

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
Apr 24 2020 02:48 p.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-19-345584-1
13 v.) DEPT. NO. VI
14 TED MICHAEL DONKO,)
15)
16 Defendant.)

17 **NOTICE OF APPEAL**

18 TO: THE STATE OF NEVADA

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

23 NOTICE is hereby given that Defendant, Ted Michael
24 Donko, presently incarcerated in the Nevada State Prison, appeals
25 to the Supreme Court of the State of Nevada from the judgment
26 entered against said Defendant on the 20 day of April, 2020,
27 whereby he was convicted of Counts 1 & 2, Battery With Use of a
28 Deadly Weapon Resulting in Substantial Bodily Harm, Cts. 3, 4, & 5
- Attempt Murder With use of a Deadly Weapon, Ct. 6 - Assault with
a Deadly Weapon, Ct. 7 - Discharging a Firearm at or into Occupied
Structure Vehicle Aircraft or Watercraft and Ct. 8 - Ownership or
Possession of a Firearm by Prohibited Person and sentenced to \$25
Admin. Fee; \$150 DNA analysis fee waived, \$3 DNA collection fee;
\$250 Indigent Defense Civil Assessment fee; as to Ct. 1 - 24-60

1 months in prison; Ct. 2 - 24-60 months in prison concurrent with
2 Ct. 1; Ct. 3 - 36-96 months in prison plus a consecutive term of
3 12-30 months in prison consecutive to Cts. 1 & 2, Ct. 4 - 36-96
4 months in prison plus a consecutive term of 12-30 months
5 consecutive to Ct. 3; Ct. 5 - 36-96 months in prison plus a
6 consecutive term of 12-30 months in prison consecutive to Ct. 4,
7 Ct. 6 - 12-30 months in prison concurrent with Ct. 5; Ct. 7 - 12-
8 30 months in prison concurrent with Ct. 6; Ct. 8 - 12-30 months in
9 prison concurrent with Ct. 7; 150 days CTS; jurisdiction retained
10 as to restitution, aggregate including the deadly weapon
11 enhancement is 144 months with a maximum of 378 months. Aggregate
12 not including the deadly weapon enhancement of 108 months to 288
13 months. Following proceedings, court ordered sentenced Amended as
14 to Aggregate sentence.

15 DATED this 21 day of April, 2020.

16 DARIN F. IMLAY
17 CLARK COUNTY PUBLIC DEFENDER

18
19 By: /s/ Howard S. Brooks
20 HOWARD S. BROOKS, #3374
21 Deputy Public Defender
22 309 S. Third Street, Ste. 226
23 Las Vegas, Nevada 89155
24 (702) 455-4685
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15 I declare under penalty of perjury that the foregoing is
16 true and correct.

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1 **CERTIFICATE OF ELECTRONIC FILING**

2 I hereby certify that service of the above and foregoing
3 was made this 21 day of April, 2020, by Electronic Filing to:

4 District Attorneys Office
5 E-Mail Address:

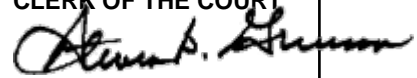
6 PDMotions@clarkcountyda.com

7 Jennifer.Garcia@clarkcountyda.com

8 Eileen.Davis@clarkcountyda.com

9 /s/ Carrie M. Connolly

10 Secretary for the
11 Public Defender's Office



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-19-345584-1
)	
v.)	DEPT. NO. VI
)	
TED MICHAEL DONKO,)	
)	
Defendant.)	
)	

CASE APPEAL STATEMENT

1. Appellant filing this case appeal statement: Ted Michael Donko.

2. Judge issuing the decision, judgment, or order appealed from: Honorable Jaqueline Bluth.

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; Ted Michael Donko, Defendant.

4. All parties involved in this appeal (the use of et. al. to denote parties is prohibited): Ted Michael Donko, 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 D. FORD
Attorney General
100 North Carson Street
8 Carson City, Nevada 89701-4717
(702) 687-3538

9 Counsel for Respondent

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 filed 12/19/19.

20 DATED this 21st day of April, 2020.

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:
PDMotions@ccdanhv.com

Jennifer.Garcia@ccdanhv.com

Eileen.Davis@ccdanhv.com

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

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-19-345584-1**

State of Nevada
vs
Ted Donko

§ Location: **Department 6**
 § Judicial Officer: **Bluth, Jacqueline M.**
 § Filed on: **12/18/2019**
 § Case Number History:
 § Cross-Reference Case **C345584**
 § Number:
 § Defendant's Scope ID #: **2668752**
 § ITAG Booking Number: **1900067778**
 § ITAG Case ID: **2169524**
 § Lower Court Case # Root: **19F24531**
 § Lower Court Case Number: **19F24531X**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court					
1. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM PCN: 0025871204 ACN: 0 Arrest: 11/23/2019 MET - Metro	200.481.2e2	F	10/01/2019	Case Status:	12/18/2019 Open
1. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON	202.360.1	F	10/01/2019		
2. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	200.481.2e2	F	10/01/2019		
3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	F	10/01/2019		
4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	F	10/01/2019		
5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	F	10/01/2019		
6. ASSAULT WITH A DEADLY WEAPON	200.471.2b	F	10/01/2019		
7. DISCHARGING FIREARM AT OR INTO OCCUPIED STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT	202.285.1b	F	10/01/2019		

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

Case Number C-19-345584-1
 Court Department 6
 Date Assigned 04/17/2020
 Judicial Officer Bluth, Jacqueline M.

PARTY INFORMATION

		Lead Attorneys
Defendant	Donko, Ted Michael	Public Defender Public Defender 702-455-4685(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

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

12/18/2019













Criminal Bindover Packet Las Vegas Justice Court

CASE SUMMARY
CASE NO. C-19-345584-1

12/18/2019	 Criminal Bindover - Confidential
12/19/2019	 Information <i>Information</i>
12/30/2019	 Notice of Witnesses and/or Expert Witnesses <i>State's Notice of Witnesses and/or Expert Witnesses</i>
01/05/2020	 Reporters Transcript <i>REPORTERS TRANSCRIPT OF PROCEEDINGS PRELIMINARY HEARING</i>
01/10/2020	 Supplemental Witness List <i>State's Supplemental Notice of Witnesses and/or Expert Witnesses</i>
01/14/2020	 Receipt of Copy <i>Receipt of Copy</i>
01/21/2020	 Order <i>Ex Parte Motion and Order for Release of Certified Medical Records and Authorization for Related Witness Testimony</i>
01/21/2020	 Order <i>Ex Parte Motion and Order for Release of Certified Medical Records and Authorization for Related Witness Testimony</i>
01/23/2020	 Motion to Compel Filed By: Defendant Donko, Ted Michael <i>Defendant's Motion to Compel Production of Discovery & Brady Material</i>
02/03/2020	 Notice of Witnesses Party: Defendant Donko, Ted Michael <i>Defendant's Notice of Witnesses, Pursuant to NRS 174.234</i>
02/04/2020	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy</i>
02/05/2020	 Supplemental Witness List <i>State's Supplemental Notice of Witnesses and/or Expert Witnesses</i>
02/05/2020	 Supplemental Witness List <i>State's Third Supplemental Notice of Witnesses and/or Expert Witnesses</i>
02/07/2020	 Motion <i>Motion to Withdraw Due to Conflict</i>
02/10/2020	 Amended Information <i>Amended Information</i>
02/11/2020	 Jury List <i>Jury List</i>

CASE SUMMARY
CASE NO. C-19-345584-1

02/13/2020	 Amended Information <i>Second Amended Information</i>
02/13/2020	 Amended Jury List <i>Amended Jury List</i>
02/13/2020	 Jury Instructions <i>Instructions to the Jury (Instructions No.1) Timed - 6:10</i>
02/13/2020	 Jury Instructions <i>Instructions to the Jury (Instruction No.1) Timed: 6:48</i>
02/13/2020	 Proposed Jury Instructions Not Used At Trial <i>Defendant's Proposed Jury Instructions Not Used in Trial</i>
02/13/2020	 Verdict <i>Verdict</i>
02/13/2020	 Verdict <i>Verdict</i>
03/18/2020	 PSI
04/21/2020	 Notice of Appeal (criminal) <i>Notice of Appeal</i>
04/21/2020	 Case Appeal Statement <i>Case Appeal Statement</i>

DISPOSITIONS

12/20/2019	<p>Plea (Judicial Officer: Delaney, Kathleen E.)</p> <p>1. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty PCN: 0025871204 Sequence:</p> <p>1. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON Not Guilty PCN: Sequence:</p> <p>2. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM Not Guilty PCN: Sequence:</p> <p>3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:</p> <p>4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Not Guilty PCN: Sequence:</p> <p>5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Not Guilty</p>
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CASE SUMMARY
CASE NO. C-19-345584-1

PCN: Sequence:

6. ASSAULT WITH A DEADLY WEAPON

Not Guilty

PCN: Sequence:

7. DISCHARGING FIREARM AT OR INTO OCCUPIED STRUCTURE, VEHICLE,
AIRCRAFT, OR WATERCRAFT

Not Guilty

PCN: Sequence:

02/12/2020

Disposition (Judicial Officer: Delaney, Kathleen E.)

1. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

02/13/2020

Amended Disposition (Judicial Officer: Delaney, Kathleen E.) Reason: Charge(s) Reinstated

1. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON

Charge Reinstated

PCN: Sequence:

02/13/2020

Amended Disposition (Judicial Officer: Delaney, Kathleen E.) Reason: Amended

1. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON

Guilty

PCN: Sequence:

02/13/2020

Disposition (Judicial Officer: Delaney, Kathleen E.)

1. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL
BODILY HARM

Guilty

PCN: 0025871204 Sequence:

2. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL
BODILY HARM

Guilty

PCN: Sequence:

3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

4. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

5. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

6. ASSAULT WITH A DEADLY WEAPON

Guilty

PCN: Sequence:






7. DISCHARGING FIREARM AT OR INTO OCCUPIED STRUCTURE, VEHICLE,
AIRCRAFT, OR WATERCRAFT

Guilty

PCN: Sequence:

CASE SUMMARY
CASE NO. C-19-345584-1


HEARINGS

12/20/2019	 Initial Arraignment (10:00 AM) (Hearing Master: Wittenberger, Shannon) Trial Date Set; Journal Entry Details: <i>DEFT. DONKO 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 2/03/20 9:30 AM CALENDAR CALL (DEPT. 25) 2/10/20 10:30 AM JURY TRIAL (DEPT. 25);</i>
02/03/2020	Motion to Compel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Defendant's Motion to Compel Production of Discovery & Brady Material</i> Granted in Part;
02/03/2020	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; Journal Entry Details: <i>DEFT'S. MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL...CALENDAR CALL CALENDAR CALL Upon Court's inquiry, Mr. Shaygan-Fatemi noted he is trying the case with Mr. Hauser. Counsel jointly ANNOUNCED ready for trial. State made a record of their offer to Deft., noting the offer was rejected and is now revoked. Mr. Hauser concurred. COURT NOTED It is currently in a Med-Mal trial that is behind schedule. State estimated up to 12 witnesses and 5 days for trial. COURT ADVISED, matter REFERRED to Overflow; Trial date VACATED, to be RESET by the Overflow Judge. If something changes in the Court's current Med-Mal trial Court will notify counsel. DEFT'S. MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL COURT NOTED, State did not file an Opposition. Mr. Hauser stated when the Motion was drafted he had concerns; there is nothing outstanding at this time. Ms. Cannizzaro noted she did not receive a copy of the Motion State has turned over all discovery in Its possession and possession of the Las Vegas Metropolitan Police has been turned. COURT ORDERED, Motion GRANTED in PART / DENIED in PART. Motion GRANTED as to Requests 1 through 37 with the understanding the State has provided the information It has and there is nothing outstanding to be compelled. With the caveat as to Requests 1, 2 and 3, any notes or work product disclosures, Motion DENIED in PART. State is to comply with NRS 174.235(a). Additionally, as to Request 20, Motion GRANTED IN PART. GRANTED as to the State's inquiry having something to do with truthfulness, DENIED as to independent review of all personnel files. If there is something in the personnel file or something that Deft. is actually aware of or that should be investigated, or looked into, Court would do an incamera view as to that purpose. Mr. Hauser is to prepare the Order. CUSTODY 02/07/20 8:30 A.M. OVERFLOW (DC 10);</i>
02/03/2020	Calendar Call (9:30 AM) (Judicial Officer: Delaney, Kathleen E.) MINUTES Referred to Overflow; SCHEDULED HEARINGS  All Pending Motions (02/03/2020 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.)  Overflow (02/07/2020 at 8:30 AM) (Judicial Officer: Jones, Tierra) <i>10/12 State witnesses, 4/5 days for trial. State Nicole Cannizzaro, Deft PD's. Robson Hauser / Kambiz Shaygan-Fatemi. State's offer rejected / revoked.</i>
02/07/2020	 Overflow (8:30 AM) (Judicial Officer: Jones, Tierra) <i>10/12 State witnesses, 4/5 days for trial. State Nicole Cannizzaro, Deft PD's. Robson Hauser / Kambiz Shaygan-Fatemi. State's offer rejected / revoked.</i> Matter Heard; Journal Entry Details: <i>COURT ORDERED, case SET for Jury Trial February 10, 2020, 1:30 PM in Department 6. Motion To Withdraw Due To Conflict FILED IN OPEN COURT. Court stated findings and ORDERED, Motion To Withdraw Due To Conflict DENIED. CUSTODY 2-10-20 1:30 PM</i>

CASE SUMMARY
CASE NO. C-19-345584-1

JURY TRIAL;

02/10/2020 **CANCELED Jury Trial** (10:30 AM) (Judicial Officer: Delaney, Kathleen E.)
Vacated - per Judge

02/10/2020  **Jury Trial** (1:30 PM) (Judicial Officer: Bluth, Jacqueline M.)

02/10/2020-02/13/2020

Trial Continues;
Trial Continues;
Trial Continues;
Verdict;

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE JURY: Instructions settled. Mr. Lexis stated he reached out to Mr. Hauser to see if they wanted to recall witness Ramos and was told it was not necessary. Mr. Hauser concurred. Colloquy regarding redaction of State's Exhibit 232. Defendant inquired as how to go about getting a supervised hospital visit to see his mother on life support. Court stated a motion must be filed. Defendant advised he'd like to take the stand. Court informed the Defendant of his constitutional rights as to any testimony. Record made by Mr. Hauser, noting against the advise of counsel, Defendant will testify. Colloquy between Court and Defendant's criminal past, pending testimony and potential self representation by Defendant. Record made by Mr. Hauser regarding Defendant's pending testimony. JURY PRESENT. Testimony and exhibits presented. (See Worksheet). State REST. Defendant REST. OUTSIDE THE PRESENCE OF THE JURY: Colloquy, argument, regarding time line of the stolen vehicle and the relationship of it with the Defendants statement to the detectives when they make contact with him. JURY PRESENT: Testimony and exhibits presented. (See Worksheet). State REST. Closing arguments on behalf of the State by Ms. Goodman and on behalf of the Defendant by Mr. Hauser. State's closing rebuttal argument by Mr. Lexis. At the hour of 4:31 PM, 2 Alternate Jurors were selected and the Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY: Mr. Shaygan-Fatemi inquired if the Defendant may stay with counsel during deliberations. Court stated it's up to the Corrections Officers. JURY PRESENT: At the hour OF 6:20 AM the Jury returned with a verdict at follows: COUNT 1- GUILTY of BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM COUNT 2- GUILTY of BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (FERNANDO ESPINOZA). COUNT 3 GUILTY of ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (JONATHAN SANCHEZ) COUNT 4 GUILTY of ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (FERNANDO ESPINOZA) COUNT 5, GUILTY of ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (DEANDRE WOODS) COUNT 6, GUILTY of ASSAULT WITH A DEADLY WEAPON (DEANDRE WOODS) COUNT 7, GUILTY of DISCHARGING FIREARM AT OR INTO OCCUPIED STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT Jury POLLED. Second Amended Information FILED IN OPEN COURT. Reading of Second Amended Information by the Clerk and Defendant's plea thereto announced. Opening statements WAIVED. Exhibits presented. (See worksheet). State REST. Defendant REST. Closing arguments on behalf of the State by Mr. Lexis and on behalf of the Defendant by Mr. Hauser. At the hour of 6:40 PM the Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY: Colloquy. Statement by Defendant in regards to the verdict not being fare, requested a copy of his Presentence Investigation Report prior to going to prison and advised he'll appeal. Mr. Shaygan-Fatemi stated he'll have a member of the appellat team reach out to the Defendant. JURY PRESENT. At the hour of 6:48 PM the Jury returned with a verdict of GUILTY to the charge of OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY: COURT ORDERED, matter REFEREED to the Division of Parole and Probation and SET for sentencing; Defendant REMANDED WITHOUT BAIL. CUSTODY 4-1-20 9:30 AM SENTENCING;

Trial Continues;
Trial Continues;
Trial Continues;
Verdict;

Journal Entry Details:

JURY PRESENT: Testimony and exhibits presented. (See worksheet). OUTSIDE THE PRESENCE OF THE JURY: Mr. Hauser stated the Defendant would like to address the Court in regards to self representation. Defendant stated he does not want to fire counsel and would like them to fight for him. Colloquy between Court and Defendant regarding his dissatisfaction with the performance of counsel and potential self representation. Upon inquiry of the Court, Defendant stated he will wait to make a decision as to self representation. JURY PRESENT:

CASE SUMMARY

CASE NO. C-19-345584-1

Testimony and exhibits presented. (See worksheet). COURT ORDERED, matter CONTINUED; Jurors admonished and released. OUTSIDE THE PRESENCE OF THE JURY: Record made by Mr. Shaygan-Fatemi, Mr. Lexis and the Court in regards to State's recall of witness Ramos.;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Mr. Hauser advised the Court in regards to an inadvertent contact he had with Prospective Juror #7 yesterday; the Prospective Juror asked where the stairs were. Court thanked counsel for the disclosure.

PROSPECTIVE JURORS PRESENT: Voir dire. Peremptory Challenges EXERCISED.

CONFERENCE AT BENCH. Voir dire. Peremptory Challenges EXERCISED. Jury

IMPANELED. Amended Information read by the Clerk and Defendant's plea thereto

announced. OUTSIDE THE PRESENCE OF THE JURY. Pursuant to stipulation, Mr Lexis advised the stolen vehicle will be referred to as the unregistered vehicle and unregistered

license plate. JURY PRESENT: Opening statements on behalf of the State by Ms. Goodman,

and on behalf of the Defendant by Mr. Shaygan-Fatemi. Testimony and exhibits presented.

(See Worksheet). COURT ORDERED, proceedings CONTINUED; Jurors admonished and

released. OUTSIDE THE PRESENCE OF THE JURY: At the requests of Ms. Goodman,

COURT ORDERED, State's exhibits 168 & 179 WITHDRAWN.;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Amended Information FILED

IN OPEN COURT. PROSPECTIVE JURORS PRESENT. Voir Dire. OUTSIDE THE

PRESENCE OF THE PROSPECTIVE JURORS: Colloquy between Court and counsel

regarding the ability of Prospective Juror #760 to serve on the panel. COURT ORDERED,

Prospective Juror 760 EXCUSED. Ms. Goodman moved for the excusal of Prospective Juror

714. Argument in opposition by Mr. Shaygan-Fatemi. Court stated both sides will be able to

speak with the Prospective Juror. Mr. Shagan-Fatemi requested Prospective Juror 772 be

excused. Mr. Lexis advised he was going to ask some questions. Court stated counsel will be

allowed to question the Prospective Juror. PROSPECTIVE JURORS PRESENT: Voir Dire.

COURT ORDERED, matter CONTINUED; Prospective Jurors admonished and released.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Colloquy regarding

scheduling.;

04/01/2020



Sentencing (10:15 AM) (Judicial Officer: Bluth, Jacqueline M.)

04/01/2020, 04/20/2020

Continued;

Defendant Sentenced;

Journal Entry Details:

Argument by Mr. Lexis. Statement by Defendant. Argument by Mr. Hauser. Colloquy regarding Court's retention of jurisdiction over restitution. By virtue of the Jury verdict, Defendant

DONKO ADJUDGED GUILTY OF COUNTS 1, & 2, BATTERY WITH USE OF A DEADLY

WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F), COUNTS 3, 4, & 5,

ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 6, ASSAULT WITH

A DEADLY WEAPON (F), COUNT 7, DISCHARGING FIREARM AT OR INTO OCCUPIED

STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT (F), AND COUNT 8, OWNERSHIP

OR POSSESSION OF FIREARM BY PROHIBITED PERSON (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, as to COUNT 1,

Defendant SENTENCED to a MINIMUM OF TWENTY-FOUR (24) MONTHS AND A

MAXIMUM OF SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC),

COUNT 2 a MINIMUM OF TWENTY-FOUR (24) MONTHS AND A MAXIMUM OF SIXTY

(60) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH

COUNT 1, COUNT 3, a MINIMUM OF THIRTY-SIX (36) MONTHS AND A MAXIMUM OF

NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC) PLUS A

CONSECUTIVE TERM OF A MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF

THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO

COUNTS 1 & 2, COUNT 4, a MINIMUM OF THIRTY-SIX (36) MONTHS AND A MAXIMUM

OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC) PLUS A

CASE SUMMARY

CASE No. C-19-345584-1

CONSECUTIVE TERM OF A MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNT 3, COUNT 5, a MINIMUM OF THIRTY-SIX (36) MONTHS AND A MAXIMUM OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC) PLUS A CONSECUTIVE TERM OF A MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNT 4, COUNT 6, a MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT 5, COUNT 7, a MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT 6, COUNT 8, a MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT 7; ONE HUNDRED FIFTY (150) DAYS credit for time served; jurisdiction RETAINED as to restitution; aggregate INCLUDING the deadly weapon enhancement is a MINIMUM OF ONE HUNDRED FORTY-FOUR (144) MONTHS, A MAXIMUM OF THREE HUNDRED SEVENTY-EIGHT (378) MONTHS; Aggregate NOT INCLUDING the deadly weapon enhancement is a MINIMUM OF ONE HUNDRED EIGHT (108) MONTHS AND A MAXIMUM OF TWO HUNDRED EIGHTY-EIGHT (288) MONTHS, NDC CLERK'S NOTE: Following proceedings, COURT ORDERED, sentence AMENDED as to aggregate sentence. ;

Continued;

Defendant Sentenced;

Journal Entry Details:

Pursuant to the representations of Mr. Lexis, Mr. Turner advised Mr. Hauser is sick and would like a continuance until April 20th. COURT ORDERED, matter CONTINUED. CUSTODY 4-20-20 10:15 AM SENTENCING ;

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 20, 2019

C-19-345584-1 State of Nevada
 vs
 Ted Donko

December 20, 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:	Derjavina, Ekaterina	Attorney
	Donko, Ted Michael	Defendant
	Public Defender	Attorney
	Richards, Daren B.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT. DONKO 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

2/03/20 9:30 AM CALENDAR CALL (DEPT. 25)

2/10/20 10:30 AM JURY TRIAL (DEPT. 25)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 03, 2020

C-19-345584-1 State of Nevada
vs
Ted Donko

February 03, 2020

9:00 AM

All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Robert Cangemi

PARTIES

PRESENT:	Cannizzaro, Nicole J.	Attorney
	Donko, Ted Michael	Defendant
	Hauser, Robson M.	Attorney
	Shaygan-Fatemi, Kambiz	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

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

CALENDAR CALL

Upon Court's inquiry, Mr. Shaygan-Fatemi noted he is trying the case with Mr. Hauser. Counsel jointly ANNOUNCED ready for trial. State made a record of their offer to Deft., noting the offer was rejected and is now revoked. Mr. Hauser concurred. COURT NOTED It is currently in a Med-Mal trial that is behind schedule. State estimated up to 12 witnesses and 5 days for trial. COURT ADVISED, matter REFERRED to Overflow; Trial date VACATED, to be RESET by the Overflow Judge. If something changes in the Court's current Med-Mal trial Court will notify counsel.

DEFT'S. MOTION TO COMPEL PRODUCTION OF DISCOVERY AND BRADY MATERIAL
COURT NOTED, State did not file an Opposition. Mr. Hauser stated when the Motion was drafted he had concerns; there is nothing outstanding at this time. Ms. Cannizzaro noted she did not receive

a copy of the Motion State has turned over all discovery in Its possession and possession of the Las Vegas Metropolitan Police has been turned. COURT ORDERED, Motion GRANTED in PART / DENIED in PART. Motion GRANTED as to Requests 1 through 37 with the understanding the State has provided the information It has and there is nothing outstanding to be compelled. With the caveat as to Requests 1, 2 and 3, any notes or work product disclosures, Motion DENIED in PART. State is to comply with NRS 174.235(a). Additionally, as to Request 20, Motion GRANTED IN PART. GRANTED as to the State's inquiry having something to do with truthfulness, DENIED as to independent review of all personnel files. If there is something in the personnel file or something that Deft. is actually aware of or that should be investigated, or looked into, Court would do an incamera view as to that purpose. Mr. Hauser is to prepare the Order.

CUSTODY

02/07/20 8:30 A.M. OVERFLOW (DC 10)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 07, 2020

C-19-345584-1 State of Nevada
 vs
 Ted Donko

February 07, 2020

8:30 AM

Overflow

HEARD BY: Jones, Tierra

COURTROOM: RJC Courtroom 14B

COURT CLERK: Keith Reed

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Donko, Ted Michael	Defendant
	Hauser, Robson M.	Attorney
	Lexis, Chad N.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- COURT ORDERED, case SET for Jury Trial February 10, 2020, 1:30 PM in Department 6. Motion To Withdraw Due To Conflict FILED IN OPEN COURT. Court stated findings and ORDERED, Motion To Withdraw Due To Conflict DENIED.

CUSTODY

2-10-20 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 10, 2020

C-19-345584-1 State of Nevada
 vs
 Ted Donko

February 10, 2020

1:30 PM

Jury Trial

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT:	Donko, Ted Michael	Defendant
	Goodman, Laura	Attorney
	Hauser, Robson M.	Attorney
	Lexis, Chad N.	Attorney
	Shaygan-Fatemi, Kambiz	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Amended Information FILED IN OPEN COURT. PROSPECTIVE JURORS PRESENT. Voir Dire. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Colloquy between Court and counsel regarding the ability of Prospective Juror #760 to serve on the panel. COURT ORDERED, Prospective Juror 760 EXCUSED. Ms. Goodman moved for the excusal of Prospective Juror 714. Argument in opposition by Mr. Shaygan-Fatemi. Court stated both sides will be able to speak with the Prospective Juror. Mr. Shagan-Fatemi requested Prospective Juror 772 be excused. Mr. Lexis advised he was going to ask some questions. Court stated counsel will be allowed to question the Prospective Juror. PROSPECTIVE JURORS PRESENT: Voir Dire. COURT ORDERED, matter CONTINUED; Prospective Jurors admonished and released. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Colloquy regarding scheduling.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 11, 2020**

C-19-345584-1 State of Nevada
vs
Ted Donko

February 11, 2020 11:00 AM Jury Trial

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

PRESENT:	Donko, Ted Michael	Defendant
	Goodman, Laura	Attorney
	Hauser, Robson M.	Attorney
	Lexis, Chad N.	Attorney
	Shaygan-Fatemi, Kambiz	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Mr. Hauser advised the Court in regards to an inadvertent contact he had with Prospective Juror #7 yesterday; the Prospective Juror asked where the stairs were. Court thanked counsel for the disclosure. PROSPECTIVE JURORS PRESENT: Voir dire. Peremptory Challenges EXERCISED. CONFERENCE AT BENCH. Voir dire. Peremptory Challenges EXERCISED. Jury IMPANELED. Amended Information read by the Clerk and Defendant's plea thereto announced. OUTSIDE THE PRESENCE OF THE JURY. Pursuant to stipulation, Mr Lexis advised the stolen vehicle will be referred to as the unregistered vehicle and unregistered license plate. JURY PRESENT: Opening statements on behalf of the State by Ms. Goodman, and on behalf of the Defendant by Mr. Shaygan-Fatemi. Testimony and exhibits presented. (See Worksheet). COURT ORDERED, proceedings CONTINUED; Jurors admonished and released. OUTSIDE THE PRESENCE OF THE JURY: At the requests of Ms. Goodman, COURT ORDERED, State's exhibits 168 & 179 WITHDRAWN.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 12, 2020**

C-19-345584-1 State of Nevada
vs
Ted Donko

February 12, 2020**1:00 PM****Jury Trial****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Keith Reed**RECORDER:** De'Awna Takas**REPORTER:****PARTIES**

PRESENT:	Donko, Ted Michael	Defendant
	Goodman, Laura	Attorney
	Hauser, Robson M.	Attorney
	Lexis, Chad N.	Attorney
	Shaygan-Fatemi, Kambiz	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- JURY PRESENT: Testimony and exhibits presented. (See worksheet). OUTSIDE THE PRESENCE OF THE JURY: Mr. Hauser stated the Defendant would like to address the Court in regards to self representation. Defendant stated he does not want to fire counsel and would like them to fight for him. Colloquy between Court and Defendant regarding his dissatisfaction with the performance of counsel and potential self representation. Upon inquiry of the Court, Defendant stated he will wait to make a decision as to self representation. JURY PRESENT: Testimony and exhibits presented. (See worksheet). COURT ORDERED, matter CONTINUED; Jurors admonished and released. OUTSIDE THE PRESENCE OF THE JURY: Record made by Mr. Shaygan-Fatemi, Mr. Lexis and the Court in regards to State's recall of witness Ramos.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 13, 2020**

C-19-345584-1 State of Nevada
vs
Ted Donko

February 13, 2020 12:30 AM Jury Trial

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

PRESENT:	Donko, Ted Michael	Defendant
	Goodman, Laura	Attorney
	Hauser, Robson M.	Attorney
	Lexis, Chad N.	Attorney
	Shaygan-Fatemi, Kambiz	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Instructions settled. Mr. Lexis stated he reached out to Mr. Hauser to see if they wanted to recall witness Ramos and was told it was not necessary. Mr. Hauser concurred. Colloquy regarding redaction of State's Exhibit 232. Defendant inquired as how to go about getting a supervised hospital visit to see his mother on life support. Court stated a motion must be filed. Defendant advised he'd like to take the stand. Court informed the Defendant of his constitutional rights as to any testimony. Record made by Mr. Hauser, noting against the advise of counsel, Defendant will testify. Colloquy between Court and Defendant's criminal past, pending testimony and potential self representation by Defendant. Record made by Mr. Hauser regarding Defendant's pending testimony. JURY PRESENT. Testimony and exhibits presented. (See Worksheet). State REST. Defendant REST. OUTSIDE THE PRESENCE OF THE JURY: Colloquy, argument, regarding time line of the stolen vehicle and the relationship of it with the Defendants statement to the detectives when they make contact with him. JURY PRESENT: Testimony and exhibits presented. (See Worksheet). State REST. Closing arguments on behalf of the State by Ms. Goodman and on

behalf of the Defendant by Mr. Hauser. State's closing rebuttal argument by Mr. Lexis. At the hour of 4:31 PM, 2 Alternate Jurors were selected and the Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY: Mr. Shaygan-Fatemi inquired if the Defendant may stay with counsel during deliberations. Court stated it's up to the Corrections Officers. JURY PRESENT: At the hour OF 6:20 AM the Jury returned with a verdict at follows:

COUNT 1- GUILTY of BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM

COUNT 2- GUILTY of BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (FERNANDO ESPINOZA).

COUNT 3 GUILTY of ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (JONATHAN SANCHEZ)

COUNT 4 GUILTY of ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (FERNANDO ESPINOZA)

COUNT 5, GUILTY of ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (DEANDRE WOODS)

COUNT 6, GUILTY of ASSAULT WITH A DEADLY WEAPON (DEANDRE WOODS)

COUNT 7, GUILTY of DISCHARGING FIREARM AT OR INTO OCCUPIED STRUCTURE, VEHICLE, AIRCRAFT, OR WATERCRAFT

Jury POLLED. Second Amended Information FILED IN OPEN COURT. Reading of Second Amended Information by the Clerk and Defendant's plea thereto announced. Opening statements WAIVED. Exhibits presented. (See worksheet). State REST. Defendant REST. Closing arguments on behalf of the State by Mr. Lexis and on behalf of the Defendant by Mr. Hauser. At the hour of 6:40 PM the Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY: Colloquy. Statement by Defendant in regards to the verdict not being fare, requested a copy of his Presentence Investigation Report prior to going to prison and advised he'll appeal. Mr. Shaygan-Fatemi stated he'll have a member of the appellant team reach out to the Defendant. JURY PRESENT. At the hour of 6:48 PM the Jury returned with a verdict of GUILTY to the charge of OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY: COURT ORDERED, matter REFEREED to the Division of Parole and Probation and SET for sentencing; Defendant REMANDED WITHOUT BAIL.

CUSTODY

4-1-20 9:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 01, 2020

C-19-345584-1 State of Nevada
 vs
 Ted Donko

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: Donko, Ted Michael Defendant
 State of Nevada Plaintiff
 Turner, Robert B. Attorney

JOURNAL ENTRIES

- Pursuant to the representations of Mr. Lexis, Mr. Turner advised Mr. Hauser is sick and would like a continuance until April 20th. COURT ORDERED, matter CONTINUED.

CUSTODY

4-20-20 10:15 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 20, 2020**

C-19-345584-1 State of Nevada
vs
Ted Donko

April 20, 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:**

Hauser, Robson M.
Lexis, Chad N.
State of Nevada

Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- Argument by Mr. Lexis. Statement by Defendant. Argument by Mr. Hauser. Colloquy regarding Court's retention of jurisdiction over restitution. By virtue of the Jury verdict, Defendant DONKO ADJUDGED GUILTY OF COUNTS 1, & 2, BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F), COUNTS 3, 4, & 5, ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNT 6, ASSAULT WITH A DEADLY WEAPON (F), COUNT 7, DISCHARGING FIREARM AT OR INTO OCCUPIED STRUCTURE VEHICLE AIRCRAFT OR WATERCRAFT (F), AND COUNT 8, OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON (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, as to COUNT 1, Defendant SENTENCED to a MINIMUM OF TWENTY-FOUR (24) MONTHS AND A MAXIMUM OF SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC), COUNT 2 a MINIMUM OF TWENTY-FOUR (24) MONTHS AND A MAXIMUM OF SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT 1, COUNT 3, a MINIMUM OF THIRTY-SIX (36) MONTHS AND A MAXIMUM OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC) PLUS A CONSECUTIVE TERM OF A MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF

THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNTS 1 & 2, COUNT 4, a MINIMUM OF THIRTY-SIX (36) MONTHS AND A MAXIMUM OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC) PLUS A CONSECUTIVE TERM OF A MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNT 3, COUNT 5, a MINIMUM OF THIRTY-SIX (36) MONTHS AND A MAXIMUM OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC) PLUS A CONSECUTIVE TERM OF A MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNT 4, COUNT 6, a MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT 5, COUNT 7, a MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT 6, COUNT 8, a MINIMUM OF TWELVE (12) MONTHS AND A MAXIMUM OF THIRTY (30) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT 7; ONE HUNDRED FIFTY (150) DAYS credit for time served; jurisdiction RETAINED as to restitution; aggregate INCLUDING the deadly weapon enhancement is a MINIMUM OF ONE HUNDRED FORTY-FOUR (144) MONTHS, A MAXIMUM OF THREE HUNDRED SEVENTY-EIGHT (378) MONTHS; Aggregate NOT INCLUDING the deadly weapon enhancement is a MINIMUM OF ONE HUNDRED EIGHT (108) MONTHS AND A MAXIMUM OF TWO HUNDRED EIGHTY-EIGHT (288) MONTHS,

NDC

CLERK'S NOTE: Following proceedings, COURT ORDERED, sentence AMENDED as to aggregate sentence.

EXHIBIT(S) LIST

Case No.: C 345 584
 Dept. No.: 6

Trial Date: FEBRUARY 10, 2020
 Judge: SACQUELINE BLUTH

Plaintiff: ST OF NEVADA

Court Clerk: KEITH REED
 Recorder: DE'AWNA TAKAS

Counsel for Plaintiff: _____

vs.
 Defendant: TED MICHAEL DONKO

LAURA GOODMAN + CHAD LEXIS
 Counsel for Defendant: _____

ROBSON HAUSER + KAMBIZ SHAYGAN-FATEMI

TRIAL BEFORE THE COURT

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
1	VIDEO	2/11/20	NO	2/11/20	AG
2	PHOTOGRAPH	2/11/20	STP	2/11/20	AG
3	↑	↑	↑	↑	AG
4					AG
5					AG
6					AG
7					AG
8					AG
9					AG
10					AG
11					AG
12					AG
13					AG
14					AG
15					AG
16	↓	↓	↓	↓	AG
17	PHOTOGRAPH	2/11/20	STP	2/11/20	AG

VS.

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
18	PHOTOGRAPH	2/11/20	STP	2/11/20
19				
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41				
42	PHOTOGRAPH	2/11/20	STP	2/11/20

EXHIBIT(S) LIST

VS.

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
43	PHOTOGRAPH	2/11/20	STP	2/11/20
44				
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66				
67	PHOTOGRAPH	2/11/20	STP	2/11/20

EXHIBIT(S) LIST

VS.

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
68	PHOTOGRAPH	2/11/20	STP	2/11/20	AB
69	↑	↑	↑	↑	AB
70					AB
71					AB
72					AB
73					AB
74					AB
75					AB
76					AB
77					AB
78					AB
79					AB
80					AB
81					AB
82					AB
83					AB
84					AB
85					AB
86					AB
87					AB
88					AB
89					AB
90					AB
91	↓	↓	↓	↓	AB
92	PHOTOGRAPH	2/11/20	STP	2/11/20	AB

EXHIBIT(S) LIST

VS.

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
93	PHOTOGRAPH	2/11/20	STP	2/11/20	PS
94	↑	↑	↑	↑	PS
95					PS
96					PS
97					PS
98					PS
99					PS
100					PS
101					PS
102					PS
103					PS
104					PS
105					PS
106					PS
107					PS
108					PS
109					PS
110					PS
111					PS
112					PS
113					PS
114					PS
115					PS
116	↓	↓	↓	↓	PS
117	PHOTOGRAPH	2/11/20	STP	2/11/20	PS

EXHIBIT(S) LIST

VS.

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
118	PHOTOGRAPH	2/11/20	STP	2/11/20	PS
119	↑	↑	↑	↑	PS
120					PS
121					PS
122					PS
123					PS
124					PS
125					PS
126					PS
127					PS
128					PS
129					PS
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132					PS
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138					PS
139					PS
140					PS
141	↓	↓	↓	↓	PS
142	PHOTOGRAPH	2/11/20	STP	2/11/20	PS

EXHIBIT(S) LIST

VS.

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
143	PHOTOGRAPH	2/11/20	STP	2/11/20	AB
144	↑	↑	↑	↑	AB
145					AB
146					AB
147					AB
148					AB
149					AB
150					AB
151					AB
152					AB
153					AB
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156					AB
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158					AB
159					AB
160					AB
161					AB
162					AB
163					AB
164					AB
165					AB
166	↓	↓	↓	↓	AB
167	PHOTOGRAPH	2/11/20	STP	2/11/20	AB

EXHIBIT(S) LIST

VS.

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
168	WITHDRAWN	WITHDRAWN			
169	PHOTOGRAPH	2/11/20	STP	2/11/20	PS
170	↑	↑	↑	↑	PS
171					PS
172					PS
173					PS
174					PS
175					PS
176					PS
177	↓	↓	↓	↓	PS
178	PHOTOGRAPH	2/11/20	STP	2/11/20	PS
179	WITHDRAWN	WITHDRAWN			
180	PHOTOGRAPH	2/11/20	STP	2/11/20	PS
181	↑	↑	↑	↑	PS
182					PS
183					PS
184					PS
185					PS
186					PS
187					PS
188					PS
189					PS
190					PS
191	↓	↓	↓	↓	PS
192	PHOTOGRAPH	2/11/20	STP	2/11/20	PS

EXHIBIT(S) LIST

VS.

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
193	PHOTOGRAPH	2/11/20	STP	2/11/20	PR
194	↑	↑	↑	↑	PR
195					PR
196					PR
197					PR
198					PR
199					PR
200	↓				PR
201	PHOTOGRAPH				PR
202	PHOTO LINE-UP WITNESS INSTRUCTION				PR
203	6 PACK PHOTOGRAPH				PR
204	6 PACK PHOTOGRAPH				PR
205	PHOTOGRAPH				PR
206	↑				PR
207					PR
208					PR
209					PR
210					PR
211					PR
212					PR
213					PR
214					PR
215					PR
216	↓	↓	↓	↓	PR
217	PHOTOGRAPH	2/11/20	STP	2/11/20	PR

EXHIBIT(S) LIST

VS.

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
218	PHOTOGRAPH	2/11/20	STP	2/11/20	PS
219	↑	↑	↑	↑	PS
220					PS
221					PS
222					PS
223					PS
224					PS
225					PS
226					PS
227					PS
228					PS
229					PS
230	↓	↓	↓	↓	PS
231	PHOTOGRAPH	2/11/20	STP	2/11/20	PS
232	LATENT PRINT EXAMINATION	2/12/20	STP	2/12/20	PS
233	RESULTS, OPINIONS, INTERPRETATIONS	2/12/20	STP	2/12/20	PS
234	DRAWING	2/12/20	NO	2/12/20	PS
235	PHOTOGRAPH	2/13/20	NO	2/13/20	PS
236	"	2/13/20	"	2/13/20	PS
237	"	2/13/20	"	2/13/20	PS
238	PHOTOGRAPH	2/13/20	NO	2/13/20	PS
239	JUDGMENT OF CONVICTION C274598	2/13/20	NO	2/13/20	PS
240	JUDGMENT OF CONVICTION C288886	2/13/20	NO	2/13/20	PS

EXHIBIT(S) LIST

Case No.: 0345584

Dept. No.: 6

Plaintiff: ST OF NEVADA

Trial Date: FEBRUARY 10, 2020

Judge: SACQUILINE BLUTH

Court Clerk: KEITH REED

Recorder: DE'AWNIA TAKAS

Counsel for Plaintiff: _____

vs.
Defendant: TED MICHAEL DONKO

LAURA GOODMAN + CHAD LEXIS

Counsel for Defendant:

ROBSON HAUSER + KAMBIZ SHAYGAN-
FATEMI

TRIAL BEFORE THE COURT

DEFENDANT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: C345584

Trial Date: FEBRUARY 10, 2020

Dept. No.: 6

Judge: JACQUELINE BLUTH

Plaintiff: ST. OF NEVADA

Court Clerk: KEITH REED

Recorder: JACQUELINE BLUTH

Counsel for Plaintiff: _____

vs.

Defendant: TED MICHAEL DONKO

LAURA GOODMAN + CHAD LEXIS

Counsel for Defendant: _____

ROBSON HAUSER + KAMBIZ SHAYGAN-
FATEMI

TRIAL BEFORE THE COURT

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
1	JUROR QUESTION			2/11/20	PS
2	JUROR QUESTION			2/12/20	PS
3	JUROR QUESTION			2/12/20	PS
4	JUROR QUESTION			2/12/20	PS
5	JUROR QUESTION			2/12/20	PS
6	" "			2/12/20	PS
7	" "			2/12/20	PS
8	JUROR QUESTION			2/12/20	PS
9	JUROR QUESTION			2/12/20	PS
10	JUROR QUESTION			2/13/20	PS
11	"			2/13/20	PS
12	"			"	PS
13	"			"	PS
14	JUROR QUESTION			2/13/20	PS



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

DARIN F. IMLAY,
PUBLIC DEFENDER
309 S. THIRD ST., SUITE 226
LAS VEGAS, NV 89155

DATE: April 22, 2020
CASE: C-19-345584-1

RE CASE: STATE OF NEVADA vs. TED MICHAEL DONKO

NOTICE OF APPEAL FILED: April 21, 2020

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement
- NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

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; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

TED MICHAEL DONKO,

Defendant(s).

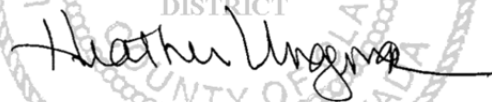
Case No: C-19-345584-1

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 22 day of April 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk