argued and objected to the State's Motion. COURT ORDERED, hearing GRANTED outside the presence of the jury. CUSTODY;

10/07/2019



Jury Trial (1:00 PM) (Judicial Officer: Leavitt, Michelle)

10/07/2019-10/11/2019, 10/14/2019-10/15/2019

Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Verdict;

Journal Entry Details:

Also present, Alex Avants, Maria Peralta De Gomez, and Maria Peters, Spanish Court interpreters. JURY PRESENT: Jury INSTRUCTED by the Court. Closing arguments by the State. CONFERENCE AT BENCH. COURT RECESSED. OUTSIDE THE PRESENCE OF THE JURY: Ms. Hojjat indicated she moved for a mistrial at the bench. Ms. Hojjat explained her reasoning for the mistrial were due to multiple instances where the State characterized the Defense theory of the case as one thing, and then indicated there was lack of evidence, as well as burden shifting and disparaging of the Defense counsel. Further arguments by Ms. Hojjat in support of the Mistrial. Arguments by Mr. Rowles in opposition. COURT ORDERED, Motion for Mistrial was hereby DENIED. JURY PRESENT: Closing arguments by the Defense. CONFERENCE AT BENCH. Rebuttal by Mr. Sweetin. CONFERENCE AT BENCH. OATH ADMINISTERED to the Matron and Bailiff. The Jury RETIRED to deliberate at the hour of 1:45 PM and the alternates were EXCUSED at that time. OUTSIDE THE PRESENCE OF THE JURY: Mr. Feliciano indicated there was an objection as to Mr. Sweetin indicating Deft. wiped eyes which mistakes the testimony; therefore, Mr. Feliciano moved for a mistrial. Arguments by Mr. Sweetin. Statements by Mr. Feliciano in support of Mistrial. Colloquy between parties. Court noted parties could comment on evidence, video and what it represents. At the hour of 3:23 PM, the JURY RETURNED with VERDICTS of GUILTY as to COUNTS 1 AND 2- LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F); and as to COUNTS 3 THROUGH 9 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (F). Defense counsel wished to poll the Jury. The Court thanked and EXCUSED the Jury. OUTSIDE THE PRESENCE OF THE JURY: COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Court inquired about bail amount, which was indicated to be \$250,000.00; therefore, COURT FURTHER ORDERED, bail REVOKED and Deft. to be HELD WITHOUT BAIL. CUSTODY- HOLD WITHOUT BAIL 12/10/19 8:30 AM SENTENCING ;

Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Trial Continues;
Verdict;

Journal Entry Details:

Spanish interpreters Bette Brooks, Maria Peters and Maria Peralte de Gomez present. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding scheduling of witnesses and stipulations which the parties have reached and request the Court to read to the jury. Court advised parties to prepare the written stipulations they wish the Court to read to the jury. JURY PRESENT: Testimony and exhibits presented (see worksheets). Court read stipulations of the parties to the jury. OUTSIDE THE PRESENCE OF THE JURY: Defendant advised of his right not to testify. Instructions settled. Mr. Feliciano advised there are witnesses in the court room and the exclusionary rule has been invoked. Upon Court's inquiry, Mr. Sweetin advised they are expert witnesses and have been noticed as rebuttal witnesses. Mr. Feliciano advised the State has been provided everything that he will rely on for the testimony of Dr.

CASE SUMMARY**CASE NO. C-16-316382-1**

Harder which should be sufficient for their rebuttal testimony. Court stated you are permitted to have experts sit in during testimony and the rebuttal experts shall be permitted to remain in the courtroom. JURY PRESENT: Testimony and exhibits presented (see worksheets). OUTSIDE THE PRESENCE OF THE JURY: Mr. Sweetin made a proffer of the testimony of the State's rebuttal experts Dr. Kapel and Dr. Roley. Ms. Hojjat objected to the rebuttal experts. Court Finds, there has not been a proper proffer of proof for Dr. Kapel to testify as a rebuttal expert and Dr. Roley would be limited rebuttal testimony only. JURY PRESENT: Testimony and exhibits presented (see worksheets). OUTSIDE THE PRESENCE OF THE JURY: Court noted that defense provided a Tavares instruction to the Court and indicated they do not want that instruction given to the jury. Ms. Hojjat agreed with the Court's representations. Ms. Hojjat made a record of the objections made at the bench during the testimony of Dr. Roley and moved for a mistrial State opposed. COURT ORDERED, oral motion for mistrial DENIED as the objection made were overruled and the witness was permitted to answer the questions posed. ;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

APPEARANCES CONTINUED: Ricardo Pico, Spanish Court Interpreter present with Defendant. OUTSIDE THE PRESENCE OF THE JURY: Mr. Sweetin advised there needs to be a decision regarding the redaction issue still pending with the Court. Court stated nothing has changed at this point and believes the redactions to the video and Defendant's statement should be made at this point. Mr. Sweetin advised his concern with defense counsel raising the issue that Defendant cannot remember. Court stated should it become relevant then it will be allowed in and State can possibly put a witness on the stand; however, we can address the issue if it becomes relevant. Additionally, Mr. Sweetin advised he has provided defense counsel a copy of the video which the State will be using that has the transcript in the video for the Mr. Rowles advised he was at the gym last night and was discussing the trial with another attorney in the community when he discovered a juror # 9 on the floor above him. Further there was discussion regarding witness testimony and he thoughts on the testimony; although, he did not acknowledge the juror nor make eye contact with her. Ms. Hojjat confirmed there is a redacted portion of the video. Mr. Sweetin confirmed. Further, Ms. Hojjat advised her concern is the characterization that Defendant was answering drugs and alcohol is why and/or how it started. Court stated she will review the information again; however, she previously ruled that the information is not coming in unless it somehow becomes relevant which it may and she stated she would address the issue should it become relevant. Court noted outside the presence of the jury panel and in the presence of juror # 9 Ms. Lutz. Upon Court's inquiry, Ms. Lutz advised she was at the gym and saw one of the players that looked like the State she moved away. JURY PRESENT: Testimony and Exhibits continued. (See Worksheets). OUTSIDE THE PRESENCE OF THE JURY: Mr. Feliciano advised Defendant is wearing a very distinct rust colored shirt today and requested that Defendant wear a different shirt next week. Ms. Hojjat advised Defendant has wore the same shirt everyday and today he was taken back with to have his shirt changed. The Correction Officer advised he will make sure that the property department is aware that Defendant needs to be in a different color shirt next week, Court so noted. 11:10 a.m. Court Clerk Kory Schlitz present JURY PRESENT Spanish Interpreter Carola Anderson present on behalf of Defendant. Testimony and Exhibits continued. (See Worksheets). OUTSIDE THE PRESENCE OF THE JURY Mr. Feliciano informed the Court Detective Pretti and Juror #7 were speaking once they were released for lunch. Ms. Hojjat stated they heard voices, lips moving and they were interacting with each other. Mark Pretti present. Upon Court's inquiry, Mr. Pretti stated he did not speak with any Jurors, or speak with anyone at the break, adding there were Jurors having conversations at the elevators however he did not speak with any of them. Danyel Garrett Juror #7 present. Upon Court's inquiry, Ms. Garrett stated she did not have a conversation with Mark Pretti, adding he was standing in line waiting to get on the elevators and she stated out loud that she didn't like crowded elevators and she was going to wait for the next one. JURY PRESENT Testimony and Exhibits continued. (See Worksheets). OUTSIDE THE PRESENCE OF THE JURY Ms. Hojjat moved for a mistrial due to the limitation of the ability of the Defense to cross examine the lead detective in the case, adding numerous times when the Defense was trying to cross examine him regarding statements he received and how he responded to them, the Court kept the Defense from going into the Statements. Ms. Hojjat further argued they were not offering Ms. Alvarez's statements for the truth of the matter. Mr. Rowles stated his objection. COURT STATED ITS FINDINGS and ORDERED Motion for Mistrial DENIED. JURY PRESENT Testimony and Exhibits

CASE SUMMARY

CASE NO. C-16-316382-1

continued. (See Worksheets). Court recessed for the evening and directed Jurors to return Monday at 9:00 a.m. OUTSIDE THE PRESENCE OF THE JURY COURT requested Jury Instructions. Mr. Sweetin indicated the State will be resting on Monday Morning, and they can send over their Jury Instructions now. Ms. Hojatt informed the Court the Defense is not required to disclose their Jury Instructions until the State rests, and they will provide the instructions to Chambers and request they do not be provided to the State. Mr. Rowles inquired what rule the Defense was referencing. Ms. Hojatt argued since the Jury Instructions show theories of the case, they are not technically required to disclose them until after the State has rested. Upon Court's inquiry, Mr. Feliciano stated they have the Doctor, and they think the State might have a rebuttal witness. Colloquy regarding trial scheduling. CUSTODY CONTINUED TO: 10/14/19 9:00 A.M. ;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

APPEARANCES CONTINUED: Spanish Court Interpreters present with Defendant and witnesses. OUTSIDE THE PRESENCE OF THE JURY: Mr. Feliciano advised he learned yesterday that the defense expert Dr. Harder is only available Monday 2:45 - 4:15 PM and may request to testify remotely, unless he can testify the following week. Court stated she has objection with the doctor testifying remotely or if the doctor needs to be taken out of order. Mr. Sweetin stated no objection. Additionally, Mr. Feliciano advised during the bad acts hearing the victim talked about an act of cunnilingus coming out and that information did not come out during direct examination which would mean that defense would need to introduce bad acts against their own client and moved for a mistrial. Mr. Sweetin opposed. COURT ORDERED, defense Oral Motion for Mistrial DENIED. Mr. Sweetin advised Dr. Cetel has indicated that she will be unavailable to testify in person and will need to testify remotely today at 4:00 PM; although, defense previously requested she testify in person. Colloquy regarding witness scheduling. Mr. Feliciano advised defense would request the doctor be present as the Defendant has the right to confront all witnesses in this case and based on the fact that Defendant could spend the rest of his life in prison if found guilty he believes the doctor should be present, COURT ORDERED, Dr. Cetel shall be permitted to testify remotely. Mr. Sweetin advised a motion in limine was previously file to bring in portions of Defendant's statement which the Court deferred the ruling on the issue. Further, Mr. Sweetin advised based on the opening statements of defense they have clearly placed at issue the fact Defendant cannot remember things and the statements should be allowed in. Mr. Feliciano advised opening statements are not evidence and believes this issue is premature at this time. Court agreed the issue is premature and she will rule on the issue if and when it becomes relevant. JURY PRESENT: Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY: Mr. Sweetin advised the State is concerned with defense counsel's statements that the State in some way was manipulating evidence. Court stated without an objection the Court stated those statements would be stricken. Mr. Sweetin requested that there be an instruction that is not appropriate and will not happen again. Court stated they were instructed at the bench that such comments were not appropriate. JURY PRESENT: Testimony and exhibits presented. (See worksheets) OUTSIDE THE PRESENCE OF THE JURY: Mr. Feliciano advised Dr. Harder will testify remotely. Court so noted. Court recessed for the evening.;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

APPEARANCES CONTINUED: Solidad Garcia and Ximena Fiene, Spanish Court Interpreters, present with Defendant and witnesses. OUTSIDE THE PRESENCE OF THE JURY: Mr. Feliciano requested an expedited transcript from the Denno hearing that took place on Monday. Upon Court's inquiry, Court Recorder advised she will send out the expedited request and try to have it completed. COURT ORDERED, the expedited transcript from the Denno hearing to be prepared and they will attempt to have it completed by tomorrow as requested. Further, Mr. Feliciano advised in reviewing some of the discovery

CASE SUMMARY**CASE NO. C-16-316382-1**

there is a 10 page document titled Nevada initial assessment which appears to be from CPS and there is a reference to unity notes which CPS keeps and he previously requested them in both a discovery motion as well as requested them from Mr. Sweetin personally. Court stated her concern that the issue is just now being raised after a jury has been impaneled and before the twelfth trial setting. Mr. Sweetin advised he does not believe there are any other CPS records as this was what was provided from CPS when the records were requested. Court reviewed the documents provided by defense. Court instructed Mr. Sweetin to reach out to CPS to determine if there are any additional records and/or notes. Court Clerk informed the Court that there appears to be CPS records lodged with the vault from a hearing in January 2017. Court stated the Clerk will retrieve the records from the evidence vault and the Court will review them. Mr. Sweetin advised he has three witnesses outside for the Court to hear testimony. Further, Mr. Sweetin provided the Court with a copy of the Franks case which specifically states a Petrocelli hearing is no longer required; although, the Court is required to make a determination prior to the propensity evidence is going to be admitted pursuant to the Franks case and that the State is required to put forth a proffer that the sexual offense occurred. Further, Mr. Sweetin advised he does not believe that there is a need for the witness to be cross examined. Mr. Feliciano advised the State needs to meet the preponderance of the evidence standard as the only thing the defense has regarding these allegations are what is contained in the State's written motion. Court stated she previously noted her concern and she will not permit a lengthy cross examination and the cross examination will be limited as the State only has to make a proffer. Testimony presented. (See worksheets). Arguments by counsel as to their respective positions regarding State's Motion to Present Propensity Evidence and/or Res Gestae Evidence. Court FINDS State has met their burden, jury could reasonable find by a preponderance of the evidence it is relevant as well as State has met their burden as to the LeMay factors; therefore, COURT ORDERED, State's Motion to Present Propensity Evidence and/or Res Gestae Evidence GRANTED and the testimony shall be permitted. Ms. Hojjat inquired if there was an investigator present with the District Attorney when the statements were made by the victim which are referenced in the State's Motion as she believes she would be able to call the investigator to impeach the witness. Mr. Sweetin advised an investigator was present; however, you cannot impeach with extrinsic evidence. Court noted she has been provided the CPS records lodged with the Court and it appears the CPS records were erroneously lodged in the wrong case number. Court directed the Court Clerk to have the CPS records lodged in the correct case. Further, Court stated she has another sealed envelope which appears to be for this case and upon opening the envelope they are the same records reviewed in open court this morning. Additionally, Court stated Mr. Sweetin will follow up with CPS to determine if there are any additional records. Mr. Sweetin advised he has reached out and is awaiting a response. Argument regarding State's objection to unconscious and/or implicit bias. Court stated she would like parties to provide additional briefing on this issue for her review prior to issuing her ruling. JURY PRESENT: Conference at the bench. OUTSIDE THE PRESENCE OF THE JURY: Court noted this is outside the presence of the jury panel with the exception of juror # 10 Caroline Millsaps. Court inquired if the juror overheard any of the conversations between the attorneys. Ms. Millsaps advised she only heard them "shush" someone. Court so noted. JURY PRESENT: Jury sworn. Clerk read the Information to the jury and stated the defendant's plea thereto. Opening statements by counsel. Testimony and exhibits presented (see worksheets). OUTSIDE THE PRESENCE OF THE JURY: Ms. Hojjat invoked the exclusionary rule. Mr. Sweetin advised for the record there have been no witnesses in the courtroom. Court so noted. Mr. Sweetin made a record of his objection to Mr. Feliciano's questioning of the victim. Court stated she has reviewed the transcript which does not appear to be a new incident; however, the witness can testify if it is a new incident or not. Court recessed for the evening.;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Mr. Feliciano advised the prospective panel appears to be shy and requested the Court inquire that if any of the prospective jurors if any of them have been a victim of a crime or have anything they would like the attorneys to know which they are to embarrassed to speak about in front of everyone then they can speak with the attorneys at the bench. Court stated she inquired of the jurors on more than one time if they have been the victim of a crime; however, she will again inquire of the panel as a whole if there is anything they would like to raise with the attorneys at the bench. PROSPECTIVE JURORS PRESENT: Voir dire. Jury selected and excused for the

CASE SUMMARY

CASE NO. C-16-316382-1

evening recess.;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

Spanish Interpreter, Bette Brooks, Riicardo Pico and Ximena Fiene, also present.

PROSPECTIVE JURORS PRESENT: Voir Dire. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Record made for challenge of cause. COURT ORDERED, trial CONTINUED.;

10/15/2019

CANCELED Jury Trial (10:30 AM) (Judicial Officer: Leavitt, Michelle)

Vacated - On in Error

12/10/2019

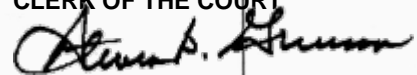


Sentencing (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant Sentenced;

Journal Entry Details:

Alex Avantes, Spanish Interpreter, also present. DEFENDANT VASQUEZ-REYES ADJUDGED GUILTY of COUNTS 1 and 2 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F), COUNTS 3-10 SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEAR OF AGE (F). Arguments by counsel. Victim Speaker Guadalepa Alvares SWORN and TESTIFIED. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Defendant SENTENCED as follows: COUNT 1 LIFE with a MINIMUM parole eligibility of TEN (10) YEARS, in the Nevada Department of Corrections (NDC); COUNT 2 LIFE with a MINIMUM parole eligibility of TEN (10) YEARS, CONCURRENT with COUNT 1, in the NDC; COUNT 3 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONSECUTIVE to COUNT 2, in the NDC; COUNT 4 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC; COUNT 5 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 2, in the NDC; COUNT 6 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 2, in the NDC; COUNT 7 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC; COUNT 8 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC; COUNT 9 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC; and COUNT 10 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC, with ONE THOUSAND THREE HUNDRED THIRTY-FOUR (1,334) DAYS credit for time served; AGGREGATE TOTAL of FORTY-FIVE (45) YEARS to LIFE. COURT FURTHER ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment and Defendant shall register as a sex offender in accordance with NRS 179D.460 within 48 hours upon release. BOND, if any EXONERATED. NDC;



1 JOCP
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3
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5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-
10

11 ARMANDO VASQUEZ-REYES
12 aka Armando Vasquezreyes
13 #7030886

14 Defendant.

CASE NO. C-16-316382-1

DEPT. NO. XII

15 JUDGMENT OF CONVICTION
16 (JURY TRIAL)
17

18 The Defendant previously entered a plea of not guilty to the crimes of COUNTS
19 1 and 2 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony)
20 in violation of NRS 201.230; and COUNTS 3, 4, 5, 6, 7, 8, 9, and 10 – SEXUAL
21 ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A
22 Felony) in violation of NRS 200.364, 200.366; and the matter having been tried before
23 a jury and the Defendant having been found guilty of the crimes of COUNTS 1 and 2 –
24 LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony) in
25 violation of NRS 201.230; and COUNTS 3, 4, 5, 6, 7, 8, 9, and 10 – SEXUAL
26 ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A
27
28

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1 Felony) in violation of NRS 200.364, 200.366; thereafter, on the 10th day December,
2 2019, the Defendant was present in court for sentencing with counsel MIKE
3 FELICIANO, Deputy Public Defender, and good cause appearing,
4

5 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
6 addition to the \$25.00 Administrative Assessment and \$150.00 DNA Analysis Fee
7 including testing to determine genetic markers plus \$3.00 DNA Collection Fee, the
8 Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows:
9 **COUNT 1** – LIFE with a MINIMUM Parole Eligibility of TEN (10) YEARS; **COUNT 2** –
10 LIFE with a MINIMUM Parole Eligibility of TEN (10) YEARS, CONCURRENT with
11 COUNT 1; **COUNT 3** – LIFE with a MINIMUM Parole Eligibility of THIRTY-FIVE (35)
12 YEARS, CONSECUTIVE to COUNT 2; **COUNT 4** – LIFE with a MINIMUM Parole
13 Eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3; **COUNT 5** –
14 LIFE with a MINIMUM Parole Eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT
15 with COUNT 3; **COUNT 6** – LIFE with a MINIMUM Parole Eligibility of THIRTY-FIVE
16 (35) YEARS, CONCURRENT with COUNT 3; **COUNT 7** – LIFE with a MINIMUM
17 Parole Eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3;
18 **COUNT 8** – LIFE with a MINIMUM Parole Eligibility of THIRTY-FIVE (35) YEARS,
19 CONCURRENT with COUNT 3; **COUNT 9** – LIFE with a MINIMUM Parole Eligibility of
20 THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3; and **COUNT 10** – LIFE
21 with a MINIMUM Parole Eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with
22 COUNT 3; with ONE THOUSAND THREE HUNDRED THIRTY-FOUR (1,334) DAYS
23 for credit for time served. The AGGREGATE TOTAL sentence is LIFE with a
24 MINIMUM Parole Eligibility of FORTY-FIVE (45) YEARS.
25
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1 FURTHER ORDERED, a SPECIAL SENTENCE of LIFETIME SUPERVISION
2 is imposed to commence upon release from any term of imprisonment, probation or
3 parole. In addition, before the Defendant is eligible for parole, a panel consisting of
4 the Administrator of the Mental Health and Development Services of the Department
5 of Human Resources or his designee; the Director of the Department of corrections or
6 his designee; and a psychologist licensed to practice in this state; or a psychiatrist
7 licensed to practice medicine in Nevada must certify that the Defendant does not
8 represent a high risk to re-offend based on current accepted standards of assessment.
9
10

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

14 DATED this 12 day of December, 2019.

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17 MICHELLE LEAVITT
18 DISTRICT COURT JUDGE HP
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 14, 2016

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

July 14, 2016 10:00 AM Initial Arraignment

HEARD BY: Hillman, Ralph R. **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Kristen Brown

RECORDER: Kiara Schmidt

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Deputized Law Clerk, Vivian Luong appearing for the State.

At the request of counsel, COURT ORDERED, matter CONTINUED.

CUSTODY

8/02/16 10:00 AM ARRAIGNMENT COURT (LLA)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 02, 2016

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

August 02, 2016 10:00 AM Arraignment Continued

HEARD BY: De La Garza, Melisa **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Kristen Brown

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: Cannizzaro, Nicole J. Attorney
 Feliciano, Mike Attorney
 Public Defender Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- DEFT. VASQUEZ-REYES ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY

9/20/16 8:30 AM CALENDAR CALL (DEPT. 12)

9/27/16 1:30 PM JURY TRIAL (DEPT. 12)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 20, 2016

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

September 20, 2016 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Clemons, Jennifer M. Attorney
 Navarro, Melissa C. Attorney
 Public Defender Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Deft. present with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. Mr. Feliciano not present. Court TRAILED and RECALLED matter. Spanish Interpreter not present. Mr. Feliciano not present. Ms. Clemons advised Mr. Feliciano is out sick today, further noting she spoke with defense counsel, and parties agreed to vacate the current trial date. Court stated Deft. invoked. Ms. Navarro advised she speaks Spanish, and can let Deft. know that the trial date will be pushed further out. Court TRAILED and RECALLED matter. Ms. Navarro stated she spoke with Deft. in Spanish about what is going on, and Mr. Feliciano had gone over ramifications with Deft, and he agrees to waive the 60 day rule. Ms. Clemons advised parties do not have Mr. Feliciano's trial schedule. At request of counsel, and there being no objection by State, COURT ORDERED, trial date VACATED; status check hearing SET. Ms. Clemons noted for the record that State does not object to having the trial date reset, and this is Deft's Motion to continue trial. SO NOTED; Motion is GRANTED.

CUSTODY

PRINT DATE: 12/20/2019

Page 3 of 72

Minutes Date: July 14, 2016

10/04/16 8:30 A.M. STATUS CHECK: RESET TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 04, 2016

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

**October 04, 2016 8:30 AM Status Check: Reset Trial
Date**

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Kollins, Stacey L.	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alex Andrade. Mr. Feliciano advised it was the first trial setting, and defense will request a new trial date, further noting he just got the discovery. Additionally, Deft. agrees to waive. Court stated Deft. waived back on September 20, 2016. COURT ORDERED, Deft's Motion to continue trial date GRANTED; trial date VACATED AND RESET.

CUSTODY

3/07/17 8:30 A.M. CALENDAR CALL

3/14/17 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 07, 2017

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

**February 07, 2017 8:30 AM Motion to Withdraw as
Counsel**

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Beverly, Leah C Attorney
DeVaney-Sauter, Kelli M. Attorney
Public Defender Attorney
State of Nevada Plaintiff
VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. Ms. Sauter appeared for Mr. Feliciano. At request of defense counsel, COURT ORDERED, matter CONTINUED two weeks.

CUSTODY

2/21/17 8:30 A.M. DEFT'S MOTION TO DISMISS COUNSEL AND APPOINTMENT OF
ALTERNATE COUNSEL

3/07/17 8:30 A.M. CALENDAR CALL

3/14/17 1:30 P.M. TRIAL BY JURY

CLERK'S NOTE: Mr. Feliciano had contacted Chambers earlier, and had requested a continuance of two weeks to meet with Deft. to resolve the issues outlined in Motion, which was filed by Deft. on his own. /// sj

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 21, 2017**

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

**February 21, 2017 8:30 AM Motion to Withdraw as
Counsel**

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Clemons, Jennifer M.	Attorney
	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. Mr. Feliciano not present. Court TRAILED and RECALLED matter. Mr. Feliciano is now present in Court. Upon Court's inquiry, Mr. Feliciano advised the issue did not resolve, further noting he will provide discovery to Deft, except medical records, however, he will show him everything. Upon Court's inquiry, Deft. stated he understands, but he needs his discovery. Court clarified to Deft. he can have discovery, and he can look at the medical records with his attorney, however, he is not permitted to have copies of medical records in his possession, and nobody will give him copies of the medical records either. Deft. stated he needs his discovery in Spanish. Court clarified his attorney will review the discovery with him, and a Spanish Interpreter will also be present, to interpret the discovery in Spanish for him. COURT ORDERED, Motion OFF CALENDAR.

CUSTODY

3/07/17 8:30 A.M. CALENDAR CALL

3/14/17 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 07, 2017

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

March 07, 2017 8:00 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Feliciano, Mike Attorney
 Mendoza, Erika Attorney
 Public Defender Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Yul Haasmann.

At request of defense counsel, due to needing more time to prepare for trial, and there being no objection by State, COURT ORDERED, Deft's Motion to continue trial GRANTED; trial date VACATED AND RESET.

CUSTODY

6/13/17 8:30 A.M. CALENDAR CALL

6/20/17 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 13, 2017**

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

June 13, 2017 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alex Andrade. CONFERENCE AT BENCH. At request of counsel, and there being no objection by State, COURT ORDERED, Motion to continue trial GRANTED; trial date VACATED AND RESET. Deft. objected to the trial continuance; and asked to come to the Bench. Court DENIED the request. Deft. argued he requested discovery. Mr. Feliciano advised Deft. wants a copy of the medical records. Court advised Deft. he is not entitled to have medical records, and his attorney will not give medical records to him, as he is not entitled to them, however, he can review the records with his attorney. Court advised Deft. it told Mr. Feliciano to get discovery to him, and his attorney is going to provide him a copy of appropriate discovery. Deft. argued his attorney is violating his rights. Mr. Feliciano disagreed; and stated he does not want to address Deft. at this time in Court.

CUSTODY

1/09/18 8:30 A.M. CALENDAR CALL

1/16/18 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****September 07, 2017**

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

September 07, 2017 8:30 AM Motion to Dismiss

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Irma Sanchez-Gastelum. Court stated it reviewed the Motion; and asked Deft. if there is anything he wants to say. Mr. Feliciano advised the issue is with medical records of complaining witness. Court stated Deft. is not going to have possession of those records. Mr. Feliciano advised he can review a copy of the records with him. Court reminded Deft. it told him last time he was here in Court, that his attorney can come and show him the records, however, the attorney is required to take the medical records back, and he cannot have them in his possession at the jail. Upon Court's inquiry, Mr. Feliciano confirmed the records are not voluminous, and there were subsequent follow up doctor visits. SO NOTED. Court provided Deft. with the trial date. Deft. stated he does not want Mr. Feliciano as his attorney anymore, he has done nothing for him, he is only lying to him, he has come to see him twice, and says he is going and never shows up. Mr. Feliciano informed Court he told Deft. he will see him next week, it has been difficult in the beginning, there are things that need to get done before trial, and he can work with Deft. on defending him. Deft. stated he has never been difficult, and the attorney is only telling him lies. Upon Court's inquiry, Mr. Feliciano confirmed Deft. has been

provided with discovery, but no medical records, further noting he can go visit Deft, and see what he has and compare it to what defense has. Deft. stated he does not want Mr. Feliciano as his attorney. Court reminded Deft. he does not get to choose court appointed counsel, and based on what has been said, Court will not dismiss Mr. Feliciano as his attorney. Deft. stated he just gave him the police report. Court advised Deft. Mr. Feliciano said he gave him more than that. Mr. Feliciano stated he will make another copy of discovery and provide it to him. Court asked Mr. Feliciano to provide a receipt of copy of discovery for the record. Court advised Deft. it is ready for trial, and it does not need anything. Mr. Feliciano advised defense should be ready to go. Mr. Sweeten confirmed State will be ready. Following discussions, Court advised Deft. Mr. Feliciano can convey any offers to him, and his attorney is doing what he is supposed to do, if State makes an offer. Deft. stated he just wants his attorney to do his job. COURT ORDERED, Motion DENIED. Matter OFF CALENDAR.

CUSTODY

1/09/18 8:30 A.M. CALENDAR CALL

1/16/18 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2018

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

January 09, 2018 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alicia Herrera. CONFERENCE AT BENCH. Court advised Deft. the assigned prosecutor trying this case is not here, and Court will continue this matter to Thursday, January 11, 2018, as the Court will know more on that day as to whether the trial will proceed forward next week. Mr. Feliciano estimated one week for trial. COURT ORDERED, matter CONTINUED; trial date STANDS.

CUSTODY

1/11/18 8:30 A.M. CALENDAR CALL

1/16/18 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 11, 2018

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

January 11, 2018 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Mr. Sweetin is present on behalf of State. Deft. is present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez. CONFERENCE AT BENCH. COURT ORDERED, trial date SET. Pre-trial motions will be heard on January 16, 2018 at 8:30 a.m.

CUSTODY

1/16/18 8:30 A.M. DEFT'S MOTION TO SUPPRESS...DEFT'S MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL

1/22/18 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 16, 2018

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

January 16, 2018 8:30 AM All Pending Motions

HEARD BY: Bixler, James **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- DEFT'S MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL...DEFT'S MOTION TO SUPPRESS

Mr. Feliciano requested the motions be continued to Thursday, January 18, 2018 for Judge Leavitt to handle proceedings. Mr. Sweetin advised based on side bar discussions both parties had with the Court at the last hearing, he believes it would be easier to continue these motions, to see whether Judge Leavitt decides if a Jackson vs. Denno hearing would be appropriate. COURT ORDERED, matters CONTINUED. Trial date STANDS.

CUSTODY

1/18/18 8:30 A.M. DEFT'S MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL...DEFT'S MOTION TO SUPPRESS

1/22/18 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 18, 2018**

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

January 18, 2018 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez.

DEFT'S MOTION TO SUPPRESS

Court stated it is not sure what the contention is, and whether defense put forth enough for this Motion. Mr. Feliciano advised there are certain things not in the motion, that only Deft. can explain. Upon Court's inquiry, Mr. Feliciano confirmed he will request a Jackson vs. Denno hearing on this. Mr. Sweetin submitted. Mr. Feliciano advised he will meet with Deft. to prepare him for the hearing, and he will show Deft. the video. Discussions as to Deft. having received the transcript of the proceedings. COURT ORDERED, Motion CONTINUED; hearing also SET. State provided a copy of the video to Court for review.

DEFT'S MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL

Mr. Sweetin advised he believes parties worked out discovery issues at this point, and one issue is regarding CPS records, and the records relate to this particular incident. Thereafter, Mr. Sweetin provided CPS records to Court for review. Upon Court's inquiry, Mr. Sweetin advised he believes these records are discoverable to defense counsel. Court stated it will review records, and based on what State said, the Court may provide a copy of the records to defense. As to therapy records, Court asked what the basis is, for defense to have them. Mr. Feliciano advised he would want those records reviewed by Court. Mr. Sweetin advised there was counseling that occurred after the incident was reported to police, he does not know if there are records, State does not have possession of them, and State's position is that these records are privileged. Mr. Feliciano advised those records will not be provided to defense directly. Discussions. Arguments by counsel. Court noted it does not believe defense put a showing that this Court would need to review the records, defense would not be entitled to them, and State does not have therapy records and is not required to turn them over. COURT ORDERED, request for therapy records DENIED. As to request No.'s 33 and 34, as to any prior allegations and other source of knowledge, Mr. Feliciano requested State to make inquiry during pre-trial, to see if those materials exist. Mr. Sweetin made no objection; and stated he has no knowledge at this point. COURT ORDERED, State to make initial disclosure and determine whether there is any information. Court advised defense counsel if State was aware of such information, the State would be required to turn it over.

Mr. Sweetin noted for the record he spoke with defense counsel, and there were redactions made on Deft's recorded statements, to which State is seeking to play at trial.

CONFERENCE AT BENCH.

CUSTODY

1/22/18 10:30 A.M. JACKSON VS. DENNO HEARING...TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 22, 2018**

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

January 22, 2018 10:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Clemons, Jennifer M.	Attorney
	Feliciano, Mike	Attorney
	Hojjat, Nadia	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- JACKSON VS. DENNO HEARING...DEFT'S MOTION TO SUPPRESS...TRIAL BY JURY

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Deft. present in custody with assistance from Certified Spanish Court Interpreter, Elsa Marsico. Mr. Feliciano noted for the record parties had a meeting with Court in Chambers, last week on Friday, January 19, 2018, and upon review of medical records, defense believes an expert may be needed; and defense would be requesting a continuance of the Jackson vs. Denno hearing, and trial. Mr. Feliciano further noted discussions in Chambers were made about the STD issue coming into evidence, defense would be seeking to admit such evidence, and State had submitted a written bench brief to the Court, which was not calendared. Court advised defense counsel if he is seeking to admit the STD information, he would have to seek relief before the Court, requesting to admit it. Mr. Sweetin advised State would oppose the trial continuance on the basis defense had stated. Mr. Sweetin argued there is no basis as to Deft's high

blood pressure issue, as this is not out of the ordinary, and it could be due to allegations being brought against Deft, and State does not believe Deft. seeking to get tested for the STD and for defense to bring the information in, is relevant. Discussions. Court advised Deft. about his attorney seeking a trial continuance; and advised Deft. should he get tested, the results of such test could be admitted at trial. Deft. asked how long the trial continuance would be. Mr. Feliciano advised parties were looking at a trial date for May 29, 2018. Deft. objected. Court stated it has not released the jury panel for today. Deft. spoke with his attorney in open Court. Court stated it does not need Deft's consent about the request for trial continuance, and Court had told the parties at the conference in Chambers that it would grant a continuance. Upon Court's inquiry, Deft. acknowledged regarding his attorney seeking a continuance and Court being inclined to grant it.

COURT ORDERED, Deft's Motion to continue trial GRANTED; trial date VACATED AND RESET; Jackson vs. Denno hearing OFF CALENDAR.

Mr. Feliciano advised State had made an offer. Mr. Sweetin requested a status check hearing be set; and advised parties have discussed the offer, and there needs to be information given to the Court, as to whether or not the Jackson vs. Denno hearing would go forward, and what would be presented. Mr. Sweetin provided the offer on the record; and advised the offer would remain open until a scheduled status check hearing. Mr. Feliciano advised he will discuss the offer with Deft. one more time, and he would hope to find a doctor who can get Deft. tested. COURT FURTHER ORDERED, status check hearing also SET.

Awaiting Prospective Jury Panel was DISCHARGED by Court.

CUSTODY

2/08/18 8:30 A.M. STATUS CHECK: NEGOTIATIONS / RESET JACKSON VS. DENNO HEARING...DEFT'S MOTION TO SUPPRESS

5/22/18 8:30 A.M. CALENDAR CALL

5/29/18 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 08, 2018**

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

February 08, 2018 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT:	Clemons, Jennifer M.	Attorney
	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- STATUS CHECK: NEGOTIATIONS...DEFT'S MOTION TO SUPPRESS

Court TRAILED and RECALLED matter for defense counsel to appear. Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alex Andrade. Mr. Feliciano requested the Jackson vs. Denno hearing be set, further noting there is a medical expert he is working with, records need to be provided to the expert, and the turn-around time would take a few days. Additionally, defense has a consultation to do in three weeks, and defense would request the hearing be set out longer. Mr. Feliciano added there was an offer made, and the offer was not discussed until today. Mr. Sweetin provided the offer on the record, which included one Count of sexual assault and another Count of Lewdness with a minor; and noted State would retain right to argue. Deft. laughed in open Court. Court stated it is not sure how funny this is. Discussions as to range of punishment on the current charges, and the charges with State's offer. Court noted Deft. is facing multiple life sentences with the current charges. Upon Court's inquiry, Deft. stated of course not he will not

accept the offer, and he is rejecting State's offer today. Upon Court's inquiry, Mr. Sweetin confirmed State is withdrawing the offer, and will not be making the offer again. COURT ORDERED, Deft's Motion CONTINUED; hearing SET. Deft. asked why so long. Court stated his attorney is asking for more time. Deft. stated the attorney does not do anything, and this is going around in circles. Court noted when parties met with the Court previously on this case, it was made clear to the Court that Mr. Feliciano did a substantial amount of work on this case, he has been preparing on this case, and there has been a substantial amount of work done, getting this case ready for trial. Mr. Feliciano noted he will do everything he can to get the case ready for the Jackson vs. Denno hearing, and as far as getting Deft. ready to testify, this has been almost impossible, as he would go visit the Deft. at the jail, the previous meetings were quick, and Deft. would end the meetings and go back to his cell immediately during the visits. Mr. Sweetin noted for the record Deft. has been smirking and chuckling during entire proceedings in this case, and it appears Deft. is not being receptive, as he has had a nonchalant demeanor and attitude throughout proceedings.

CUSTODY

3/29/18 10:30 A.M. JACKSON VS. DENNO HEARING...DEFT'S MOTION TO SUPPRESS

5/22/18 8:30 A.M. CALENDAR CALL

5/29/18 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 26, 2018

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

April 26, 2018 10:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Hojjat, Nadia	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- JACKSON VS. DENNO HEARING...DEFT'S MOTION TO SUPPRESS

Deft. present in custody with assistance from Certified Spanish Court Interpreter, Magdalena Becerra.

Discussions as to witness line up, and defense seeking to introduce Deft's medical records from the jail. Arguments by counsel as to witness from the jail not being available, custodian of records from CCDC having been requested to appear and testify about the medical records and Deft's blood pressure reading, EMT being present in Court from CCDC who is not the custodian of records or original EMT, offer having been made to stipulate to the records, and State not being in agreement. Court advised defense counsel if she wants records in, defense would have to figure out how to get those records in. Ms. Hojjat noted she has an affidavit. Mr. Sweetin made objection as to defense trying to get information in, and there needing to be testimony from medical expert who reviewed the medical records. Further arguments as to assessment having been done indicating no problems with Deft. functioning. Mr. Sweetin advised he spoke with the EMT who is present in Court, State is

fine with getting records in, as long as other records come in, further noting the records do not appear to be clear. Court noted if defense lays proper foundation, the expert can testify to things made known to them; and if there is a stipulation to admit the entire medical records, Court can order them admitted. Ms. Hojjat provided Deft's medical records to Court; and requested to invoke the Exclusionary Rule. COURT ORDERED, EXCLUSIONARY RULE INVOKED. Discussions as to State's concerns about the medical records having substantial significance, and reasons whether the medical expert is not needed. Mr. Sweetin argued regarding relevance, and State having to explain about the blood pressure issue. Ms. Hojjat argued this is State's burden. Court stated yes; however, the motion was filed, and based on the pleadings, State met the burden. Ms. Hojjat argued defense's concerns and Court not having heard from the Deft. yet on this issue. Court stated defense has to have a legal basis and not just on one statement, further noting State does not have to call a medical witness or EMT. Ms. Hojjat argued the EMT present in Court is not qualified, and defense will submit it, further noting defense argues Deft. was not feeling well at time of interview with police.

Testimony and Exhibits presented (See Worksheets.).

Mr. Sweetin argued as to statements having been made by Deft. being voluntary. Further arguments as to acknowledgment of rights having been given and signed by Deft, Deft's interview being short, Deft. having seemed more casual and in a relaxed state during interview, Deft. not having had great deal of anxiety, questions having been answered, clarification having been made, denial having been made by Deft, Deft. having brought up information during interview, Deft. saying he did not remember, Miranda having been given adequately, there being no evidence of coercion, Deft's medical records not saying anything as to issues before this Court, and blood pressure reading having been taken at time Deft. was booked into the detention center. Discussions between Court and the Marshal regarding the witness from CCDC being asked for, by the jail. Court apologized; and ORDERED, the witness to be excused. Further arguments by State as to no assessment sheet from evening, assessment sheet having been done the following day after, clinician's observation, Deft. having been oriented, Deft's perception having been appropriate, and medical records showing there being no way the blood pressure was otherwise consistent. Ms. Hojjat argued the blood pressure reading of Deft. was not normal, expert could not testify on how Deft. was feeling at the time, Deft. had asked for help and had said he needed to take medications, it is undisputed that Deft. was denied help, he was not feeling well, he was trying to get out of the interview room, nobody was disputing he had asked and was denied medical attention, there was no warrant to arrest Deft. at the residence, and Deft. was placed in handcuffs. Court stated the only evidence is Deft. had consented to that, and state of record is Deft. went with police voluntarily. Ms. Hojjat requested to re-open the evidence to talk to Deft. about this further. Court stated these proceedings are going forward, this case is two years old, and defense should know the information by now. Further arguments by counsel. Ms. Hojjat moved to suppress the entire interrogation with the police. Court stated defense can file any written motion deemed appropriate. COURT ORDERED, Deft's motion to suppress statement DENIED, the jury can hear the statement, and it will be up to the jury to determine if Deft's statement was voluntary.

Discussions regarding current trial date. Ms. Hojjat noted defense may need to file a motion to seek

a Franks hearing, however, the goal for defense is to be ready for trial. Discussions as to other medical related issue raised by defense. Ms. Hojjat stated she was not made aware if Mr. Feliciano will be introducing test results, or whether there are test results. Court stated if the issue comes up, the Court would want the issues briefed.

Court's Exhibit No. 1 is ORDERED, SEALED.

CUSTODY

5/22/18 8:30 A.M. CALENDAR CALL

5/29/18 1:30 P.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 22, 2018

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

May 22, 2018 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Clemons, Jennifer M.	Attorney
	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Maria Peralta De Gomez.

CALENDAR CALL...DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT...STATE'S MOTION TO STRIKE DEFT'S EXPERT DUE TO UNTIMELY NOTICE

CONFERENCE AT BENCH. COURT ORDERED, trial date VACATED; Deft's Motion CONTINUED; matter SET for status check; and State's Motion To Strike Deft's Expert Due To Untimely Notice is MOOT. State to file written Opposition to Deft's Motion to suppress, if not already done so.

CUSTODY

6/05/18 8:30 A.M. DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT...STATUS CHECK:
RESET TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 05, 2018

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

June 05, 2018 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Clemons, Jennifer M. Attorney
 Feliciano, Mike Attorney
 Public Defender Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- STATUS CHECK: RESET TRIAL DATE...DEFENDANT'S MOTION TO SUPPRESS DEFENDANT'S STATEMENT

Defendant present in custody with assistance from Certified Spanish Court Interpreter, Michelle Roth. CONFERENCE AT BENCH. COURT ORDERED, trial date RESET; Defendant's Motion to suppress CONTINUED. Mr. Feliciano inquired if the trial will start July 23, 2018 with jury selection, and if this case is the first and only case set on calendar for trial that week. Court confirmed yes. Defendant made statements; and asked why the trial keeps getting delayed. Court noted for the record trial is set.

CUSTODY

6/19/18 8:30 A.M. STATE'S MOTION IN LIMINE TO PRECLUDE EVIDENCE THAT VICTIM G A TESTED POSITIVE FOR THE SEXUALLY TRANSMITTED DISEASE

CHLAMYDIA...DEFENDANT'S MOTION TO SUPPRESS DEFENDANT'S STATEMENT

7/17/18 8:30 A.M. CALENDAR CALL

7/23/18 8:30 A.M. TRIAL BY JURY (START TIME SET AT REQUEST OF COURT)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 19, 2018

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

June 19, 2018 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Clemons, Jennifer M.	Attorney
	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Alicia Herrera.

STATE'S MOTION IN LIMINE TO PRECLUDE EVIDENCE THAT VICTIM G.A. TESTED POSITIVE FOR THE SEXUALLY TRANSMITTED DISEASE CHLAMYDIA

Court reviewed Deft's Opposition filed yesterday. COURT ORDERED, Motion GRANTED. State to prepare order.

DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT

Arguments by parties regarding defense counsel's claim about unlawful arrest, Deft's statements to police, and detainer. Court stated it will allow defense counsel to explore on this issue further, and Court will handle this motion at time of trial. COURT ORDERED, Motion CONTINUED.

CUSTODY

7/17/18 8:30 A.M. CALENDAR CALL

7/23/18 8:30 A.M. TRIAL BY JURY....DEFT'S MOTION TO SUPPRESS DEFT'S STATEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 17, 2018

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

July 17, 2018 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Madalyn Kearney

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Feliciano, Mike Attorney
 State of Nevada Plaintiff
 Sweetin, James R Attorney
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Spanish Interpreter, Alex Avants, present.

Request for Competency Evaluation provided to the Court. Mr. Feliciano advised he has no choice other than referring Deft. to Competency Court. COURT ORDERED, matter REFERRED to Competency Court and all upcoming matters VACATED. Mr. Sweetin added the State would have been ready to proceed to trial.

8/10/18 9:00 AM FURTHER PROCEEDINGS: COMPETENCY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 17, 2018

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

**August 17, 2018 9:00 AM Further Proceedings:
Competency**

HEARD BY: Togliatti, Jennifer **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Murphy, Jessica W. Attorney
 O'Brien, Glen Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Also present: Spanish Interpreter Ximena Fiene.

Ms. Murphy advised this is Ms. Hojjat's case and requested it be trailed. Matter TRAILED.

Matter RECALLED. Ms. Murphy advised Ms. Hojjat is requesting a 30 day continuance to schedule a MRI, noting final approval was just received. COURT ORDERED, matter SET for status check.

CUSTODY

9/14/18 9:00 AM STATUS CHECK: MRI

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 14, 2018

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

September 14, 2018 9:00 AM Status Check

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Michaela Tapia

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: O'Brien, Glen Attorney
 Romney, Claudia Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Appearances Continued: Kimberly Alexander of the Specialty Courts present. Spanish Interpreter, Yul Hassman, present.

Court NOTED Drs. Colosimo and Harder indicate not competent; therefore, pursuant to the doctors' reports and the Dusky Standard, FINDS Defendant NOT COMPETENT as he/she is not capable of understanding the charges against him/her and is unable to assist counsel in his/her defense. Pursuant to NRS 178.425, COURT ORDERED, Defendant is REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, Defendant will be returned to this court for findings and referred back to the originating department for further proceedings.

CUSTODY (L.C.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 27, 2018

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

**November 27, 2018 8:30 AM Further Proceedings:
Competency-Return From
Lakes Crossing**

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Deft. present in custody with assistance from Certified Spanish Court Interpreter, Jeff Hanks.
COURT ORDERED, trial date SET. Mr. Sweetin noted for the record the Jackson vs. Denno hearing was initially going to be heard first day of trial. Court confirmed yes.

CUSTODY

3/12/19 8:30 A.M. CALENDAR CALL

3/19/19 1:30 P.M. TRIAL BY JURY...JACKSON VS. DENNO HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 12, 2019

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

March 12, 2019 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Natalie Ortega

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Feliciano, Mike Attorney
 State of Nevada Plaintiff
 Sweetin, James R Attorney
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2) CALENDAR CALL

Spanish Interpreter, Jeff Hanks present.

As to State's Notice of Motion and Motion to Strike Defendant's Notice of Expert Witnesses:

Arguments by counsel regarding the merits of the motion. COURT FINDS that cognitive function was not enough and Defense would have an opportunity to supplement the expert witness notice. COURT ORDERED, motion DENIED.

As to Calendar Call:

Mr. Feliciano announced ready noting that Defendant wished to proceed with trial even though the expert issue was outstanding. COURT NOTED due to a Court's schedule conflict, COURT

ADDITIONALLY ORDERED, trial VACATED and RESET.

04/09/19 8:30 AM STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S
NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2)

05/14/19 8:30 AM CALENDAR CALL

05/28/19 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 09, 2019**

C-16-316382-1

State of Nevada

vs

ARMANDO VASQUEZ-REYES

April 09, 2019**8:30 AM****Motion**

**STATE'S NOTICE
OF MOTION AND
MOTION TO
STRIKE
DEFENDANT'S
NOTICE OF EXPERT
WITNESSES
PURSUANT TO NRS
174.234(2)**

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Haly Pannullo**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**

Feliciano, Mike

Attorney

State of Nevada

Plaintiff

Sweetin, James R

Attorney

VASQUEZ-REYES, ARMANDO

Defendant

JOURNAL ENTRIES

- Spanish Interpreter, Carlos Calvo, also present.

Mr. Feliciano noted the State may be seeking an examination of the Defendant and requested time to supplement the pleading in that regard. COURT ORDERED, State is to file a supplement; matter CONTINUED and SET for Hearing. Mr. Feliciano stated he will file a response within a week after the supplement is received.

C-16-316382-1

CUSTODY

05/07/19 8:30 AM HEARING

CONTINUED TO: 05/07/19 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 07, 2019**

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

May 07, 2019**8:30 AM****All Pending Motions****HEARD BY:** Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Haly Pannullo**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Digiacomio, Sandra K.	Attorney
	Feliciano, Mike	Attorney
	State of Nevada	Plaintiff
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT WITNESSES PURSUANT TO NRS 174.234(2) ... HEARING

Spanish Interpreter, Ricardo Pico, also present.

Based upon a new notice by the Defense, Mr. Feliciano noted the State is not going to proceed on their Motion. State confirmed as long as the Defense agrees that their expert doctor will not due any further exams on the Defendant and will only be referring to the ones done 06/08/18 as well as 08/10/18. Mr. Feliciano confirmed that there will be no further evaluations. COURT ORDERED, Motion OFF CALENDAR. Defendant requested all of the documents from the doctor that shows all of the medication that he is receiving due to receiving medication that is not good for his health. Defendant addressed a concern that someone is putting stuff in his food that is making him not feel well. Mr. Feliciano advised the records do not show that they are tainting the Defendant's food. Court stated Mr. Feliciano can provide the medical records to the Defendant. Defendant stated he needs names of all of the pills. Mr. Feliciano advised he will order all of the records. Defendant requested

the Court not delay his trial any further. Court noted that this Court will do everything it can to move forward with trial.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2019

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

May 14, 2019 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Clemons, Jennifer M. Attorney
 Feliciano, Mike Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Spanish Interpreter, Norma Caucas, also present.

CALENDAR CALL

CONFERENCE AT BENCH. MATTER TRAILED.

MATTER RECALLED. All parties present as before. Based upon what has been reviewed, COURT ORDERED, matter REFERRED and SET in Competency Court; trial dates VACATED; pending motions OFF CALENDAR.

STATE'S NOTICE OF MOTION AND MOTION IN LIMINE
COURT ORDERED, Motion OFF CALENDAR.

DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO PRESERVE EXCULPATORY EVIDENCE
COURT ORDERED, Motion OFF CALENDAR.

DEFENDANT'S MOTION TO EXCLUDE IMPROPER EXPERT OPINION
COURT ORDERED, Motion OFF CALENDAR.

DEFENDANT'S MOTION TO RECONSIDER ADMISSIBILITY OF EVIDENCE VICTIM G.A. TESTED
POSITIVE FOR CHLAMYDIA
COURT ORDERED, Motion OFF CALENDAR.

CUSTODY

06/07/19 10:00 AM FURTHER PROCEEDINGS: COMETENCY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 07, 2019

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

June 07, 2019

10:00 AM

**Further Proceedings:
Competency**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Feliciano, Mike Attorney
 O'Brien, Glen Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Appearances Continued: Ximena Chica, Spanish Interpreter, Denise Baker of the Specialty Courts also present.

Mr. Feliciano advised he has a challenge to the findings and requested the matter be SET for status check. COURT SO ORDERED.

CUSTODY

06/21/19 10:00 AM STATUS CHECK: SET CHALLENGE HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 21, 2019

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

June 21, 2019 10:00 AM Status Check

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: O'Brien, Glen Attorney
 Romney, Claudia Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Also present: Denise Baker of the Specialty Courts, and Spanish Interpreter Jeffrey Hanks.

Ms. Romney advised Mr. Feliciano has had an independent evaluation completed and is waiting on the reports and requested a two week continuance. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 07/12/19 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 12, 2019

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

July 12, 2019 10:00 AM Status Check

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Michaela Tapia

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Feliciano, Mike Attorney
 O'Brien, Glen Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Appearances Continued: Danika Navar of the Specialty Courts and Carola Anderson, Spanish Interpreter, also present.

There being no challenge by Defense Counsel, COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him / her and is able to assist counsel in his / her defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings.

CUSTODY

7/16/19 8:30 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT DEPT. 12

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 16, 2019

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

**July 16, 2019 8:30 AM Further Proceedings:
Return from Competency
Court**

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Clemons, Jennifer M.	Attorney
	Feliciano, Mike	Attorney
	State of Nevada	Plaintiff
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Spanish Interpreter, Ricardo Pico, also present.

Court noted the Defendant was returned from Competency and there is not a finding. Colloquy regarding trial dates. COURT ORDERED, matter SET for trial. Statement by Defendant. Court noted trial has been set as soon as this Court can accommodate.

CUSTODY

10/01/19 8:30 AM CALENDAR CALL

10/08/19 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 01, 2019

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

October 01, 2019 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Feliciano, Mike Attorney
 Hojjat, Nadia Attorney
 State of Nevada Plaintiff
 Sweetin, James R Attorney
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- State's Notice of Motion and Motion in Limine to Preclude or Permit Evidence of Specific Statements in Defendant's Statement to Police on April 26,2018 FILED IN OPEN COURT and SET to be heard.

Upon Court's inquiry, both parties announced ready for trial. Mr. Feliciano noted trial will last one and a half weeks. State advised they will have ten witnesses, the defense will also have witnesses and trial will last 6-7 days. COURT ORDERED, matter SET for trial. Court noted counsel will be contacted regarding trial start time. COURT FURTHER ORDERED, all motions taken off calendar 05/14/19 are now SET to be heard; Jackson v Denno hearing SET.

CUSTODY

10/07/19 10:30 AM ALL PENDING MOTIONS ... JACKSON V DENNO

10/07/19 1:00 PM JURY TRIAL

CLERK'S NOTE: Counsel emailed and notified of trial start time. hvp/10/1/19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 07, 2019

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

October 07, 2019 10:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:

Feliciano, Mike	Attorney
Hojjat, Nadia	Attorney
Rowles, William C.	Attorney
State of Nevada	Plaintiff
Sweetin, James R	Attorney
VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Spanish Interpreter, Maria Peralta De Gomez, also present.

**DEFENDANT'S MOTION TO SUPPRESS DEFENDANT'S STATEMENT ... JACKSON V DENNO
HEARING**

Maria Corral and Mark Pretti SWORN and TESTIFIED. Court canvassed the Defendant is to testifying in today's hearing. Defendant confirmed his understanding. Maria Peralta De Gomez SWORN and interpreted for witness/Defendant's testimony. Armando Vasquez-Reyes SWORN and TESTIFIED. Following arguments by Mr. Sweetin and Ms. Hojjat, COURT ORDERED, Defendant's Motion to Suppress DENIED.

DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO PRESERVE EXCULPATORY EVIDENCE

Ms. Hojjat argued and requested a hearing regarding the body cam. Mr. Sweetin stated an evidentiary hearing can be done and argued. Ms. Hojjat further argued the P#'s 1200 and above all

have body cameras. Following further argument, COURT ORDERED, Motion DENIED; however, the Defense can ask the witnesses anything they feel is appropriate.

DEFENDANT'S MOTION TO EXCLUDE IMPROPER EXPERT OPINION

Ms. Hojjat argued regarding the expert's opinion and excluding that there wasn't an impression of probable abuse. COURT ORDERED, expert is not to testify as to a box that was checked; however, the doctor can testify as to the findings of the medical examination. Mr. Feliciano requested live testimony, even though it was agreed last Friday that she not be present. State argued. COURT directed counsel to ask the expert to be present and then inform the court in order to make a decision.

DEFENDANT'S MOTION TO RECONSIDER ADMISSIBILITY OF EVIDENCE VICTIM G.A. TESTED POSITIVE FOR CHLAMYDIA

At request of Mr. Feliciano and Ms. Hojjat, COURT STATED, the State can't just order someone to take an STD test on someone; further, Defense was allowed to test their client. Ms. Hojjat argued it is not the Defense's burden to test their client. COURT STATED a previous ruling was already made. Further arguments by counsel, COURT ORDERED, Motion to Reconsider DENIED. MATTER TRAILED.

MATTER RECALLED. Spanish Interpreter, Bette Brooks, now present. All parties present as before.

Notice of Motion and Motion to Present Propensity Evidence and/or Res Gestae Evidence FILED IN OPEN COURT.

STATE'S NOTICE OF MOTION AND MOTION IN LIMINE TO PRECLUDE OR PERMIT EVIDENCE OF SPECIFIC STATEMENTS IN DEFENDANT'S STATEMENT TO POLICE ON April 26, 2018 ... STATE'S NOTICE OF MOTION AND MOTION IN LIMINE

State argued as to the Defendant's statement not being brought in of drug and alcohol as well as allegations of someone else committing the offense. Mr. Feliciano argued the Statement regarding someone else committing the crime should not be redacted. As to the statement of drugs and alcohol, Mr. Feliciano argued it is not relevant as to the time of interview. COURT ORDERED, as to the allegations of the other boy, motion GRANTED as to drugs and alcohol matter DEFERRED to the time of trial as it could become relevant.

NOTICE OF MOTION AND MOTION TO PRESENT PROPENSITY EVIDENCE AND/OR RES GESTAE EVIDENCE

Mr. Sweetin argued as to the conduct and it all being sexual conduct under the statute. Mr. Feliciano argued and objected to the State's Motion. COURT ORDERED, hearing GRANTED outside the presence of the jury.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 07, 2019

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

October 07, 2019 1:00 PM Jury Trial

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Hojjat, Nadia	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Spanish Interpreter, Bette Brooks, Riicardo Pico and Ximena Fiene, also present.

PROSPECTIVE JURORS PRESENT:

Voir Dire.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:

Record made for challenge of cause.

COURT ORDERED, trial CONTINUED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 08, 2019

C-16-316382-1	State of Nevada
	vs
	ARMANDO VASQUEZ-REYES

October 08, 2019 10:30 AM Jury Trial

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Hojjat, Nadia	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:

Mr. Feliciano advised the prospective panel appears to be shy and requested the Court inquire that if any of the prospective jurors if any of them have been a victim of a crime or have anything they would like the attorneys to know which they are too embarrassed to speak about in front of everyone then they can speak with the attorneys at the bench. Court stated she inquired of the jurors on more than one time if they have been the victim of a crime; however, she will again inquire of the panel as a whole if there is anything they would like to raise with the attorneys at the bench.

PROSPECTIVE JURORS PRESENT:

Voir dire. Jury selected and excused for the evening recess.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 09, 2019**

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

October 09, 2019 10:00 AM Jury Trial

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Hojjat, Nadia	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Solidad Garcia and Ximena Fiene, Spanish Court Interpreters, present with Defendant and witnesses.

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Feliciano requested an expedited transcript from the Denno hearing that took place on Monday. Upon Court's inquiry, Court Recorder advised she will send out the expedited request and try to have it completed. COURT ORDERED, the expedited transcript from the Denno hearing to be prepared and they will attempt to have it completed by tomorrow as requested. Further, Mr. Feliciano advised in reviewing some of the discovery there is a 10 page document titled Nevada initial assessment which appears to be from CPS and there is a reference to unity notes which CPS keeps and he previously requested them in both a discovery motion as well as requested them from Mr. Sweetin personally. Court stated her concern that the issue is just now being raised after a jury

has been impaneled and before the twelfth trial setting. Mr. Sweetin advised he does not believe there are any other CPS records as this was what was provided from CPS when the records were requested. Court reviewed the documents provided by defense. Court instructed Mr. Sweetin to reach out to CPS to determine if there are any additional records and/or notes. Court Clerk informed the Court that there appears to be CPS records lodged with the vault from a hearing in January 2017. Court stated the Clerk will retrieve the records from the evidence vault and the Court will review them.

Mr. Sweetin advised he has three witnesses outside for the Court to hear testimony. Further, Mr. Sweetin provided the Court with a copy of the Franks case which specifically states a Petrocelli hearing is no longer required; although, the Court is required to make a determination prior to the propensity evidence is going to be admitted pursuant to the Franks case and that the State is required to put forth a proffer that the sexual offense occurred. Further, Mr. Sweetin advised he does not believe that there is a need for the witness to be cross examined. Mr. Feliciano advised the State needs to meet the preponderance of the evidence standard as the only thing the defense has regarding these allegations are what is contained in the State's written motion. Court stated she previously noted her concern and she will not permit a lengthy cross examination and the cross examination will be limited as the State only has to make a proffer.

Testimony presented. (See worksheets). Arguments by counsel as to their respective positions regarding State's Motion to Present Propensity Evidence and/or Res Gestae Evidence. Court FINDS State has met their burden, jury could reasonable find by a preponderance of the evidence it is relevant as well as State has met their burden as to the LeMay factors; therefore, COURT ORDERED, State's Motion to Present Propensity Evidence and/or Res Gestae Evidence GRANTED and the testimony shall be permitted. Ms. Hojjat inquired if there was an investigator present with the District Attorney when the statements were made by the victim which are referenced in the State's Motion as she believes she would be able to call the investigator to impeach the witness. Mr. Sweetin advised an investigator was present; however, you cannot impeach with extrinsic evidence.

Court noted she has been provided the CPS records lodged with the Court and it appears the CPS records were erroneously lodged in the wrong case number. Court directed the Court Clerk to have the CPS records lodged in the correct case. Further, Court stated she has another sealed envelope which appears to be for this case and upon opening the envelope they are the same records reviewed in open court this morning. Additionally, Court stated Mr. Sweetin will follow up with CPS to determine if there are any additional records. Mr. Sweetin advised he has reached out and is awaiting a response.

Argument regarding State's objection to unconscious and/or implicit bias. Court stated she would like parties to provide additional briefing on this issue for her review prior to issuing her ruling.

JURY PRESENT:

Conference at the bench.

OUTSIDE THE PRESENCE OF THE JURY:

Court noted this is outside the presence of the jury panel with the exception of juror # 10 Caroline Millsaps. Court inquired if the juror overheard any of the conversations between the attorneys. Ms. Millsaps advised she only heard them "shush" someone. Court so noted.

JURY PRESENT:

Jury sworn. Clerk read the Information to the jury and stated the defendant s plea thereto. Opening statements by counsel. Testimony and exhibits presented (see worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Ms. Hojjat invoked the exclusionary rule. Mr. Sweetin advised for the record there have been no witnesses in the courtroom. Court so noted.

Mr. Sweetin made a record of his objection to Mr. Feliciano's questioning of the victim. Court stated she has reviewed the transcript which does not appear to be a new incident; however, the witness can testify if it is a new incident or not.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 10, 2019

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

October 10, 2019 1:00 PM Jury Trial

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Hojjat, Nadia	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Spanish Court Interpreters present with Defendant and witnesses.

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Feliciano advised he learned yesterday that the defense expert Dr. Harder is only available Monday 2:45 - 4:15 PM and may request to testify remotely, unless he can testify the following week. Court stated she has objection with the doctor testifying remotely or if the doctor needs to be taken out of order. Mr. Sweetin stated no objection. Additionally, Mr. Feliciano advised during the bad acts hearing the victim talked about an act of cunnilingus coming out and that information did not come out during direct examination which would mean that defense would need to introduce bad acts against their own client and moved for a mistrial. Mr. Sweetin opposed. COURT ORDERED, defense Oral Motion for Mistrial DENIED.

Mr. Sweetin advised Dr. Cetel has indicated that she will be unavailable to testify in person and will need to testify remotely today at 4:00 PM; although, defense previously requested she testify in person. Colloquy regarding witness scheduling. Mr. Feliciano advised defense would request the doctor be present as the Defendant has the right to confront all witnesses in this case and based on the fact that Defendant could spend the rest of his life in prison if found guilty he believes the doctor should be present, COURT ORDERED, Dr. Cetel shall be permitted to testify remotely.

Mr. Sweetin advised a motion in limine was previously file to bring in portions of Defendant's statement which the Court deferred the ruling on the issue. Further, Mr. Sweetin advised based on the opening statements of defense they have clearly placed at issue the fact Defendant cannot remember things and the statements should be allowed in. Mr. Feliciano advised opening statements are not evidence and believes this issue is premature at this time. Court agreed the issue is premature and she will rule on the issue if and when it becomes relevant.

JURY PRESENT:

Testimony and exhibits presented. (See worksheets)

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Sweetin advised the State is concerned with defense counsel's statements that the State in some way was manipulating evidence. Court stated without an objection the Court stated those statements would be stricken. Mr. Sweetin requested that there be an instruction that is not appropriate and will not happen again. Court stated they were instructed at the bench that such comments were not appropriate.

JURY PRESENT:

Testimony and exhibits presented. (See worksheets)

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Feliciano advised Dr. Harder will testify remotely. Court so noted.

Court recessed for the evening.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 11, 2019

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

October 11, 2019 9:00 AM Jury Trial

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo
 Kory Schlitz

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Hojjat, Nadia	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Ricardo Pico, Spanish Court Interpreter present with Defendant.

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Sweetin advised there needs to be a decision regarding the redaction issue still pending with the Court. Court stated nothing has changed at this point and believes the redactions to the video and Defendant's statement should be made at this point. Mr. Sweetin advised his concern with defense counsel raising the issue that Defendant cannot remember. Court stated should it become relevant then it will be allowed in and State can possibly put a witness on the stand; however, we can address the issue if it becomes relevant. Additionally, Mr. Sweetin advised he has provided defense counsel a copy of the video which the State will be using that has the transcript in the video for the

Mr. Rowles advised he was at the gym last night and was discussing the trial with another attorney in the community when he discovered a juror # 9 on the floor above him. Further there was discussion regarding witness testimony and he thoughts on the testimony; although, he did not acknowledge the juror nor make eye contact with her.

Ms. Hojjat confirmed there is a redacted portion of the video. Mr. Sweetin confirmed. Further, Ms. Hojjat advised her concern is the characterization that Defendant was answering drugs and alcohol is why and/or how it started. Court stated she will review the information again; however, she previously ruled that the information is not coming in unless it somehow becomes relevant which it may and she stated she would address the issue should it become relevant.

Court noted outside the presence of the jury panel and in the presence of juror # 9 Ms. Lutz. Upon Court's inquiry, Ms. Lutz advised she was at the gym and saw one of the players that looked like the State she moved away.

JURY PRESENT:

Testimony and Exhibits continued. (See Worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Feliciano advised Defendant is wearing a very distinct rust colored shirt today and requested that Defendant wear a different shirt next week. Ms. Hojjat advised Defendant has wore the same shirt everyday and today he was taken back with to have his shirt changed. The Correction Officer advised he will make sure that the property department is aware that Defendant needs to be in a different color shirt next week, Court so noted.

11:10 a.m. Court Clerk Kory Schlitz present

JURY PRESENT

Spanish Interpreter Carola Anderson present on behalf of Defendant. Testimony and Exhibits continued. (See Worksheets).

OUTSIDE THE PRESENCE OF THE JURY

Mr. Feliciano informed the Court Detective Pretti and Juror #7 were speaking once they were released for lunch. Ms. Hojjat stated they heard voices, lips moving and they were interacting with each other.

Mark Pretti present. Upon Court's inquiry, Mr. Pretti stated he did not speak with any Jurors, or speak with anyone at the break, adding there were Jurors having conversations at the elevators however he did not speak with any of them.

Danyel Garrett Juror #7 present. Upon Court's inquiry, Ms. Garrett stated she did not have a conversation with Mark Pretti, adding he was standing in line waiting to get on the elevators and she stated out loud that she didn't like crowded elevators and she was going to wait for the next one.

JURY PRESENT

Testimony and Exhibits continued. (See Worksheets).

OUTSIDE THE PRESENCE OF THE JURY

Ms. Hojatt moved for a mistrial due to the limitation of the ability of the Defense to cross examine the lead detective in the case, adding numerous times when the Defense was trying to cross examine him regarding statements he received and how he responded to them, the Court kept the Defense from going into the Statements. Ms. Hojatt further argued they were not offering Ms. Alvarez's statements for the truth of the matter. Mr. Rowles stated his objection. COURT STATED ITS FINDINGS and ORDERED Motion for Mistrial DENIED.

JURY PRESENT

Testimony and Exhibits continued. (See Worksheets). Court recessed for the evening and directed Jurors to return Monday at 9:00 a.m.

OUTSIDE THE PRESENCE OF THE JURY

COURT requested Jury Instructions. Mr. Sweetin indicated the State will be resting on Monday Morning, and they can send over their Jury Instructions now. Ms. Hojatt informed the Court the Defense is not required to disclose their Jury Instructions until the State rests, and they will provide the instructions to Chambers and request they do not be provided to the State. Mr. Rowles inquired what rule the Defense was referencing. Ms. Hojatt argued since the Jury Instructions show theories of the case, they are not technically required to disclose them until after the State has rested. Upon Court's inquiry, Mr. Feliciano stated they have the Doctor, and they think the State might have a rebuttal witness. Colloquy regarding trial scheduling.

CUSTODY

CONTINUED TO: 10/14/19 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 14, 2019

C-16-316382-1 State of Nevada
vs
ARMANDO VASQUEZ-REYES

October 14, 2019 9:00 AM Jury Trial

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Denise Husted

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Hojjat, Nadia	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Spanish interpreters Bette Brooks, Maria Peters and Maria Peralte de Gomez present.

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding scheduling of witnesses and stipulations which the parties have reached and request the Court to read to the jury. Court advised parties to prepare the written stipulations they wish the Court to read to the jury.

JURY PRESENT:

Testimony and exhibits presented (see worksheets). Court read stipulations of the parties to the jury.

OUTSIDE THE PRESENCE OF THE JURY:

Defendant advised of his right not to testify. Instructions settled. Mr. Feliciano advised there are witnesses in the court room and the exclusionary rule has been invoked. Upon Court's inquiry, Mr. Sweetin advised they are expert witnesses and have been noticed as rebuttal witnesses. Mr. Feliciano advised the State has been provided everything that he will rely on for the testimony of Dr. Harder which should be sufficient for their rebuttal testimony. Court stated you are permitted to have experts sit in during testimony and the rebuttal experts shall be permitted to remain in the courtroom.

JURY PRESENT:

Testimony and exhibits presented (see worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Mr. Sweetin made a proffer of the testimony of the State's rebuttal experts Dr. Kapel and Dr. Roley. Ms. Hojjat objected to the rebuttal experts. Court Finds, there has not been a proper proffer of proof for Dr. Kapel to testify as a rebuttal expert and Dr. Roley would be limited rebuttal testimony only.

JURY PRESENT:

Testimony and exhibits presented (see worksheets).

OUTSIDE THE PRESENCE OF THE JURY:

Court noted that defense provided a Tavares instruction to the Court and indicated they do not want that instruction given to the jury. Ms. Hojjat agreed with the Court's representations. Ms. Hojjat made a record of the objections made at the bench during the testimony of Dr. Roley and moved for a

mistrial State opposed. COURT ORDERED, oral motion for mistrial DENIED as the objection made were overruled and the witness was permitted to answer the questions posed.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 15, 2019

C-16-316382-1	State of Nevada
	vs
	ARMANDO VASQUEZ-REYES

October 15, 2019 10:30 AM Jury Trial

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Dara Yorke

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Feliciano, Mike	Attorney
	Hojjat, Nadia	Attorney
	Rowles, William C.	Attorney
	State of Nevada	Plaintiff
	Sweetin, James R	Attorney
	VASQUEZ-REYES, ARMANDO	Defendant

JOURNAL ENTRIES

- Also present, Alex Avants, Maria Peralta De Gomez, and Maria Peters, Spanish Court interpreters.

JURY PRESENT: Jury INSTRUCTED by the Court. Closing arguments by the State. CONFERENCE AT BENCH. COURT RECESSED.

OUTSIDE THE PRESENCE OF THE JURY: Ms. Hojjat indicated she moved for a mistrial at the bench. Ms. Hojjat explained her reasoning for the mistrial were due to multiple instances where the State characterized the Defense theory of the case as one thing, and then indicated there was lack of evidence, as well as burden shifting and disparaging of the Defense counsel. Further arguments by Ms. Hojjat in support of the Mistrial. Arguments by Mr. Rowles in opposition. COURT ORDERED, Motion for Mistrial was hereby DENIED.

JURY PRESENT: Closing arguments by the Defense. CONFERENCE AT BENCH. Rebuttal by Mr.

Sweetin. CONFERENCE AT BENCH. OATH ADMINISTERED to the Matron and Bailiff. The Jury RETIRED to deliberate at the hour of 1:45 PM and the alternates were EXCUSED at that time.

OUTSIDE THE PRESENCE OF THE JURY: Mr. Feliciano indicated there was an objection as to Mr. Sweetin indicating Deft. wiped eyes which mistakes the testimony; therefore, Mr. Feliciano moved for a mistrial. Arguments by Mr. Sweetin. Statements by Mr. Feliciano in support of Mistrial. Colloquy between parties. Court noted parties could comment on evidence, video and what it represents.

At the hour of 3:23 PM, the JURY RETURNED with VERDICTS of GUILTY as to COUNTS 1 AND 2- LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F); and as to COUNTS 3 THROUGH 9 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (F). Defense counsel wished to poll the Jury. The Court thanked and EXCUSED the Jury.

OUTSIDE THE PRESENCE OF THE JURY: COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Court inquired about bail amount, which was indicated to be \$250,000.00; therefore, COURT FURTHER ORDERED, bail REVOKED and Deft. to be HELD WITHOUT BAIL.

CUSTODY- HOLD WITHOUT BAIL

12/10/19 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 10, 2019

C-16-316382-1 State of Nevada
 vs
 ARMANDO VASQUEZ-REYES

December 10, 2019 8:30 AM Sentencing

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo
 Carolyn Jackson

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Feliciano, Mike Attorney
 Rowles, William C. Attorney
 State of Nevada Plaintiff
 VASQUEZ-REYES, ARMANDO Defendant

JOURNAL ENTRIES

- Alex Avantes, Spanish Interpreter, also present.

DEFENDANT VASQUEZ-REYES ADJUDGED GUILTY of COUNTS 1 and 2 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F), COUNTS 3-10 SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEAR OF AGE (F). Arguments by counsel. Victim Speaker Guadalepa Alvares SWORN and TESTIFIED. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Defendant SENTENCED as follows:

COUNT 1 LIFE with a MINIMUM parole eligibility of TEN (10) YEARS, in the Nevada Department of Corrections (NDC);

COUNT 2 LIFE with a MINIMUM parole eligibility of TEN (10) YEARS, CONCURRENT with COUNT 1, in the NDC;

COUNT 3 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONSECUTIVE to COUNT 2, in the NDC;

COUNT 4 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC;

COUNT 5 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 2, in the NDC;

COUNT 6 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 2, in the NDC;

COUNT 7 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC;

COUNT 8 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC;

COUNT 9 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC; and

COUNT 10 LIFE with a MINIMUM parole eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 3, in the NDC, with ONE THOUSAND THREE HUNDRED THIRTY-FOUR (1,334) DAYS credit for time served; AGGREGATE TOTAL of FORTY-FIVE (45) YEARS to LIFE.

COURT FURTHER ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment and Defendant shall register as a sex offender in accordance with NRS 179D.460 within 48 hours upon release.

BOND, if any EXONERATED.

NDC

Jury Trial
1-22-18

Hearing Date: 01-22-18

Judge: Michelle Leavitt

Court Clerk: Susan Botzenhart

Recorder: Kristine Santi

Counsel for Plaintiff: James

vs.

Sweetin

Counsel for Defendant: mike feliciano

Trial

BEFORE THE COURT

Court's EXHIBITS

[illegible]

Evidentiary Hearing
4/30/18

4-26-18

Michelle Cavitt

Susan Botzenhart

Kristine Santi

James Sweetin

VS.

nt: Armando Vasquez-Reyes

mike feliciaro

Nadia Hjjat

Evidentiary Hearing

BEFORE THE COURT

State's EXHIBITS

[illegible]

Case No: C-16-316382-1

State of Nevada

vs. Armando Vasquez-Reyes

Deft 15[illegible]

EXHIBIT(S) LIST

Case No.: C310382

Dept. No.: 12

Plaintiff: State of Nevada

VS.

Defendant:

armando Vasquez-Reyes

Hearing Date: 10/7/19 (10:30 am hearing)

Judge: Uavtt

Court Clerk: Haley Pannullo

Recorder: Vinshine Santi

Counsel for Plaintiff: W. POWERS +

James Sweetin

Counsel for Defendant: Mike Feliciano &

Wadiah Hujjat

BEFORE THE COURT

State's EXHIBITS

[illegible]

Case No.: C314382

10/07/17 (10:30 am hearings)

Dept. No.:

12

Judge:

Leavitt

Court Clerk:

Italy Pannullo

Recorder:

Kristine Anti

Counsel for Plaintiff:

W. Powers &

VS.

Defendant:

armando
vasquez-reyes

Counsel for Defendant:

N. Hujat &

M. Feliciano

Courts

EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: C316382

Hearing / Trial Date: 10/07/19

Dept. No.: XII

Judge: MICHELLE LEAVITT

Plaintiff: **STATE OF NEVADA**

Court Clerk: HALY PANNULLO *J. DARA YORICE*

Recorder / Reporter: KRISTINE SANTI

Counsel for Plaintiff: JAMES SWEETIN &

vs.

Defendant: ARMANDO VASQUEZ-REYES

WILLIAM ROWLES

**Counsel for Defendant: MIKE FELICIANO &
NADIA HOJJAT**

HEARING / TRIAL BEFORE THE COURT

STATE'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: C316382

Hearing / Trial Date: 10/07/19

Dept. No.: XII

Judge: MICHELLE LEAVITT

Plaintiff: STATE OF NEVADA

Court Clerk: HALY PANNULLO / DARA VORKE

Recorder / Reporter: KRISTINE SANTI

Counsel for Plaintiff: JAMES SWEETIN &

vs.

WILLIAM ROWLES

Defendant: ARMANDO VASQUEZ-REYES

Counsel for Defendant: MIKE FELICIANO &

NADIA HOJJAT

HEARING / TRIAL BEFORE THE COURT

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
1	Jury list	10-8-19		10-8-19	AB
2	Juror notebook	10-8-19		10-8-19	AB
3	Unity case notes	10-9-19		10-9-19	AB
4	Defendant's proposed opening instruction	10-9-19		10-9-19	AB
5	State's opening powerpoint	10-10-19		10-10-19	AB
6	Stipulation read to the jury by court	10-10-19		10-10-19	AB
7	States Proposed Exhibit 4	10-11-19		10-11-19	AB
8	Deft. Voluntary Statement Transcript	10-11-19		10-11-19	AB
9	Stipulated Statement	10/14/19		10/14/19	AB
10	Δ Proposed A	10/14/19		10/14/19	AB
11	" " B	10/14/19		10/14/19	AB
12	" " D	10/14/19		10/14/19	AB
13	" " I	10/14/19		10/14/19	AB
14	" " K	10/14/19		10/14/19	AB
15	" " L	10/14/19		10/14/19	AB
16	" " M	10/14/19		10/14/19	AB
17	Δ Proposed Verdict	10/14/19		10/14/19	AB

EXHIBIT(S) LIST

Case No:

vs.

COURT'S EXHIBITS

[illegible]

Certification of Copy

State of Nevada }
County of Clark } SS:

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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

ARMANDO VASQUEZ-REYES
aka ARMANDO VASQUIEZREYES,

Defendant(s).

Case No: C-16-316382-1

Dept No: XII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 20 day of December 2019.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk