

In The Eighth Judicial District Court of The
State of Nevada In
AND FOR THE COUNTY OF CLARK

FILED

Electronically Filed
Apr 16 2020 09:18 a.m.
Elizabeth A. Brown
Clerk of Superior Court

The State of Nevada

Plaintiff,

vs.

Case No.: C-19-341735-1

Dept. No.: VI

Docket No.: _____

Daine Anton Crawley # 7031173

NDC # 1167447

Defendant

Notice of Appeal

Notice is hereby given that Daine A. Crawley, Defendant above named, hereby appeals to the Supreme Court of Nevada from The Honorable Jacqueline M. Bluth Department VI, Clark County Eighth Judicial District Court case number C341735. Carrying Concealed Firearm, or other Deadly Weapon, to wit Multi-purpose tool / Knife; Adjudicated as a small habitual Category B 84-240 months.

The Defendant now comes forth to file this entitled notice of Appeal due to the error / errors within PSI. The Defendant would like to note that Communication with Counsel has been strained due to the COVID 19, Corona Virus Pandemic. The Sentencing hearing was Continued from March 4th, 2020 to April 1st, 2020 in order to have new PSI ordered. As stated in supplementary "PSI" provided April 1st, 2020 Attorney

APR 16 2020

1 Carl Arnold was never reached to give response according
2 to "Page 7" of Supplemental Information in PSI dated
3 March 24th, 2020. The information also states on "Page 7" that
4 "The Defendant" responded Via Email with a "Statement"
5 regarding errors. The Defendant was and still is in custody
6 for the past "260 days" and could not do so. A new
7 "PSI" was never clarified, and since neither Defendant
8 Crawley nor Attorney Carl Arnold were contacted the "PSI"
9 was never clarified in any respect; Convictions, incarcerations
10 Mental Health, Substance Abuse Etc. The Defendants probation
11 Success Probability Score (PSP) used at sentencing failed to
12 properly account for Mental Health and/or physical handicap
13 as previously noted in the transcripts from all District Court
14 hearings starting in November 2019. Blankenship VS. State
15 Supreme Court of Nevada July 21, 2016. In addition to
16 these most prevalent errors there are various Complaints
17 noted by defendant for ineffective Counsel / withdraw guilty
18 plea motions filed in October / November 2019. The Defendant
19 is requesting that the sentence be challenged due to
20 these errors, but not limited to the lack of contact with
21 Substitute Attorney amid the COVID 19 / Corona Virus
22 Outbreak. If alternate Counsel regarding these errors will
23 please submit this Notice of Appeal, and note a request
24 of procedure for modifying the records in question, as
25 directed by PNP. It is a known fact that PNP for
26 said jurisdictions have failed to respond regarding
27 Convictions used to obtain habitual sentence. Please note
28

1 that Defendant Crawley signed a 1 to 5 year Probationable Sentence
2 and was told that the "State would not seek habitual Sentence" at
3 Signing; Court records will show. There was inadequate time to
4 discuss errors before April 1st, 2020 with substitute attorney.
5 Before rendition of sentencing; a continuance was denied even
6 though appointed Counsel Carl Arnold was not present. In
7 addition to these issues previously noted; a violation
8 of Due process rights has been disclosed according to
9 NRS 171.174 regarding June 12th, 2019 arrest, and the
10 delay of 72 hour hearing until June 17th, 2019. July
11 1st, 2019 preliminary hearing was continued multiple times without
12 Defendant being present, leading Defendant to feel Plea like
13 agreement only viable option, respectively.

14 DATED THIS 1st day of April, 2020.

15 I Daine Anton Crawley, do

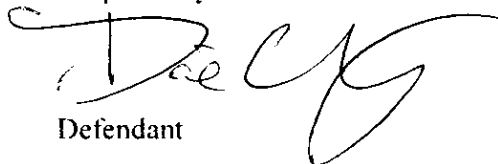
16 solemnly swear, under the penalty of perjury, that

17 the above Notice of Appeal is accurate.

18 correct, and true to the best of my knowledge.

19 NRS 171.102 and NRS 208.165.

20 Respectfully submitted.

21 
22
23 Defendant

24
25 NRS 208.165 A prisoner may execute any instrument by signing his name immediately
26 following a declaration "under penalty of perjury" with the same legal effect as if he had
27 acknowledged it or sworn to its truth before a person authorized to administer oaths. As used in
28 this section, "prisoner" means a person confined in any jail or prison, or any facility for the
detention of juvenile offenders in this state.

Daine Crawley #7031173
CcDC
330 S. Casino Center Blvd.
Las Vegas, NV 89101

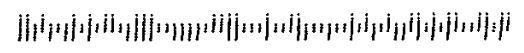
LAS VEGAS NV 890

02 APR 2020 PM 5 L



Clerk of District Court
200 Lewis Avenue, 3rd Floor
Las Vegas, NV 89155-1160

89101-630000



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Confidential / LEGAL MAIL

CLERK OF DISTRICT COURT



1 ASTA

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5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9
10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 DAINE ANTON CRAWLEY,

14 Defendant(s),

Case No: C-19-341735-1

Dept No: VI

15
16
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Daine Crawley

19 2. Judge: Jacqueline M. Bluth

20 3. Appellant(s): Daine Crawley

21 Counsel:

22 Daine Crawley #7031173
23 330 S. Casino Center Blvd.
24 Las Vegas, NV 89101

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.
Las Vegas, NV 89101

(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: Yes

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: July 11, 2019

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 13 day of April 2020.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Daine Crawley

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-19-341735-1**

State of Nevada
vs
Daine Crawley

§ Location: **Department 6**
 § Judicial Officer: **Bluth, Jacqueline M.**
 § Filed on: **07/11/2019**
 § Cross-Reference Case **C341735**
 § Number:
 § Defendant's Scope ID #: **7031173**
 § ITAG Booking Number: **1900032991**
 § ITAG Case ID: **2201189**
 § Lower Court Case # Root: **19F11843**
 § Lower Court Case Number: **19F11843X**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court					
1. CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON PCN: 0025833782 ACN: 0	202.350.1d1	F	06/12/2019	Case Status:	04/07/2020 Closed
Arrest: 06/26/2019 MET - Metro					

Statistical Closures

04/07/2020 Guilty Plea with Sentence (before trial) (CR)






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

Case Number	C-19-341735-1
Court	Department 6
Date Assigned	07/11/2019
Judicial Officer	Bluth, Jacqueline M.













PARTY INFORMATION

		Lead Attorneys
Defendant	Crawley, Daine Anton	Arnold, Carl E. <i>Retained</i> 702-253-6996(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

07/11/2019	 Criminal Bindover Packet Las Vegas Justice Court
07/11/2019	 Criminal Bindover - Confidential
07/12/2019	 Information Party: Plaintiff State of Nevada <i>Information</i>
07/15/2019	 Guilty Plea Agreement
07/25/2019	 Transcript of Proceedings <i>Reporter's Transcript of Unconditional Waiver of Preliminary Hearing, July 11, 2019</i>

CASE SUMMARY
CASE NO. C-19-341735-1

08/27/2019	 PSI
10/28/2019	 Motion to Dismiss Counsel Party: Defendant Crawley, Daine Anton <i>Motion to Dismiss Counsel and Appoint Alternate Counsel</i>
10/30/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
11/19/2019	 Notice Filed By: Plaintiff State of Nevada <i>State's Notice of Intent to Seek Punishment as a Habitual Criminal</i>
01/31/2020	 Motion to Withdraw Plea Filed By: Defendant Crawley, Daine Anton <i>Motion to Withdraw Guilty Plea</i>
01/31/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
02/14/2020	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Withdraw Guilty Plea</i>
03/03/2020	 Memorandum Filed By: Plaintiff State of Nevada <i>Sentencing Memorandum</i>
03/24/2020	 PSI
04/02/2020	Judgment of Conviction Prepared by Clerk
04/06/2020	 Notice of Appeal (criminal) Party: Defendant Crawley, Daine Anton <i>Notice of Appeal</i>
04/07/2020	 Judgment of Conviction <i>Judgment of Conviction (Plea of Guilty)</i>
04/13/2020	 Case Appeal Statement Filed By: Defendant Crawley, Daine Anton <i>Case Appeal Statement</i>
<u>DISPOSITIONS</u>	
07/15/2019	Plea (Judicial Officer: Bluth, Jacqueline M.) 1. CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON Guilty PCN: 0025833782 Sequence:
04/01/2020	Disposition (Judicial Officer: Bluth, Jacqueline M.) 1. CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON Guilty PCN: 0025833782 Sequence:

CASE SUMMARY
CASE NO. C-19-341735-1

04/01/2020

Adult Adjudication (Judicial Officer: Bluth, Jacqueline M.)

1. CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON

06/12/2019 (F) 202.350.1d1 (DC51459)

PCN: 0025833782 Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:84 Months, Maximum:241 Months

Credit for Time Served: 67 Days

Comment (\$25. ADM - \$3. DNA Collection Fee - \$250. IND)

Comment (\$150.00 Waived)

HEARINGS

07/15/2019



Initial Arraignment (10:00 AM) (Hearing Master: Wittenberger, Shannon)

Plea Entered;

Journal Entry Details:

Deputized Law Clerk, John Torre appearing for the State. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. CRAWLEY ARRAIGNED AND PLED GUILTY TO CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release and DIRECTED Deft. to report to P & P within 24 hours of release. O.R. 11/13/19 9:00 AM SENTENCING (DEPT. 6);

11/12/2019



Minute Order (3:00 AM) (Judicial Officer: Bluth, Jacqueline M.)

Minute Order - No Hearing Held;

Journal Entry Details:

The Defendant s Motion to Withdraw Counsel which is scheduled for November 18, 2019 is hereby RESCHEDULED for November 13, 2019 so that it can be heard before the defendant is sentenced. The sentencing date will remain as scheduled for November 13, 2019 and will be addressed after the Motion to Withdraw Counsel is heard. ;

11/13/2019



Sentencing (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.)

11/13/2019, 11/20/2019, 01/15/2020, 01/29/2020, 02/19/2020, 03/04/2020, 04/01/2020

Continued;

Continued;

Continued;

Continued;

Continued;

Continued;

Defendant Sentenced;

Journal Entry Details:

Statement by Defendant regarding issues with his Presentence Investigation (PSI) Report and desire to speak with Carl Arnold. Colloquy between Court, counsel and Defendant regarding Defendant's issues with the PSI. Upon inquiry of the Court, Mr. Stanton and Mr. Bailey stated they're comfortable going forward. Statement by Defendant. Argument in support of small habitual criminal treatment by Mr. Stanton. Argument in opposition by Mr. Bailey. Pursuant to the Small Habitual Criminal Statute, Defendant CRAWLEY ADJUDGED GUILTY OF CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee WAIVED, \$3.00 DNA Collection fee and \$250.00 Indigent Defense Civil Assessment fee, Defendant SENTENCED to a MINIMUM OF EIGHTY-FOUR (84) MONTHS AND A MAXIMUM OF TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC). Defendant stated he has 261 days credit. Colloquy regarding credit for time served. COURT ORDERED, SIXTY-SEVEN (67) DAYS credit for time served; counsel is to place the matter back on calendar should there be any issues. NDC;

Continued;

Continued;

Continued;

Continued;

CASE SUMMARY

CASE NO. C-19-341735-1

Continued;
Continued;
Defendant Sentenced;
Journal Entry Details:

Court noted State's retained the right to argue and the receipt of the sentencing memorandum. At the request of the Defendant, COURT ORDERED, proceedings TRAILED for Defendant to speak with counsel. MATTER RECALLED: Argument and exhibits in support of Small Habitual Criminal Treatment by Mr. Stanton. Argument regarding errors in the Presentence Investigation Report (PSI) by Mr. Arnold. Colloquy between Court, Mr. Arnold and Defendant regarding errors in PSI. Court stated Defendant will be allowed to read his letter at time of sentencing; Mr. Arnold is to note each of the items cited in the PSI. Mr. Stanton requested a copy of the letter the Defendant will read. COURT ORDERED, matter CONTINUED for the correction of the PSI. Mr. Stanton requested the Court staff reach out to Department 18 in regards to whatever issues there are in the PSI as they will parallel. Court stated we'll let them know. Defendant stated he's been approved for Drug Court in the other case and thought habitual treatment would not be sought. Mr. Stanton stated Defendant's claims of habitual treatment not being sought are concerning and belied by the record. Mr. Arnold stated the record was clear regarding the basis for the withdrawing of the plea. Court stated it's been argued and briefed. Statement by Defendant. Mr. Stanton stated there was an agreement to not seek habitual treatment, but the Defendant violated the agreement. COURT ORDERED, proceedings CONTINUED for the correction of the PSI. CUSTODY 4-1-20 9:30 AM SENTENCING;

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Defendant Sentenced;
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Defendant Sentenced;
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Continued;
Defendant Sentenced;

11/13/2019




Motion to Disqualify Attorney (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.)
Defendant's Motion to Dismiss Counsel and Appoint Alternate Counsel
Matter Heard;

11/13/2019



All Pending Motions (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.)


CASE SUMMARY
CASE NO. C-19-341735-1

	<p>Matter Heard; Journal Entry Details: <i>DEFENDANT'S MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL...SENTENCING</i> Colloquy regarding calendared proceedings. Ms. Ballou moved for the withdrawal of the Guilty Plea Agreement and advised there's incorrect information in the Presentence Investigation Report (PSI) and that another evaluation needs to be done. COURT ORDERED, Carl Arnold APPOINTED as counsel for the limited basis of the motion to withdraw plea, matter SET for confirmation. Defendant stated he's tried to get an evaluation for Drug Court and wrote a letter to the Speciality Court Coordinator without a response. Ms. Ballou advised there's been no contact with the Defendant since entry of plea and it was not known he was in custody; there was no call, letter, nothing. Colloquy regarding Defendant's custody status, lack of contact between defendant and counsel, appointment of counsel to look into plea withdrawal and Drug Court. Ms. Ballou stated discovery will be provided to Mr. Arnold. CUSTODY 11-20-19 9:30 AM CONFIRMATION OF COUNSEL (C. ARNOLD) ...SENTENCING CLERK'S NOTE: Office of Attorney Carl Arnold (Noemy) notified of calendared proceedings. kar 11/14/19;</p>
11/20/2019	<p>Confirmation of Counsel (9:30 AM) (Judicial Officer: Thompson, Charles) <i>Confirmation of Counsel (C. Arnold)</i> Confirmed;</p>
11/20/2019	<p>CANCELED All Pending Motions (9:30 AM) (Judicial Officer: Thompson, Charles) <i>Vacated - Set in Error</i></p>
11/20/2019	<p> All Pending Motions (9:30 AM) (Judicial Officer: Thompson, Charles) Matter Heard; Journal Entry Details: <i>CONFIRMATION OF COUNSEL (C. ARNOLD)...SENTENCING</i> Ms. Ballou advised discovery was e-mailed to Mr. Arnold on the 13th. Mr. Arnold CONFIRMED as counsel. Ms. Overly advised the Defendant has another case in which he's pled guilty after entry of plea in this case which is set for sentencing December 12th; it's been agreed to run that sentence concurrent to this case and this case could be set before December 12th. Ms. Ballou noted proceedings were calendared to determine if the plea in this case would be withdrawn and stated she has no idea of what's taking place in the other case. Colloquy regarding the appointment of Mr. Arnold for the purpose of looking into the withdrawal of plea and should it be found there's no reason for the withdrawal, Defendant will remain represented by the Public Defender. Mr. Arnold CONFIRMED as counsel, stated he cannot look at the matter until after the holidays and requested a January 15th status check. COURT SO ORDERED; sentencing CONTINUED. CUSTODY 1-15-20 9:30 AM STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT...SENTENCING;</p>
01/15/2020	<p>Status Check (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) 01/15/2020, 01/29/2020 <i>Status Check: Defendant's Motion To Withdraw Guilty Plea Agreement</i> Continued;</p>
01/15/2020	<p> All Pending Motions (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) Matter Heard; Journal Entry Details: <i>STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT...SENTENCING</i> Present on behalf of the State, Deputy Elise Conlin. Mr. Arnold requested a 2 week continuance and advised the Defendant provided him with a letter that he went over this morning, he believes there's a basis for the withdrawal of the plea and he'll probably file something in the next week or so. COURT ORDERED, proceedings CONTINUED. CUSTODY 1-29-20 9:30 AM STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT...SENTENCING ;</p>
01/29/2020	<p> All Pending Motions (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) Matter Heard; Journal Entry Details: <i>STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT..SENTENCING</i> Present on behalf of the State, Deputy Elise Conlin. Mr. Arnold</p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-19-341735-1

	<i>stated he was attempting to negotiate the case with Mr. Stanton, was informed they would not go for the negotiations and advised a motion will be filed today or tomorrow. COURT ORDERED, Defendant's motion is due January 31, 2020, State's response February 7, 2020; matter SET for argument. CUSTODY 2-19-20 9:30 AM ARGUMENT: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT;</i>
02/12/2020	CANCELED Motion to Withdraw Plea (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) <i>Vacated - Duplicate Entry</i> <i>Defendant's Motion to Withdraw Guilty Plea</i>
02/19/2020	Argument (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) ARGUMENT: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT Matter Heard;
02/19/2020	 All Pending Motions (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) Matter Heard; Journal Entry Details: ARGUMENT: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT ...SENTENCING Argument in support of motion by Mr. Arnold, and in opposition by Mr. Turner. Court stated findings, noted there's no valid reason to withdraw the plea and ORDERED, Defendant's Motion To Withdraw Guilty Plea Agreement DENIED. Continued argument in regards to withdrawal of plea by Defendant. Court stated those issues were not before the Court, found there was an insufficient basis to withdraw the plea and ORDERED, motion DENIED. Mr. Turner stated Mr. Stanton would like a continuance to prepare a sentencing memorandum; Defendant's eligible for habitual treatment; counsel was informed time is needed for its preparation. Mr. Arnold stated he was appointed to look at the plea withdrawal, but has no issues assisting with sentencing and stated he's not seen a Presentence Investigation Report (PSI) from this case. Deputy Public Defender Erika Ballou stated she has it. Defendant stated there's an error in the PSI. COURT ORDERED, sentencing CONTINUED; if there's an error in the PSI to be corrected after speaking with the Defendant, e-mail the Court and State. Mr. Arnold stated a sentencing memorandum in regards to the error in the PSI will be prepared. Continued argument by Defendant. CUSTODY 3-4-20 9:30 AM SENTENCING;

DATE

FINANCIAL INFORMATION

Defendant Crawley, Daine Anton	
Total Charges	428.00
Total Payments and Credits	0.00
Balance Due as of 4/13/2020	428.00

Steven D. Grierson

JOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C-19-341735-1

-vs-

DEPT. NO. VI

DAINE ANTON CRAWLEY
#7031173

Defendant.

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (Category C Felony) in violation of NRS 202.350(1)(d)(3); thereafter, on the 1st day of April, 2020, the Defendant was present in court for sentencing with counsel ROGER BAILEY, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense under the SMALL HABITUAL Criminal Statute and, in addition to the \$25.00 Administrative Assessment Fee and \$250.00 Indigent Defense Civil Assessment Fee plus \$3.00 DNA Collection Fee, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows: a MAXIMUM of TWO HUNDRED FORTY (240)

<input type="checkbox"/> Nolle Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent. (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input type="checkbox"/> Transferred (before/during trial)	<input type="checkbox"/> Conviction
<input type="checkbox"/> Other Manner of Disposition	

KJ

1 MONTHS with a MINIMUM parole eligibility of EIGHTY-FOUR (84) MONTHS; with
2 SIXTY-SEVEN (67) DAYS credit for time served. As the \$150.00 DNA Analysis Fee
3 and Genetic Testing have been previously imposed, the Fee and Testing in the
4 current case are WAIVED.
5

6 DATED this 10th day of April, 2020.

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8 
9 JACQUELINE M. BLUTH
10 DISTRICT COURT JUDGE 
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 15, 2019

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

July 15, 2019 10:00 AM Initial Arraignment

HEARD BY: Wittenberger, Shannon **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Kristen Brown

RECORDER: Sharon Nichols

REPORTER:

PARTIES

PRESENT: Ballou, Erika D. Attorney
 CRAWLEY, DAINE ANTON Defendant
 Public Defender Attorney

JOURNAL ENTRIES

- Deputized Law Clerk, John Torre appearing for the State.

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. CRAWLEY ARRAIGNED AND PLED GUILTY TO CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release and DIRECTED Deft. to report to P & P within 24 hours of release.

O.R.

11/13/19 9:00 AM SENTENCING (DEPT. 6)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 12, 2019

C-19-341735-1 State of Nevada
vs
Daine Crawley

November 12, 2019 3:00 AM Minute Order

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- The Defendant s Motion to Withdraw Counsel which is scheduled for November 18, 2019 is hereby RESCHEDULED for November 13, 2019 so that it can be heard before the defendant is sentenced. The sentencing date will remain as scheduled for November 13, 2019 and will be addressed after the Motion to Withdraw Counsel is heard.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 13, 2019

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

November 13, 2019 9:30 AM

All Pending Motions

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT:	Ballou, Erika D.	Attorney
	Clowers, Shanon	Attorney
	Crawley, Daine Anton	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE
COUNSEL...SENTENCING

Colloquy regarding calendared proceedings. Ms. Ballou moved for the withdrawal of the Guilty Plea Agreement and advised there's incorrect information in the Presentence Investigation Report (PSI) and that another evaluation needs to be done. COURT ORDERED, Carl Arnold APPOINTED as counsel for the limited basis of the motion to withdraw plea, matter SET for confirmation. Defendant stated he's tried to get an evaluation for Drug Court and wrote a letter to the Speciality Court Coordinator without a response. Ms. Ballou advised there's been no contact with the Defendant since entry of plea and it was not known he was in custody; there was no call, letter, nothing. Colloquy regarding Defendant's custody status, lack of contact between defendant and counsel, appointment of counsel to look into plea withdrawal and Drug Court. Ms. Ballou stated discovery will be provided to Mr. Arnold.

CUSTODY

11-20-19 9:30 AM CONFIRMATION OF COUNSEL (C. ARNOLD) ...SENTENCING

CLERK'S NOTE: Office of Attorney Carl Arnold (Noemy) notified of calendared proceedings. kar
11/14/19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 20, 2019

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

November 20, 2019 9:30 AM All Pending Motions

HEARD BY: Thompson, Charles **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT: Arnold, Carl E. Attorney
 Ballou, Erika D. Attorney
 Crawley, Daine Anton Defendant

JOURNAL ENTRIES

- CONFIRMATION OF COUNSEL (C. ARNOLD)...SENTENCING

Ms. Ballou advised discovery was e-mailed to Mr. Arnold on the 13th. Mr. Arnold CONFIRMED as counsel. Ms. Overly advised the Defendant has another case in which he's pled guilty after entry of plea in this case which is set for sentencing December 12th; it's been agreed to run that sentence concurrent to this case and this case could be set before December 12th. Ms. Ballou noted proceedings were calendared to determine if the plea in this case would be withdrawn and stated she has no idea of what's taking place in the other case. Colloquy regarding the appointment of Mr. Arnold for the purpose of looking into the withdrawal of plea and should it be found there's no reason for the withdrawal, Defendant will remain represented by the Public Defender. Mr. Arnold CONFIRMED as counsel, stated he cannot look at the matter until after the holidays and requested a January 15th status check. COURT SO ORDERED; sentencing CONTINUED.

CUSTODY

1-15-20 9:30 AM STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA
AGREEMENT...SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 15, 2020

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

January 15, 2020 9:30 AM All Pending Motions

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT: Arnold, Carl E. Attorney
 Crawley, Daine Anton Defendant

JOURNAL ENTRIES

- STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA
AGREEMENT...SENTENCING

Present on behalf of the State, Deputy Elise Conlin. Mr. Arnold requested a 2 week continuance and advised the Defendant provided him with a letter that he went over this morning, he believes there's a basis for the withdrawal of the plea and he'll probably file something in the next week or so. COURT ORDERED, proceedings CONTINUED.

CUSTODY

1-29-20 9:30 AM STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA
AGREEMENT...SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 29, 2020

C-19-341735-1 State of Nevada
vs
Daine Crawley

January 29, 2020 9:30 AM All Pending Motions

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT: Arnold, Carl E. Attorney
Crawley, Daine Anton Defendant

JOURNAL ENTRIES

- STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA
AGREEMENT..SENTENCING

Present on behalf of the State, Deputy Elise Conlin. Mr. Arnold stated he was attempting to negotiate the case with Mr. Stanton, was informed they would not go for the negotiations and advised a motion will be filed today or tomorrow. COURT ORDERED, Defendant's motion is due January 31, 2020, State's response February 7, 2020; matter SET for argument.

CUSTODY

2-19-20 9:30 AM ARGUMENT: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA
AGREEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 19, 2020**

C-19-341735-1 State of Nevada
vs
Daine Crawley

February 19, 2020**9:30 AM****All Pending Motions****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Keith Reed**RECORDER:** De'Awna Takas**REPORTER:****PARTIES****PRESENT:**

Arnold, Carl E.

Attorney

Crawley, Daine Anton

Defendant

State of Nevada

Plaintiff

Turner, Robert B.

Attorney

JOURNAL ENTRIES

- ARGUMENT: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT
...SENTENCING

Argument in support of motion by Mr. Arnold, and in opposition by Mr. Turner. Court stated findings, noted there's no valid reason to withdraw the plea and ORDERED, Defendant's Motion To Withdraw Guilty Plea Agreement DENIED. Continued argument in regards to withdrawal of plea by Defendant. Court stated those issues were not before the Court, found there was an insufficient basis to withdraw the plea and ORDERED, motion DENIED. Mr. Turner stated Mr. Stanton would like a continuance to prepare a sentencing memorandum; Defendant's eligible for habitual treatment; counsel was informed time is needed for its preparation. Mr. Arnold stated he was appointed to look at the plea withdrawal, but has no issues assisting with sentencing and stated he's not seen a Presentence Investigation Report (PSI) from this case. Deputy Public Defender Erika Ballou stated she has it. Defendant stated there's an error in the PSI. COURT ORDERED, sentencing CONTINUED; if there's an error in the PSI to be corrected after speaking with the Defendant, e-mail the Court and State. Mr. Arnold stated a sentencing memorandum in regards to the error in the PSI will be

prepared. Continued argument by Defendant.

CUSTODY

3-4-20 9:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 04, 2020**

C-19-341735-1 State of Nevada
vs
Daine Crawley

March 04, 2020 9:30 AM Sentencing

HEARD BY: Bluth, Jacqueline M.**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Keith Reed**RECORDER:** De'Awna Takas**REPORTER:****PARTIES**

PRESENT:	Arnold, Carl E.	Attorney
	Crawley, Daine Anton	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted State's retained the right to argue and the receipt of the sentencing memorandum. At the request of the Defendant, COURT ORDERED, proceedings TRAILED for Defendant to speak with counsel.

MATTER RECALLED:

Argument and exhibits in support of Small Habitual Criminal Treatment by Mr. Stanton. Argument regarding errors in the Presentence Investigation Report (PSI) by Mr. Arnold. Colloquy between Court, Mr. Arnold and Defendant regarding errors in PSI. Court stated Defendant will be allowed to read his letter at time of sentencing; Mr. Arnold is to note each of the items cited in the PSI. Mr. Stanton requested a copy of the letter the Defendant will read. COURT ORDERED, matter CONTINUED for the correction of the PSI. Mr. Stanton requested the Court staff reach out to Department 18 in regards to whatever issues there are in the PSI as they will parallel. Court stated we'll let them know. Defendant stated he's been approved for Drug Court in the other case and thought habitual treatment would not be sought. Mr. Stanton stated Defendant's claims of habitual

treatment not being sought are concerning and belied by the record. Mr. Arnold stated the record was clear regarding the basis for the withdrawing of the plea. Court stated it's been argued and briefed. Statement by Defendant. Mr. Stanton stated there was an agreement to not seek habitual treatment, but the Defendant violated the agreement. COURT ORDERED, proceedings CONTINUED for the correction of the PSI.

CUSTODY

4-1-20 9:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 01, 2020**

C-19-341735-1 State of Nevada
vs
Daine Crawley

April 01, 2020**10:15 AM****Sentencing****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** RJC Lower Level Arraignment**COURT CLERK:** Keith Reed**RECORDER:** De'Awna Takas**REPORTER:****PARTIES**

PRESENT:	Bailey, Roger	Attorney
	Crawley, Daine Anton	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Statement by Defendant regarding issues with his Presentence Investigation (PSI) Report and desire to speak with Carl Arnold. Colloquy between Court, counsel and Defendant regarding Defendant's issues with the PSI. Upon inquiry of the Court, Mr. Stanton and Mr. Bailey stated they're comfortable going forward. Statement by Defendant. Argument in support of small habitual criminal treatment by Mr. Stanton. Argument in opposition by Mr. Bailey. Pursuant to the Small Habitual Criminal Statute, Defendant CRAWLEY ADJUDGED GUILTY OF CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee WAIVED, \$3.00 DNA Collection fee and \$250.00 Indigent Defense Civil Assessment fee, Defendant SENTENCED to a MINIMUM OF EIGHTY-FOUR (84) MONTHS AND A MAXIMUM OF TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC). Defendant stated he has 261 days credit. Colloquy regarding credit for time served. COURT ORDERED, SIXTY-SEVEN (67) DAYS credit for time served; counsel is to place the matter back on calendar should there be any issues.

NDC

EXHIBIT(S) LIST

Case No.: 0341735

Hearing Date: MARCH 4 2020

Dept. No.: 6

Judge: JACQUELINE BLUTH

Court Clerk: KEITH REED

Recorder: DE'AWNATAKAS

Counsel for Plaintiff: _____

DAVID STANTON

Counsel for Defendant: CARL ARNOLD

Defendant: CRAWLEY DAINA A.

HEARING BEFORE THE COURT

STATE'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 (PLEA OF GUILTY); DISTRICT COURT
MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

DAINE ANTON CRAWLEY,

Defendant(s).

Case No: C-19-341735-1

Dept No: VI

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 13 day of April 2020.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk