

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

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3 DEQUINCY BRASS,) No. 81142

4) Electronically Filed

5) Jan 26 2021 09:40 a.m.

6) Elizabeth A. Brown

7) Clerk of Supreme Court

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DEQUINCY BRASS
Case No. 81142

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JUSTICE COURT, HENDERSON TOWNSHIP
CLARK COUNTY, NEVADA

2017 SEP 13 P 3:01 EVO

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS #2707679,

Defendant.

CASE NO: 17CR1001333-CXXC

DEPT NO: 1

CRIMINAL COMPLAINT

The Defendant above named having committed the crimes of SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105), in the manner following, to-wit: That the said Defendant, on or between January 1, 2016 and January 31, 2017, at and within the County of Clark, State of Nevada,

COUNT 1

did on or between January 1, 2016, and December 31, 2016, then and there willfully, unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of 14 years, to wit: sexual intercourse: by placing his penis into the genital opening of the said V.M.

COUNT 2

did on or between January 1, 2016, and December 31, 2016, then and there willfully, unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of 14 years, to wit: fellatio: by placing his penis on or in the mouth of V.M.

COUNT 3

did on or between January 1, 2016, and December 31, 2016, then and there willfully, unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of 14 years, to wit: cunnilingus: by placing his mouth and/or tongue on or in the genital opening of the said V.M.

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1 COUNT 4

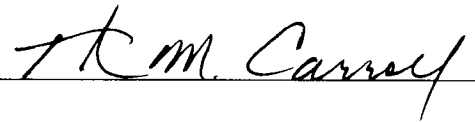
2 did on or between November 19, 2016, and January 31, 2017, then and there willfully,
3 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
4 14 years, to wit: sexual intercourse: by placing his penis into the genital opening of the said
5 A.W.

6 COUNT 5

7 did on or between November 19, 2016, and January 31, 2017, then and there willfully,
8 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
9 14 years, to wit: sexual intercourse: by placing his penis into the genital opening of the said
10 A.W.

11 All of which is contrary to the form, force and effect of Statutes in such cases made and
12 provided and against the peace and dignity of the State of Nevada. Said Complainant makes
13 this declaration subject to the penalty of perjury.

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(TK)

● ORIGINAL ●

JUSTICE COURT, HENDERSON TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS #2707679,

Defendant.

CASE NO: 17FH1508X

RECEIPT NO: 1

AMENDED
CRIMINAL COMPLAINT

HENDERSON JUSTICE COURT
FILED IN OPEN COURT
01/11/17

The Defendant above named having committed the crimes of LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975); SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105); CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony - NRS 200.508(1) - NOC 55226); FIRST DEGREE KIDNAPPING OF A MINOR (Category A Felony - NRS 200.310, 200.320 - NOC 50053); PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION (Category D Felony - NRS 199.305 - NOC 52996); and BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT VICTIM UNDER 16 (Category A Felony - NRS 200.400.4 - NOC 58026), in the manner following, to wit: That the said Defendant, on or between May 4, 2015 and February 1, 2017, at and within the County of Clark, State of Nevada,

COUNT 1 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part or member thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit on his lap and/or on top of him while V.M. and/or Defendant were naked, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

COUNT 2 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

did, on or between May 4, 2015 and February 1, 2017, then and there willfully, unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of

1 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.

2 COUNT 3 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

3 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
4 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
5 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M.

6 COUNT 4 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

7 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
8 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
9 14 years, to wit: cunnilingus, by placing his mouth and/or tongue on or in the genital opening
10 of V.M.

11 COUNT 5 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

12 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
13 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
14 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
15 on his lap and/or on top of him while V.M. and/or Defendant were naked, with the intent of
16 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

17 COUNT 6 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

18 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
19 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
20 14 years, to wit: digital penetration, by inserting his finger(s) into the anal opening of V.M.

21 COUNT 7 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

22 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
23 feloniously cause a child under the age of 18 years, to wit: V.M., being approximately 9 years
24 of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect,
25 to wit: negligent treatment or maltreatment and/or sexual abuse and/or sexual exploitation,
26 and/or cause V.M. to be placed in a situation where he or she might have suffered unjustifiable
27 physical pain or mental suffering as a result of abuse or neglect, to wit: negligent treatment or
28 maltreatment and/or sexual abuse and/or sexual exploitation, to wit: by *Defendant* causing or

1 allowing V.M. to view pornographic film.

2 COUNT 8 - FIRST DEGREE KIDNAPPING OF A MINOR

3 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
4 feloniously, lead, take, entice, and/or carry away or detain V.M., a minor, with the intent to
5 keep him or her for a protracted period of time or permanently and/or imprison or confine
6 V.M. from his or her parents, guardians, or other person or persons having lawful custody of
7 V.M., or with the intent to hold V.M. to unlawful service, or to perpetrate upon the person of
8 V.M. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
9 with a minor under fourteen years of age.

10 COUNT 9 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

11 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
12 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
13 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by undressing and/or
14 kissing V.M., with the intent of arousing, appealing to, or gratifying the lust, passions, or
15 sexual desires of Defendant, or V.M.

16 COUNT 10 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

17 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
18 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
19 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M.

20 COUNT 11 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

21 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
22 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
23 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.

24 COUNT 12 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
25 REPORTING CRIME OR COMMENCING PROSECUTION

26 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
27 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
28 V.M. from reporting a crime to a peace officer by threatening to hurt V.W. and/or V.W.'s

1 brother if V.W. told.

2 COUNT 13 - FIRST DEGREE KIDNAPPING OF A MINOR

3 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
4 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
5 keep him or her for a protracted period of time or permanently and/or imprison or confine
6 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
7 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
8 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
9 with a minor under fourteen years of age.

10 COUNT 14 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

11 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
12 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
13 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

14 COUNT 15 - FIRST DEGREE KIDNAPPING OF A MINOR

15 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
16 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
17 keep him or her for a protracted period of time or permanently and/or imprison or confine
18 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
19 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
20 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
21 with a minor under fourteen years of age.

22 COUNT 16 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

23 did, on or between November 1, 2016 and February 1, 2017, willfully, lewdly,
24 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
25 or member thereof, of a child, to wit: A.W., a child under the age of fourteen years, by
26 undressing and/or touching and/or rubbing arms and/or buttocks of A.W., with the intent of
27 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or A.W.

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1 COUNT 17 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT

2 did on or between November 1, 2016 and February 1, 2017 then and there willfully,
3 unlawfully and feloniously use force or violence upon the person of another, to wit: A.W., a
4 child under 16 years of age, with the intent to commit sexual assault, by pushing and/or
5 punching A.W.

6 COUNT 18 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

7 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
8 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
9 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

10 COUNT 19 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
11 REPORTING CRIME OR COMMENCING PROSECUTION

12 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
13 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
14 A.W. from reporting a crime to a peace officer by telling A.W. not to tell anyone or else he
15 would harm and/or kill A.W.

16 COUNT 20 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

17 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
18 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
19 thereof, of a child, to wit: R.M, a child under the age of fourteen years, by Defendant using
20 his penis to touch and/or rub and/or fondle R.M.'s penis, with the intent of arousing, appealing
21 to, or gratifying the lust, passions, or sexual desires of Defendant, or R.M.

22 COUNT 21 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE


23 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
24 unlawfully, and feloniously commit a sexual penetration upon R.M., a child under the age of
25 14 years, to wit: anal intercourse, by placing his penis into the anal opening of R.M.

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1 All of which is contrary to the form, force and effect of Statutes in such cases made and
2 provided and against the peace and dignity of the State of Nevada. Said Complainant makes
3 this declaration subject to the penalty of perjury.

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28 HPD EV# 1703731;1704975
(TK)

JUSTICE COURT. HENDERSON TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE #	17CRH001333-0000	17FH1508X	SAM BATEMAN - DEPT # 1
State	BRASS, DEQUINCY		2707679 (SCOPE)
Charge(s)	KIDNAPPING OF MINOR, 1ST DEGREE (3 counts)	BOUND OVER	
	SEXUAL ASSAULT AGAINST CHILD UNDER 14 (10 counts)	BOUND OVER	
	LEWDNESS W/CHILD UNDER AGE 14, 1ST (5 counts)	BOUND OVER	
	PREVENT OR DISSUADE VICTIM OR OTHER FROM REPORTING CRIME, COMMENCING PROSECUTION OR CAUSING ARREST (2 counts)	BOUND OVER	
	CHILD ABUSE OR NEGLECT, 1ST	BOUND OVER	
	BATTERY W/INTENT COMMIT SEXUAL ASSAULT UPON VICTIM UNDER AGE 16	BOUND OVER	

LINKED CASES FOR: 17CRH001333-0000

CASE #	STATUS	EVENT DATE	EVENT DESCRIPTION
NO FUTURE EVENTS			

DATE, JUDGE, OFFICERS
OF COURT PRESENT

PROCEEDINGS
APPEARANCES - HEARING

EVENTS

JUSTICE COURT. HENDERSON TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE # 17CRH001333-0000 17FH1508X SAM BATEMAN - DEPT # 1
State BRASS, DEQUINCY 2707679 (SCOPE)

DATE, JUDGE, OFFICERS OF COURT PRESENT	PROCEEDINGS APPEARANCES - HEARING	EVENTS
February 06, 2018 S. BATEMAN, JP K. RHOADES, DDA M. POSIN, ESQ. H. GARCIA, CLK L. BRENSKE, CR	PRELIMINARY HEARING: DEFENDANT PRESENT IN CUSTODY MOTION BY STATE TO CLEAR THE COURTROOM AND EXCLUDE WITNESSES - MOTION GRANTED STATE'S WITNESSES: 1. VENICE MADDEN. SWORN IN BY CLERK. DIRECT. WITNESS ID'D DEFENDANT. CROSS. REDIRECT. RECROSS. WITNESS EXCUSED. 2. ARIANNA WHATLEY. SWORN IN BY CLERK. DIRECT. WITNESS ID'D DEFENDANT. CROSS. REDIRECT. RECROSS. WITNESS EXCUSED. MOTION BY STATE TO AMEND AMENDED CRIMINAL COMPLAINT BY INTERLINEATION COUNT 1 - PAGE 1, LINE 24; COUNT 5 - PAGE 2, LINE 15; COUNT 9 - PAGE 3, LINE 13 & 14; COUNT 6 - PAGE 2, LINE 20; ADD COUNT 22 - SEXUAL ASSAULT AGAINST CHILD UNDER 14; COUNT 20 - PAGE 5, LINE 20; COUNT 12 - PAGE 2, LINE 28; COUNT 16 - PAGE 4, LINE 26; COUNT 17 - PAGE 5 - LINE 4 - MOTION GRANTED STATE RESTS MAGISTRATE ADVISED DEFENDANT OF HIS STATUTORY RIGHT TO MAKE A SWORN OR UNSWORN STATEMENT, TO WAIVE MAKE A STATEMENT, AND/OR OF HIS RIGHT TO CALL WITNESSES. DEFENDANT WAIVES HIS RIGHT TO MAKE STATEMENT. SUBMITTED WITHOUT ARGUMENT DEFENDANT HELD TO ANSWER TO SAID CHARGES BOUND OVER TO DISTRICT COURT RETURN TO METRO SET FOR COURT APPEARANCE Event: DISTRICT COURT ARRAIGNMENT HND Date: 02/14/2018 Time: 10:00 am Judge: Location: DISTRICT COURT ARRAIGNMENT	DISTRICT COURT ARRAIGNMENT HND Date: February 14, 2018 Time: 10:00 am Location: DISTRICT COURT ARRAIGNMENT
January 22, 2018 S. BATEMAN, JP V. VILLEGAS, DDA M. POSIN, ESQ. H. GARCIA, CLK L. BRENSKE, CR	SET FOR COURT APPEARANCE Event: PRELIMINARY HEARING HND Date: 02/06/2018 Time: 9:30 am Judge: BATEMAN, SAM Location: DEPARTMENT 1	

JUSTICE COURT. HENDERSON TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE # 17CRH001333-0000 17FH1508X SAM BATEMAN - DEPT # 1
State BRASS, DEQUINCY 2707679 (SCOPE)

DATE, JUDGE, OFFICERS OF COURT PRESENT	PROCEEDINGS APPEARANCES - HEARING	EVENTS
January 18, 2018	SUBSTITUTION OF ATTORNEY - FILED BY ATTORNEY M. POSIN, ESQ.	
November 22, 2017 S. BATEMAN, JP S. DIGIACOMO, DDA K. SPEED, DPD H. GARCIA, CLK D. TAVAGLIONE, CR	STATUS CHECK DEFENDANT PRESENT IN CUSTODY ORDER REJECTED BY DEFENDANT AND RESCINDED BY STATE PRELIMINARY HEARING DATE RESET RETURN TO METRO SET FOR COURT APPEARANCE Event: PRELIMINARY HEARING HND Date: 01/22/2018 Time: 9:30 am Judge: BATEMAN, SAM Location: DEPARTMENT 1	
November 07, 2017 S. BATEMAN, JP K. RHOADES, DDA K. SPEED, DPD H. GARCIA, CLK L. BRENSKE, CR	PRELIMINARY HEARING: DEFENDANT PRESENT IN CUSTODY AMENDED CRIMINAL COMPLAINT FILED IN OPEN COURT - ANY OBJECTIONS RESERVED CONTINUED FOR STATUS CHECK ON DISCOVERY RETURN TO METRO SET FOR COURT APPEARANCE Event: COURT APPEARANCE HND Date: 11/22/2017 Time: 9:00 am Judge: BATEMAN, SAM Location: DEPARTMENT 1	
October 05, 2017 S. BATEMAN, JP S. DIGIACOMO, DDA M. BERKLEY, DPD H. GARCIA, CLK L. BRENSKE, CR	INITIAL ARRAIGNMENT: DEFENDANT PRESENT IN CUSTODY ADVISED. REQUESTS PUBLIC DEFENDER. DEFENSE COUNSEL APPOINTED & ACKNOWLEDGES WAIVED READING OF THE COMPLAINT 15 DAY RULE WAIVED PRELIMINARY HEARING DATE SET BAIL STANDS: \$100,000 TOTAL CASH BAIL OR SURETY BOND REMAND TO METRO SET FOR COURT APPEARANCE Event: PRELIMINARY HEARING HND Date: 11/07/2017 Time: 9:30 am Judge: BATEMAN, SAM Location: DEPARTMENT 1 Result: CRIMINAL HEARING HELD	

JUSTICE COURT. HENDERSON TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE # 17CRH001333-0000 17FH1508X SAM BATEMAN - DEPT # 1
State BRASS, DEQUINCY 2707679 (SCOPE)

DATE, JUDGE, OFFICERS OF COURT PRESENT	PROCEEDINGS APPEARANCES - HEARING	EVENTS
October 02, 2017	ALERT INFORMATION ARREST WARRANT - CRIMINAL served on: 10/01/2017 For: BRASS, DEQUINCY SET FOR COURT APPEARANCE Event: FELONY ARRAIGNMENT HND Date: 10/05/2017 Time: 9:00 am Judge: BATEMAN, SAM Location: DEPARTMENT 1 Result: ARRAIGNMENT HEARING HELD	
September 13, 2017	Complaint FILED. Upon Motion by State, Arrest Warrant ISSUED. BAIL SET. ALERT INFORMATION ARREST WARRANT - CRIMINAL issued on: 09/13/2017 For: BRASS, DEQUINCY Bond Amt: \$100,000 TOTAL CASH OR SURETY BOND	

1 SUBT
Law Offices of Mitchell Posin, Chtd.
2 Mitchell L. Posin, Esq.
Nevada Bar No.: 002840
3 850 East Bonneville Avenue
Las Vegas, Nevada 89101
4 702.382.2222
mposin@gmail.com
5 Attorney for Defendant

2017 JUN 10 P 4:42
DE

6 JUSTICE COURT, HENDERSON TOWNSHIP


7 CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,) Case No.: 17CRH001333-0000
9) 17 FH1508X
Plaintiff,) Dept. No.: 1
10 v.)
11 DEQUINCY BRASS,)
12 Defendant.)

13 **SUBSTITUTION OF ATTORNEY**

14 MITCHELL POSIN, ESQ., is hereby substituted as attorney for the Defendant in the above-
15 entitled action in place of and instead of CLARK COUNTY PUBLIC DEFENDER

16 DATED this ____ day of December, 2017

17 
18 DEQUINCY BRASS

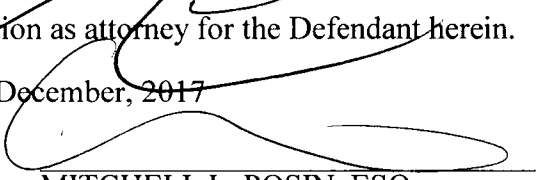
19 I hereby consent to the above and foregoing substitution.

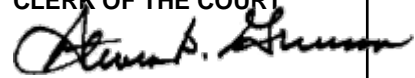
20 DATED this ____ day of December, 2017

21 
22 CLARK COUNTY PUBLIC DEFENDER

23 I hereby accept the above substitution as attorney for the Defendant herein.

24 DATED this ____ day of day of December, 2017

25 
26 MITCHELL L. POSIN, ESQ.
27
28



INFM
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

I.A. 02-14-2018
10:00 A.M.
M. POSIN

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XXII**

I N F O R M A T I O N

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

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

That **DEQUINCY BRASS**, the Defendant above named, having committed the crimes of **LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975); SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105); CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony - NRS 200.508(1) - NOC 55226); FIRST DEGREE KIDNAPPING OF A MINOR (Category A Felony - NRS 200.310, 200.320 - NOC 50053); PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION (Category D Felony - NRS 199.305 - NOC 52996); and BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT VICTIM UNDER 16 (Category A Felony - NRS**

1 **200.400.4 - NOC 58026**), on or between May 4, 2015 and February 1, 2017, within the County
2 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made
3 and provided, and against the peace and dignity of the State of Nevada,

4 **COUNT 1 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14**

5 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
6 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
7 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
8 on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing
9 and/or kissing and/or touching the buttocks and/or genital area of V.M., with the intent of
10 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

11 **COUNT 2 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE**

12 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
13 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
14 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.

15 **COUNT 3 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE**

16 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
18 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M.

19 **COUNT 4 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE**

20 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
21 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
22 14 years, to wit: cunnilingus, by placing his mouth and/or tongue on or in the genital opening
23 of V.M.

24 **COUNT 5 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14**

25 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
26 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
27 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
28 on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing

1 and/or kissing and/or touching the buttocks and/or genital area of V.M. with the intent of
2 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

3 COUNT 6 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

4 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
5 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
6 14 years, to wit: digital penetration, by inserting his finger(s) into the anal opening and/or the
7 genital opening of V.M.

8 COUNT 7 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

9 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
10 feloniously cause a child under the age of 18 years, to wit: V.M., being approximately 9 years
11 of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect,
12 to wit: negligent treatment or maltreatment and/or sexual abuse and/or sexual exploitation,
13 and/or cause V.M. to be placed in a situation where he or she might have suffered unjustifiable
14 physical pain or mental suffering as a result of abuse or neglect, to wit: negligent treatment or
15 maltreatment and/or sexual abuse and/or sexual exploitation, to wit: by Defendant causing or
16 allowing V.M. to view pornographic film.

17 COUNT 8 - FIRST DEGREE KIDNAPPING OF A MINOR

18 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
19 feloniously, lead, take, entice, and/or carry away or detain V.M., a minor, with the intent to
20 keep him or her for a protracted period of time or permanently and/or imprison or confine
21 V.M. from his or her parents, guardians, or other person or persons having lawful custody of
22 V.M., or with the intent to hold V.M. to unlawful service, or to perpetrate upon the person of
23 V.M. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
24 with a minor under fourteen years of age.

25 COUNT 9 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

26 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
27 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
28 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by undressing and/or

1 kissing V.M. and/or by touching the buttocks and/or genital area of V.M., with the intent of
2 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

3 COUNT 10 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

4 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
5 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
6 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M.

7 COUNT 11 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

8 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
9 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
10 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.

11 COUNT 12 – PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
12 REPORTING CRIME OR COMMENCING PROSECUTION

13 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
14 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
15 V.M. from reporting a crime to a peace officer by threatening to hurt V.M. and/or V.M.'s
16 brother if V.M. told.

17 COUNT 13 - FIRST DEGREE KIDNAPPING OF A MINOR

18 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
19 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
20 keep him or her for a protracted period of time or permanently and/or imprison or confine
21 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
22 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
23 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
24 with a minor under fourteen years of age.

25 COUNT 14 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

26 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
27 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
28 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

1 COUNT 15 - FIRST DEGREE KIDNAPPING OF A MINOR

2 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
3 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
4 keep him or her for a protracted period of time or permanently and/or imprison or confine
5 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
6 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
7 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
8 with a minor under fourteen years of age.

9 COUNT 16 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

10 did, on or between November 1, 2016 and February 1, 2017, willfully, lewdly,
11 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
12 or member thereof, of a child, to wit: A.W., a child under the age of fourteen years, by
13 undressing and/or touching and/or rubbing the genital area of A.W. with his penis and/or
14 hands, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual
15 desires of Defendant, or A.W.

16 COUNT 17 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT

17 did on or between November 1, 2016 and February 1, 2017 then and there willfully,
18 unlawfully and feloniously use force or violence upon the person of another, to wit: A.W., a
19 child under 16 years of age, with the intent to commit sexual assault, by punching A.W.

20 COUNT 18 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

21 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
22 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
23 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

24 COUNT 19 – PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
25 REPORTING CRIME OR COMMENCING PROSECUTION

26 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
27 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
28

1 A.W. from reporting a crime to a peace officer by telling A.W. not to tell anyone or else he
2 would harm and/or kill A.W.

3 COUNT 20 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

4 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
5 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
6 thereof, of a child, to wit: R.M, a child under the age of fourteen years, by Defendant using his
7 penis and/or hands to touch and/or rub and/or fondle R.M.'s penis, with the intent of arousing,
8 appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or R.M.

9 COUNT 21 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

10 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
11 unlawfully, and feloniously commit a sexual penetration upon R.M., a child under the age of
12 14 years, to wit: anal intercourse, by placing his penis into the anal opening of R.M.

13 COUNT 22 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

14 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
15 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
16 14 years, to wit: anal intercourse, by placing his penis into the anal opening of V.M.

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

20 BY /s/ Kristina Rhoades
21 KRISTINA RHOADES
22 Chief Deputy District Attorney
23 Nevada Bar #012480

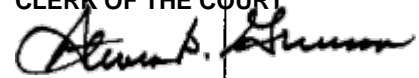
24 Names of witnesses known to the District Attorney's Office at the time of filing this
25 Information are as follows:

<u>NAME</u>	<u>ADDRESS</u>
A.W.	c/o CCDA – SVU/VWAC
ASHCROFT, J.	HPD #1551
ASHENFELTER, DEBBIE	CCDA Investigations

1	ATHA, JACQUELINE	1608 Moser Dr., Hend., NV
2	BARR, J.	LVMPD #15312
3	CUSTODIAN OF RECORDS	CCDC
4	CUSTODIAN OF RECORDS	HPD Communications
5	CUSTODIAN OF RECORDS	HPD Communications
6	CUSTODIAN OF RECORDS	LVMPD Communications
7	CUSTODIAN OF RECORDS	LVMPD Records
8	CUSTODIAN OF RECORDS	SNCAC
9	ESPINOZA, ELIZABETH	701 N. Pecos Blvd., LVN
10	GROSS, KEITH	CCDA Investigations
11	KNEPP, ELAINE	CCDA Investigations
12	LYTLE, J.	HPD #2038
13	MADDEN-GARZA, KIMBERLY	c/o CCDA – SVU/VWAC
14	NIELSEN, E.	HPD #2163
15	THERIAULT, MATT	701 N. Pecos Blvd., LVN
16	V.M.	c/o CCDA – SVU/VWAC
17	VARGASON, J.	HPD #1623
18	WHATLEY, SHONTAI	c/o CCDA – SVU/VWAC
19	WORLEY, C.	HPD #1296

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17FH1508X/jg/SVU
HPD EV#1703731, 1704975
(TK)



MOTN

MITCHELL L. POSIN, ESQ.
Nevada Bar No. 002840
410 South Rampart Boulevard, Suite 390
Las Vegas, Nevada 89145
702-382-2222
mposin@gmail.com
Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

DEQUINCY BRASS ID# 2707679

Defendant.

Case No. C-18-329765-1

Dept. No. XXII

**EX PARTE MOTION FOR AUTHORIZATION OF EMPLOYMENT OF
INVESTIGATOR AND PAYMENT OF FEES**

COMES NOW Dequincy Brass, by and through his attorney, Mitchell L. Posin, Esq., and
hereby moves this Court for an Order authorizing the employment of Robert Lawson, and
investigator, to assist defense in the instant matter. If further justification beyond that presented
in the instant motion is required, Defendant's counsel is prepared to meet with the Court,
confidentially and in camera, to present additional evidence in support of the relief sought
herein.

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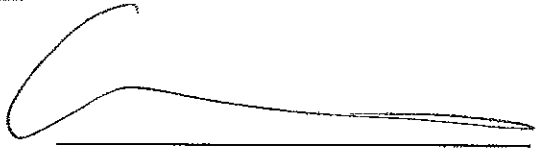
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1 This motion is based upon the attached points and authorities, the record in this action,
2 and the attached affidavit of Mitchell L. Posin, Esq.

3 DATED this 15 day of February, 2018

4
5 
6 Mitchell L. Posin, Esq.
7 Nevada Bar No. 002840
8 410 South Rampart Boulevard, Suite 390
9 Las Vegas, Nevada 89145
10 *Attorney for Defendant*

11 **POINTS AND AUTHORITIES**

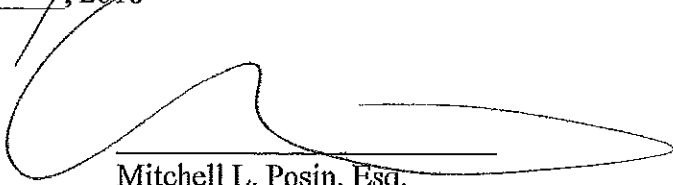
12 Dequincy Brass, the Defendant in the above-entitled matter, seeks authorization to
13 employ Robert Lawson, an investigator. Although counsel has been retained by the family of
14 Mr. Dequincy Brass, the Defendant is himself indigent and unable to pay for the investigative
15 services needed to assist in his defense. In this case, approval is sought because Defendant Brass
16 has exhausted his financial resource and counsel believes an adequate defense herein requires an
17 investigation due to the serious nature of the charges.

18 Mitchell L. Posin, Esq., has contacted Robert Lawson, and he has agreed to perform the
19 necessary investigative service at a rate of \$50.00 per hour. It would be more efficient for a
20 trained investigator to perform the investigation, rather than counsel. This sum would include all
21 pretrial fees, including travel expenses, and the testimony at trial, if necessary.

22 "[T]he State has a duty to provide reasonable and necessary defense services at the
23 public's expense to indigent criminal Defendants who have nonetheless retained private
24 counsel." *Widdis v. Second Judicial District Court*, 114 Nev. 1224, 968 P. 2d 1165(1998). In
25 *Widdis*, the court held that payment for services of an indigent Defendant who has retained
26 counsel was proper as long as the Defendant demonstrates his/her indigence and a reasonable
27 need for the services in question.

1 The Defendant is facing serious charges which if convicted, carry heavy penalties. Mr.
2 Lawson has the resources and expertise needed to perform these services. Here, an investigation
3 is necessary in order to properly prepare the defense in the case.

4 DATED this 15 day of February, 2018

5
6 
7 Mitchell L. Posin, Esq.
8 Nevada Bar No. 002840
9 410 South Rampart Boulevard, Suite 390
10 Las Vegas, Nevada 89145
11 702-382-2222
12 Attorney for Defendant
13
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DECLARATION OF MITCHELL L. POSIN, ESQ.

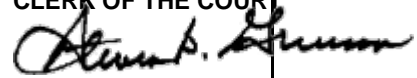
1 STATE OF NEVADA)
2) ss:
3 COUNTY OF CLARK)

4 MITCHELL L. POSIN, ESQ., being duly sworn, deposes and states under the penalty of
5 perjury as follows:

- 6 1. That affiant is licensed to practice law before this Court.
- 7 2. That affiant has been retained to represent Dequincy Brass in the instant case.
- 8 3. That affiant has contacted investigator, Robert Lawson, who agreed to perform services
9 at a rate of \$50.00 per hour.
- 10 4. That Defendant is financially unable to obtain expert services on his own behalf.
- 11 5. There are many significant issues that need to be investigated to effectively represent Mr.
12 Brass,
- 13 6. Affiant therefore requests that this Ex Parte Application and Order be sealed until further
14 Order of this Court.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
16 AND CORRECT.

17 
18 Mitchell L. Posin, Esq.
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MOTN
Law Offices of Mitchell Posin, Chtd.
Mitchell L. Posin, Esq.
Nevada Bar No.: 002840
410 South Rampart Blvd., Suite 390
Las Vegas, Nevada 89145
702.382.2222
mposin@gmail.com
Attorney for Defendant

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,)		
)		
Plaintiff,	)	Case No.	C-18-329765-1
	)	Dept. No.	XXII
vs.)		
)		
DEQUINCY BRASS ID# 2707679)		
)		
Defendant.)		
_____)		

MOTION TO WITHDRAW

COMES NOW counsel for Defendant, and moves this Honorable
Court for an Order allowing him to withdraw as counsel.

This Motion is made and based upon the attached Memorandum of
Points and Authorities, and the papers and pleadings on file with this Court.

DATED this 12 day of March, 2018.

/s/ Mitchell Posin
MITCHELL POSIN, ESQ.
Attorney for Defendant

1 MEMORANDUM OF POINTS AND AUTHORITIES

2
3 A. Governing Rule

4 Nevada Rule of Professional Conduct 1.16 provides in pertinent part:

5 *A lawyer may withdraw from representing a client if . . .*

6 (5) *The client fails substantially to fulfill an obligation to the lawyer*
7 *regarding the lawyer's services and has been given reasonable warning*
8 *that the lawyer will withdraw unless the obligation is fulfilled;*

9 (6) *The representation will result in an unreasonable financial*
10 *burden on the lawyer or has been rendered unreasonably difficult by the*
11 *client*

12 B. The Circumstances Herein Justify Attorney's Withdrawal

13 1. Facts

14 The undersigned was retained to represent Defendant through
15 preliminary hearing. The fee agreement herein states as follows:

16 Client understands that the retaining fee does not include a jury
17 trial in District Court. Prior to any District Court arraignment
18 in which Client will be entering a Not Guilty plea, Client must
19 pay an additional trial fee.

20 The undersigned discussed an additional trial fee consistent with the
21 provisions of the original fee agreement, and in consideration of the fact that
22 this case will require a jury trial in a complicated case involving multiple
23 allegations of criminal conduct for which the Defendant faces multiple life
24 sentences.

25 Defendant's family members made multiple representations to the
26 undersigned that the fee would be forthcoming. Based on these
27 representations, the undersigned confirmed as counsel in District Court.
28

1 The fee has not been paid.

2 2. Defendant has failed substantially to fulfill an obligation to the
3 lawyer regarding the lawyer's services and has been given reasonable
4 warning that the lawyer will withdraw unless the obligation is fulfilled
5

6 The undersigned has had multiple discussions with numerous family
7 members of the Defendant, has scheduled meetings, has been told he would
8 be paid, but the family members have failed to show up for scheduled
9 meetings, and the fee has not been paid.¹

10 3. The representation will result in an unreasonable financial
11 burden on the lawyer

12 Counsel has set aside time for handling Defendant's case, which time
13 could have been used for other, paying, clients. Further unpaid work for
14 Defendant will result in an unreasonable financial burden to counsel.
15

16 4. The representation has been rendered unreasonably
17 difficult by the client

18 The continued false promises of impending payment have made
19 representation of Defendant unreasonably difficult.
20

21 **Conclusion**

22 The undersigned counsel therefore moves to withdraw from further

23 ///

24 ///

25 ///

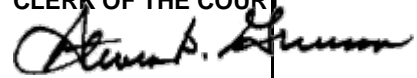
26 _____
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28 ¹ One family member did make a single payment of \$500.00

1 representation.

2 DATED this 12 day of March, 2018.

3
4
5 /s/ Mitchell Posin
6 MITCHELL POSIN, ESQ.
7 Attorney for Defendant
8
9
10
11
12
13
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1 NOT
2 Law Offices of Mitchell Posin, Chtd.
3 Mitchell L. Posin, Esq.
4 Nevada Bar No.: 002840
5 410 South Rampart Blvd., Suite 390
6 Las Vegas, Nevada 89145
7 702.382.2222
8 mposin@gmail.com
9 Attorney for Defendant

10
11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 THE STATE OF NEVADA,)
14)
15 Plaintiff,) Case No. C-18-329765-1
16) Dept. No. XXII
17 vs.)
18)
19 **DEQUINCY BRASS ID# 2707679**) **NOTICE OF MOTION**
20)
21 Defendant.)
22)
23 _____)

24 TO: STATE OF NEVADA, Plaintiff:

25 TO: STEVEN WOLFSON, DISTRICT ATTORNEY, attorney for
26 Plaintiff ;

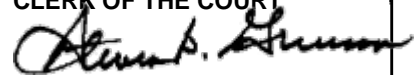
27 YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that the
28 undersigned will bring the above and foregoing Motion for hearing before

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///

1 the above-entitled Court on the 27th day of MARCH, 2018, at
2 8:30 AM
3 o'clock M. of said day, in Department XXII of said Court.
4
5

6 /s/Mitchell Posin
7 MITCHELL POSIN, ESQ
8 Nevada Bar No. 002840
9 410 South Rampart Blvd., Suite 390
10 Las Vegas, Nevada 89145
11 (702) 382-2222
12 Attorney for Defendant
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1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 **THE STATE OF NEVADA,**

Case No. C-18-329765-1

5 **Plaintiff,**

Dept. No. XXII

6 **Vs.**

7 **DEQUINCY BRASS, #2707679,**

8 **Defendant.**

9 **ORDER RE: DISCOVERY**

10 **IT IS ORDERED, ADJUDGED AND DECREED** Plaintiff THE STATE OF NEVADA
11 shall provide to the defense all evidentiary material as required pursuant to both federal and state
12 law, including, but not limited to that mandated by Brady v. Maryland, 373 U.S. 83, 83
13 S.Ct. 1194, 10 L.Ed.2d 215 (1963), Giglio v. United States, 405 U.S. 150, 92 S.Ct. 763, 31 L.Ed.2d
14 104 (1972) and NRS 174.235.
15

16 DATED this 19th day of March 2018.

17 
18 **SUSAN H. JOHNSON, DISTRICT COURT JUDGE**

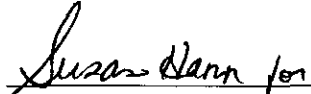
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SUSAN H. JOHNSON
DISTRICT JUDGE
DEPARTMENT XXII

CERTIFICATE OF SERVICE

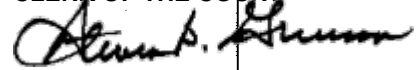
I hereby certify on the 19th day of March 2018 I electronically served (E-served), placed within the attorneys' folders located on the first floor of the Regional Justice Center or mailed a true and correct copy of the foregoing ORDER RE: DISCOVERY to the following counsel of record, and that first-class postage was fully prepaid thereon:

STEVEN B. WOLFSON, ESQ., Clark County District Attorney
KRISTINA RHOADES, ESQ., Chief Deputy District Attorney
CLARK COUNTY DISTRICT ATTORNEY'S OFFICE
200 Lewis Avenue, Third Floor
Las Vegas, Nevada 89155-2212

MITCHELL L. POSIN, ESQ.
410 South Rampart Boulevard, Suite 390
Las Vegas, Nevada 89145



Laura Banks, Judicial Executive Assistant



EXPR

MITCHELL L. POSIN, ESQ.
Nevada Bar No. 002840
410 South Rampart Boulevard, Suite 390
Las Vegas, Nevada 89145
702-382-2222
mposin@gmail.com
Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)

Plaintiff,)

vs.)

DEQUINCY BRASS ID# 2707679)

Defendant.)

Case No. C-18-329765-1

Dept. No. XXII

**EX PARTE ORDER GRANTING EMPLOYMENT OF INVESTIGATOR
AND PAYMENT OF FEES**

Upon the Ex Parte application of Counsel for Defendant, Dequincy Brass,
and upon finding that an investigator is needed and Defendant is financially unable
to pay for same:

IT IS HEREBY ORDERED that pursuant to **Widdis v. Second Judicial
District Court**, 114 Nev. 1224, 968 P.2d 1165 (1998), counsel is authorized to
employ investigator, Robert Lawson, in this matter.

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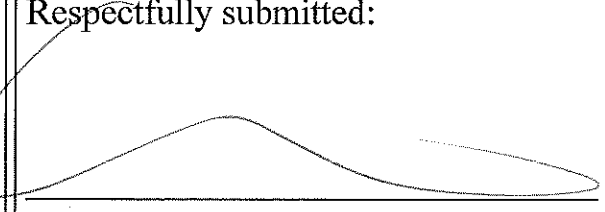
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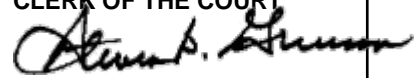
1 IT IS FURTHER ORDERED that investigative fees are authorized at the
2 rate of \$50.00 per hour.

3 DATED this 6th day of June, 2018.

4
5
6 Messiah Johnson
7 DISTRICT COURT JUDGE
8

9 Respectfully submitted:

10
11 
12 MITCHELL L. POSIN, ESQ.
13 Nevada Bar No. 002840
14 410 South Rampart Boulevard, Suite 390
15 Las Vegas, Nevada 89145
16 702-382-2222
17 Attorney for Defendant
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NWEW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

**DEQUINCY BRASS,
#2707679**

Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XXII**

STATE'S NOTICE OF WITNESSES AND/OR EXPERT WITNESSES
[NRS 174.234]

TO: DEQUINCY BRASS, Defendant; and

TO: MITCHELL POSIN, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

A.W.; 2949 Jacaranda St., LVN

ASHCROFT, J.; HPD #1551

ASHENFELTER, DEBBIE; CCDA Investigations

ATHA, JACQUELINE; 1608 Moser Dr., Hend., NV

BARR, J.; LVMPD #15312

CETL, DR. SANDRA, M.D., Sunrise Hospital/SNCAC; is a medical doctor and
pediatric abuse specialist. Dr. Cetl is expected to provide testimony as a medical expert as to
her opinions and findings including, but not limited to: her review and analysis of the medical

1 records, reports and radiographic films, as well as the observations, diagnosis and treatment
2 rendered to victim in this case, SCAN exams in general and directly related to the instant case.
3 In addition, she will provide testimony as to her direct involvement, if any, in this case and the
4 possible mechanisms of injury and causes of injury to the said victim. Dr. Cetl may also testify
5 about her experience in performing medical and SCAN exams, training and experience with
6 any studies regarding the frequency of findings in medical and SCAN exams and what affects
7 the likelihood of any given exam containing physical or medical findings, including what
8 would increase or decrease the likelihood of medical findings at the time of exam, the passage
9 of time, and the nature of the sexual acts. Dr. Cetl may also discuss any relevant studies and
10 literature on the incidence of medical findings in medical exams for sexual abuse and the
11 significance of medical findings or the lack thereof.

12 COTTRILL, HPD #2290

13 CUSTODIAN OF RECORDS; BOYS & GIRLS CLUB, 1608 Moser Dr., Hend., NV

14 CUSTODIAN OF RECORDS; CCDC

15 CUSTODIAN OF RECORDS; HPD Communications

16 CUSTODIAN OF RECORDS; HPD Communications

17 CUSTODIAN OF RECORDS; LVMPD Communications

18 CUSTODIAN OF RECORDS; LVMPD Records

19 CUSTODIAN OF RECORDS; NV DMV

20 CUSTODIAN OF RECORDS; SNCAC

21 CUSTODIAN OF RECORDS; Sunrise Hospital

22 D.K.; 2949 Jacaranda St., LVN

23 EKROOS, RACHELL, PhD, APRN, FNP-BC, FNP-BC, AFN-BC, DF-IAFN, FAAN;
24 4505 S. Maryland Pkwy., LVN; Dr. Ekroos is a family nurse practitioner specializing in
25 forensic nursing. Dr. Ekroos may be called as a medical expert based on her training,
26 experience and research. Dr. Ekroos will testify regarding the procedure for medical and
27 SCAN exams on patients who present to the hospital or the Southern Nevada Children's
28 Assessment Center with complaints of sexual abuse, including the nature, process, and

possible medical diagnoses involved in completing a SCAN. This testimony will necessarily include the body's physical processes and what would contribute or take away from physical findings on a patient reporting sexual abuse, including, but not limited to, the passage of time, the healing process of the body, the potential or lack of potential injuries based on the type of sexual contact disclosed.

ESPINOZA, ELIZABETH; 701 N. Pecos Rd., LVN; is a forensic interviewer and may be called to testify about the methodology, process, purpose, and limitations of forensic and victim interviews, including research regarding forensic interviews, as well as child development, memory, suggestibility, and/or deviations from the forensic interview, as it relates to her training and experience, as well as the interview(s) completed in this case.

GIBSON, HPD #1407

GROSS, KEITH; CCDA Investigations

I.W.; 2949 Jacaranda St., LVN

KNEPP, ELAINE; CCDA Investigations

LYTLE, J.; HPD #2038

MADDEN-GARZA, KIMBERLY; c/o CCDA – SVU/VWAC

NIELSEN, E.; HPD #2163

PRICE, HPD #690

SPANGLER, J., HPD #1211; and/or designee, is employed with the Henderson Police Department; he is an expert in computer and phone forensic analysis, including the preservation and extraction of data, and will testify regarding the forensic examination(s) performed in this case and provide opinions thereto.

THERIAULT, MATT; 701 N. Pecos Rd., LVN; is a forensic interviewer and may be called to testify about the methodology, process, purpose, and limitations of forensic and victim interviews, including research regarding forensic interviews, as well as child development, memory, suggestibility, and/or deviations from the forensic interview, as it relates to his training and experience, as well as the interview(s) completed in this case.

V.M.; c/o CCDA – SVU/VWAC

1 VARGASON, J.; HPD #1623

2 WHATLEY, SHONTAI; 2949 Jacaranda St., LVN

3 WORLEY, C.; HPD #1296

4 These witnesses are in addition to those witnesses endorsed on the Information or
5 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
6 Witnesses has been filed.

7 The substance of each expert witness's testimony and copy of all reports made by or at
8 the direction of the expert witness have been provided in discovery.

9 A copy of each expert witness's curriculum vitae, if available, is attached hereto.

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

13 BY /s/ Kristina Rhoades
14 KRISTINA RHOADES
15 Chief Deputy District Attorney
16 Nevada Bar #012480
17
18

19 CERTIFICATE OF ELECTRONIC TRANSMISSION

20 I hereby certify that service of the above and foregoing was made this 25th day of June,
21 2018, by electronic transmission to:

22 MITCHELL POSIN, ESQ.
23 Email Address: mposin@gmail.com

24 BY: /s/ J. Georges
25 Secretary for the District Attorney's Office
26
27

28 jg/SVU

Sandra Cetl, MD, FAAP

Sunrise Children's Hospital
Pediatric Administration
3186 Maryland Parkway
Las Vegas, Nevada 89109
702-784-1933 (office)
702-378-3931 (cell)

Education:

University of Nevada, School of Medicine
Las Vegas, Nevada
Residency in Pediatrics
July 2007 – June 2010

University of Vermont, College of Medicine
Burlington, Vermont
M.D.
August 2002 – May 2007

University of California, Los Angeles
Los Angeles, California
B.S. in Neuroscience, cum laude
September 1997 – May 2001

Current Attending Responsibilities: September 2010 to current
Employer: Mednax-Pediatrics

- **Overview of experience:**

Director of the Suspected Child Abuse and Neglect (SCAN) program at Sunrise Children's Hospital and the Southern Nevada Children's Assessment Center (SNCAC) in Las Vegas, Nevada. I have served as the sole M.D. provider for approximately 5 years and as a co-provider for approximately 2.5 years prior.

As sole M.D. provider evaluating child abuse concerns in Southern Nevada for the past 5 years (and jointly for 2.5 additional years, prior), case staffing of child physical abuse, neglect, and sexual abuse comes from a large catchment area to include Southern Nevada, areas of Arizona, California, and Utah. Child abuse evaluation referrals and staffings come from inpatient consultations via medical staff as well as from outside facilities, law enforcement, child protective services and agencies, public and private attorneys (prosecution,

defense and civil.) I staff such medical concerns from all facilities in Southern Nevada and catchment facilities.

I additionally serve as an emergency department physician in general pediatrics at Sunrise Children's Hospital Emergency Department.

- Sunrise Children's Hospital Child Abuse Pediatrician
 - Medical evaluations of patients with suspected physical abuse, sexual abuse and/ or neglect. Patients are evaluated in the Emergency Department, Pediatric Ward and Pediatric Intensive Care Unit.
- Southern Nevada Children's Assessment Center (SNCAC)
 - Sole M.D. provider of medical evaluations of patients with concerns of child sexual abuse.
 - Exams are both acute and remote in nature. Acute requiring Sexual Assault Evidence Kit collection.
- Sunrise Children's Hospital Emergency Department
 - Average 2-5 shifts per month in the pediatric ER, managing and treating patient triage levels 2-5.
 - My role in the pediatric ED includes diagnosis, management and treatment patient triage levels 2 through 5 in general pediatric and emergency patient needs.
 - 2010 – 2011, I worked approximately 10 shifts per month (4000 – 5000 ED patients/per year) as an ED physician in addition to child abuse work and training. I continued to work 5 – 10 shifts per month through 2012. 2013 to current, I average 2-5 shifts per month (1500 - 2000 ED patients/ per year).
- Sunrise Children's Hospital SCAN call
 - Sole M.D. provider taking inhouse night call for suspected child sexual abuse medical evaluations in the ER. (2010 – 2012)
 - Currently, sole M.D. provider taking 24/7/365 call and consultation telephonically, with occasional inhouse night response, regarding the recognition, diagnosis, management, and treatment of children with concerns of child abuse and/ or neglect, to include recognition and diagnosis of abuse mimics and natural disease.
- Assistant Clinical Professor at the University of Nevada, School of Medicine (October 2012 – present)
 - Hosting 2-week to 4-week rotations for residents and medical students in child abuse pediatrics and attending physician during student ED rotations.
- Assistant Clinical Professor at the University of Nevada Las Vegas, School of Medicine (June 2017 – present)
 - Hosting 2-week to 4-week rotations for residents and medical students in child abuse pediatrics and attending physician during student ED rotations.

Additional Duties:

- Training medical providers at Sunrise Children's Emergency Department on child abuse evaluations, peer review of all child abuse evaluations and all photo-documentation by other providers from Sunrise Children's Hospital.
- Resident education in general pediatrics, emergency pediatric medicine and child abuse evaluation and management.
- Midlevel provider training for response and evaluation of child sexual abuse. Creation of curriculum, clinical responsibilities, and approximately 100 clinical hours of training. Currently reviewer of all exams by physician's assistant at the SNCAC.
- Overview and creation of hospital policies and evaluation/ management processes regarding patient evaluation of suspected child abuse and neglect, management, and discharge. Nursing staff education, peer review and feedback.
- Creation of electronic medical record (EMR) for the SNCAC to replace hand written documentation for sexual abuse evaluations. Upkeep, management, and compliance requirements of EMR as it interfaces with DFS IT and security systems.

Additional Work Experience:**Juvenile Diabetes Camp Physician August 2010**

Job Title: Physician

Primary Responsibilities: Observation and management of insulin use during the 3 day camp. Children were aged 12- 17.

Planned Parenthood, Los Angeles August 2001 – May 2002

Job Title: Senior Program Manager

Primary Responsibilities: I was in charge of the all volunteers, teachers and coordinators. Duties ranged from the management of staff to reviewing and editing the curriculum as well as ensuring the program's educators were properly trained and prepared for the situations they would encounter.

Planned Parenthood, Los Angeles August 2000 – August 2001

Job Title: Reproductive Health Educator

Primary Responsibilities: I was responsible for educating inner city teens and young adults on topics including reproductive health, sexually transmitted diseases, the use contraceptives and the possible social, economic and health consequences of various sexual choices.

University of California, Los Angeles 1997 – 2001

Title: Research Associate

Responsibilities: rodent husbandry, surgery, data collection, perfusions, histology and result analysis over the course of four consecutive years; the data from my efforts resulted in two publications in the Journal of Neuroscience.

Laura H. Corbit, Janice L. Muir, and Bernard W. Balleine. *The Role of the Nucleus Accumbens in Instrumental Conditioning: Evidence of a Functional Dissociation between Accumbens Core and Shell*. J. Neurosci., May 2001; 21: 3251 - 3260.

Laura H. Corbit and Bernard W. Balleine. *The Role of the Hippocampus in Instrumental Conditioning*. J. Neurosci., Jun 2000; 20: 4233 - 4239.

I was awarded 1st place in the annual UCLA Neuroscience Poster Session with a presentation titled *The Effects of Lesions in the Nucleus Accumbens on Instrumental Conditioning*. Additionally, I was responsible for teaching presentations for undergraduate and graduate students regarding both the research completed and other topics in neuroscience.

Private Math and Science Tutor 1999 – 2003

I conducted weekly sessions for several junior high and high school students in subjects ranging from Algebra to Calculus and Life Sciences to Physics.

Care Extenders at UCLA – Santa Monica Hospital 1997 – 1999

I transported patients and aided in the care of patients in obstetrics, medical-surgical wards, and the emergency department.

Rockwell Aerospace and Defense and The California Museum of Science and Industry - Summer 1996

I was the primary instructor for an inner city program to promote the benefits of mathematics and science to fourth and fifth grade disadvantaged children.

Licensure and Certification:

Fellow of the American Academy of Pediatrics 2012 – present

Assistant Clinical Professor at the University of Nevada, School of Medicine

Oct.2012 - present

Assistant Clinical Professor at the University of Nevada Las Vegas, School of Medicine

June 2017 - present

Board Certified in Specialty of Pediatrics by the American Board of Pediatrics

current to 2021

PALS Current to December 2019

BLS Current to December 2019

Nevada State Board of Medical Examiners Current to June 2019 (#13619, Exp. 6/30/2019)

Nevada State Board of Pharmacy current to 2018 (#CS18753, Exp. 10/31/2018)

Drug Enforcement Agency License current to 2019 (#FC2137885, Exp. 08/31/2019)

Current Outreach and Committees:

Adjunct Instructor for Nye County Sheriff's Office 2017

CSART– Child Sexual Abuse Review Team

October 2016 to present
Southern Nevada Children's Assessment Center and Clark County District Attorney's Office multi-disciplinary team meeting discussion on child sexual abuse cases. Meets bimonthly.

Clark County Office of the Coroner/Medical Examiner Advanced Review Committee on Sudden Death in the Young
August 2016 – current
The SDY committee is comprised of physicians, researchers and representatives of the coroner's office reviewing cases of sudden death in the young that are designated as undetermined deaths.

Southern Nevada Children's Assessment Center Steering Committee Member
April 2016 – current

Clark County Child Fatality Review, Chair
January 2013 – January 2014

Nevada Alliance for Drug Endangered Children, Member
2012 – present

Clark County Child Fatality Review, Vice Chair
June 2011 – December 2012

Clark County Child Fatality Review Team, Member and Core Voting Member
September 2010 – current

Clark County Child Fatality Task Force, Member
October 2010 – current

CARES Committee (Child Abuse Case Review and Education Service)
Facilitator for multidisciplinary review of the medical aspects of child physical abuse and neglect cases. Held bimonthly.

Children's Assessment Center Case Review Team
September 2010 – present
Member of a multidisciplinary team where cases are presented by medical staff, CPS, Law Enforcement, and District Attorneys where there are concerns of child sexual or physical abuse at the Southern Nevada Children's Assessment Center

Prevent Child Abuse Nevada, Member
2012 – 2014

Research Participation:

Currently approved for IRB participation in for a Multi-Center Prospective Research Project. Topic: the yield of medical screening of pediatric contacts- siblings and other children- in the home of an abused child. Currently concluded.

Currently approved for IRB participation in a second Multi-Center Prospective Research Project. Topic: Risk perception of physically abused children and how to use a child's social history when evaluating injuries that may be due to physical abuse. Currently concluded.

Presentations:

February 2018: Child Sexual Abuse

- Power point presentation addressing the gynecological examination process and anatomy, myths regarding female genitals, and sexually transmitted infections. Target audience of law enforcement investigators, child protections service investigators, and SNCAC staff. (1.5-hour lecture)

November 2017: Nye County Sheriff's Office: Child Abuse and Evaluations, Academy Training

- Power point presentation for Nye County Sheriff's Office, consisting of patrol officers finishing academy training. Discussion of statistical abuse information, risk factors for abuse and neglect, cutaneous findings of abuse and accidents, photo-documentation techniques, medical evaluations, head trauma, abdominal trauma, fractures, neglect, mimics of abuse, sexual abuse and genital examinations. (approximately 6-hour lecture)

October 2017: Drug Exposed Babies

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the lifelong consequence of drug exposures.

September 2017: Child Sexual Abuse

- Power point presentation given to foster parents and foster program staff via DFS about child sexual abuse including signs and symptoms, examination, risk factors and forensic findings.

August 2017: Child Sexual Abuse Training for Rape Crisis Counseling volunteers

- 3-hour Power point presentation for volunteers transitioning from solely adult and late adolescent hospital response to include pediatric response for children and families being evaluated for concerns of child sexual abuse in an emergency department setting. Education regarding the exam, hospital specific information (Sunrise Children's Hospital), neurobiology of trauma, effects of adverse childhood

experiences, differences in child, adolescent, and adult sexual abuse and assault evaluations, and anatomy basics through age and development.

June 2017: Child Maltreatment Overview for Law Enforcement

- Power point presentation for North Las Vegas Police Department, consisting of detectives, sergeants, and lieutenant. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, neurobiology of abuse and trauma, sexual abuse and genital examinations. (approximately 7-hour lecture)

June 2017: Child Sexual Abuse Training for Law Enforcement

- 90-minute review on child sexual abuse examinations, DNA and evidentiary collection by medical staff, sexually transmitted infections, differences in sexual abuse exams between pediatrics, adolescents, and adults, and the neurobiology of trauma as it may influence a child's behavior and long-term successes.

June 2017: Board Review on Child Maltreatment

- 1-hour review for residents of University of Nevada, School of Medicine in preparation of the American Academy of Pediatrics Board exam. Topics covered are high yield review of child physical abuse, sexual abuse, and neglect. Additionally, discussed cases of mimics and missed opportunities.

May 2017: Neurobiology of Trauma, Las Vegas, NV

Center for the Application of Substance Abuse Technologies (CASAT)

- Power point presentation regarding the neurobiological and neuroanatomical reactions during a trauma, specifically sexual assault. Additional discussion with long term consequences of the neurobiological cascade resulting from trauma and management strategies. (approximately 8 hour lecture)

May 2017: Drug Exposed Babies

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

April 2017: Mimics and Missed Opportunities

- Power point presentation to residents regarding testing for concerns of child abuse, mimics of child abuse and review of the significance of sentinel injuries on young children.

April 2017: Child Maltreatment Overview

- Power point presentation for DFS investigators. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations.

April 2017: Neurobiology of Trauma, Reno, NV

Center for the Application of Substance Abuse Technologies (CASAT)

- Power point presentation regarding the neurobiological and neuroanatomical reactions during a trauma, specifically sexual assault. Additional discussion with long term consequences of the neurobiological cascade resulting from trauma and management strategies. (approximately 8 hour lecture)

March 2017, 1, 8, 12th: Nye County Sheriff's Office: Child Abuse and Evaluations

- 3 separate Power point presentation for Nye County Sheriff's office, consisting of patrol officers, detectives, and commanding officers. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations. (approximately 4 hour lecture)

November 2016: Overdose and Accidental Poisonings

- Power point presentation given to foster parents and foster program staff via DFS about accidental deaths of children and adolescents from accidental overdose or poison ingestion.

November 2016: Nye County Sheriff's Office: Child Abuse and Evaluations

- Power point presentation for Nye County Sheriff's office, consisting of patrol officers, detectives, Sheriff, and commanding officers. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations. (approximately 8 hour lecture)

November 2016: Child Physical Abuse

- Two hour power point presentation to Pediatric Residents at the UNSOM residency program about all medical aspects of evaluating and recognizing physical child abuse.

October 2016: Child Sexual Abuse

- Power point presentation given to foster parents and foster program staff via DFS about child sexual abuse including signs and symptoms, examination, risk factors and forensic findings

September 2016: Drug Exposed Babies

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

June 2016: Board Review on Child Maltreatment

- 2 hour review for residents of University of Nevada, School of Medicine in preparation of the American Academy of Pediatrics Board exam. Topics covered are high yield review of child physical abuse, sexual abuse, and neglect.

June 2016: Child Maltreatment Overview

- Power point presentation for Positively Kids Clinic staff, consisting of physicians, nurses, and nursing assistants. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations.

June 2016: Sexually Transmitted Infections and Myths of Female Anatomy

- “First Wednesday” Luncheon presenter discussing sexually transmitted infections and myths surrounding sexual abuse in the pediatric population.

May 2016: Child Maltreatment Overview

- Power point presentation for Henderson Police Department, consisting of detectives, sergeants, and lieutenant. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations. (approximately 7 hour lecture)

May 2016: Drug Exposed Babies

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

April 2016: Child Sexual Abuse

- Power point presentation given to foster parents and foster program staff via DFS about child sexual abuse including signs and symptoms, examination, risk factors and forensic findings.

February 2016: Antipsychotic Use and Misuse**Center for the Application of Substance Abuse Technologies (CASAT)**

- Power point presentation on use and misuse of antipsychotic medications for an audience of drug counselors, rehab workers, social workers and nurses. The talk provided a 7 hour daylong conference going into the subject in detail.

August 2015: Failure to Thrive and Pediatric Nutrition

- Power point presentation given to foster parents and foster program staff via DFS on consequences, findings, evaluation and management of failure to thrive. Additionally, discussion on proper nutrition.

May 2015: Drug Exposed Babies

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

April 2015: Failure to Thrive and Pediatric Nutrition

- Power point presentation given to foster parents and foster program staff via DFS on consequences, findings, evaluation and management of failure to thrive. Additionally, discussion on proper nutrition.

March 2015: Commercial Sexual Exploitation of Children, Medical Management

- Power Point presentation for the NAPNAP: National Association of Pediatric Nurse Practitioners Conference. Discussion included medical signs and symptoms of CSEC, evaluation, pitfalls and concerns, and medical management.

September and October 2015: Genital Findings, Sexually Transmitted Infections and Photo-documentation in Child Sexual Abuse

- Power point presentation for nursing staff at Sunrise Children's Hospital as a part of a day long class on child sexual abuse evaluations and management.
- Discussion about genital exam, normal anatomy, findings, pathology, and sexual abuse

December 2014: Antipsychotic Use and Misuse**Center for the Application of Substance Abuse Technologies (CASAT)**

- Power point presentation on use and misuse of antipsychotic medications for an audience of drug counselors, rehab workers, social workers and nurses. The talk provided a 7 hour daylong conference going into the subject in detail.

August, September, and December 2014: Drug Endangered Children

- Power point co presented through the Attorney General's program on Drug Endangered Children. The presentation was given in Las Vegas, Reno, and rural Nevada, in addition to a shortened webinar on the same subject. The purpose of the activity is to educate physicians & other healthcare practitioners on the identification and treatment of the drug endangered child. Assess needs of the newborn infant that is drug exposed, apply best practices for immediate identification and management of drug exposed children, and describe types of child abuse and the role drug use and exposure plays

June 2014: Technology and Ethical Considerations in Forensic Photo-documentation

- Power point co presented at the annual American Professional Society on the Abuse of Children (APSAC) in the 2014 national conference in New Orleans, LA. Audience of approximately 50 clinicians, law enforcement, and attorneys focused on technology of photo-documentation and review of storage of material. Discussed ethical consideration of technology use, misuse, storage, alternate light sources, and global filters.

April 2014: Child Sexual Abuse

- Power point presentation given to foster parents and foster program staff via DFS about child sexual abuse including signs and symptoms, examination, risk factors and forensic findings.

March 2014: Overdose and Accidental Poisonings

- Power point presentation given to foster parents and foster program staff via DFS about accidental deaths of children and adolescents from accidental overdose or poison ingestion.

January 2014: Cutaneous Injuries and Physical child abuse

- Power point presentation for CPS and DFS workers and investigators, and students of forensic investigators of CSI law enforcement on the external findings of child physical abuse. Discussion of mimics of abuse and accidental injuries.

December 2013: Female Genital Evaluation

- Power point presentation for residents and attendings of UNSOM Emergency Medicine Residency Program about the female genital exam, pathology, and child sexual abuse.

December 2013: Abusive Head Trauma and Fractures in Child Abuse

- Power point presentation for residents and attendings of UNSOM Emergency Medicine Residency Program about findings with abusive head trauma, fractures and abdominal trauma, including mimics of abuse and proper complete evaluation in the ED setting.

December 2013: Drug Exposed Babies

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

November 2013: Female Genital Evaluation

- Power point presentation for medical students and residents of UNSOM. Discussion about genital exam, normal anatomy, findings, pathology, and sexual abuse.

October 2013: Child Maltreatment Overview

- Power point presentation for Positively Kids Clinic staff, consisting of physicians, nurses, and nursing assistants. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations.

August 2013: Cutaneous Finding in Child Physical Abuse, Bruises

- Power point presentation to University of Nevada, School of Medicine Emergency Department residents for grand rounds. Discussed skin findings associated with child physical abuse and accidental injury.

April 2013 Visual Diagnosis

- Power point presentation regarding a visual diagnosis of a patient at the Ray E. Helfer Society Annual Meeting, which is attended by Pediatricians and Child Abuse Pediatricians practicing nationally and internationally.

March 2013: Grand Rounds “The Long Term Effects of Child Abuse”

- One hour power point presentation for Grand Rounds at the University of Nevada, School of Medicine. Discussion on Adverse Childhood Events and the studies stemming from the CDC data collection in response to adverse childhood events in the community through the life time.

March 2013: Sexual Abuse Nurse Examiner

- Guest speaker at the SANE class at Sunrise Children’s Hospital on mandated reporting and description of the Southern Nevada Children’s Assessment Center.

February 2013: Child Physical Abuse

- Two hour power point presentation to Pediatric Residents at the UNSOM residency program about all medical aspects of evaluating and recognizing physical child abuse.

September 2012: Sexual Child Abuse

- Two 3 hour power point presentations on child sexual abuse examinations and Sexual Assault Nurse Examiner (SANE) program given to pediatric emergency department nurses at Sunrise Children’s Hospital.

April 2012: Overdose and Accidental Poisoning Deaths

- Power point presentation given to members of the Southern Nevada Child Fatality Review Team about accidental deaths of children and adolescents from accidental overdose or poison ingestion.

January 2012: Sex Trafficking Among Adolescents

- Modified Power point presentation on sex trafficking among adolescent males and females in the U.S. as well as locally in Las Vegas, NV. Presentation given to hospital clergy members in Clark County, NV at Sunrise Children’s Hospital.

June 2011: Child Abuse Signs and Symptoms

- Power point presentation given to University of Nevada School of Medicine medical students transitioning from classroom learning to clinical practice.

May 2011: Sexually Transmitted Infections and Testing in Child Sexual Abuse

- Power point presentation given at Sunrise Children’s Hospital for ER nurses training to become pediatric sexual abuse nurse examiners

March 2011: Adolescent Drug Overdose**Center for the Application of Substance Abuse Technologies (CASAT)**

- Regional conference in Las Vegas and Reno, Nevada on accidental overdose in the adolescent population
- Two 7 hour trainings on aspects of adolescent drug use and overdose

February 2011: Child Physical Abuse

- Power point presentation on skin manifestations of child physical abuse
- Attendees included hospital social workers and case managers

October 2010: Child Abuse and Neglect Prevention Conference

- Regional for South Western United States
- Provided a conference session on Adolescent Accidental Overdose
- Attendees included teachers, school nurses, social workers, attorneys, and psychology care workers

October 2010 Sexually Transmitted Infections in Child Sexual Abuse

- Power point presentation at the Southern Nevada Children's Assessment Center on sexually transmitted infections in sexually abused children.
- Attendees included law enforcement, CPS and DFS workers and staff

January 2010 University Medical Center Ward Teaching Senior

- Morning Report for residents and faculty including subjects such as burn management and seizure evaluation
- Morbidity and Mortality power point presentation for residents and faculty about evaluation and management of extravasation injuries
- Resident Lecture Power Points on variety of topics including Newborn screening, Non Accidental Trauma, Pediatric Brain Tumors, and Apparent Life Threatening Events

December 2010 Lied Clinic, Senior Resident

- Morbidity and Mortality power point presentation on consequences of RSV mismanagement

October 2009 University Medical Center NICU

- Power point presentation for residents and faculty in Glucose Metabolism of Neonates

September 2009 Endocrinology

- Power point presentation for residents and faculty on Short Stature

August 2009 Adolescent Medicine

- Noon Conference power point for residents and faculty on Chronic Pain Management

July 2009 Sunrise Hospital Ward Teaching Senior

- Morning Report presentations for residents and faculty on subjects including Abdominal Pain, Peritonsillar abscesses, and Kawasaki's Disease
- Resident Lecture Power Points on a variety of topics including Diabetes Management, Neonatal Fever, and Substance Overdose

January 2009 CPS, DFS, Child Haven Staff

- Presentation to staff on Medical Neglect and Newborn Screening

January 2009 Noon Conference

- Journal Club on Office Based Treatment and Outcomes for Febrile Infants With Clinically Diagnosed Bronchiolitis

August 2007 Noon Conference

- Journal Club on the Early Intervention and Outcome of Children with Failure to Thrive

Memberships:

- American Academy of Pediatrics Member 2007-2010, 2012 – current (2010 to 2011 on an institutional membership through the employment facility)
- American Academy of Pediatrics Section on Child Abuse and Neglect (SOCAN), 2012 – current
- American Academy of Pediatrics Section on Child Death Review and Prevention (Provisional) (PSOCDRP), October 2016 – current
- American Academy of Pediatrics Nevada Chapter, October 2012 - current
- Helfer Society Scholar Member, June 2011- current
- American Professional Society on the Abuse of Children, May 2014 – May 2015
- ACGME Resident Forum Representative, 2008 – 2010
- Created curriculum for Child Development resident rotation, August 2007

Professional Development:

- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV), July 2017
- “Blue dye guy” presentation on burn injuries and investigation, February 2017
- San Diego International Conference on Child and Family Maltreatment, January, 2017
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) July, 2016
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) July, 2015
- San Diego International Conference on Child and Family Maltreatment, January, 2015

- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) July, 2014
- American Professional Society on the Abuse of Children Conference (New Orleans, LA) June 2014
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) June, 2013
- Ray E. Helfer Society Annual Meeting (Sonoma, CA) April 2013
- San Diego International Conference on Child and Family Maltreatment, January, 2013
- Valley High School Lecture Series about Sex Trafficking, Las Vegas, Nevada October 2012
- Basic High School Lecture Series about Sex Trafficking, Henderson, Nevada October, 2012
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) June, 2012
- San Diego International Conference on Child and Family Maltreatment, January, 2012
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) June, 2011
- Ray E. Helfer Society Annual Meeting; (Amelia Island, FL) April 2011
- San Diego International Conference on Child and Family Maltreatment, January, 2011
- Child Abuse and Neglect Prevent Conference (Reno, NV) October 2010
- Shaken Baby Conference (Atlanta, GA) September 2010
- Western States Child Sexual Abuse Conference (Las Vegas, NV) September 2010
- International Association of Coroners and Medical Examiners Conference, June 2010
- SANE P Training, June 2010
- Clark County School District Nursing Conference on various Genetic Disorders and Behavior Disorders, November 2009
- Clark County School District Nursing Conference on many aspects of school nursing, including Child Maltreatment, August 2009
- AAP Conference Nevada Chapter (Las Vegas, NV) August 2009

Awards:

- Clark County District Attorney Meritorious Award
 - 2013
 - Including recognition by the Governor's Office.
- University of Nevada, School of Medicine Resident award for Sub-Specialist of the year
 - 2015

Languages:

- Fluent in Serbo-Croatian
- Conversant in Medical Spanish

LICENSURE/CERTIFICATION

Nevada RN License
 Nevada APRN License
 ANCC Certified Family Nurse Practitioner (APRN-BC)
 ANCC Certified Advance Forensic Nursing (FNP-BC)

EDUCATION

<u>Date</u>	<u>Institution</u>	<u>Field of Study</u>	<u>Degree</u>
2016	University of Washington	Nursing	PhD
2008	University of Washington	Research Methods	Graduate Certificate
2004	Clarkson College	Nursing	MSN
2000	University of Arkansas for Medical Sciences	Nursing	BSN
1998-2000	University of Arkansas at Little Rock	Pre-nursing	N/A
1987-1988			

ACADEMIC EXPERIENCE

<u>Date</u>	<u>Position</u>	<u>Institution, City, State</u>
2017-present	Assistant Professor	UNLV School of Nursing, Las Vegas, NV
2017-present	Adjunct Assistant Professor	UNLV School of Medicine, Las Vegas, NV
2017	Affiliate Faculty, Center for Biobehavioral Interdisciplinary Science	UNLV School of Nursing, Las Vegas, NV
2014-15	Adjunct Clinical Faculty Research Practicum	Duquesne University, Pittsburgh, PA
2008-11	Graduate Teaching Assistant	University of Washington, Seattle, WA
2001-05	Community Faculty	UTHSC College of Medicine Department of Pediatrics, Memphis, TN
2001-05	Community Faculty	UTHSC College of Medicine Department of Family Practice, Memphis, TN
2001-03	Adjunct Faculty	UTHSC College of Medicine Department of Continuing Education, Memphis, TN

EXPERIENCE OTHER THAN ACADEMIC TEACHING

<u>Date</u>	<u>Title</u>	<u>Place</u>
2017-present	APRN	Aids Health Foundation, Las Vegas, NV
2016-17	Chief Administrative Nurse	Southern Nevada Health District, Las Vegas, NV
2015-16	Forensic Nurse	Eisenhower Medical Center, Rancho Mirage, CA
2014-present	President	Nevada HealthRight, Las Vegas, NV
2010-present	Chief Executive Officer	Center for Forensic Nursing Excellence International, Las Vegas, NV

2008-11	Corporate Development Consultant	Private Healthcare LLC, Issaquah, WA
2005-08	President	Global Forensic Solutions Inc, Memphis, TN/Seattle, WA
2001-07	Consultant (2006-07) Acting Coordinator of Nursing Services (2004-06) Forensic Nurse Examiner (2001-06)	Memphis Sexual Assault Resource Center, Memphis, TN
2000-01	Victim Support Specialist	Family Services Agency – Sexual Assault Center, Little Rock, AR
1990-98	Chief Executive Officer	JTR Specialty Services, Little Rock, AR

HONOR SOCIETIES/ACADEMIES

<u>Date</u>	<u>Organization</u>
2017	American Academy of Nurses (FAAN)
2011	American Academy of Forensic Sciences
2000	Sigma Theta Tau International Nursing Honor Society

HONORS AND AWARDS

<u>Date</u>	<u>Award</u>
2018	Healthcare Hero Award (nominated)
2017	Fellow of the American Academy of Nurses
2014	International Association of Forensic Nurses Distinguished Fellow (DF-IAFN)
2006	Hoffman Scholar
2000	Faculty Gold Key Award
2000	Nightingale Award
2000	NSNA Leadership U

MEDIA INTERVIEWS, FEATURES, RECOGNITION, AND PRESS RELEASES

(2018, May 9) recognized in the UNLV News Center Accomplishments for invited presentations at the Emergency Nurses Association Regional Symposium. Available at <https://www.unlv.edu/news/accomplishments/rachell-ekroos-1>

(2018, February 24) recognized in the UNLV News Center Accomplishments for being selected for the Executive Steering Committee of the National Institute of Standards and National Institute of Justice Evidence Management Project. Available at: <https://www.unlv.edu/news/accomplishments/rachell-ekroos-0>

(2017, November 14) recognized in the UNLV News Center Accomplishments for involvement with the U.S. State Department's International Visitor Leadership Program. Available at <https://www.unlv.edu/news/accomplishments/rachell-ekroos-and-alexis-kennedy>

(2017, November 6) received recognition and a special thank you from the National Institute of Justice's Forensic Technology Center of Excellence during Forensic Nurses Week. Available at: <https://www.linkedin.com/company/10827619/>

(2017, June) recognized by the UW School of Nursing in a news article titled *UW Nurse Faculty, Alumni Selected as American Academy of Nursing Fellows*. Available at: <https://nursing.uw.edu/article/uw-nurse-faculty-alumni-selected-as-american-academy-of-nursing-fellows/>

(2017, June 26) recognized as a 2017 Class of Academy Fellows in the American Academy of Nurses press release titled *American Academy of Nursing Announces 2017 Class of New Fellows*. Available at: <https://higherlogicdownload.s3.amazonaws.com/AANNET/c8a8da9e-918c-4dae-b0c6-6d630c46007f/UploadedImages/docs/Press%20Releases/2017/2017%20New%20Fellow%20P R-FINAL-revised070517.pdf>

(2017, May 24) recognized in the UNLV News Center Accomplishments for being accepted as a Fellow in the American Academy of Nursing. Available at: <https://www.unlv.edu/news/accomplishments/catherine-dingley-and-rachell-ekroos-school-nursing>

(2017, April 3) featured in UNLV News Center Article titled *New Face: Rachell Ekroos* written by Kevin Dunegan. Available at: <https://www.unlv.edu/news/article/new-face-rachell-ekroos>

(2017, January) work with the National Institute of Justice's FTCoE highlighted in feature article by TechBeat titled *Online Glossary Helps Professionals "Speak the Language" About Sexual Assault*. Available at: https://www.justnet.org/InteractiveTechBeat/eTECHBEAT/eTechbeat_Jan_2017/content/pdf/eTechbeat_Jan_2017.pdf

(2016, June) featured in the National Institute of Justice's Forensic Technology Center of Excellence Focus on Special Initiatives for directing a project to develop an online multidisciplinary glossary on sexual assault. Available at: <https://forensiccoe.rti.org/Our-Impact/Focusing-on-Special-Initiatives/Sexual-Assault/The-Multidisciplinary-Sexual-Assault-Glossary>

(2014, June 8) highlighted in NV Attorney General's Office Provides Training on Violence Crimes, a news article published in the Elko Daily Free Press. Available at: http://elkodaily.com/news/local/nv-attorney-general-s-office-provides-training-on-violent-crimes/article_440e60d6-f68b-11e3-962e-001a4bcf887a.html

RESEARCH, CREATIVE ACCOMPLISHMENTS, AND SCHOLARSHIP

INVENTIONS AND PATENTS

Specimen observation, collection, storage and preservation devices and method of use. Co-inventor; USPTO Patent number: 9265580 received February 23, 2016.

PUBLICATIONS

Refereed Publications

Speck, P. M., ..., & **Ekroos, R. A.**, (November 2014). Case series of sexual assault in older persons. *Clinics in Geriatric Medicine*. (Gibbs & Mosqueda, Eds).

Books, Book Chapters, Monographs, E-Learning, and Other Publications

Speck, P. M., Faugno, D. K., **Ekroos, R. A.**, et. al. (2018). Sexual Assault. In J. F. Fitzpatrick, R. Hickman, & C. Alfes (Eds.), *A guide to mastery in clinical nursing: A comprehensive reference*. New York, NY: Springer.

Speck, P. M., Faugno, D. K., **Ekroos, R. A.**, et. al. (2018). Domestic Violence. In J. F. Fitzpatrick, R. Hickman, & C. Alfes (Eds.), *A guide to mastery in clinical nursing: A comprehensive reference*. New York, NY: Springer.

Faugno, D.K., Mitchell, S. A., **Ekroos, R. A.**, & Speck, P. M. (2016). Pediatric sexual assault: E-learning module. Amsterdam, Netherlands: Evidentia Publishing.

Ekroos, R. A. (2016). *Exploring forensic nursing ethics and practice: Roles, loyalties, and photodocumentation practices* (Dissertation). Research Works Archive, University of Washington Library, Seattle.

Faugno, D. K., **Copeland (Ekroos), R. A.**, Crum, J. L., Speck, P. M. (2012). Entry-Level Adolescent and Adult Sexual Assault Assessment: SANE/SAFE Forensic Learning Series. St. Louis, MO: STM Learning.

Faugno, D. K., **Copeland (Ekroos), R. A.**, Crum, J. L., Speck, P. M. (2012). Intermediate-Level Adolescent and Adult Sexual Assault Assessment: SANE/SAFE Forensic Learning Series. St. Louis, MO: STM Learning.

Faugno, D. K., **Copeland (Ekroos), R. A.**, Crum, J. L., Speck, P. M. (2012). Advanced-Level Adolescent and Adult Sexual Assault Assessment: SANE/SAFE Forensic Learning Series. St. Louis, MO: STM Learning.

Non-refereed Publications and Blog Postings

Copeland (Ekroos), R. A. New Beginnings. *Imprint*, 46(4), 4, 1999 Sept.

Copeland (Ekroos), R. A. Choose to Make a Difference. *Imprint*, 46(5):4, 1999 Nov/Dec.

Copeland (Ekroos), R. A. Building on a Dream. *Imprint*, 47(1):2, 2000 Jan.

Copeland (Ekroos), R. A. In the Face of Death, Nurses are the Ultimate Healers. *Imprint*, 47(2):4, 2000 Feb/Mar.

Copeland (Ekroos), R. A. Nursing Image: More Than What the Doctor Orders, *Imprint*, 47(3):4, 14, 2000 Apr/May.

Policy Briefs

Speck, P. M., Mitchell, S. A., **Ekroos, R. A.**, Sanchez, R. V., Messias, D. K. (under AAN Board of Directors review) Policy Brief on the Nursing Response to Human Trafficking, submitted to the American Academy of Nursing.

Abstracts

- Ekroos, R. A.** & Traveller, L. (2016, September). Body Surface Injuries: Wounding, Healing and Descriptive Terminology [Abstract]. *International Conference on Forensic Nursing Science and Practice*.
- Ekroos, R. A.** & Traveller, L. (2016, September). Pathophysiology of Bruising: When is a bruise really a bruise? [Abstract] *International Conference on Forensic Nursing Science and Practice*.
- Ekroos, R. A.** (2016, September). Strangulation 101: Screening, Assessment, and Evaluation of Patients Reporting Strangulation in the ED [Abstract]. *Emergency Nursing 2016 Conference*.
- Ekroos, R. A.** (2015, October). "Suspect Exams" and the Role of the Forensic Nurse [Abstract]. *Conference on Forensic Nursing Science and Practice*.
- Faugno, D. K., Day, K., Allen, E., **Ekroos, R. A.** (2015, October). Strangulation: What Emergency Care Providers & First Responders Need to Know [Abstract]. *International Conference on Forensic Nursing Science and Practice*.
- Speck, P. M., Faugno, D. K., ...**Ekroos, R. A.** (2015, October). Use of frameworks with systems and nursing theory to share forensic nursing knowledge globally in two countries [Abstract]. *International Conference on Forensic Nursing Science and Practice*.
- Ekroos, R. A.** (2014, October). Digital Filters and Alternate Light Sources: Research, Clinical Applications and Proceeding with Caution [Abstract]. *International Conference on Forensic Nursing Science and Practice*.
- Ekroos, R. A.** (2014, October). Finding Your Way: Ethical Dilemmas, Competing Loyalties and Clinical Uncertainties [Abstract]. *International Conference on Forensic Nursing Science and Practice*.
- Ekroos, R. A.** & Cetl, S. (2014, June). Photodocumentation practices: A seminar on use of technology and ethical considerations [Abstract]. *American Professional Society on the Abuse of Children*.
- Ekroos, R. A.** & Mitchell, S. (2014, April). Forensic medical services for victims of trafficking: Screening, intervention and multi-sector collaborations [Abstract]. *End Violence against Women International Annual Conference*.
- Ekroos, R. A.** (2014, April). Ethical Dimensions of Forensic Medical Photodocumentation [Abstract]. *End Violence against Women International Annual Conference*.
- Speck, P. M., **Ekroos, R. A.**, & Archambault, J. (2014, April). What you should know about recovering DNA after 72-96 hours: The post-coital DNA recovery study results [Abstract]. *End Violence against Women International Annual Conference*.
- Ekroos, R. A.** & Mitchell, S. (2014, April). Fundamentals in Clinical Forensic Photodocumentation [Abstract]. *End Violence against Women International Annual Conference*.

Faugno, D. K., **Ekroos, R. A.**, & Holbrooke, D. (2013, April) Clinical Forensic Photodocumentation: From Process to Application [Abstract]. *End Violence against Women International Annual Conference*.

Speck, P. M., **Ekroos, R. A.**, & Archambault, J. (2013, April). Post Coital DNA Recovery: Get ready to change your evidence collection protocols! [Abstract] *End Violence against Women International Annual Conference*.

Copeland (Ekroos), R. A. (2012, August). A New Member of the ICAC Team: The Clinical Forensic Practitioner [Abstract]. *Crimes against Children Conference*.

Copeland (Ekroos), R. A. (2012, August). Interdisciplinary Response to CSEC: Utilizing the Clinical Forensic Practitioner [Abstract]. *Crimes against Children Conference*.
INTERNATIONAL AND NATIONAL PRESENTATIONS

Refereed Presentations and Posters

Ekroos, R. A. & Traveller, L. (2016, September). *Body Surface Injuries: Wounding, Healing and Descriptive Terminology*. International Conference on Forensic Nursing Science and Practice, Denver, CO.

Ekroos, R. A. & Traveller, L. (2016, September). *Pathophysiology of Bruising: When is a bruise really a bruise?* International Conference on Forensic Nursing Science and Practice, Denver, CO.

Ekroos, R. A. (2016, September). *Strangulation 101: Screening, Assessment, and Evaluation of Patients Reporting Strangulation in the ED*. Emergency Nursing Conference, Los Angeles, CA.

Ekroos, R. A. (2015, October). *"Suspect Exams" and the Role of the Forensic Nurse*. International Conference on Forensic Nursing Science and Practice, Orlando, FL.

Faugno, D. K., Day, K., Allen, E., **Ekroos, R. A.** (2015, October). Strangulation: What Emergency Care Providers & First Responders Need to Know. IAFN 2015 Conference on Forensic Nursing Science and Practice, Orlando FL.

Speck, P. M., Faugno, D. K., ...**Ekroos, R. A.** (2015, October). *Use of frameworks with systems and nursing theory to share forensic nursing knowledge globally in two countries*. International Conference on Forensic Nursing Science and Practice, Orlando, FL.

Ekroos, R. A. (2014, October). *Digital Filters and Alternate Light Sources: Research, Clinical Applications and Proceeding with Caution*. International Conference on Forensic Nursing Science and Practice, Phoenix, AZ.

Ekroos, R. A. (2014, October). *Finding Your Way: Ethical Dilemmas, Competing Loyalties and Clinical Uncertainties*. International Conference on Forensic Nursing Science and Practice, Phoenix, AZ.

Ekroos, R. A. & Cetl, S. (2014, June). *Photodocumentation practices: A seminar on use of technology and ethical considerations*. American Professional Society on the Abuse of Children, New Orleans, LA.

- Ekroos, R. A.** & Mitchell, S. (2014, April). *Forensic medical services for victims of trafficking: Screening, intervention and multi-sector collaborations*. End Violence against Women International Annual Conference, Seattle, WA.
- Ekroos, R. A.** (2014, April). *Ethical Dimensions of Forensic Medical Photodocumentation*. End Violence against Women International Annual Conference, Seattle, WA.
- Speck, P. M., **Ekroos, R. A.**, & Archambault, J. (2014, April). *What you should know about recovering DNA after 72-96 hours: The post-coital DNA recovery study results*. End Violence against Women International Annual Conference, Seattle, WA.
- Ekroos, R. A.** & Mitchell, S. (2014, April). *Fundamentals in Clinical Forensic Photodocumentation*. End Violence against Women International Annual Conference, Seattle, WA.
- Faugno, D. K., **Ekroos, R. A.**, & Holbrooke, D. (2013, April) Clinical Forensic Photodocumentation: From Process to Application, End Violence against Women International Annual Conference, Baltimore, MD.
- Speck, P. M., **Ekroos, R. A.**, & Archambault, J. (2013, April). Post Coital DNA Recovery: Get ready to change your evidence collection protocols! End Violence against Women International Annual Conference, Baltimore, MD.
- Copeland (Ekroos), R. A.** (2012, August). *A New Member of the ICAC Team: The Clinical Forensic Practitioner*. Crimes against Children Conference, Dallas, TX.
- Copeland (Ekroos), R. A.** (2012, August). *Interdisciplinary Response to CSEC: Utilizing the Clinical Forensic Practitioner*. Crimes against Children Conference, Dallas, TX.

Invited Presentation/Workshops/Roundtable

- Ekroos, R. A.** (2018, April). *Manual Strangulation: What do Emergency Nurses Need to Know?* Emergency Nurses Association Regional Symposium, Las Vegas, NV. [Invited Presentation].
- Ekroos, R. A.** (2018, April). *Identifying and Responding to Human Trafficking in the ED*. Emergency Nurses Association Regional Symposium, Las Vegas, NV. [Invited Presentation].
- Ekroos, R. A.** & Traveller, L. (2016, September). *Forensic Nursing Pharmacology: Prophylaxis, Confounding Factors and Related Implications*. International Conference on Forensic Nursing Science and Practice, Denver, CO. [Invited workshop]
- Ekroos, R. A.** (2015, October). *Ethics in Forensic Nursing Workshop*. International Conference on Forensic Nursing Science and Practice. Orlando, FL. [Invited workshop/presentation]
- Ekroos, R. A.** (2015, March). *Photodocumentation for Clinical Forensic Providers*. Republic of Costa Rica. [Invited presentation]
- Ekroos, R. A.** (2015, March). *Toluidine Blue Dye: Considerations for Use in Practice*. Republic of Costa Rica. [Invited presentation]

- Ekroos, R. A.** (2014, October). The Ethical Dimensions of Forensic Nursing Practice. International Conference on Forensic Nursing Science and Practice, Phoenix, AZ. [Invited 3-hour workshop]
- Faugno, D. K., Holbrooke, D., & **Ekroos, R. A.** (2013, September) *Use of ALS & Negative-Invert Filters...Under the Skin*. End Violence against Women International. [Invited webinar presentation]
- Copeland (Ekroos), R. A.** (2002, October) *Case Presentations: Crack Pipe Conundrums*. International Association of Forensic Nurses Annual Scientific Assembly, Minneapolis, MN. [Invited presentation]
- Copeland (Ekroos), R. A.** & Speck, P. M. (2001, September) *Case Presentations: Sexual Assault*. International Association of Forensic Nurses Annual Scientific Assembly. Kissimmee, FL. [Invited presentation]

REGIONAL AND STATE PRESENTATIONS

Invited Presentation/Workshops/Roundtable

- Ekroos, R. A.** (2016, March). *Child Sexual Abuse in Familial Settings*. Nevada Family Jurisdiction Judges Conference, Ely, NV. [Invited presentation]
- Ekroos, R. A.** (2016, March). *Strangulation and Family Violence*. Nevada Family Jurisdiction Judges Conference, Ely, NV. [Invited presentation]
- Ekroos, R. A.** (2015, May). *Intimate Partner Violence and the Medical Provider's Role*. Western States Osteopathic Convention, Las Vegas, NV. [Invited presentation]
- Ekroos, R. A.** (2014, September). *Clinical Photodocumentation: Current Practice, Best Practices and Where Do We Go from Here?* End Violence against Women International Regional Pre-Conference, Atlanta, GA. [Invited presentation]
- Ekroos, R. A.** & Faugno, D. K. (2014, September). *What's wrong with this picture?* End Violence against Women International Regional Pre-Conference, Atlanta, GA. [Invited presentation]
- Faugno, D. K. & **Ekroos, R. A.** (2014, September). *Hmmm, what does this all mean?* End Violence against Women International Regional Pre-Conference, Atlanta, GA. [Invited presentation]
- Ekroos, R. A.** (2014, September). *Advancing Forensic Nursing Practice to Serve Special Populations*. End Violence against Women International Regional Pre-Conference, Atlanta, GA. [Invited presentation]
- Copeland (Ekroos), R. A.** (2011, October) *A Tangled Web: Sexual Exploitation of Women and Girls*. Association of Women's Health, Obstetric, and Neonatal Nurses, Blaine, WA. [Invited presentation]

Copeland (Ekroos), R. A. (2011, April) *Sexual Exploitation and the Health of Women and Girls*. Soroptimist International Northwest Region Conference, Vancouver, WA. [Invited presentation]

LOCAL PRESENTATIONS

Invited Presentations/Workshops/Keynote Address

Gadsen, C., Murphy, L., Morris, B., Landis, S., & **Ekroos, R.** (2015, October). UNLV No Stupid Question Tuesday – Campus sexual assault. [Panel member]

Ekroos, R. A. (2015, September). *Commercial Sexual Exploitation and Human Trafficking: Step 1, Step 2*, Tri-Cities, WA. [Invited presentation]

Ekroos, R. A. (2015, September). *Commercial Sexual Exploitation and Trafficking of Children: A presentation for Social Service Professionals*, Tri-Cities, WA. [Invited presentation]

Ekroos, R. A. (2015, September). *Commercial Sexual Exploitation and Trafficking of Children: A Presentation for Professionals in the Healthcare Setting*, Tri-Cities, WA. [Invited presentation]

Ekroos, R. A. (2015, September). *Commercial Sexual Exploitation and Trafficking of Children: A Presentation for Professionals in the Educational Setting*, Tri-Cities, WA. [Invited presentation].

Ekroos, R. A. (2015, February). *Ethics Matters*. Collins Center Shenandoah Valley Multidisciplinary Conference, Staunton, VA. [Invited presentation]

Ekroos, R. A. (2015, February). *Did you ask about strangulation?* Collins Center Shenandoah Valley Multidisciplinary Conference, Staunton, VA. [Invited presentation]

Ekroos, R. A. (2015, February). *Sex Trafficking & CSEC: The healthcare provider's role*. Collins Center Shenandoah Valley Multidisciplinary Conference, Staunton, VA. [Invited presentation]

Ekroos, R. A. (2015, February). *Strangulation in the Context of Intimate Partner Violence & Sexual Assault*. UNLV Women's Center. [Invited presentation]

Ekroos, R. A. (2014, November). *Human Trafficking and CSEC: The Role of Forensic Medical Services*, Tri-Cities, WA. [Invited presentation]

Ekroos, R. A. (2014, November). *Strangulation in Sexual Assault and IPV*, Tri-Cities, WA. [Invited presentation]

Ekroos, R. A. (2014, November). *Human Trafficking and CSEC: A Healthcare Provider's Perspective*, Tri-Cities, WA. [Invited presentation]

Ekroos, R. A. (2014, August). *Forensic Medical Services for Victims of Sexual Assault & Intimate Partner Violence*. UNLV Jean Nidetch Women's Center Care Advocate Training. [Invited presentation]

Ekroos, R. A. (2014, June). *Nevada Office of the Attorney General's Rural Law Enforcement Training on Forensic Medical Exams and Strangulation*; Elko NV, Winnemucca NV, Lovelock, NV. [Invited workshop]

Copeland (Ekroos), R. A. (2007, April) *Evidence Collection in the Unconscious Sexual Assault Patient*. Forensic Nursing 2007: Contemporary Issues for Practice. University of Washington School of Nursing Forensic Nursing Conference; Shoreline, WA. [Invited presentation]

Copeland, (Ekroos), R. A. (2007, September). *Forensics: A Multidimensional Approach to Personal Violence*. University of Memphis Forensic Nursing Conference, Memphis, TN, [Keynote speaker, breakout session speaker]

Copeland, (Ekroos), R. A. (2003, May). *Parallels between Corporal Punishment and Offender Behaviors*, Child Abuse Prevention Conference, Memphis, TN. [Invited presentation]

Non-refereed Presentations and Workshops

Ekroos, R.A. (2015, September). *Human Trafficking Task Force Team Building Workshop*, Tri-Cities, WA. [Invited facilitator]

Ekroos, R. A. (2014, August). *Combatting Domestic Violence in Lebanon: An open dialogue with with Rachell Ekroos*. Reno, NV. [Invited Speaker]

Ekroos, R. A. (2013, October). *Fundamentals of Clinical Forensic Photodocumentation*. Hagerstown, MD. [Invited workshop].

Ekroos, R. A. (2013, June). *2013 Medical Forensic Think Tank*, Boulder City, NV. [Invited Coordinator & Facilitator]

Copeland (Ekroos), R. A. (2012, October). *Forensic Medical Analysis of Child Development & Maturation*. ICAC Taskforce Workshop, Seattle, WA. [Invited Workshop]

Copeland (Ekroos), R. A. (2012, July). *Forensic Medical Analysis of Child Development & Maturation*; ICAC Taskforce Workshop, Spokane, WA. [Invited Workshop]

Copeland (Ekroos), R. A. (2012, June). *Meeting of the Minds*, Boulder City, NV. [Invited Coordinator & Facilitator]

Copeland (Ekroos), R. A. (2011, March). *All Health Professions: Error Disclosure Day*. University of Washington Health Science. [Invited Content Faculty].

Copeland (Ekroos), R. A. (2008). *Critical Review of the Literature on Human Trafficking*. University of Washington, Seattle, WA. [Poster Presentation]

Copeland (Ekroos), R. A. (2007). *Basic SANE/SART Training*, Jackson, TN. [Program coordinator and faculty]

Copeland (Ekroos), R. A. (2006, April). *Not Your Everyday Pharmacology Lesson: A lesson in drug facilitated sexual assault*, Jackson, TN. [Lecturer].

- Copeland (Ekroos), R. A.** (2006). *SANE Review and Advanced Training*, Jackson, TN. [Program coordinator and faculty]
- Copeland (Ekroos), R. A.** (2006). *Basic SANE/SART Training*, Jackson, TN. [Program coordinator and faculty]
- Copeland (Ekroos), R. A.** (2005) *Introduction to the Medicolegal Examination*, Memphis TN. [Invited presentation]
- Copeland (Ekroos), R. A.** (2003) *Advanced SANE Training*, University of Arkansas for Medical Sciences Emergency Department, Little Rock, AR. [Faculty]
- Copeland (Ekroos), R. A.** (2001-2003, 10 repeat presentations) *Introduction to Forensic Nursing*. Baptist School of Nursing Students during MSARC Clinical Day.
- Copeland (Ekroos), R. A.** (2001, March) *Sexual Assault Nurse Examiner Training*. University of Arkansas for Medical Sciences College of Nursing, UAMS-CON, Advocacy Lecture, Little Rock, AR, 2001. [Invited Presentation]
- Copeland (Ekroos), R. A.** (2001, April) *Sexual Assault Awareness Series*, cable broadcast, North Little Rock, AR. [Interview]
- Copeland (Ekroos), R. A.** (2001, April) *Sexual Assault: Role of the Nurse*. St. Joseph Hospital, Hot Springs, AR. [Invited Presentation]
- Copeland (Ekroos), R. A.** (2000, April). New Jersey Student Nurses Association, Atlantic City, NJ. [Opening Ceremonies Speaker]
- Copeland (Ekroos), R. A.** (2000, April). *Finding Your Niche in Nursing*. New Jersey Student Nurses Association, Atlantic City, NJ. [Panel presenter and facilitator]
- Copeland (Ekroos), R. A.** (2000, November). *Communication Workshop*, National Student Nurses Association Annual Convention, Salt Lake City, UT. [Workshop faculty]
- Copeland (Ekroos), R. A.** (1999, October). *Finding Your Niche in Nursing*. Arkansas Student Nurses Association Annual Convention, Hot Springs, AR. [Speaker and forum leader]
- Copeland (Ekroos), R. A.** (1999, April). *Editor's Workshop*, National Student Nurses Association Midyear Conference, Charlotte, NC. [Workshop faculty]

GRANTS AND CONTRACTS (Direct costs unless otherwise specified)

Active

Sexual Assault Kit Content Analysis: An Exploration of Differences across Jurisdictions. \$7,500 (no indirect costs). 07/01/2017 – 12/31/2018. PI.

A Descriptive Analysis of Forensic Nursing in Online News Reports. UNLV School of Nursing Faculty. \$5,000 (no indirect costs). 07/01/2017 – 12/31/2018. PI.

Submitted

The Impact of Occupational Prestige and Job Satisfaction on Officer Stress Resilience: A Quasi-Experimental Study of Compassion Fatigue among Police and Corrections Officers. National Institute of Justice (NIJ-2018-14102). \$771,537 (UNLV subaward \$482,333). Submitted 03/14/2018. Co-I.

Identifying Stress Among Law Enforcement Officers. UNLV Division of Research and Economic Development Faculty Opportunity Award. \$19,750 (no indirect costs). Submitted 03/01/18, notification pending. Co-PI.

Comprehensive Evaluation of 2017 Las Vegas Mass Shooting. Department of Defense. \$2,958,000 (UNLV subaward \$201,477). Submitted 01/31/18, responding to revision requests. A-PI.

Previous

Federal:

Multidisciplinary Sexual Assault Glossary Project Phase 4. Project Director and Proposal Author. Research Triangle Institute International. U.S. Department of Justice Cooperative Agreement 2016-MU-BX-K110; Subaward Number 13-321-0215513-52890L. \$86,302 (no indirect costs). 04/15/17 – 03/31/18.

Multidisciplinary Sexual Assault Glossary Project Phase 4. Project Director and Proposal Author. Research Triangle Institute International. U.S. Department of Justice Cooperative Agreement 2011-DN-BX-K564; Subaward Number 13-321-0123168-52149L. \$116,217 (no indirect costs). 05/01/15 – 12/31/16.

State, Federal Pass Through, and Other:

Ryan White HIV/AIDS Part A Medical Core & Support Services for HIV/AIDS Infected & Affected Clients in Las Vegas Transitional Grant Area. Project Director and Proposal Author. Clark County Social Services under HRSA Grant, RFP # 604274-16. \$1,244,022. 2017-2018.

Ryan White HIV/AIDS Part B Program Referral for Health Care and Support Services. Project Director and Proposal Co-Author. Bureau of Behavioral Health, Wellness, & Prevention under Federal Grant # 6-X07HA00001-26-1. \$96,798. 2017-2018.
Ryan White HIV/AIDS Part B Program Pharmacy Implementation Project. Project Director and Proposal Co-author. Bureau of Behavioral Health, Wellness, & Prevention Subaward 9391716/REBATE16 under Federal Grant # 6-X07HA00001-26-1. \$350,159. 2016-2017.

Response to Sexual Violence Multidisciplinary Education, Training, Consulting. Project Director and Proposal Author. Nevada Office of the Attorney General, subgrant VAWA-37 Stop Funding Award for Technical Assistance. \$149,992 (no indirect costs). 2014-2016.

Forensic Medical Services for Victims of Sexual Assault & Domestic Violence. Project Director and Proposal Author. Nevada Office of the Attorney General. OAG 2015-VAWA-37 Federal Award 2013-WF-AX-0051/2015-WF-AX-0030. \$63,485 (no indirect costs). 2016.

Forensic Medical Services for Victims of Sexual Assault & Domestic Violence. Project Director and Proposal Author. Nevada Office of the Attorney General. OAG 2015-VAWA-37 Federal Award 2014-KF-AX-0050/2014-WF-AX-0056. \$73,739 (no indirect costs). 2015.

Forensic Nursing Photodocumentation & Digital Imaging Study (FN-PDIS). Principal Investigator & Proposal Author. Hester McClaws Nursing Research Scholarship (University of Washington). \$3,000. 2012.

TL1 Multidisciplinary Clinical Research Training Grant - Focal area: Human Trafficking. Principal Investigator and Proposal Author. University of Washington. \$22,976 (plus full tuition). 2007-2008.

Unfunded

NVHR Clinical Forensic Service for Underserved Populations. Project Director and Proposal Author. Nevada Office of the Attorney General. OAG STOP/SASP Program Sub-Grant. \$142,479. 07/01/16-06/30/17.

Nevada Sexual Violence Prevention Initiative for Health Care Providers. Principal Director and Proposal Author. Nevada Division of Public and Behavioral Health. \$56,812. 02/01/15-01/31/16.

TEACHING

COURSES TAUGHT

University of Nevada, Las Vegas School of Nursing

NURS 350 Population Focused Nursing in the Community

Duquesne University

GPNG 505 Methods of Nursing Research
GPNG 506 Practicum in Nursing Research

University of Washington School of Nursing, Seattle

NURS 410 Legal and Ethical Issues in Clinical Practice (TA)
NMETH 520 Scholarly Inquiry for Nursing Practice (TA)
NURS 522 Legal and Ethical Issues in Advanced Clinical Practice (TA)

NURS 561 Professional Issues for Nurse Practitioners (TA)

University of Tennessee Health Science Center College of Medicine. Memphis

Dept. of Pediatrics Community Faculty - medical forensic rotation (public health/violence).

Dept. of Family Practice Community Faculty - medical forensic rotation (public health/violence).

Dept. of Continuing Education: Preceptor for Sexual Assault Response Internship

STUDENT MENTORING

University of Nevada, Las Vegas

1. Axenya Kachen, MPH Program, (2018)
2. Casey Ballinger, faculty advisor for MSN (FNP) Program (2017 – present)
3. Jane Rodriguez, faculty advisor for MSN (FNP) Program (2017 – present)
4. BSN faculty advisor (12 students) (2017 – present)

SERVICE:

UNIVERSITY

Summer 2017 – present Advocacy, Support, Education, Response Team Against Sexual Violence (ASERTAV).

Fall 2017 – present Student Conduct Hearing Board

SCHOOL/DEPARTMENT

University of Nevada, Las Vegas

Spring 2018 – present Special Re-assignment for SON Department of Education Compliance Project

Fall 2017 – present Member, School of Nursing Scholarship Affairs Committee.

Fall 2017 Petition Reviewer for Student Affairs Committee

Fall 2017 Member, PhD Task Force: Dissertation Manuscript Option

Summer 2017 Petition Reviewer for Student Affairs Committee

Summer 2017 Member, PhD Task Force: Multiple Article Dissertation Policy and Procedures.

University of Washington. Seattle

2007-08 School of Nursing Senator, Graduate and Professional Student Senate

2006-09 PhD Student Representative, School of Nursing PhD Curriculum Committee

2006-09 PhD Student Representative, School of Nursing Governing Council

University of Arkansas for Medical Sciences

2000	Participant, Nurses in Washington Internship
1999-00	Member, College of Nursing Education Curriculum Committee
1999	Facilitator, Professionalism in Nursing Round Table
1998-00	Member, College of Nursing Honor Council

PROFESSIONAL ORGANIZATIONS

2017-present	Violence Expert Panel, American Academy of Nursing
2017-present	Ethics Expert Panel, American Academy of Nursing
2017-present	Nursing Affinity Group, American Society for Bioethics and Humanities
2016-17	Secretary, AAFS Academy Standard Board Patterned Injury Analysis Consensus Body
2013-15	Chair, International Association of Forensic Nurses Scope & Standards of Practice Task Force
2011-12	Chair, International Association of Forensic Nurses By-Laws Committee
2009-11	Ethics Committee Member, International Association of Forensic Nurses
2006	Chair, International Association of Forensic Nurses Ethics Committee
2002-06	Member, Tennessee Nurses Association Council of Forensic Nurses
2002-04	Chair, International Association of Forensic Nurses Nominations Committee
2001-03	Regional Representative, International Association of Forensic Nurses
2000-01	Member, Arkansas Nurses Association Forensic Council
1998-99	Board of Directors, National Student Nurses Association
1998-99	Board of Directors, Arkansas Student Nurses Association

INTERNATIONAL/NATIONAL/STATE/LOCAL

2018-present	Executive Steering Committee Member, National Institute of Standards and Technology (NIST)/National Institute of Justice (NIJ) Evidence Management Project.
2018	Host and Speaker, World Affairs Council of Las Vegas, International Visitors Leadership Program: Ukraine.
2017	Host and Speaker, World Affairs Council of Las Vegas, International Visitors Leadership Program: Thailand.
2017	Host and Speaker, World Affairs Council of Las Vegas, International Visitors Leadership Program: Canada.
2016-17	Member, Nevada Crisis Standards of Care Ethics/Legal Workgroup
2015-16	Chair Evidence Collection Sub-Committee and subject matter expert, Department of Justice Sexual Assault Forensic Evidence Reporting (SAFER) Act Working Group for the development of the <i>National Best Practices for Sexual Assault Kits: A Multidisciplinary Approach</i>
2015-present	Clinical Forensic Subject Matter Expert and Member, Nevada Sexual Assault Kit Backlog Workgroup
2015-present	Member, Nevada Network Against Domestic Violence Healthcare Leadership Team
2015-present	Subject Matter Expert and Sub-Committee Co-Chair, Office of the Attorney General Sexual Assault Protocol Working Group

2015	Workgroup member and subject matter expert, Office if Violence Against Women/International Association of Forensic Nurses development of A <i>National Protocol for Sexual Abuse Medical Forensic Examinations: Pediatric</i>
2014-present	Volunteer Clinician, Medical Reserve Corps, Southern Nevada Health District
2014-present	Member, Southern NV Human Trafficking Taskforce
2014-17	Member at Large, Southern NV Child Death Review Team
2014-16	Member, Clark County NV Domestic Violence Fatality Review Team
2014	Participant, RTI International: SANE/SART Knowledge Transfer Practitioner Meeting (invitation only event)
2014	Participant, NV Office of the Attorney General Human Trafficking Summit (invitation only event)
2014	Participant, Assembly of Forensic Nursing Practitioners and Graduate Educators (invitation only event)
2013-17	Board Certification Portfolio Appraiser, American Nurses Credentialing Center
2011-15	Subject Matter Expert, Office of Justice Programs Peer Review Database
2011-14	Volunteer APRN Clinician, HealthRight International Human Rights Clinic
2010-13	Forensic Medical Partner, Internet Crimes against Children Task Force
2010-12	Forensic Medical Partner, Commercially Sexually Exploited Children Task Force
2010-12	Steering Committee Member, Regional Community Response to Commercially Sexually Exploited Children
2010	Task Force Representative, Department of Justice National Conference on Human Trafficking
2010	Website Pilot Test, Dept. of Homeland Security Blue Campaign
2006-12	Member, Washington Advisory Committee on Trafficking
2005-06	Member, Tennessee Coalition Against Domestic Violence
2005	Advisory Board Member, Shelby County Syphilis Coalition
2004-06	Forensic Medical Expert, Memphis/Shelby County Child Protection Investigative Team
2001	Member, Adolescent Sex Offender Treatment Advisory Board
2001	Sexual Assault Response Team Advisor, Catholic Health Initiatives Advisory Board

MANUSCRIPT REVIEWER

2016-present	<i>Journal of Nursing Scholarship</i>
2015-present	<i>Journal of Human Trafficking</i>
2013-15	<i>Journal of Injury and Violence Research</i>

BOOK, POSTER, CONFERENCE ABSTRACT REVIEWER

2017	2018 Western Institute of Nursing Conference, Abstract Reviewer
2014	19 th National Conference on Child Abuse and Neglect, Abstract Reviewer
2014	Nursing Approach to the Evaluation of Child Maltreatment, Reviewer
2012	End Violence Against Women International, Poster Reviewer

PROFESSIONAL MEMBERSHIPS

2017-present, 2008-09	Western Institute of Nursing
2017-present	National League for Nursing
2016-present	American Public Health Association
2016-2018	Nevada Organization of Nurse Leaders
2014-present	Nevada Advanced Practice Nurses Association
2013-present	Nevada Nurses Association
2012-present	American Nurses Association
2010-present	American Society for Bioethics and Humanities
2000-present	International Association of Forensic Nurses
2000-present	Sigma Theta Tau International Nursing Honor Society
2007-09	Council for Advancement of Nursing
2006-07	American Geriatric Society
2002-04	American College of Nurse Practitioners
2002-04	American Academy of Nurse Practitioners
2001-07	Tennessee Nurses Association
1998-07	American Nurses Association
1998-02	Arkansas Nurses Association

Elizabeth Espinoza

701 North Pecos Road Las Vegas, Nevada 89101
Phone: (831) 206-8068 E-Mail: elizabeth.espinoza@clarkcountynv.gov

CAREER PROFILE

Experienced in the area of child welfare for ten years, and law enforcement for five years. Knowledge about populations at risk, due to substance abuse, mental health issues, child abuse, gang violence, truancy, and poverty. Highly experienced with interviewing clients and collaterals to gather information and appropriately assess the needs and strengths of individuals and make recommendations to the Court in regards to their disposition. Experience in monitoring, following up, and referring clients to services and ensuring there is compliance with treatment services.

Experienced interviewing clients, collaterals, and other sources

Skilled in drafting court reports and testifying in various courtroom settings

Able to interpret department policies and implementing safety plans and intervention strategies to ameliorate safety threats to children and families

Demonstrated an extensive awareness of high-risk behaviors relating to domestic violence, substance abuse, mental health, gang violence, child abuse, and sex related abuse, and able to de-escalate confrontations and encourage client cooperation

Ten years of experience successfully reuniting families and obtaining permanency plans for children in foster care

Five years of experience as a Juvenile Probation Officer monitoring juvenile sex offenders in treatment programs, as well as participating in other areas related to intake, and specialized truancy services

Training from the National Children's Advocacy Center in forensic interviewing of children.

Presently employed as a Forensic Interview Specialist at the Southern Nevada Children's Assessment Center.

PROFESSIONAL EXPERIENCE

Department of Family Services - Las Vegas, Nevada

Forensic Interview Specialist

June 2015 - Present

As a Forensic Interview Specialist I conduct interviews of children who have been victims of sexual abuse, domestic violence, and physical abuse. A forensic interview of a child as defined by the National children's Advocacy Center is a, "developmentally-sensitive and legally sound method of gathering factual information regarding allegations of abuse and/or exposure to violence. The interview is conducted by a neutral professional utilizing research and practice-informed techniques as part of a larger investigative process." I interview children

between the ages of 3-17 years old. Some of the children have special needs and or mental health issues. Law enforcement and child protective services refer the children for interviews as part of their investigation.

Completed training at the National Children's Advocacy Center in Huntsville, Alabama for forensic interviewing.

Conduct forensic interviews of children at the Southern Nevada Children's Assessment Center.

Work collaboratively with law enforcement and children's protective services in conducting interviews.

Facilitate case reviews with various legal, mental health, physician, and Department of Family Services professional to assess the needs of a case.

Participate in peer reviews to offer constructive feedback on forensic interviews.

Conduct interviews in Spanish for non-English Speaking children.

Provide information to parents and children regarding the forensic interview process.

Conduct interviews of children with special needs or mental health issues.

Review Individual Educational Plans when necessary in preparing for forensic interviews.

Department of Family Services - Las Vegas, Nevada

Senior Family Services Specialist

December 2004 - June 2015

As a Senior Family Services Specialist (SFSS) working with the Department of Family Services my responsibilities are to assess and ensure that children's safety, emotional well being, and permanency needs, are met. These children have been removed from the care of their natural parents due to sustained child abuse and neglect petitions. Additional job duties for this position are to conduct home visits and ensure that the children are safe, and that their needs are being met while they are placed in the foster care system or with relatives. A SFSS also works with the natural parents to assess their needs in determining the types of services and or programs that will address the underlying issues to work towards reunification. In addition, a SFSS is assigned high profile cases that are more complicated and or sensitive. Lastly, the position also requires that an SFSS offers training to new employees, and assists the unit by taking supervisory responsibilities when necessary.

Entrusted with ensuring that children's safety, emotional well being, and permanency needs were met

Conducted interviews to gather information and best assess the needs of children and families

Referred clients and children to treatment services that aid their needs and address familial dysfunction, helping them work towards reunification and other permanency goals

Presented the court with family reports and testified at reviews, status hearings, & Termination of Parental Rights hearings

Maintained regular communication with children under our agency care, to assess their safety

Supervised an average caseload of twenty-five to thirty-five children.

Facilitated the removal of children from their homes where safety concerns prevailed

Performed lead responsibilities and trained new employees

Monterey County Probation Department - Salinas, California

Deputy Probation Officer II

August 1999 to August 2004

As a Deputy Probation Officer II, there were various assignments. Performed as an Intake Probation Officer interviewing juvenile offenders cited for misdemeanors and felonies. Victims of crimes committed by juvenile offenders were also interviewed in depth to gather information for the dispositional Court report. Recommendations were made to the Court, which detailed the terms and conditions of probation. Other assignments included working in the field as a truancy officer in a high crime area, and a placement officer supervising juvenile sex offenders in-group homes. The general job duties as a probation officer were to supervise juvenile offenders to ensure the safety of the community and monitor their compliance with Court sanctions. Conduct home visits, searches of the juvenile offender and their home. Drug test, make arrests when necessary and or obtain warrants from the Court. Work with youth in high crime areas with gang affiliation, substance abuse, and mental health issues.

Conducted interviews to gather information for court dispositions and to determine conditions of probation for juvenile offenders.

Provided the court with detailed offenders' compliance reports

Made sentencing recommendations and advised on the types of treatment services needed

Read and interpreted department policies and followed the State's Penal Code

Conducted searches, administered drug tests, and made arrests,

Referred juvenile offenders to treatment services and other programs to assist with rehabilitation

Managed a caseload of twenty five to forty juvenile offenders

Trained new employees

CERTIFICATION / TRAINING

Forensic Interview training at the National Children's Advocacy Center
in Huntsville, Alabama (40 hours).

July 2015

Forensic Interviewing of Children (80 hrs.)

(2014 and 2015)

Safety Assessment Intervention Policy	(2015)
832 Laws of Arrest Search and Seizure Course (40 hrs.)	(2012 and 1999)
Gang Task Force Training	(2012)
Probation Officer Academy (4 weeks)	(1999)
Defensive Tactics Training	(2012 and 1999)

EDUCATION

Bachelor of Arts in Social Science (May 1999)

SAN JOSE STATE UNIVERSITY

SKILLS

Bilingual / English / Spanish

Experienced in gathering information and able to testify in various types of court hearings

Experience in writing Court reports and other types of documentation pertinent to cases

Able to de-escalate confrontational and potentially violent situations

Knowledge of child welfare laws and case management

AWARDS

CASA Worker of the Year, Department of Family Services (2010)

Deputy Probation Officer of the Year, Monterey County Probation Department (2002).

Matthew M. Theriault, BS
Forensic Interview Specialist
Southern Nevada Children's Assessment Center
Clark County Department of Family Services
701 N. Pecos Rd. Bldg. K1
Las Vegas, NV 89101
702-455-0861
702-303-2525

Education

- Bachelor's Degree, Criminal Justice, UNLV 5/2002

Professional Experience

Forensic Interview Specialist 12/7/15 - Present
Southern Nevada Children's Assessment Center
Clark County Department of Family Services
701 N. Pecos Rd. Bldg. K
Las Vegas, NV 89101
702-455-0861

Senior Family Services Specialist 10/3/14 – 12/4/15
Child Protective Services
Clark County Department of Family Services
121 S. Martin Luther King Blvd.
Las Vegas, NV 89106
702-455-0861

Family Services Specialist II 10/19/09 – 10/3/14
Clark County Department of Family Services
121 S. Martin Luther King Blvd.
Las Vegas, NV 89106
702-455-0861

Legal Office Assistant II 7/21/03-10/16/09
Las Vegas Justice Court, Pre-trial Services
200 S. Lewis Ave.
Las Vegas, NV 89155
702-455-5642

Professional Experience (continued)

Legal Office Assistant II 7/1/02-7/18/03
Clark County District Attorney's Office - Family Support Division
301 E. Clark
Las Vegas, NV 89101
455-5137

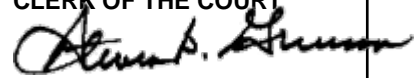
Legal Specialist I 5/22/00-6/28/02
Clark County District Attorney's Office – Criminal Division
200 S. Third St.
Las Vegas, NV 89155
455-2989

Training

- NCAC Model Advanced Forensic Interview Training, 20 Hours, 10/23/17 – 10/26/17
- NCAC Model Extended Forensic Interview Training, 18 Hours, 10/18/16 – 10/20/16
- Interviewing Children with Disabilities Training, 8 Hours, 9/30/16
- NCAC Model Forensic Interviewing of Children, 30 hours, 4/25/16 – 4/29/16
- NCAC Model Forensic Interviewing of Children, 30 hours, 12/7/15 – 12/11/15
- Subconscious Communication, 8 hours, 12/10/14
- Clark County Nevada Initial Assessment Training, 36 hours, 10/7/14 – 10/9/14; 10/21/14 – 10/23/14
- Clark County Nevada Initial Assessment Training, 36 hours, 1/21/14 – 1/23/14; 2/4/14 – 2/6/14
- Court Involved Cases, Understanding and Expectations, 4 Hours, 4/26/11
- Basic Investigations, 3 Hours, 4/19/11
- Recognizing Abuse and Neglect, 2 hours, 4/19/11

Court Experience

- Testified Grand Jury 5/10/17
- Testified at Preliminary Hearing 9/12/17



SLOW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XV**

STATE'S SUPPLEMENTAL NOTICE OF WITNESSES
AND/OR EXPERT WITNESSES
[NRS 174.234]

TO: DEQUINCY BRASS, Defendant; and

TO: MITCHELL POSIN, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

*indicates additional witness(es) and/or modification(s)

A.W.; 2949 Jacaranda St., LVN

ASHCROFT, J.; HPD #1551

ASHENFELTER, DEBBIE; CCDA Investigations

ATHA, JACQUELINE; 1608 Moser Dr., Hend., NV

BARR, J.; LVMPD #15312

CETL, DR. SANDRA, M.D., Sunrise Hospital/SNCAC; is a medical doctor and
pediatric abuse specialist. Dr. Cetl is expected to provide testimony as a medical expert as to

her opinions and findings including, but not limited to: her review and analysis of the medical records, reports and radiographic films, as well as the observations, diagnosis and treatment rendered to victim in this case, SCAN exams in general and directly related to the instant case. In addition, she will provide testimony as to her direct involvement, if any, in this case and the possible mechanisms of injury and causes of injury to the said victim. Dr. Cetl may also testify about her experience in performing medical and SCAN exams, training and experience with any studies regarding the frequency of findings in medical and SCAN exams and what affects the likelihood of any given exam containing physical or medical findings, including what would increase or decrease the likelihood of medical findings at the time of exam, the passage of time, and the nature of the sexual acts. Dr. Cetl may also discuss any relevant studies and literature on the incidence of medical findings in medical exams for sexual abuse and the significance of medical findings or the lack thereof.

COTTRILL, HPD #2290

CUSTODIAN OF RECORDS; BOYS & GIRLS CLUB, 1608 Moser Dr., Hend., NV

CUSTODIAN OF RECORDS; CCDC

CUSTODIAN OF RECORDS; HPD Communications

CUSTODIAN OF RECORDS; HPD Communications

CUSTODIAN OF RECORDS; LVMPD Communications

CUSTODIAN OF RECORDS; LVMPD Records

CUSTODIAN OF RECORDS; NV DMV

CUSTODIAN OF RECORDS; SNCAC

CUSTODIAN OF RECORDS; Sunrise Hospital

D.K.; 2949 Jacaranda St., LVN

EKROOS, RACHELL, PhD, APRN, FNP-BC, FNP-BC, AFN-BC, DF-IAFN, FAAN; 4505 S. Maryland Pkwy., LVN; Dr. Ekroos is a family nurse practitioner specializing in forensic nursing. Dr. Ekroos may be called as a medical expert based on her training, experience and research. Dr. Ekroos will testify regarding the procedure for medical and SCAN exams on patients who present to the hospital or the Southern Nevada Children's

1 Assessment Center with complaints of sexual abuse, including the nature, process, and
2 possible medical diagnoses involved in completing a SCAN. This testimony will necessarily
3 include the body's physical processes and what would contribute or take away from physical
4 findings on a patient reporting sexual abuse, including, but not limited to, the passage of time,
5 the healing process of the body, the potential or lack of potential injuries based on the type of
6 sexual contact disclosed.

7 ESPINOZA, ELIZABETH; 701 N. Pecos Rd., LVN; is a forensic interviewer and may
8 be called to testify about the methodology, process, purpose, and limitations of forensic and
9 victim interviews, including research regarding forensic interviews, as well as child
10 development, memory, suggestibility, and/or deviations from the forensic interview, as it
11 relates to her training and experience, as well as the interview(s) completed in this case.

12 GIBSON, HPD #1407

13 GROSS, KEITH; CCDA Investigations

14 I.W.; 2949 Jacaranda St., LVN

15 KNEPP, ELAINE; CCDA Investigations

16 LYTLE, J.; HPD #2038

17 MADDEN-GARZA, KIMBERLY; c/o CCDA – SVU/VWAC

18 NIELSEN, E.; HPD #2163

19 PRICE, HPD #690

20 *SPANGLER, J., HPD #1211; and/or designee, is employed with the Henderson Police
21 Department; he is an expert in computer and phone forensic analysis, including the preservation
22 and extraction of data, and will testify regarding the forensic examination(s) performed in this
23 case and provide opinions thereto. (CV attached)

24 THERIAULT, MATT; 701 N. Pecos Rd., LVN; is a forensic interviewer and may be
25 called to testify about the methodology, process, purpose, and limitations of forensic and
26 victim interviews, including research regarding forensic interviews, as well as child
27 development, memory, suggestibility, and/or deviations from the forensic interview, as it
28 relates to his training and experience, as well as the interview(s) completed in this case.

1 V.M.; c/o CCDA – SVU/VWAC

2 VARGASON, J.; HPD #1623

3 WHATLEY, SHONTAI; 2949 Jacaranda St., LVN

4 WORLEY, C.; HPD #1296

5 These witnesses are in addition to those witnesses endorsed on the Information or
6 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
7 Witnesses has been filed.

8 The substance of each expert witness's testimony and copy of all reports made by or at
9 the direction of the expert witness have been provided in discovery.

10 A copy of each expert witness's curriculum vitae, if available, is attached hereto.

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

13
14 BY /s/ Kristina Rhoades
15 KRISTINA RHOADES
16 Chief Deputy District Attorney
Nevada Bar #012480

17
18
19
20 CERTIFICATE OF ELECTRONIC TRANSMISSION

21 I hereby certify that service of the above and foregoing was made this 10th day of July,
22 2018, by electronic transmission to:

23 MITCHELL POSIN, ESQ.
24 Email Address: mposin@gmail.com

25 BY: /s/ J. Georges
26 Secretary for the District Attorney's Office

27
28 jg/SVU

Henderson Police Department

223 Lead Street
Henderson, NV 89015
702-267-4717

Curriculum Vitae of

Detective Jared Spangler



Revised 7-01-2018

Jared Spangler
Police Officer, Henderson Police Department
223 Lead Street
Henderson, NV 89015

INTRODUCTION

I am a 15 year officer of the Henderson Police Department. I am currently assigned to the Investigative Services Division Computer Crimes Unit. I handle all of the Computer Forensics and Mobile Device Forensics for the Henderson Police Department.

LAW ENFORCEMENT EXPERIENCE

Patrol Officer

Henderson Police Department

Upon completing basic Field Training in December of 2004, I was assigned to patrol, and in the years since have worked in both the East and West Area Commands during day shift, swing shift and graveyard hours. I have been responsible for enforcement of Nevada Revised Statutes and Henderson Municipal Codes. I was responsible for responding to public requests for Police Services, to include accidents, DUI investigations, drug investigations, financial crimes investigations and many others, as well as pro-active enforcement.

I was a Field Training Officer (training new Officers) and I regularly taught at the Academy. I have attended Interview and Interrogation classes and Instructor Development.

Police Detective

I began working in the Financial Crimes Section and I worked hundreds of cases. I then began working with several Federal Agencies. I have worked many complex investigations involving various Federal Crimes, and I have been the Affiant in numerous Federal Seizure Warrants, Tracker Warrants, and Search Warrants. I have worked with the United States Secret Service and the United States Department of Treasury (IRS) with their respective Task Forces.

I have received numerous letters of commendation as well as a nomination for Investigator of the Year. I have also received a commendation from the Department of Treasury called the Chief's Investigative Excellence Award.

I am currently performing all electronic forensic exams for the Henderson Police Department and have received over 600 hours of training related to electronic forensics. I have been performing mobile forensics and computer forensics for the past 3 years. During that timeframe I have completed over 1200 exams of mobile devices and computers.

SPECIALIZED POLICE TRAINING

Advanced Mobile Device Examinations National Computer Forensics Institute-United States Secret Service 40 Hours of Instruction	April 2018
Digital Evidence Examination and Processing National White Collar Crime-Computer Crime Section 32 Hours of Instruction	Nov 2017
Mobile Device Examination National Computer Forensics Institute-United States Secret Service 180 hours of Instruction	July 2017
Cellphone Investigative Techniques Nevada HIDTA 20 Hours of Instruction	July 2016
Computers, Networks, and Cyber Crimes Department of Homeland Security Cyber Crimes Center 40 Hours of Instruction	June 2016
Encryption, Computer Skills, Cyber Investigation, GPS Interrogation, and Cell Phone Investigations Hosted by National White Collar Crime Center 10 Hours of Instruction	May 2016
IEF Computer Forensic Essentials Training Magnet Forensics-Internet Evidence Finder Software 24 Hours of Instructions	Mar 2016
Advanced Internet Examinations Guidance Software (Encase) 32 Hours of Instruction	Mar 2016
Smart Phone Forensics and Cellular Technology PATC-Public Agency Training Council, Received +SMART Certification 35 Hours of Instruction (+SMART Certificate #2067841)	Feb 2016
Encase Cybersecurity and Analytics Guidance Software (Encase) 32 Hours of Instruction	Feb 2016
Social Media for Law Enforcement Los Angeles HIDTA 5 Hours of Instruction	Dec 2015

Cellebrite Certified Logical Operator Training Cellebrite- Mobile Forensics Certification, Received Cellebrite Logical Operator Certification 14 Hours of Instruction (Certificate #25445004000)	Oct 2015
Cellebrite Certified Physical Analyst Cellebrite- Mobile Forensic Certification, Received Cellebrite Physical Analyst Certification 21 Hours of Instruction (Certificate #25465004000)	Oct 2015
Encase Examination of the Macintosh Operating System Guidance Software (Encase) 32 Hours of Instruction	Sep 2015
Encase Computer Forensics II Guidance Software (Encase) 32 Hours of Instruction	May 2015
Encase Computer Forensics I Guidance Software (Encase) 32 Hours of Instruction	May 2015
Money Laundering Techniques United States Attorney's Office 32 Hours of Instruction	Apr 2014
Advanced Money Laundering Department of Treasury (IRS) 36 Hours of Instruction	July 2013
Computer Forensics Investigations Training 20 Hours of Instruction	May 2012
Advanced Financial Investigations Training Department of Homeland Security 24 Hours of Instruction	July 2011
Advanced Fraud Training (FBI) 16 Hours of Instruction	Dec 2010
Mobile Field Surveillance 24 Hours of Instruction	Oct 2007
Kinesic Interview and Interrogation Techniques	May 2007

24 Hours of Instruction	
John E. Reid and Associates Street Crimes 24 Hours of Instruction	Mar 2007
DUI Instructor School(SFST Instructor) 60 Hours of instruction	Dec 2006
Instructor Development 44 Hours, Nevada P.O.S.T. recognized	Oct 2005
Constitutional Law 8 Hours of instruction	Aug 2003
ID Technician 8 Hours of instruction0	Feb 2004
Advanced Academy 120 Hours of instruction	Jan 2004 – Feb 2004
Southern Nevada Law Enforcement Academy 796 Hours of instruction for Category I Police Officers	Aug 2003 – Jan 2004

ASSIGNMENTS

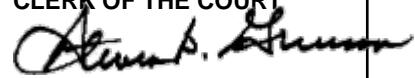
Henderson Police Department Investigations Computer Crimes Unit	Jun 2015 – Present
United States Secret Service Las Vegas Electronic Crimes Task Force	May 2017 - Present
Internal Revenue Service LV Financial Crimes Task Force	July 2011 – Present
United States Secret Service Southwestern Identity Theft/Fraud Task Force	Aug 2011 – Oct 2014
Henderson Police Department Investigations Financial Crimes Unit	Aug 2010 – Jun 2015
Henderson Police Department Crisis Intervention Team Officer	Aug 2006 – July 2010
Henderson Police Department Standardized Field Sobriety Test Instructor (Academy)	Mar 2007 – July 2010

Henderson Police Department Field Training Officer	Mar 2006 – July 2010
Henderson Police Department Bike Officer Team Member	Aug 2004 – July 2010
Henderson Police Department ID Technician	Jan 2004 – July 2010
Henderson Police Department Patrol Officer	Aug 2003 – July 2010

PROFESSIONAL ORGANIZATIONS

Las Vegas Electronic Crimes Task Force
Member

International Association of Financial Crimes Investigators
Member



SLOW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XV**

STATE'S SECOND SUPPLEMENTAL NOTICE OF WITNESSES
AND/OR EXPERT WITNESSES
[NRS 174.234]

TO: DEQUINCY BRASS, Defendant; and

TO: MITCHELL POSIN, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

*indicates additional witness(es) and/or modification(s)

A.W.; 2949 Jacaranda St., LVN

ASHCROFT, J.; HPD #1551

ASHENFELTER, DEBBIE; CCDA Investigations

ATHA, JACQUELINE; 1608 Moser Dr., Hend., NV

BARR, J.; LVMPD #15312

CETL, DR. SANDRA, M.D., Sunrise Hospital/SNCAC; is a medical doctor and
pediatric abuse specialist. Dr. Cetl is expected to provide testimony as a medical expert as to

her opinions and findings including, but not limited to: her review and analysis of the medical records, reports and radiographic films, as well as the observations, diagnosis and treatment rendered to victim in this case, SCAN exams in general and directly related to the instant case. In addition, she will provide testimony as to her direct involvement, if any, in this case and the possible mechanisms of injury and causes of injury to the said victim. Dr. Cetl may also testify about her experience in performing medical and SCAN exams, training and experience with any studies regarding the frequency of findings in medical and SCAN exams and what affects the likelihood of any given exam containing physical or medical findings, including what would increase or decrease the likelihood of medical findings at the time of exam, the passage of time, and the nature of the sexual acts. Dr. Cetl may also discuss any relevant studies and literature on the incidence of medical findings in medical exams for sexual abuse and the significance of medical findings or the lack thereof.

COTTRILL, HPD #2290

CUSTODIAN OF RECORDS; BOYS & GIRLS CLUB, 1608 Moser Dr., Hend., NV

CUSTODIAN OF RECORDS; CCDC

CUSTODIAN OF RECORDS; HPD Communications

CUSTODIAN OF RECORDS; HPD Communications

*CUSTODIAN OF RECORDS; La Palm Motel, 2512 Fremont St., LVN

CUSTODIAN OF RECORDS; LVMPD Communications

CUSTODIAN OF RECORDS; LVMPD Records

CUSTODIAN OF RECORDS; NV DMV

CUSTODIAN OF RECORDS; SNCAC

CUSTODIAN OF RECORDS; Sunrise Hospital

D.K.; 2949 Jacaranda St., LVN

EKROOS, RACHELL, PhD, APRN, FNP-BC, FNP-BC, AFN-BC, DF-IAFN, FAAN; 4505 S. Maryland Pkwy., LVN; Dr. Ekroos is a family nurse practitioner specializing in forensic nursing. Dr. Ekroos may be called as a medical expert based on her training, experience and research. Dr. Ekroos will testify regarding the procedure for medical and

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12 relates to her training and experience, as well as the interview(s) completed in this case.

13 GIBSON, HPD #1407

14 GROSS, KEITH; CCDA Investigations

15 I.W.; 2949 Jacaranda St., LVN

16 KNEPP, ELAINE; CCDA Investigations

17 LYTLE, J.; HPD #2038

18 MADDEN-GARZA, KIMBERLY; c/o CCDA – SVU/VWAC

19 NIELSEN, E.; HPD #2163

20 *PIERCE, ALEXIS, PA-C; 3186 S. Maryland Pkwy., LVN; is a certified physician's
21 assistant and a treatment provider to R.M. and V.M. on February 27, 2017. She is as an expert
22 in pediatrics and child physical/sexual abuse, she will testify as to her findings regarding the
23 SCAN exams as more fully detailed in the records provided as discovery.

24 PRICE, HPD #690

25 SPANGLER, J., HPD #1211; and/or designee, is employed with the Henderson Police
26 Department; he is an expert in computer and phone forensic analysis, including the preservation
27 and extraction of data, and will testify regarding the forensic examination(s) performed in this
28 case and provide opinions thereto. (CV attached)

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4 development, memory, suggestibility, and/or deviations from the forensic interview, as it
5 relates to his training and experience, as well as the interview(s) completed in this case.

6 V.M.; c/o CCDA – SVU/VWAC

7 VARGASON, J.; HPD #1623

8 WHATLEY, SHONTAI; 2949 Jacaranda St., LVN

9 WORLEY, C.; HPD #1296

10 These witnesses are in addition to those witnesses endorsed on the Information or
11 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
12 Witnesses has been filed.

13 The substance of each expert witness's testimony and copy of all reports made by or at
14 the direction of the expert witness have been provided in discovery.

15 A copy of each expert witness's curriculum vitae, if available, is attached hereto.

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

19 BY /s/ Kristina Rhoades
20 KRISTINA RHOADES
21 Chief Deputy District Attorney
Nevada Bar #012480

22 CERTIFICATE OF ELECTRONIC TRANSMISSION

23 I hereby certify that service of the above and foregoing was made this 9th day of
24 October, 2018, by electronic transmission to:

25 MITCHELL POSIN, ESQ.
26 Email Address: mposin@gmail.com

27 BY: /s/ J. Georges
28 Secretary for the District Attorney's Office

jg/SVU

Alexis Pierce

Pediatric Emergency Medicine Physician Assistant at Pediatrix Medical Group

Summary

Experienced Physician Assistant with a demonstrated history of working in the hospital & health care industry. Strong healthcare services professional skilled in Electronic Medical Record (EMR), Clinical Research, Medical Education, Pediatrics, and Hospitals.

Experience

Physician Assistant at Pediatrix Medical Group

April 2015 - Present

Physician Assistant at Desert Pediatrics

February 2015 - January 2016 (1 year)

Education

Touro University Nevada

MSMHS, MSPAS, 2011 - 2014

University of Nevada-Reno

Bachelor of Science (BS), Biochemistry, Biophysics and Molecular Biology, 2007 - 2011



NEVADA STATE BOARD OF MEDICAL EXAMINERS

Search

Licensee Details

Person Information

Name: Alexis Rose PIERCE
 Address: 3131 La Canada St
 Suite 244
 Las Vegas NV 89169
 Phone: 7027318181

License Information

License Type: Physician Assistant
 License Number: PA1598 Status: Active
 Issue Date: 1/23/2015 Expiration Date: 6/30/2019

Scope of Practice

Scope of Practice: Physician Assistant

Education & Training

School: University of Nevada / Reno, NV
 Degree\Certificate: of
 Bachelor
 Science
 Date Enrolled:
 Date Graduated: 5/16/2011
 Scope of Practice:

School: Touro University / Henderson, NV
 Degree\Certificate: Master of
 Science
 Date Enrolled:
 Date Graduated: 6/4/2012
 Scope of Practice:

School: Touro University / Henderson, NV
 Degree\Certificate: Physician
 Assistant
 Degree
 Date Enrolled: 7/9/2012
 Date Graduated: 1/9/2015
 Scope of Practice: Physician Assistant

School: Touro University / Henderson, NV
 Degree\Certificate: Master of
 Science
 Date Enrolled:
 Date Graduated: 1/9/2015
 Scope of Practice: Physician Assistant

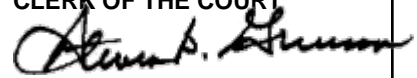
CURRENT EMPLOYMENT STATUS/CONDITIONS/RESTRICTIONS ON LICENSE AND MALPRACTICE INFORMATION

NONE

Board Actions

NONE

Please note that the settlement of a medical malpractice action may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the provider. Therefore, there may be no disciplinary action appearing for a licensee even though there is a closed malpractice claim on file. A payment in the settlement of medical malpractice does not create a presumption that medical malpractice occurred. Sometimes



1 **NOTM**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 KRISTINA RHOADES
6 Chief Deputy District Attorney
7 Nevada Bar #012480
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 THE STATE OF NEVADA,
15
16 Plaintiff,

17 -vs-

18 **DEQUINCY BRASS,**
19 **#2707679**

20 Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XV**

21 **STATE'S NOTICE OF MOTION AND MOTION TO ALLOW**
22 **DR. SANDRA CETL TO APPEAR BY SIMULTANEOUS**
23 **AUDIOVISUAL TRANSMISSION EQUIPMENT**

24 **YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE** that the State of
25 Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through KRISTINA
26 RHOADES, Chief Deputy District Attorney, will bring a **Notice of Motion and Motion to**
27 **Allow Dr. Sandra Cetl to Appear by Simultaneous Audiovisual Transmission Equipment**
28 before the above entitled Court on the **30** day of **Oct.**, 2018, at the hour of **8:30 o'clock**
A.M., or as soon thereafter as counsel may be heard.

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

///

///

1 **STATEMENT OF CASE**

2 Defendant Dequincy Brass (“Defendant”) is charged by way of Information with
3 twenty-two (22) felony counts for conduct he committed between May 4, 2015 and February
4 1, 2017 involving three (3) different minor victims, V.M., R.M. (V.M.’s younger brother), and
5 A.W., all of whom were under fourteen (14) years of age at the time of Defendant’s crimes.

6 With regard to now eleven (11) year-old V.M., Defendant is charged with three (3)
7 counts of Lewdness With a Minor Under the Age of 14 (Category A Felony), seven (7) counts
8 of Sexual Assault With a Minor Under Fourteen Years of Age (Category A Felony), one (1)
9 count of Child Abuse, Neglect, or Endangerment (Category B Felony), one (1) count of First
10 Degree Kidnapping of a Minor (Category A Felony), and one (1) count of Preventing or
11 Dissuading Witness or Victim From Reporting Crime or Commencing Prosecution (Category
12 D Felony).

13 With regard to now fifteen (15) year-old A.W., Defendant is charged with one (1) count
14 of Lewdness With a Minor Under the Age of 14 (Category A Felony), two (2) counts of Sexual
15 Assault With a Minor Under Fourteen Years of Age (Category A Felony), two (2) counts of
16 First Degree Kidnapping of a Minor (Category A Felony), one (1) count of Battery With Intent
17 to Commit Sexual Assault (Category A Felony), and one (1) count of Preventing or Dissuading
18 Witness or Victim From Reporting Crime or Commencing Prosecution (Category D Felony).

19 With regard to now six (6) year old R.M., Defendant is charged with one (1) count of
20 Lewdness With a Minor Under the Age of 14 (Category A Felony), and two (2) counts of
21 Sexual Assault With a Minor Under Fourteen Years of Age (Category A Felony).

22 Defendant’s trial is currently scheduled for November 13, 2018, with a calendar call of
23 November 8, 2018.

24 **STATEMENT OF FACTS**

25 At some point during V.M.’s third grade school year (September 2015 – June 2016),
26 Defendant started a dating relationship with V.M.’s mother, Kimberly, and moved into
27 Kimberly’s house where she lived with her children, V.M., and R.M. (V.M.’s younger
28 brother). Defendant repeatedly sexually abused V.M. when she was in both third and fourth

1 grades. On one occasion, while V.M. was at home in the living room with a fireplace,
2 Defendant laid next to V.M. on the floor and started touching V.M.'s genital area with his
3 hands. Defendant digitally penetrated V.M.'s vagina. Defendant took his clothes off, and
4 instructed V.M. to take her clothes off, which she did. Defendant told V.M. to put his penis
5 inside V.M.'s mouth, and V.M. did what Defendant told her to do. Defendant also kissed V.M.
6 on her vagina. Defendant proceeded to penetrate V.M.'s vagina with his penis. Defendant then
7 touched V.M.'s butt with his hand, and penetrated V.M.'s anal opening with his penis.
8 Defendant touched V.M. on her chest and her breasts, and kissed her on her mouth and chest.
9 V.M. was crying, and Defendant only stopped when V.M.'s cries became too loud. Defendant
10 instructed V.M. not to tell her mom.

11 On another occasion in the second living room of the home, Defendant again
12 approached V.M. while she was on the couch. Defendant took his clothes off and again
13 instructed V.M. to take her clothes off, which she did. Defendant touched V.M. with his hands
14 on her butt, her vagina, and her chest. Defendant digitally penetrated V.M.'s anal opening.
15 Defendant kissed V.M. on her vagina, and forced his penis inside V.M.'s vagina. Defendant
16 further forced his penis inside V.M.'s anal opening, and told V.M. to put his penis in her
17 mouth. V.M. complied with Defendant's demands.

18 On yet another occasion, V.M. entered Defendant and Kimberly's bedroom because
19 she heard her younger brother, R.M., screaming from inside the room. When V.M. opened the
20 door, she saw R.M. laying on his back on the bed with his pants off and saw Defendant hurting
21 R.M. V.M. saw Defendant's penis touching R.M.'s body near R.M.'s private part. V.M. saw
22 Defendant tell R.M. to turn around, and further saw Defendant force his penis inside R.M.'s
23 butt. R.M. was screaming.

24 Another time, Defendant showed V.M. a pornographic video in the living room of her
25 home. And on yet another occasion, Defendant caused V.M. to sit on his lap while both he and
26 V.M. were naked, and again forced his penis inside V.M.'s vagina. Defendant also took V.M.
27 to a hotel alone and sexually abused her there.

28 ///

1 A.W. and V.M. were close friends and spent time together, and A.W. would often go
2 over to V.M.'s house. Both girls attended the The Boys and Girls Club in Henderson. A.W. is
3 older than V.M., and A.W. was in eighth grade when V.M. was in fourth grade. A.W.'s eighth
4 grade school year was September 2016 – June 2017.

5 On one occasion when A.W. was in eighth grade and V.M. was in fourth grade,
6 Defendant took both A.W. and V.M. to a hotel room and sexually abused both girls there. At
7 the hotel, Defendant instructed both A.W. and V.M. to take off their clothes. A.W. was
8 terrified, said she had to go to the bathroom, and locked herself and V.M. in the bathroom.
9 V.M. told A.W. that they "had" to do what Defendant told them to do, and so both girls came
10 out of the bathroom and complied with Defendant's demands. Both girls took their clothes off
11 and Defendant started touching V.M. Defendant then came over to A.W. and touched her
12 vagina and her chest, and then went over to V.M. and forced his penis in V.M.'s mouth and
13 vagina. Defendant thereafter forced his penis inside A.W.'s vagina. Defendant again went
14 back to V.M., and when he was apparently finished, all three got dressed and left the hotel
15 room. Defendant told A.W. that he would kill her and V.M. if they ever told what happened.

16 On another occasion when A.W. was still in eighth grade, Defendant texted A.W. and
17 told her to meet him at a locksmith building close to her home in Henderson. A.W. was scared
18 of what Defendant might do if she did not comply with his demands, and met him at the
19 locksmith building. Defendant picked A.W. up in his car and drove her to a hotel room.
20 Defendant punched A.W. in her face, took off both his clothes and A.W.'s clothes, and
21 proceeded to touch A.W.'s chest. Defendant then forced his penis inside A.W.'s vagina.

22 On February 27, 2017, Henderson Police Department ("HPD") responded to Sunrise
23 Hospital in response to Kimberly's call about Defendant's sexual abuse perpetrated upon V.M.
24 On March 2, 2017, both V.M. and R.M. were medically examined at the Southern Nevada
25 Children's Assessment Center. Alexis Pierce, PA-C conducted the examination of both
26 children. V.M.'s examination revealed erythema (redness) to her vaginal opening and labia
27 minora, non-specific findings consistent with sexually abused children.

28 ///

1 On March 18, 2017, HPD responded to A.W.'s house in response to A.W.'s mother
2 call about Defendant's sexual abuse perpetrated upon A.W. On April 3, 2017, A.W. was
3 medically examined at the Southern Nevada Children's Assessment Center. Doctor Sandra
4 Cetl conducted A.W.'s examination. A.W.'s examination revealed a deep hymenal notch at
5 approximately the 7 o'clock position, a finding concerning for abuse or trauma and a finding
6 that has been noted in children with documented sexual abuse, and also a fimbriated hymenal
7 and vaginal canal tissue with possible petechial type macules, a non-specific finding consisted
8 with sexually abused children.

9
10 **POINTS AND AUTHORITIES**

11 **I. THE STATE REQUESTS THAT THE COURT ALLOW DR. SANDRA CETL**
12 **TO APPEAR BY SIMULTANEOUS AUDIOVISUAL TRANSMISSION**
13 **EQUIPMENT**

14 The State requests that the Court allow Dr. Sandra Cetl, a child abuse pediatrician, to
15 appear by simultaneous audiovisual transmission equipment. In 2013, the Legislature enacted
16 provisions in the law which broadened an already broad principle that witnesses should be
17 allowed to testify through audiovisual means. The law actually encourages such presentation
18 of witnesses to the extent that it saves resources and that it is feasible.

19 The Nevada Supreme Court has also indicated that the Supreme Court rule regarding
20 the use of simultaneous audiovisual transmission equipment for criminal proceeds is intended
21 "[t]o improve access to the courts and reduce litigation costs" and thus courts "shall permit
22 parties, to the extend feasible, to appear by simultaneous audiovisual transmission equipment
23 at appropriate proceedings...."

24 **RULES OF THE NEVADA SUPREME COURT**

25 **PART IX. RULES GOVERNING APPEARANCE BY**
26 **AUDIOVISUAL TRANSMISSION EQUIPMENT**

27 **(B) RULES GOVERNING APPEARANCE BY**
28 **SIMULTANEOUS AUDIOVISUAL TRANSMISSION**
EQUIPMENT FOR CRIMINAL PROCEEDINGS

Rule 1. Definitions. In these rules, unless the context
or subject matter otherwise requires:

1. “Simultaneous audiovisual transmission equipment” means transmission accomplished through the use of:

(a) One or more cameras at a location other than the courtroom that depict the witness in real time so that the parties, their counsel, the court, and the jury, if any, can see the witness to the same or greater extent than they would see if the witness was present in the courtroom; and

(b) One or more cameras in the courtroom that depict the parties, their counsel, the court, and the jury, if any, in real time on a screen visible to the witness who is at another location.

2. “Court” means a proceeding before a judicial officer, magistrate, judge, or master for all criminal proceedings in the State of Nevada.

3. “Party” shall include the plaintiff, defendant, petitioner, respondent, applicant, and adverse party and also apply to such party’s attorney of record.

4. “Witness” shall mean a party or other person testifying in the court proceeding.

5. “Shall” is mandatory, and “may” is permissive.

Rule 2. Policy favoring simultaneous audiovisual transmission equipment appearances. The intent of this rule is to promote uniformity in the practices and procedures relating to simultaneous audiovisual transmission appearances. To improve access to the courts and reduce litigation costs, courts shall permit parties, to the extent feasible, to appear by simultaneous audiovisual transmission equipment at appropriate proceedings pursuant to these rules.

Rule 3. Application. These rules apply to all criminal cases except juvenile and appellate proceedings. A court may follow the procedures set forth in these rules or in NRS 50.330 or NRS 171.1975.

Rule 4. Personal appearances; appearance by simultaneous audiovisual transmission equipment.

1. Except as set forth in Rule 3 and Rule 4(2), a party or witness may request to appear by simultaneous audiovisual transmission equipment in all other criminal proceedings or hearings where personal appearance is required. Parties may stipulate to appearance by simultaneous audiovisual transmission equipment, but the stipulation must be approved by the court.

2. Except as provided in NRS 50.330, the personal appearance of a party or a party’s witness is required at trial unless:

(a) The parties stipulate to allow the party or the party’s witness to appear by simultaneous audiovisual transmission equipment, the defendant expressly consents to the use of simultaneous audiovisual transmission equipment, and the court approves the stipulation; or

(b) The court makes an individualized determination, based on clear and convincing evidence, that the use of simultaneous audiovisual transmission equipment for a particular witness is necessary and that all of the other elements of the right of confrontation are preserved.

1 The Confrontation Clause of the Sixth Amendment of the United States Constitution
2 provides that “[i]n all criminal prosecutions, the accused shall enjoy the right...to be
3 confronted with the witnesses against him.” U.S. Const. amends. VI; See Pointer v. Texas,
4 380 U.S. 400, 85 S. Ct. 1065 (1965). “The central concern of the Confrontation Clause is to
5 ensure the reliability of the evidence against a criminal defendant by subjecting it to rigorous
6 testing in the context of an adversary proceeding before the trier of fact.” Maryland v. Craig,
7 497 U.S. 836, 845, 110 S. Ct. 3157 (1990). The right to confrontation requires that the witness
8 be placed under oath, the defendant given the opportunity for cross examination, and the
9 factfinder be provided the opportunity to observe the witness’s demeanor. Id. at 845-46. See
10 Delaware v. Fensterer, 474 U.S. 15, 22, 106 S. Ct. 292, 295 (1985)(“[T]he Confrontation
11 Clause is generally satisfied when the defense is given a full and fair opportunity to probe and
12 expose [testimonial] infirmities through cross examination, thereby calling to the attention of
13 the factfinder the reasons for giving scant weight to the witness’ testimony); Ohio v. Roberts,
14 448 U.S. 56, 69, 100 S. Ct. 2531, 2540 (1980) quoting California v. Green, 399 U.S. 149, 166,
15 90 S. Ct. 1930, 1939 (1970)(oath, cross-examination, and demeanor provide “all that the Sixth
16 Amendment demands.”

17 In Maryland v. Craig, 497 U.S. 836, 850, 110 S. Ct. 3157 (1990), the United States
18 Supreme Court ruled that the right to confront may be satisfied absent a physical, face-to-face
19 confrontation where the testimony’s reliability is otherwise assured and where it is necessary
20 to further an important public policy. Maryland’s statutory procedure allowed for child
21 witnesses to testify via one-way closed circuit television. Id. at 851. While the child witness
22 could not see a defendant during trial, the child witness had to testify under oath, a defendant
23 had the opportunity to contemporaneously cross examine the witness, and a judge, jury, and
24 defendant were able to see the witness and his or her demeanor while testifying. Id. The
25 United State Supreme Court held that “the presence of these other elements of confrontation-
26 oath, cross-examination, and observation of the witness’ demeanor- adequately ensures that
27 the testimony is both reliable and subject to rigorous adversarial testing in a manner
28 functionally equivalent to that accorded live, in-person testimony.” Id.

1 In Horn v. Quarterman, 508 F.3d 306 (5th Cir. 2007), Defendant was convicted of
2 murder and sentenced to death. The defense at trial was that Colombians had kidnapped and
3 killed the victim and that Horn's involvement in the abduction and murder was the result of
4 duress. Id. at 313. To rebut the defense, the State had three inmates, including Birk, testify
5 that Horn had told them that he had killed the victim. Id. Birk was terminally ill with liver
6 cancer and his doctor stated it would be medically unsafe for Birk to travel to testify. Id. The
7 trial court ruled "as far as the necessity for- for this to happen, I'm going to make that finding,
8 that there is a- there is a particularized need stated by the State and that only in that situation
9 would this be- would this be done and under the safeguards provided." Id. at 315. The Fifth
10 Circuit upheld the trial court's ruling that permitted Birk to testify by way of a two-way
11 television system because the trial court made a specific finding of necessity and "that care
12 was taken to preserve other aspects of Horn's confrontation right." Id. at 318.

13 In Rivera v. State, 381 S.W.3d 710, 711 (Tex. 2012), Rivera argued that his federal and
14 state rights of confrontation were denied by allowing an active duty soldier to testify by live
15 video conference. At trial, the crime scene analyst, who found fingerprints on the victim's
16 vehicle, testified using live video conferencing because he was on active duty in Iraq. Id. The
17 Court of Appeals in Texas found that the procedures used did not violate Rivera's rights under
18 the Confrontation Clause. Id. at 713. The Court specifically pointed out that the procedure
19 used allowed the witness to participate in the trial by live video conference while in full view
20 of those participating in the courtroom. Id. "[T]he preference for having witnesses testify in
21 the courtroom must give way to the practical considerations involving [the witness's] military
22 obligation that made his physical presence impractical." Id.

23 In State v. Schwartz, 327 P.3d 1108, 1111 (N.M. 2014), Schwartz was convicted of
24 second degree murder and tampering with evidence. At trial, four witnesses testified using
25 Skype, which "allows users to engage in real time video and audio communications between
26 two or more locations." Id. The Court of Appeals found that Schwartz's right to confront a
27 FBI agent and two (2) forensic scientists were violated because the State did not list any reason
28

1 for the video testimony of the FBI agent and one of the forensic scientists and the trial court
2 failed to make an individualized factual finding for the other forensic scientist. Id. at 1112.

3 In the instant case, the State is requesting that Dr. Sandra Cetl appear by simultaneous
4 audiovisual transmission equipment as Dr. Cetl has recently relocated to another state. The
5 State intends to follow all necessary protocol to ensure that the transmission occurs smoothly
6 during trial. The State will not violate Defendant's Sixth Amendment right to confront the
7 witness because the State can satisfy the requirements under Craig. The elements of
8 confrontation – oath, cross examination, and demeanor are all satisfied with the State's
9 procedure absent the face-to-face, in-courtroom confrontation. The State's video conferencing
10 technology will allow the witness to see the courtroom participants, including the judge, jury,
11 defendant, and will allow the courtroom participants to view the witness and her demeanor
12 while testifying. Thus, the reliability of the witness's testimony can be assured by the State's
13 technology and will be "subjected to rigorous adversarial testing" by defense counsel.

14 **CONCLUSION**

15 Based on all of the foregoing reasons, the State respectfully requests that this Court
16 grant the State's Motion to Allow Dr. Sandra Cetl to Testify by Simultaneous Audiovisual
17 Equipment.

18 DATED this 18th day of October, 2018.

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

21
22 BY /s/ Kristina Rhoades
23 KRISTINA RHOADES
24 Chief Deputy District Attorney
Nevada Bar #012480

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CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that service of the above and foregoing was made this 18th day of
October, 2018, by electronic transmission to:

MITCHELL POSIN, ESQ.
Email Address: mposin@gmail.com

BY: /s/ J. Georges
Secretary for the District Attorney's Office

jg/SVU

POSITIVE

Electronically Filed
11/9/2018 3:02 PM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

ROC

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

CASH ONLY

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: C-18-329765-1

DEPT NO: XV

RECEIPT OF COPY FOR DISCOVERY PROVIDED

RECEIPT OF COPY of the foregoing DISCOVERY produced July 19, 2018:

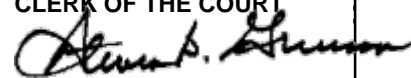
1. Iphone and Kyocera cell reports (32 GB jump drive);
2. V.M. and R.M. SNCAC interviews (1 DVD);
3. A.W. SNCAC interview (1 DVD);
4. 1 DVD containing the following items:
 - a. Kimberly Madden interview (audio file);
 - b. Jacquelyn Atha interview (audio file);
 - c. Shontai Whatley interview (audio file);
 - d. Dequincy Brass arrest interview (audio file);
 - e. Dequincy Brass interview (audio file);
 - f. Dequincy Brass interview (41 pgs);
 - g. Dequincy Brass interview (9 pgs);
 - h. Jacquelyn Atha interview (9 pgs);
 - i. Shontai Whatley interview (38 pgs);

1 j. Kimberly Madden interview (87 pgs);
2 is hereby acknowledged this 2 day of July, 2018.

3 MITCHELL L. POSIN, Esq.
4 ATTORNEY FOR DEFENDANT

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jg/SVU



ROC

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO: C-18-329765-1

DEQUINCY BRASS,
#2707679

DEPT NO: XV

Defendant.

RECEIPT OF COPY FOR DISCOVERY PROVIDED

RECEIPT OF COPY of the foregoing DISCOVERY produced October 19, 2018:

- CCDC phone calls – 10/06/17 to 12/31/17 (1 disc);
- CCDC phone calls – 03/01/18 to 04/13/18 (1 disc);
- CCDC phone calls – 04/13/18 to 06/01/18 (1 disc);
- CCDC phone calls – 06/01/18 to 07/13/18 (1 disc);
- CCDC COR certification (1 pg);
- CCDC Visitation Activity Report (1 pg);

is hereby acknowledged this _____ day of October, 2018.

MITCHELL POSIN, Esq.
ATTORNEY FOR DEFENDANT

BY 

jg/SVU

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10/9/2018 3:08 PM
Steven D. Grierson
CLERK OF THE COURT
Steven D. Grierson

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ROC
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: C-18-329765-1

DEPT NO: XV

RECEIPT OF COPY FOR DISCOVERY PROVIDED

RECEIPT OF COPY of the foregoing DISCOVERY produced October 9, 2018:

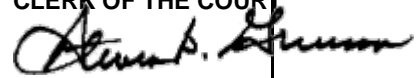
- ONE DISC containing the following pdf files:
 - Sunrise certified records for R.M. (34 pgs);
 - Sunrise certified records for V.M. (30 pgs);

is hereby acknowledged this 2 day of ~~October~~ ^{November} 2018.

MITCHELL POSIN, Esq.
ATTORNEY FOR DEFENDANT

BY 

jg/SVU



MOT
Law Offices of Mitchell Posin, Chtd.
Mitchell L. Posin, Esq.
Nevada Bar No.: 002840
410 South Rampart Blvd., Suite 390
Las Vegas, Nevada 89145
702.382.2222
mposin@gmail.com
Attorney for Defendant

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,)		
)		
Plaintiff,	)	Case No.	C-18-329765-1
	)	Dept. No.	XV
vs.)		
)		
DEQUINCY BRASS ID# 2707679)		
)		
Defendant.)		
_____)		

NOTICE OF MOTION

*Please take notice that the foregoing MOTION FOR OWN
RECOGNIZANCE RELEASE, OR IN THE ALTERNATIVE,
FOR SETTING OF REASONABLE BAIL, will be heard on the
29 day of Jan., 2019, at the hour of 8:30am
o'clock A.M. in Department XV of the above-entitled Court.*

1 **MOTION FOR OWN RECOGNIZANCE RELEASE,**
2 **OR IN THE ALTERNATIVE,**
3 **FOR SETTING OF REASONABLE BAIL**

4
5 COMES NOW Defendant, DEQUINCY BRASS, by and through his
6 attorney, MITCHELL POSIN, ESQ., and moves this Honorable Court for
7
8 its Order releasing him on his own recognizance, or in the alternative, for
9 setting of reasonable bail.

10
11 This motion is based upon the Memorandum of Points and
12 Authorities attached hereto and the papers and pleadings relevant to the
13 instant case, on file with this Court.

14
15 DATED this 23 day of January, 2019.

16
17
18 Respectfully submitted,
19 _____
20 /s/Mitchell Posin
21 MITCHELL POSIN, ESQ
22 Nevada Bar No. 002840
23 410 South Rampart Blvd., Suite 390
24 Las Vegas, Nevada 89145
25 (702) 382-2222
26 Attorney for Defendant
27
28

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 ***The Defendant has a Right to Bail***

3
4 All persons are bailable as a matter of right as guaranteed by both the
5 Nevada and United States Constitutions.
6

7 Punishment should not precede conviction but follow it. In the case
8 of *Application of Carl D. Wheeler for a Writ of Habeas Corpus*, 81 Nev
9 495, 406 P.2d 713 (1965), the defendant sought release on bail pending his
10 trial for murder. The Court stated that:
11

12 The central thought is that punishment should follow
13 conviction, not precede it. Accordingly, all offenses are
14 bailable, including capital offenses, as a matter of right. That
15 right is absolute in a non-capital case ..., *Application of*
16 *Wheeler*, 406 P.2d 713 at 715-16.

17 The Court went on to state:

18 Our view of the constitutional emphasis is contrary to certain
19 expressions contained in earlier opinions of this court. For
20 example, in *Ex parte Malley*, 50 Nev. 248, 256 P.512, 53
21 A.L.R. 395, where the charge was embezzlement, the court
22 said, "In a proceeding of this character the petitioner is
23 presumed to be guilty of the offenses charged in the
24 indictments." We now reject that statement as wholly
25 incompatible with the presumption that an accused is innocent
26 of the offense charged until proven guilty and convicted.
27 *Application of Wheeler*, 406 P.2d 713 at 715-16.

28 Nevada Revised Statute 178.484, provides, in pertinent part, " ... a
person arrested for an offense other than murder of the first degree must be

1 admitted to bail.”

2 ***Excessive Bail is Prohibited***

3
4 The United States Constitution and the Constitution of the State of
5 Nevada both provide prohibitions against excessive bail. Article 1 section 6
6 of the Nevada Constitution states:
7

8 *Excessive bail shall not be required, nor excessive fines*
9 *imposed, nor shall cruel or unusual punishments be inflicted,*
10 *nor shall witnesses be unreasonably detained.*(Emphasis
11 added).

12 The Eighth Amendment to the Constitution of the United States states
13 that:
14

15 *Excessive bail shall not be required, nor excessive fines*
16 *imposed, nor cruel and unusual punishments inflicted.*
17 (Emphasis added).

18
19 ***Setting of Bail at an Unreachable Amount Effectively Constitutes***
20 ***an Improper Denial of Bail***

21 Nevada Revised Statute 178.498(2) provides that “[t]he financial
22 ability of the Defendant to give bail” is a factor to be taken into
23 consideration when the amount of the bail is set. In *Fish v. Sheriff of Clark*
24 *County*, 89 Nev. 250, 510 P.2d 1370, 1371 (1973), the Nevada Supreme
25 Court stated, “... we have long held that bail cannot be set at a prohibitory
26 amount.”
27
28

1 Bail amounts must be reasonable and not more than the Defendant
2
3 can be expected to provide. The Nevada Supreme Court addressed this issue
4 in the case of *Ex parte Malley*, 50 Nev. 248, 256 P. 512 (1927), wherein the
5 Court stated:
6

7 In support of the contentions made by petitioner, reliance is had
8 upon *Ex parte Jagles and Varnes*, 44 Nev. 370, 195 P. 808.
9 There is little in the matter mentioned to aid us in the one
10 before us. It is true that we said in that matter that it was the
11 purpose of the constitutional provision mentioned therein to
12 prevent the fixing of a bail bond in so great a sum as to
13 preclude its being given, and that it was the idea of the framers
14 of the Constitution that punishment should follow conviction,
and not both precede and follow it, or be inflicted in spite of
possible acquittal. (256 P. 512 at 514).

15 The purpose of bail is not to punish the Defendant for charges he has
16 not been convicted of. The purpose of bail is to assure the Defendant's
17 return to Court. In *Ex parte Jagles and Varnes*, 44 Nev. 370, 195 P. 808
18 (1921), the Nevada Supreme Court stated:
19

20
21 The Constitution provides (article 1 section 6) that excessive
22 bail shall not be required. In reaching a conclusion as to what
23 is reasonable bail, a court should consider that the object of bail
24 is simply to assure the presence of the accused for trial;. . .
(195 P. 808 at 808).

25 ***Defendant should be granted an own recognizance release***

26
27 NRS 178.4853 states, in pertinent part:

28 In deciding whether there is good cause to release a person
without bail, the court as a minimum shall consider the

1 following factors concerning the person:

- 2 1. The length of his residence in the community;
- 3 2. The status and history of his employment;
- 4 3. His relationships with his spouse and children,
5 parents or other members of his family and with his close
6 friends;
- 7 4. His reputation, character and mental condition;
- 8 5. His prior criminal record, including, without
9 limitation, any record of his appearing or failing to appear after
10 release on bail or without bail;
- 11 6. The identity of responsible members of the
12 community who would vouch for the reliability of the person;
- 13 7. The nature of the offense with which he is charged,
14 the apparent probability of conviction and the likely sentence,
15 insofar as these factors relate to the risk of his not appearing;
- 16 8. The nature and seriousness of the danger to the
17 alleged victim, any other person or the community that would
18 be posed by the person's release;
- 19 9. The likelihood of more criminal activity by him after
20 he is released; and
- 21 10. Any other factors concerning his ties to the
22 community or bearing on the risk that he may willfully fail to
23 appear.

24 It is submitted that several of these factors militate in favor of Mr.
25 Brass' release.

26 Mr. Brass does not have a criminal record.

27 Mr. Brass has maintained regular employment.

28 Mr. Brass is a long term resident of Clark County, and has the support
of many family members who also reside in Clark County, including his

///

///

mother and his twin brother.

DATED this 19 day of January, 2019.

Respectfully submitted,

/s/Mitchell Posin

MITCHELL POSIN, ESQ

Nevada Bar No. 002840

410 South Rampart Blvd., Suite 390

Las Vegas, Nevada 89145

(702) 382-2222

Attorney for Defendant

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

VS.

DEQUINCY BRASS ID#2707679

Defendant.

Case No. C-18-329765-1

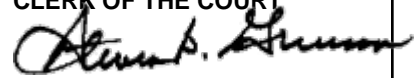
Dept. No. XV

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of January 2019, I mailed a copy of the foregoing ***MOTION FOR OWN RECOGNIZANCE RELIEF*** in a sealed envelope, to the following and that postage was fully prepaid thereon:

District Attorneys Office
200 E Lewis Avenue
Las Vegas, NV 89101

An employee Law Offices of Mitchell Posin



OPPS

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

**DEQUINCY BRASS,
#2707679**

Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XV**

**STATE'S OPPOSITION TO DEFENDANT'S MOTION FOR OWN
RECOGNIZANCE RELEASE, OR IN THE ALTERNATIVE, FOR
SETTING OF REASONABLE BAIL**

DATE OF HEARING: February 5, 2019
TIME OF HEARING: 8:30 A.M.

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through KRISTINA RHOADES, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in Opposition to Defendant's Motion for Own Recognizance Release, or in the Alternative, for Setting of Reasonable Bail.

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

//

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 Defendant Dequincy Brass ("Defendant") is charged by way of Information with
4 twenty-two (22) felony counts for conduct he committed between May 4, 2015 and February
5 1, 2017 involving three (3) different minor victims, V.M., R.M. (V.M.'s younger brother), and
6 A.W., all of whom were under fourteen (14) years of age at the time of Defendant's crimes.

7 With regard to now eleven (11) year-old V.M., Defendant is charged with three (3)
8 counts of Lewdness With a Minor Under the Age of 14 (Category A Felony), seven (7) counts
9 of Sexual Assault With a Minor Under Fourteen Years of Age (Category A Felony), one (1)
10 count of Child Abuse, Neglect, or Endangerment (Category B Felony), one (1) count of First
11 Degree Kidnapping of a Minor (Category A Felony), and one (1) count of Preventing or
12 Dissuading Witness or Victim From Reporting Crime or Commencing Prosecution (Category
13 D Felony).

14 With regard to now fifteen (15) year-old A.W., Defendant is charged with one (1) count
15 of Lewdness With a Minor Under the Age of 14 (Category A Felony), two (2) counts of Sexual
16 Assault With a Minor Under Fourteen Years of Age (Category A Felony), two (2) counts of
17 First Degree Kidnapping of a Minor (Category A Felony), one (1) count of Battery With Intent
18 to Commit Sexual Assault (Category A Felony), and one (1) count of Preventing or Dissuading
19 Witness or Victim From Reporting Crime or Commencing Prosecution (Category D Felony).

20 With regard to now six (6) year old R.M., Defendant is charged with one (1) count of
21 Lewdness With a Minor Under the Age of 14 (Category A Felony), and two (2) counts of
22 Sexual Assault With a Minor Under Fourteen Years of Age (Category A Felony).

23 On February 14, 2018, Defendant was arraigned on the above charges, entered his pleas
24 of not guilty, and waived his speedy trial right. Trial was set in ordinary course for April 30,
25 2018.

26 On March 12, 2018, defense counsel filed a Motion to Withdraw, which he
27 subsequently withdrew on March 29, 2018. On April 3, 2018, defense counsel noted that
28 Defendant had already waived his speedy trial and requested a continuance of the trial date.

1 At defense request, the trial was continued to July 23, 2018. On June 8, 2018, the Court
2 entered an Order Granting Employment of Investigator and Payment of Fees for Defendant.

3 At calendar call on July 19, 2018, Defendant again requested the trial be continued.
4 Defendant's second request to continue his trial was granted and trial was reset to November
5 13, 2018.

6 On October 30, 2018, the State's Motion to have Dr. Sandra Cetl testify via audiovisual
7 transmission was granted.

8 On November 2, 2018, defense counsel picked up various items of discovery that had
9 been made available on July 19, 2018, October 9, 2018, and October 19, 2018. See Receipts
10 of Copy filed November 9, 2018.

11 At calendar call on November 8, 2018, Defendant again requested a continuance of the
12 trial, noting having recently received additional discovery. The State noted it was prepared to
13 proceed to trial and that this was Defendant's third request for a continuance of the trial. The
14 State further advised that it would not be available for trial until May or June of 2019. The
15 Court granted Defendant's third request to continue his trial and trial was reset, and currently
16 stands scheduled, for May 13, 2019.

17 **STATEMENT OF FACTS**

18 At some point during V.M.'s third grade school year (September 2015 – June 2016),
19 Defendant started a dating relationship with V.M.'s mother, Kimberly, and moved into
20 Kimberly's house where she lived with her children, V.M., and R.M. (V.M.'s younger
21 brother). Defendant repeatedly sexually abused V.M. when she was in both third and fourth
22 grades. On one occasion, while V.M. was at home in the living room with a fireplace,
23 Defendant laid next to V.M. on the floor and started touching V.M.'s genital area with his
24 hands. Defendant digitally penetrated V.M.'s vagina. Defendant took his clothes off, and
25 instructed V.M. to take her clothes off, which she did. Defendant told V.M. to put his penis
26 inside V.M.'s mouth, and V.M. did what Defendant told her to do. Defendant also kissed V.M.
27 on her vagina. Defendant proceeded to penetrate V.M.'s vagina with his penis. Defendant then
28 touched V.M.'s butt with his hand, and penetrated V.M.'s anal opening with his penis.

1 Defendant touched V.M. on her chest and her breasts, and kissed her on her mouth and chest.
2 V.M. was crying, and Defendant only stopped when V.M.'s cries became too loud. Defendant
3 instructed V.M. not to tell her mom.

4 On another occasion in the second living room of the home, Defendant again
5 approached V.M. while she was on the couch. Defendant took his clothes off and again
6 instructed V.M. to take her clothes off, which she did. Defendant touched V.M. with his hands
7 on her butt, her vagina, and her chest. Defendant digitally penetrated V.M.'s anal opening.
8 Defendant kissed V.M. on her vagina, and forced his penis inside V.M.'s vagina. Defendant
9 further forced his penis inside V.M.'s anal opening, and told V.M. to put his penis in her
10 mouth. V.M. complied with Defendant's demands.

11 On yet another occasion, V.M. entered Defendant and Kimberly's bedroom because
12 she heard her younger brother, R.M., screaming from inside the room. When V.M. opened the
13 door, she saw R.M. laying on his back on the bed with his pants off and saw Defendant hurting
14 R.M. V.M. saw Defendant's penis touching R.M.'s body near R.M.'s private part. V.M. saw
15 Defendant tell R.M. to turn around, and further saw Defendant force his penis inside R.M.'s
16 butt. R.M. was screaming.

17 Another time, Defendant showed V.M. a pornographic video in the living room of her
18 home. And on yet another occasion, Defendant caused V.M. to sit on his lap while both he and
19 V.M. were naked, and again forced his penis inside V.M.'s vagina. Defendant also took V.M.
20 to a hotel alone and sexually abused her there.

21 A.W. and V.M. were close friends and spent time together, and A.W. would often go
22 over to V.M.'s house. Both girls attended the The Boys and Girls Club in Henderson. A.W. is
23 older than V.M., and A.W. was in eighth grade when V.M. was in fourth grade. A.W.'s eighth
24 grade school year was September 2016 – June 2017.

25 On one occasion when A.W. was in eighth grade and V.M. was in fourth grade,
26 Defendant took both A.W. and V.M. to a hotel room and sexually abused both girls there. At
27 the hotel, Defendant instructed both A.W. and V.M. to take off their clothes. A.W. was
28 terrified, said she had to go to the bathroom, and locked herself and V.M. in the bathroom.

1 V.M. told A.W. that they “had” to do what Defendant told them to do, and so both girls came
2 out of the bathroom and complied with Defendant’s demands. Both girls took their clothes off
3 and Defendant started touching V.M. Defendant then came over to A.W. and touched her
4 vagina and her chest, and then went over to V.M. and forced his penis in V.M.’s mouth and
5 vagina. Defendant thereafter forced his penis inside A.W.’s vagina. Defendant again went
6 back to V.M., and when he was apparently finished, all three got dressed and left the hotel
7 room. Defendant told A.W. that he would kill her and V.M. if they ever told what happened.

8 On another occasion when A.W. was still in eighth grade, Defendant texted A.W. and
9 told her to meet him at a locksmith building close to her home in Henderson. A.W. was scared
10 of what Defendant might do if she did not comply with his demands, and met him at the
11 locksmith building. Defendant picked A.W. up in his car and drove her to a hotel room.
12 Defendant punched A.W. in her face, took off both his clothes and A.W.’s clothes, and
13 proceeded to touch A.W.’s chest. Defendant then forced his penis inside A.W.’s vagina.

14 On February 27, 2017, Henderson Police Department (“HPD”) responded to Sunrise
15 Hospital in response to Kimberly’s call about Defendant’s sexual abuse perpetrated upon V.M.
16 On March 2, 2017, both V.M. and R.M. were medically examined at the Southern Nevada
17 Children’s Assessment Center. Alexis Pierce, PA-C conducted the examination of both
18 children. V.M.’s examination revealed erythema (redness) to her vaginal opening and labia
19 minora, non-specific findings consistent with sexually abused children.

20 On March 18, 2017, HPD responded to A.W.’s house in response to A.W.’s mother
21 call about Defendant’s sexual abuse perpetrated upon A.W. On April 3, 2017, A.W. was
22 medically examined at the Southern Nevada Children’s Assessment Center. Doctor Sandra
23 Cetl conducted A.W.’s examination. A.W.’s examination revealed a deep hymenal notch at
24 approximately the 7 o’clock position, a finding concerning for abuse or trauma and a finding
25 that has been noted in children with documented sexual abuse, and also a fimbriated hymenal
26 and vaginal canal tissue with possible petechial type macules, a non-specific finding consistent
27 with sexually abused children.

28 ///

ARGUMENT

I. DEFENDANT BAIL SHOULD REMAIN AT \$100,000 OR BE INCREASED.

Defendant's bail was set at the time his arrest warrant was issued, specifically on September 13, 2017. That bail setting of \$100,000 was based on the original Criminal Complaint wherein Defendant was charged with five (5) counts of Sexual Assault with a Minor under Fourteen Years of Age.

Defendant has now proceeded through a preliminary hearing where the justice court found probable cause to bind him over on **twenty-two (22) felony counts**, all but one being Category A and B felonies. The only exception is the charge of Preventing or Dissuading a Witness, which in itself supports keeping bail as is or raising Defendant's Bail.

NRS 178.498 provides:

If the defendant is admitted to bail, the bail must be set at an amount which in the judgment of the magistrate will reasonably ensure the appearance of the defendant and the safety of other persons and of the community, having regard to:

1. The nature and circumstances of the offense charged;
2. The financial ability of the defendant to give bail;
3. The character of the defendant; and
4. The factors listed in NRS 178.4853.

NRS 178.4853 provides as follows:

In deciding whether there is good cause to release a person without bail, the court as a minimum shall consider the following factors concerning the person:

1. The length of his residence in the community;
2. The status and history of his employment;
3. His relationship with his spouse and children, parents or other members of his family and with his close friends;
4. His reputation, character and mental conditions;
5. His prior criminal record, including, without limitation, any record of his appearing or failing to appear after release on bail or without bail;
6. The identity of responsible members of the community who would vouch for the reliability of the person;
7. The nature of the offense with which he is charged, the apparent probability of conviction and the likely sentence,

insofar as these facts relate to the risk of his not appearing;

8. The nature and seriousness of the danger to the alleged victim, any other person or the community that would be posed by the person's release;
9. The likelihood of more criminal activity by him after he is released; and
10. Any other factors concerning his ties to the community or bearing on the risk that he may willfully fail to appear.

Defendant's current bail setting of \$100,000 is more than reasonable considering the nature of the charges, the seriousness of the danger to the community, the probability of conviction, and the likely sentences Defendant faces should he be convicted.

The nature and seriousness of the danger to the victims in this case alone warrants the current bail setting. Defendant **sexually assaulted three different minor victims**, at times abusing two of the victims at the same time. Defendant did this to the victims on more than one occasion. The fact that Defendant sexually victimized three (3) different minor victims shows that he poses a serious danger to the community should he be released from custody.

The apparent probability of conviction and the potential sentences further support the current bail setting. The fact that Defendant committed several sexual offenses upon three (3) separate victims, and the fact that there were medical findings consistent with sexual abuse on victims A.W. and V.M. make the probability of conviction extremely high. Moreover, should Defendant be convicted of even one (1) of the ten (10) counts of Sexual Assault With a Minor Under Fourteen with which he is charged, he faces a mandatory life sentence with eligibility for parole beginning after thirty-five (35) years. Should Defendant be convicted of even one (1) of the five (5) counts of Lewdness With a Child Under the Age of 14, he faces a mandatory life sentence with eligibility for parole beginning after ten (10) years.

As such, and based on the bail factors listed above, Defendant's bail should either remain at the \$100,000 at which it is set, or be increased with added conditions of house arrest and no contact with any minors.

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CONCLUSION

Based upon the foregoing, the State respectfully requests Defendant's motion be denied, and if Defendant's bail is changed in any way, that it be increased with the requested added conditions of house arrest and no contact with any minors.

DATED this 31st day of January, 2019.

Respectfully submitted,

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

BY /s/ Kristina Rhoades
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480

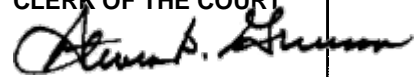
CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that service of the above and foregoing was made this 31st day of January, 2019, by electronic transmission to:

MITCHELL POSIN, ESQ.
Email Address: mposin@gmail.com

BY: /s/ J. Georges
Secretary for the District Attorney's Office

KR/jg/SVU



0001

Mitchell Posin, Esq.

Nevada Bar No. 2840

LAW OFFICES OF MITCHELL POSIN

410 South Rampart Boulevard, Ste 390

Las Vegas, Nevada 89145

Tel: (702) 382-2222

Fax: (702) 382-7496

Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

DEQUINCY BRASS,

Defendant.

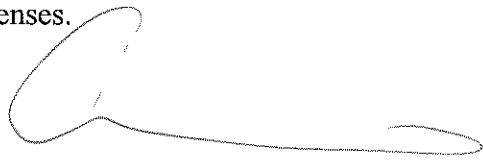
CASE NO.: C-18-329765-1

DEPT. NO.: XV

**EX PARTE APPLICATION REQUEST AND ORDER TO EXTEND INDIGENT
FUNDS FOR THE PURPOSE OF PAYING INVESTIGATION FEES**

COME NOW, Defendant, DEQUINCY BRASS, by and through his attorney of record, MITCHELL POSIN, pursuant to NRS 178.4851 and files this application for the Court to declare Defendant indigent for the purpose of paying investigator, Robert Lawson of Robert D. Lawson Investigations, in the amount of Two Thousand Five Hundred Dollars, (\$2,500.00) not including fees and expenses.

DATED this 28th day of January, 2019.



Mitchell Posin, Esq.
Nevada Bar No. 2840

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POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS

On February 12, 2018, the State filed an Information in the Clark County District Court that charged Dequincy Brass with 22 counts that included charges of Sexual Assault of a Minor under the Age of 14, Child Abuse, Lewdness with a Minor under the Age of 14, Battery with Intent to Commit Sexual Assault, First Degree Kidnapping of a Minor and Preventing or Dissuading Witness or Victim from Reporting Crime or Commencing Prosecution. On February 14, 2018, Mr. Brass was arraigned in District Court and entered a plea of not guilty.

The State has alleged that Dequincy Brass sexual assaulted and sexually abused three (3) different children. To help with his defense, Mr. Brass will need the assistance of an investigator. The underlying case has witnesses that need to be contacted and interviewed, evidence needs to be collected and reviewed and assistance is needed for counsel to prepare his defense. The estimated cost of retaining Mr. Lawson for his assistance with this case is two thousand and five hundred dollars (\$2,500.00) not including fees and expenses.

II.

ARGUMENT

Mr. Brass has exhausted all of the funds in his defense. Thus, he is an indigent Defendant, a class of Defendant the United States Supreme Court has held qualifies for representation. *Gideon v. Wainwright*, 372 U.S. 335, 83 S.Ct. 792 (1963). Under the Sixth Amendment, and incorporated through the Fourteenth Amendment to apply to the states, Defendants have a right to counsel, even when they cannot afford representation. *Id.* A

1 criminal defendant who is retained by private counsel is nonetheless entitled to reasonable
2 defense services at public expense as long as the Defendant is able to show indigency and need
3 for the services. *Widdis v. Second Judicial Dist. Court of State In & For County of Washoe*,
4 114 Nev. 1224, 1229, 968 P.2d 1165, 1168 (1998).

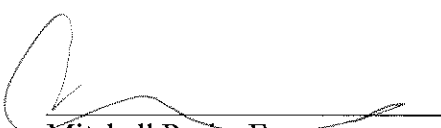
5 Counsel was retained by Mr. Brass' family and Mr. Brass is being held in custody.
6 They are unable to pay additional fees to prepare for his defense. On February 26, 2018, Mr.
7 Brass was declared indigent and granted \$1,000.00 in investigative fees. Investigative work
8 needs to be done to prepare a defense, which includes trace and locate of witnesses, serve
9 subpoenas, question eyewitnesses, visit the client and review discovery. Additionally, there is
10 discovery that needs to be reviewed and analyzed as well as evidence that needs to be collected.
11 Therefore, counsel requests Defendant be declared indigent for the purpose of paying
12 investigator Robert Lawson's fee of Two Thousand Five Hundred Dollars (\$2,500.00) not
13 including fees and expenses.
14
15

16 III.

17 CONCLUSION

18 For the reasons stated above, Dequincy Brass should be granted extended indigent
19 funds and receive the services provided by investigator, Robert Lawson of Robert D. Lawson
20 Investigations, in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) not
21 including fees and expenses.
22

23 DATED this 28th day of January, 2019.

24
25 
26 Mitchell Posin, Esq.
27 Nevada Bar No. 2840
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AFFIDAVIT OF MITCHELL POSIN

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

MITCHELL POSIN, being first duly sworn according to law, deposes and states as follows:

1. I am an attorney duly licensed to practice law in the State of Nevada. I make this Affidavit based upon my own personal knowledge except as to those matters stated upon information and belief, and as to those matters I believe them to be true.

2. I am counsel for defendant, Dequincy Brass, in the above entitled matter.

3. That Defendant is financially unable to pay investigator fees on his own behalf.

4. That Mr. Brass' family is unable to pay for investigative costs.

5. Mr. Brass is in custody and has lost his employment. He does not have any assets or savings.

6. Mr. Brass was previously declared indigent and granted indigent funds and has been granted \$1,000.00 in investigative fees.

7. I find it necessary to have Robert Lawson's services on behalf of Mr. Brass to assist in finding witnesses, review discovery, assist in interviewing the client and conduct witness interviews.

8. Mr. Lawson's fee will be in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) not including fees and expenses.

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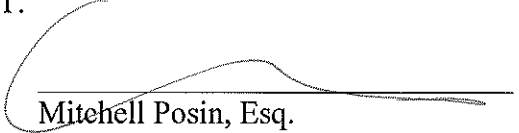
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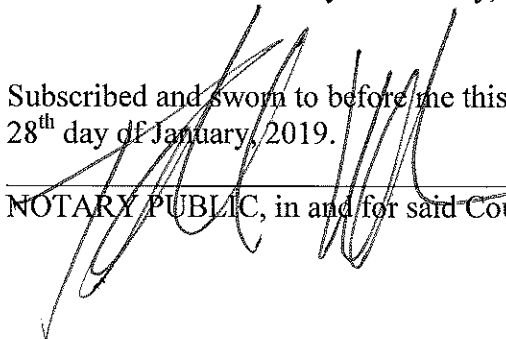
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9. Therefore, Affiant requests the Court for an order declaring the defendant indigent for the purpose of paying investigation fees.

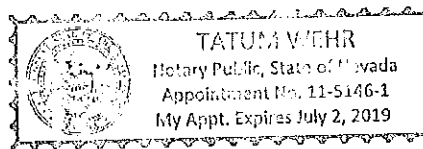
FURTHER AFFIANT SAYETH NAUGHT.

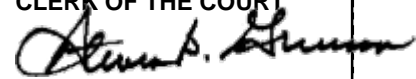
Dated this 28th day of January, 2019.


Mitchell Posin, Esq.


Subscribed and sworn to before me this 28th day of January, 2019.

NOTARY PUBLIC, in and for said County of Clark and State of Nevada





ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: C-18-329765-1

DEPT NO: XV

**ORDER DENYING DEFENDANT'S MOTION FOR OWN RECOGNIZANCE
RELEASE and ORDER GRANTING STATE'S COUNTERMOTION**

DATE OF HEARING: 02-07-2019
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 7th day of February, 2019, the Defendant being present, represented by MITCHELL POSIN, ESQ., the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through KRISTINA RHOADES, Chief Deputy District Attorney, and the Court having heard the arguments of counsel, based on the pleadings, with the Court having considered the facts, circumstances, allegations, and Defendant's history, and having applied those factors to NRS 178.498 and NRS 178.4853, with good cause appearing therefor,

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1 IT IS HEREBY ORDERED that the Defendant's Motion for Own Recognizance
2 Release, or in the Alternative, for Setting of Reasonable Bail, shall be, and it is denied.

3 IT IS FURTHER ORDERED that the State's Countermotion, in the form of its
4 Opposition, to Increase Bail and/or for Additional Conditions of Release, shall be, and it is
5 granted.


6 THE COURT HEREBY ORDERS that Defendant's bail remain at its current setting
7 of \$100,000.00, adds the release conditions of House Arrest and no contact whatsoever with
8 any minors, including the victim in this case, if bail were to be posted.

9 DATED this 12th day of February, 2019.

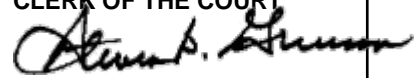
10 
11 DISTRICT JUDGE BM

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

14
15 BY


16 KRISTINA RHOADES
17 Chief Deputy District Attorney
18 Nevada Bar #012480
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28 jg/SVU



SLOW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XV**

**STATE'S THIRD SUPPLEMENTAL NOTICE OF WITNESSES
AND/OR EXPERT WITNESSES**
[NRS 174.234]

TO: DEQUINCY BRASS, Defendant; and

TO: MITCHELL POSIN, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

*indicates additional witness(es) and/or modification(s)

A.W.; 2949 Jacaranda St., LVN

ASHCROFT, J.; HPD #1551

ASHENFELTER, DEBBIE; CCDA Investigations

ATHA, JACQUELINE; 1608 Moser Dr., Hend., NV

BARR, J.; LVMPD #15312

CETL, DR. SANDRA, M.D., Sunrise Hospital/SNCAC; is a medical doctor and
pediatric abuse specialist. Dr. Cetl is expected to provide testimony as a medical expert as to
her opinions and findings including, but not limited to: her review and analysis of the medical

1 records, reports and radiographic films, as well as the observations, diagnosis and treatment
2 rendered to victim in this case, SCAN exams in general and directly related to the instant case.
3 In addition, she will provide testimony as to her direct involvement, if any, in this case and the
4 possible mechanisms of injury and causes of injury to the said victim. Dr. Cetl may also testify
5 about her experience in performing medical and SCAN exams, training and experience with
6 any studies regarding the frequency of findings in medical and SCAN exams and what affects
7 the likelihood of any given exam containing physical or medical findings, including what
8 would increase or decrease the likelihood of medical findings at the time of exam, the passage
9 of time, and the nature of the sexual acts. Dr. Cetl may also discuss any relevant studies and
10 literature on the incidence of medical findings in medical exams for sexual abuse and the
11 significance of medical findings or the lack thereof.

12 COTTRILL, HPD #2290

13 CUSTODIAN OF RECORDS; BOYS & GIRLS CLUB, 1608 Moser Dr., Hend., NV

14 CUSTODIAN OF RECORDS; CCDC

15 CUSTODIAN OF RECORDS; HPD Communications

16 CUSTODIAN OF RECORDS; HPD Communications

17 CUSTODIAN OF RECORDS; La Palm Motel, 2512 Fremont St., LVN

18 CUSTODIAN OF RECORDS; LVMPD Communications

19 CUSTODIAN OF RECORDS; LVMPD Records

20 CUSTODIAN OF RECORDS; NV DMV

21 CUSTODIAN OF RECORDS; SNCAC

22 CUSTODIAN OF RECORDS; Sunrise Hospital

23 D.K.; 2949 Jacaranda St., LVN

24 EKROOS, RACHELL, PhD, APRN, FNP-BC, FNP-BC, AFN-BC, DF-IAFN, FAAN;
25 4505 S. Maryland Pkwy., LVN; Dr. Ekroos is a family nurse practitioner specializing in
26 forensic nursing. Dr. Ekroos may be called as a medical expert based on her training,
27 experience and research. Dr. Ekroos will testify regarding the procedure for medical and
28 SCAN exams on patients who present to the hospital or the Southern Nevada Children's

1 Assessment Center with complaints of sexual abuse, including the nature, process, and
2 possible medical diagnoses involved in completing a SCAN. This testimony will necessarily
3 include the body's physical processes and what would contribute or take away from physical
4 findings on a patient reporting sexual abuse, including, but not limited to, the passage of time,
5 the healing process of the body, the potential or lack of potential injuries based on the type of
6 sexual contact disclosed.

7 ESPINOZA, ELIZABETH; 701 N. Pecos Rd., LVN; is a forensic interviewer and may
8 be called to testify about the methodology, process, purpose, and limitations of forensic and
9 victim interviews, including research regarding forensic interviews, as well as child
10 development, memory, suggestibility, and/or deviations from the forensic interview, as it
11 relates to her training and experience, as well as the interview(s) completed in this case.

12 GIBSON, HPD #1407

13 GROSS, KEITH; CCDA Investigations

14 I.W.; 2949 Jacaranda St., LVN

15 KNEPP, ELAINE; CCDA Investigations

16 LYTLE, J.; HPD #2038

17 MADDEN-GARZA, KIMBERLY; c/o CCDA – SVU/VWAC

18 NIELSEN, E.; HPD #2163

19 PIERCE, ALEXIS, PA-C; 3186 S. Maryland Pkwy., LVN; is a certified physician's
20 assistant and a treatment provider to R.M. and V.M. on February 27, 2017. She is as an expert
21 in pediatrics and child physical/sexual abuse, she will testify as to her findings regarding the
22 SCAN exams as more fully detailed in the records provided as discovery.

23 PRICE, HPD #690

24 *R.M.; c/o CCDA – SVU/VWAC

25 SPANGLER, J., HPD #1211; and/or designee, is employed with the Henderson Police
26 Department; he is an expert in computer and phone forensic analysis, including the preservation
27 and extraction of data, and will testify regarding the forensic examination(s) performed in this
28 case and provide opinions thereto. (CV attached)

1 THERIAULT, MATT; 701 N. Pecos Rd., LVN; is a forensic interviewer and may be
2 called to testify about the methodology, process, purpose, and limitations of forensic and
3 victim interviews, including research regarding forensic interviews, as well as child
4 development, memory, suggestibility, and/or deviations from the forensic interview, as it
5 relates to his training and experience, as well as the interview(s) completed in this case.

6 V.M.; c/o CCDA – SVU/VWAC

7 VARGASON, J.; HPD #1623

8 WHATLEY, SHONTAI; 2949 Jacaranda St., LVN

9 WORLEY, C.; HPD #1296

10 These witnesses are in addition to those witnesses endorsed on the Information or
11 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
12 Witnesses has been filed.

13 The substance of each expert witness's testimony and copy of all reports made by or at
14 the direction of the expert witness have been provided in discovery.

15 A copy of each expert witness's curriculum vitae, if available, is attached hereto.

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

19 BY /s/ Kristina Rhoades
20 KRISTINA RHOADES
21 Chief Deputy District Attorney
Nevada Bar #012480

22 CERTIFICATE OF ELECTRONIC TRANSMISSION

23 I hereby certify that service of the above and foregoing was made this 24th day of April,
24 2019, by electronic transmission to:

25 MITCHELL POSIN, ESQ.
26 Email Address: mposin@gmail.com

27 BY: /s/ J. Georges
28 Secretary for the District Attorney's Office

jg/SVU

1 AINF
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 KRISTINA RHOADES
6 Chief Deputy District Attorney
7 Nevada Bar #012480
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

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

MAY 13 2019

BY Kristin Duncan
KRISTIN DUNCAN, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

C-18-329765-1
AINF
Amended Information
4836524



9 THE STATE OF NEVADA,
10 Plaintiff,

CASE NO: C-18-329765-1

11 -vs-

DEPT NO: XV

12 DEQUINCY BRASS,
13 #2707679
14 Defendant.

AMENDED
INFORMATION

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

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

19 That DEQUINCY BRASS, the Defendant above named, having committed the crimes
20 of LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS
21 201.230 - NOC 50975); SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN
22 YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105); CHILD
23 ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony - NRS 200.508(1) -
24 NOC 55226); FIRST DEGREE KIDNAPPING OF A MINOR (Category A Felony - NRS
25 200.310, 200.320 - NOC 50053); PREVENTING OR DISSUADING WITNESS OR
26 VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION
27 (Category D Felony - NRS 199.305 - NOC 52996); and BATTERY WITH INTENT TO
28 COMMIT SEXUAL ASSAULT VICTIM UNDER 16 (Category A Felony - NRS

1 **200.400.4 - NOC 58026**), on or between May 4, 2015 and February 1, 2017, within the County
2 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made
3 and provided, and against the peace and dignity of the State of Nevada,

4 COUNT 1 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

5 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
6 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
7 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
8 on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing
9 and/or kissing and/or touching the buttocks and/or genital area of V.M., with the intent of
10 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

11 COUNT 2 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

12 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
13 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
14 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.,
15 against his or her will, or under conditions in which Defendant knew, or should have known,
16 that V.M. was mentally or physically incapable of resisting or understanding the nature of
17 Defendant's conduct.

18 COUNT 3 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

19 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
20 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
21 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M., against his or her
22 will, or under conditions in which Defendant knew, or should have known, that V.M. was
23 mentally or physically incapable of resisting or understanding the nature of Defendant's
24 conduct.

25 COUNT 4 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

26 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
27 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
28 14 years, to wit: cunnilingus, by placing his mouth and/or tongue on or in the genital opening

1 of V.M., against his or her will, or under conditions in which Defendant knew, or should have
2 known, that V.M. was mentally or physically incapable of resisting or understanding the nature
3 of Defendant's conduct.

4 COUNT 5 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

5 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
6 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
7 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
8 on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing
9 and/or kissing and/or touching the buttocks and/or genital area of V.M. with the intent of
10 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

11 COUNT 6 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

12 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
13 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
14 14 years, to wit: digital penetration, by inserting his finger(s) into the anal opening and/or the
15 genital opening of V.M., against his or her will, or under conditions in which Defendant knew,
16 or should have known, that V.M. was mentally or physically incapable of resisting or
17 understanding the nature of Defendant's conduct.

18 COUNT 7 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

19 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
20 feloniously cause a child under the age of 18 years, to wit: V.M., being approximately 9 years
21 of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect,
22 to wit: negligent treatment or maltreatment and/or sexual abuse and/or sexual exploitation,
23 and/or cause V.M. to be placed in a situation where he or she might have suffered unjustifiable
24 physical pain or mental suffering as a result of abuse or neglect, to wit: negligent treatment or
25 maltreatment and/or sexual abuse and/or sexual exploitation, to wit: by Defendant causing or
26 allowing V.M. to view pornographic film.

27 ///

28 ///

1 COUNT 8 - FIRST DEGREE KIDNAPPING OF A MINOR

2 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
3 feloniously, lead, take, entice, and/or carry away or detain V.M., a minor, with the intent to
4 keep him or her for a protracted period of time or permanently and/or imprison or confine
5 V.M. from his or her parents, guardians, or other person or persons having lawful custody of
6 V.M., or with the intent to hold V.M. to unlawful service, or to perpetrate upon the person of
7 V.M. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
8 with a minor under fourteen years of age.

9 COUNT 9 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

10 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
11 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
12 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by undressing and/or
13 kissing V.M. and/or by touching the buttocks and/or genital area of V.M., with the intent of
14 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

15 COUNT 10 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

16 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
18 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M., against his or her
19 will, or under conditions in which Defendant knew, or should have known, that V.M. was
20 mentally or physically incapable of resisting or understanding the nature of Defendant's
21 conduct.

22 COUNT 11 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

23 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
24 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
25 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.,
26 against his or her will, or under conditions in which Defendant knew, or should have known,
27 that V.M. was mentally or physically incapable of resisting or understanding the nature of
28 Defendant's conduct.

1 COUNT 12 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
2 REPORTING CRIME OR COMMENCING PROSECUTION

3 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
4 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
5 V.M. from reporting a crime to a peace officer by threatening to hurt V.M. and/or V.M.'s
6 brother if V.M. told.

7 COUNT 13 - FIRST DEGREE KIDNAPPING OF A MINOR

8 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
9 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
10 keep him or her for a protracted period of time or permanently and/or imprison or confine
11 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
12 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
13 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
14 with a minor under fourteen years of age.

15 COUNT 14 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

16 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
18 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

19 COUNT 15 - FIRST DEGREE KIDNAPPING OF A MINOR

20 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
21 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
22 keep him or her for a protracted period of time or permanently and/or imprison or confine
23 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
24 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
25 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
26 with a minor under fourteen years of age.

27 COUNT 16 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

28 did, on or between November 1, 2016 and February 1, 2017, willfully, lewdly,
unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part

1 or member thereof, of a child, to wit: A.W., a child under the age of fourteen years, by
2 undressing and/or touching and/or rubbing the genital area of A.W. with his penis and/or
3 hands, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual
4 desires of Defendant, or A.W.

5 COUNT 17 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT

6 did on or between November 1, 2016 and February 1, 2017 then and there willfully,
7 unlawfully and feloniously use force or violence upon the person of another, to wit: A.W., a
8 child under 16 years of age, with the intent to commit sexual assault, by punching A.W.

9 COUNT 18 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

10 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
11 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
12 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

13 COUNT 19 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
14 REPORTING CRIME OR COMMENCING PROSECUTION

15 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
16 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
17 A.W. from reporting a crime to a peace officer by telling A.W. not to tell anyone or else he
18 would harm and/or kill A.W.

19 COUNT 20 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

20 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
21 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
22 thereof, of a child, to wit: R.M, a child under the age of fourteen years, by Defendant using his
23 penis and/or hands to touch and/or rub and/or fondle R.M.'s penis and/or buttocks, with the
24 intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant,
25 or R.M.

26 COUNT 21 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

27 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
28 unlawfully, and feloniously commit a sexual penetration upon R.M., a child under the age of

1 14 years, to wit: anal intercourse, by placing his penis into the anal opening of R.M., against
2 his or her will, or under conditions in which Defendant knew, or should have known, that R.M.
3 was mentally or physically incapable of resisting or understanding the nature of Defendant's
4 conduct.

5 COUNT 22 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

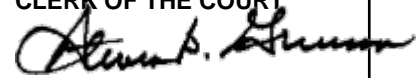
6 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
7 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
8 14 years, to wit: anal intercourse, by placing his penis into the anal opening of V.M., against
9 his or her will, or under conditions in which Defendant knew, or should have known, that V.M.
10 was mentally or physically incapable of resisting or understanding the nature of Defendant's
11 conduct.

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

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15 BY


16 KRISTINA RHOADES
17 Chief Deputy District Attorney
18 Nevada Bar #012480
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Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,
Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679
Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XV**

**SECOND AMENDED
INFORMATION**

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

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

That **DEQUINCY BRASS**, the Defendant above named, having committed the crimes of **LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975); SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105); CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony - NRS 200.508(1) - NOC 55226); FIRST DEGREE KIDNAPPING OF A MINOR (Category A Felony - NRS 200.310, 200.320 - NOC 50053); PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION (Category D Felony - NRS 199.305 - NOC 52996); and BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT VICTIM UNDER 16 (Category A Felony - NRS**

1 **200.400.4 - NOC 58026**), on or between May 4, 2015 and February 1, 2017, within the County
2 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made
3 and provided, and against the peace and dignity of the State of Nevada,

4 **COUNT 1 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14**

5 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
6 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
7 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
8 on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing
9 and/or kissing and/or touching the buttocks and/or genital area of V.M., with the intent of
10 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

11 **COUNT 2 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE**

12 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
13 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
14 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.,
15 against his or her will, or under conditions in which Defendant knew, or should have known,
16 that V.M. was mentally or physically incapable of resisting or understanding the nature of
17 Defendant's conduct.

18 **COUNT 3 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE**

19 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
20 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
21 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M., against his or her
22 will, or under conditions in which Defendant knew, or should have known, that V.M. was
23 mentally or physically incapable of resisting or understanding the nature of Defendant's
24 conduct.

25 **COUNT 4 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE**

26 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
27 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
28 14 years, to wit: cunnilingus, by placing his mouth and/or tongue on or in the genital opening

1 of V.M., against his or her will, or under conditions in which Defendant knew, or should have
2 known, that V.M. was mentally or physically incapable of resisting or understanding the nature
3 of Defendant's conduct.

4 COUNT 5 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

5 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
6 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
7 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
8 on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing
9 and/or kissing and/or touching the buttocks and/or genital area of V.M. with the intent of
10 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

11 COUNT 6 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

12 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
13 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
14 14 years, to wit: digital penetration, by inserting his finger(s) into the anal opening and/or the
15 genital opening of V.M., against his or her will, or under conditions in which Defendant knew,
16 or should have known, that V.M. was mentally or physically incapable of resisting or
17 understanding the nature of Defendant's conduct.

18 COUNT 7 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

19 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
20 feloniously cause a child under the age of 18 years, to wit: V.M., being approximately 9 years
21 of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect,
22 to wit: negligent treatment or maltreatment and/or sexual abuse and/or sexual exploitation,
23 and/or cause V.M. to be placed in a situation where he or she might have suffered unjustifiable
24 physical pain or mental suffering as a result of abuse or neglect, to wit: negligent treatment or
25 maltreatment and/or sexual abuse and/or sexual exploitation, to wit: by Defendant causing or
26 allowing V.M. to view pornographic film.

27 ///

28 ///

1 COUNT 8 - FIRST DEGREE KIDNAPPING OF A MINOR

2 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
3 feloniously, lead, take, entice, and/or carry away or detain V.M., a minor, with the intent to
4 keep him or her for a protracted period of time or permanently and/or imprison or confine
5 V.M. from his or her parents, guardians, or other person or persons having lawful custody of
6 V.M., or with the intent to hold V.M. to unlawful service, or to perpetrate upon the person of
7 V.M. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
8 with a minor under fourteen years of age.

9 COUNT 9 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

10 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
11 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
12 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by undressing and/or
13 kissing V.M. and/or by touching the buttocks and/or genital area of V.M., with the intent of
14 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

15 COUNT 10 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

16 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
18 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M., against his or her
19 will, or under conditions in which Defendant knew, or should have known, that V.M. was
20 mentally or physically incapable of resisting or understanding the nature of Defendant's
21 conduct.

22 COUNT 11 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

23 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
24 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
25 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.,
26 against his or her will, or under conditions in which Defendant knew, or should have known,
27 that V.M. was mentally or physically incapable of resisting or understanding the nature of
28 Defendant's conduct.

1 COUNT 12 – PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
2 REPORTING CRIME OR COMMENCING PROSECUTION

3 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
4 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
5 V.M. from reporting a crime to a peace officer by threatening to hurt V.M. and/or V.M.'s
6 brother if V.M. told.

7 COUNT 13 - FIRST DEGREE KIDNAPPING OF A MINOR

8 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
9 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
10 keep him or her for a protracted period of time or permanently and/or imprison or confine
11 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
12 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
13 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
14 with a minor under fourteen years of age.

15 COUNT 14 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

16 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
18 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

19 COUNT 15 - FIRST DEGREE KIDNAPPING OF A MINOR

20 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
21 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
22 keep him or her for a protracted period of time or permanently and/or imprison or confine
23 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
24 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
25 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
26 with a minor under fourteen years of age.

27 COUNT 16 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

28 did, on or between November 1, 2016 and February 1, 2017, willfully, lewdly,
unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part

1 or member thereof, of a child, to wit: A.W., a child under the age of fourteen years, by
2 undressing and/or touching and/or rubbing the genital area of A.W. with his penis and/or
3 hands, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual
4 desires of Defendant, or A.W.

5 COUNT 17 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT, VICTIM
6 UNDER 16

7 did on or between November 1, 2016 and February 1, 2017 then and there willfully,
8 unlawfully and feloniously use force or violence upon the person of another, to wit: A.W., a
9 child under 16 years of age, with the intent to commit sexual assault, by punching A.W.

10 COUNT 18 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

11 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
12 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
13 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

14 COUNT 19 – PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
15 REPORTING CRIME OR COMMENCING PROSECUTION

16 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
18 A.W. from reporting a crime to a peace officer by telling A.W. not to tell anyone or else he
19 would harm and/or kill A.W.

20 COUNT 20 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

21 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
22 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
23 thereof, of a child, to wit: R.M, a child under the age of fourteen years, by Defendant using his
24 penis and/or hands to touch and/or rub and/or fondle R.M.'s penis and/or buttocks, with the
25 intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant,
26 or R.M.

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28 ///

1 COUNT 21 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

2 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
3 unlawfully, and feloniously commit a sexual penetration upon R.M., a child under the age of
4 14 years, to wit: anal intercourse, by placing his penis into the anal opening of R.M., against
5 his or her will, or under conditions in which Defendant knew, or should have known, that R.M.
6 was mentally or physically incapable of resisting or understanding the nature of Defendant's
7 conduct.

8 COUNT 22 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

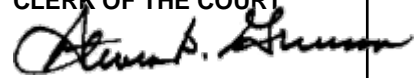
9 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
10 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
11 14 years, to wit: anal intercourse, by placing his penis into the anal opening of V.M., against
12 his or her will, or under conditions in which Defendant knew, or should have known, that V.M.
13 was mentally or physically incapable of resisting or understanding the nature of Defendant's
14 conduct.

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

18 BY

19 KRISTINA RHOADES
20 Chief Deputy District Attorney
21 Nevada Bar #012480

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26 17FH1508X/jg/SVU
27 HPD EV#1703731, 1704975
28 (TK)



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200 Lewis Avenue
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Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: **C-18-329765-1**

DEPT NO: **XV**

STATE'S FOURTH SUPPLEMENTAL NOTICE OF WITNESSES
AND/OR EXPERT WITNESSES
[NRS 174.234]

TO: DEQUINCY BRASS, Defendant; and

TO: MITCHELL POSIN, ESQ., Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

*indicates additional witness(es) and/or modification(s)

A.W.; 2949 Jacaranda St., LVN

ASHCROFT, J.; HPD #1551

ASHENFELTER, DEBBIE; CCDA Investigations

ATHA, JACQUELINE; 1608 Moser Dr., Hend., NV

BARR, J.; LVMPD #15312

CETL, DR. SANDRA, M.D., Sunrise Hospital/SNCAC; is a medical doctor and
pediatric abuse specialist. Dr. Cetl is expected to provide testimony as a medical expert as to
her opinions and findings including, but not limited to: her review and analysis of the medical

1 records, reports and radiographic films, as well as the observations, diagnosis and treatment
2 rendered to victim in this case, SCAN exams in general and directly related to the instant case.
3 In addition, she will provide testimony as to her direct involvement, if any, in this case and the
4 possible mechanisms of injury and causes of injury to the said victim. Dr. Cetl may also testify
5 about her experience in performing medical and SCAN exams, training and experience with
6 any studies regarding the frequency of findings in medical and SCAN exams and what affects
7 the likelihood of any given exam containing physical or medical findings, including what
8 would increase or decrease the likelihood of medical findings at the time of exam, the passage
9 of time, and the nature of the sexual acts. Dr. Cetl may also discuss any relevant studies and
10 literature on the incidence of medical findings in medical exams for sexual abuse and the
11 significance of medical findings or the lack thereof.

12 COTTRILL, HPD #2290

13 CUSTODIAN OF RECORDS; BOYS & GIRLS CLUB, 1608 Moser Dr., Hend., NV

14 CUSTODIAN OF RECORDS; CCDC

15 CUSTODIAN OF RECORDS; HPD Communications

16 CUSTODIAN OF RECORDS; HPD Communications

17 CUSTODIAN OF RECORDS; La Palm Motel, 2512 Fremont St., LVN

18 CUSTODIAN OF RECORDS; LVMPD Communications

19 CUSTODIAN OF RECORDS; LVMPD Records

20 CUSTODIAN OF RECORDS; NV DMV

21 CUSTODIAN OF RECORDS; SNCAC

22 *CUSTODIAN OF RECORDS; Station Casinos and/or Palms Place

23 CUSTODIAN OF RECORDS; Sunrise Hospital

24 *DENO, KENDRA; c/o Station Casinos, 1505 S. Pavillion Center Dr., LVN

25 D.K.; 2949 Jacaranda St., LVN

26 EKROOS, RACHELL, PhD, APRN, FNP-BC, FNP-BC, AFN-BC, DF-IAFN, FAAN;
27 4505 S. Maryland Pkwy., LVN; Dr. Ekroos is a family nurse practitioner specializing in
28 forensic nursing. Dr. Ekroos may be called as a medical expert based on her training,

1 experience and research. Dr. Ekroos will testify regarding the procedure for medical and
2 SCAN exams on patients who present to the hospital or the Southern Nevada Children's
3 Assessment Center with complaints of sexual abuse, including the nature, process, and
4 possible medical diagnoses involved in completing a SCAN. This testimony will necessarily
5 include the body's physical processes and what would contribute or take away from physical
6 findings on a patient reporting sexual abuse, including, but not limited to, the passage of time,
7 the healing process of the body, the potential or lack of potential injuries based on the type of
8 sexual contact disclosed.

9 ESPINOZA, ELIZABETH; 701 N. Pecos Rd., LVN; is a forensic interviewer and may
10 be called to testify about the methodology, process, purpose, and limitations of forensic and
11 victim interviews, including research regarding forensic interviews, as well as child
12 development, memory, suggestibility, and/or deviations from the forensic interview, as it
13 relates to her training and experience, as well as the interview(s) completed in this case.

14 GIBSON, HPD #1407

15 GROSS, KEITH; CCDA Investigations

16 I.W.; 2949 Jacaranda St., LVN

17 KNEPP, ELAINE; CCDA Investigations

18 LYTLE, J.; HPD #2038

19 MADDEN-GARZA, KIMBERLY; c/o CCDA – SVU/VWAC

20 NIELSEN, E.; HPD #2163

21 PIERCE, ALEXIS, PA-C; 3186 S. Maryland Pkwy., LVN; is a certified physician's
22 assistant and a treatment provider to R.M. and V.M. on February 27, 2017. She is as an expert
23 in pediatrics and child physical/sexual abuse, she will testify as to her findings regarding the
24 SCAN exams as more fully detailed in the records provided as discovery.

25 PRICE, HPD #690

26 R.M.; c/o CCDA – SVU/VWAC

27 SPANGLER, J., HPD #1211; and/or designee, is employed with the Henderson Police
28 Department; he is an expert in computer and phone forensic analysis, including the preservation

1 and extraction of data, and will testify regarding the forensic examination(s) performed in this
2 case and provide opinions thereto. (CV attached)

3 THERIAULT, MATT; 701 N. Pecos Rd., LVN; is a forensic interviewer and may be
4 called to testify about the methodology, process, purpose, and limitations of forensic and
5 victim interviews, including research regarding forensic interviews, as well as child
6 development, memory, suggestibility, and/or deviations from the forensic interview, as it
7 relates to his training and experience, as well as the interview(s) completed in this case.

8 V.M.; c/o CCDA – SVU/VWAC

9 VARGASON, J.; HPD #1623

10 WHATLEY, SHONTAI; 2949 Jacaranda St., LVN

11 WORLEY, C.; HPD #1296

12 These witnesses are in addition to those witnesses endorsed on the Information or
13 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
14 Witnesses has been filed.

15 The substance of each expert witness's testimony and copy of all reports made by or at
16 the direction of the expert witness have been provided in discovery.

17 A copy of each expert witness's curriculum vitae, if available, is attached hereto.

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

20
21 BY /s/ Kristina Rhoades
22 KRISTINA RHOADES
23 Chief Deputy District Attorney
24 Nevada Bar #012480
25
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1 CERTIFICATE OF ELECTRONIC TRANSMISSION

2 I hereby certify that service of the above and foregoing was made this 22nd day of
3 January, 2020, by electronic transmission to:

4 MITCHELL POSIN, ESQ.
5 Email Address: mposin@gmail.com

6 BY: /s/ J. Georges
7 Secretary for the District Attorney's Office

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28 jg/SVU

1 MDC

2 Name: DeQuincy Brass

3 Address: 330 S. Casino Center Blvd.

4 City/State/Zip: LV, N.V. 89161

5 Phone: N/A

6 DEFENDANT IN PROPER PERSON

7
FILED

FEB 21 2020

John J. Quinn
CLERK OF COURT

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

8 State of Nevada

9 Plaintiff,

10 VS.

Case No.: C-18-329765-1

Dept No.: 22

12
13 DeQuincy Brass

14 Defendant

March 17, 2020
8:30 AM

15
16 MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL

17 COMES NOW, the defendant DeQuincy Brass, and
18 moves this Honorable Court to dismiss Defendant's
19 counsel, Mitchell Posin, and appoint alternate counsel to
20 represent defendant.

21 This Motion is based on all papers, pleadings, and documents on
22 file.

23 POINTS AND AUTHORITIES

24 It is respectfully requested of this court to grant this Motion
25 to Dismiss Counsel and Appoint Alternate Counsel for the reasons
26 listed below:

27 RECEIVED

28 FEB 21 2020

CLERK OF THE COURT

I. PROCEDURAL BACKGROUND AND FACTUAL SUMMARY

Since Mitchell Posin was appointed as counsel on 01/25/18, Defendant has been prejudiced and suffered manifest injustice based on counsel's refusal or failure to:

Thoroughly fore measures to litigate on behalf of client. Counsel has failed to prepare a proper defense with the client. Counsel has also failed to communicate with a defendant, Debra Brax, via visitation at the detention or by phone. Mr. Posin has refused to file appropriate motions in a timely manner or has simply refused to file them at all. Counsel has failed to locate potential witnesses and have them interviewed. Furthermore, Counsel has not subpoenaed witnesses to testify in trial rather expert or character witnesses. Counsel has failed to communicate effectively with investigators assigned to case. Notwithstanding the strong policy favoring autonomy, "ethical, professional and constitutional principals" establish counsel's standards owed to his/her client. So, clearly, a conflict of interest exist between counsel and defendant, as all faith and trust has been diminished as a result of counsel's actions or lack thereof.

Therefore, fundamental fairness requires the abolition of prejudice which defendant is presently suffering.

This is an act that the law and honorable court must address. Any inaction or obligation would further a manifest of injustice. The "effectiveness of counsel" is an individual's most fundamental right.

II. ARGUMENT

Defendant, De Quincy Brass, asserts that he/she is being denied his/her right to effective representation due to wholly inadequate actions of his/her counsel. Further, counsel's actions constitute a violation of the defendant's due process rights under the following cases, statutes, and/or rules of professional conduct:

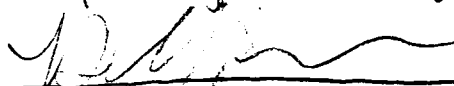
Defendant has an unqualified right to legal assistance that extends beyond the defendant. The right to counsel is a right that is "the assistance of counsel." Boyer v. Sullivan, 101 S. Ct. 1708 (1980); and Fraser v. United States, 18 F. 3d 778 (9th Cir. 1994). Thus, the defendant's process protected by the Sixth amendment requires that the accused have "counsel acting in the role of an advocate." Anders v. California, 87 S. Ct. 1396 and 1480 (1967). A party whose counsel is unable to provide effective or adequate assistance is no better than one who has no counsel at all; and any appeal(s) would be futile in its gesture.

Douglas v. California, 33 S. Ct. 814 (1963). Young v. State, 120 Nev 963

WHEREFORE, the undersigned prays that the court grant Defendant's motion to Dismiss Counsel and Appoint Alternate Counsel.

DATED THIS 18th day of Feb, 2020

Respectfully submitted,

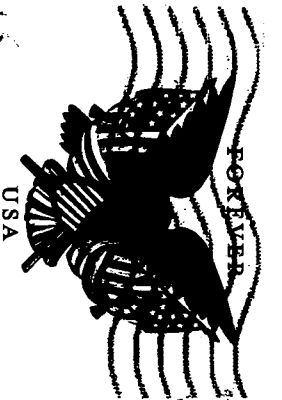


Defendant

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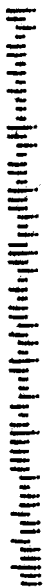
Delaney Brass #276716-9
Clark County Detention Center
330 S. Casino Center Blvd.
Las Vegas, NV 89101

LAS VEGAS NV 890
19 FEB 2020 PM 5 L



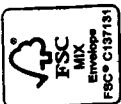
276716-9
Clark County District Court
330 S. Casino Center Blvd.
Las Vegas, NV 89101

89101-630000



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SENT FROM CODE

JURL

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

FEB 25 2020

DISTRICT COURT
CLARK COUNTY, NEVADA

BY: *Kristin Duncan*
KRISTIN DUNCAN, DEPUTY

STATE OF NEVADA

Plaintiff(s),

CASE NO. C329765

-vs-

BRASS, DEQUINCY

Defendant(s).

DEPT. NO. XV

JURY LIST

- | | |
|----------------------|--------------------|
| 1. Angela Armstead | 8. Dawn Richey |
| 2. Christopher Rocca | 9. Dana Longfield |
| 3. Andrew Beals | 10. Lisa Cummings |
| 4. Karen Mills | 11. Peter Tanner |
| 5. Maroun Nehme | 12. Carlos Morales |
| 6. Patricia Ochal | 13. Marisol Gibson |
| 7. Edwin Garcia | 14. Michael Jones |

ALTERNATE(S)

SECRET FROM ABOVE

C-18-329765-1
JURL
Jury List
4900299



ORIGINAL

AINF
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

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

FEB 25 2020

BY 
KRISTIN DUNCAN, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679
Defendant.

CASE NO: C-18-329765-1

DEPT NO: XV

THIRD AMENDED
INFORMATION

STATE OF NEVADA }
COUNTY OF CLARK } ss.

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

That DEQUINCY BRASS, the Defendant above named, having committed the crimes of LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975); SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105); CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony - NRS 200.508(1) - NOC 55226); FIRST DEGREE KIDNAPPING OF A MINOR (Category A Felony - NRS 200.310, 200.320 - NOC 50053); PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION (Category D Felony - NRS 199.305 - NOC 52996); and BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT VICTIM UNDER 16 (Category A Felony - NRS

C-18-329765-1
AINF
Amended Information
4900300

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1 **200.400.4 - NOC 58026**), on or between May 4, 2015 and February 1, 2017, within the County
2 of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made
3 and provided, and against the peace and dignity of the State of Nevada,

4 COUNT 1 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

5 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
6 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
7 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
8 on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing
9 and/or kissing and/or touching the buttocks and/or genital area of V.M., with the intent of
10 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

11 COUNT 2 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

12 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
13 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
14 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.,
15 against his or her will, or under conditions in which Defendant knew, or should have known,
16 that V.M. was mentally or physically incapable of resisting or understanding the nature of
17 Defendant's conduct.

18 COUNT 3 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

19 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
20 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
21 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M., against his or her
22 will, or under conditions in which Defendant knew, or should have known, that V.M. was
23 mentally or physically incapable of resisting or understanding the nature of Defendant's
24 conduct.

25 COUNT 4 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

26 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
27 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
28 14 years, to wit: cunnilingus, by placing his mouth and/or tongue on or in the genital opening

1 of V.M., against his or her will, or under conditions in which Defendant knew, or should have
2 known, that V.M. was mentally or physically incapable of resisting or understanding the nature
3 of Defendant's conduct.

4 COUNT 5 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

5 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
6 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
7 thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit
8 on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing
9 and/or kissing and/or touching the buttocks and/or genital area of V.M. with the intent of
10 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

11 COUNT 6 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

12 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
13 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
14 14 years, to wit: digital penetration, by inserting his finger(s) into the anal opening and/or the
15 genital opening of V.M., against his or her will, or under conditions in which Defendant knew,
16 or should have known, that V.M. was mentally or physically incapable of resisting or
17 understanding the nature of Defendant's conduct.

18 COUNT 7 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

19 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
20 feloniously cause a child under the age of 18 years, to wit: V.M., being approximately 9 years
21 of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect,
22 to wit: sexual exploitation, and/or cause V.M. to be placed in a situation where he or she might
23 have suffered unjustifiable physical pain or mental suffering as a result of abuse or neglect, to
24 wit: sexual exploitation, to wit: by Defendant causing or allowing V.M. to view pornographic
25 film.

26 ///

27 ///

28 ///

1 COUNT 8 - FIRST DEGREE KIDNAPPING OF A MINOR

2 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
3 feloniously, lead, take, entice, and/or carry away or detain V.M., a minor, with the intent to
4 keep him or her for a protracted period of time or permanently and/or imprison or confine
5 V.M. from his or her parents, guardians, or other person or persons having lawful custody of
6 V.M., or with the intent to hold V.M. to unlawful service, or to perpetrate upon the person of
7 V.M. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
8 with a minor under fourteen years of age.

9 COUNT 9 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

10 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
11 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
12 thereof, of a child, to wit: V.M., a child under the age of fourteen years, by undressing and/or
13 kissing V.M. and/or by touching the buttocks and/or genital area of V.M., with the intent of
14 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

15 COUNT 10 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

16 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
18 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M., against his or her
19 will, or under conditions in which Defendant knew, or should have known, that V.M. was
20 mentally or physically incapable of resisting or understanding the nature of Defendant's
21 conduct.

22 COUNT 11 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

23 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
24 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
25 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.,
26 against his or her will, or under conditions in which Defendant knew, or should have known,
27 that V.M. was mentally or physically incapable of resisting or understanding the nature of
28 Defendant's conduct.

1 COUNT 12 – PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
2 REPORTING CRIME OR COMMENCING PROSECUTION

3 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
4 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
5 V.M. from reporting a crime to a peace officer by threatening to hurt V.M. and/or V.M.'s
6 brother if V.M. told.

7 COUNT 13 - FIRST DEGREE KIDNAPPING OF A MINOR

8 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
9 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
10 keep him or her for a protracted period of time or permanently and/or imprison or confine
11 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
12 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
13 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
14 with a minor under fourteen years of age.

15 COUNT 14 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

16 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
18 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

19 COUNT 15 - FIRST DEGREE KIDNAPPING OF A MINOR

20 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully, and
21 feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent to
22 keep him or her for a protracted period of time or permanently and/or imprison or confine
23 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
24 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
25 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual assault
26 with a minor under fourteen years of age.

27 COUNT 16 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

28 did, on or between November 1, 2016 and February 1, 2017, willfully, lewdly,
unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part

1 or member thereof, of a child, to wit: A.W., a child under the age of fourteen years, by
2 undressing and/or touching and/or rubbing the genital area of A.W. with his penis and/or
3 hands, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual
4 desires of Defendant, or A.W.

5
6 COUNT 17 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT, VICTIM
UNDER 16

7 did on or between November 1, 2016 and February 1, 2017 then and there willfully,
8 unlawfully and feloniously use force or violence upon the person of another, to wit: A.W., a
9 child under 16 years of age, with the intent to commit sexual assault, by punching A.W.

10 COUNT 18 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

11 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
12 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
13 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

14
15 COUNT 19 – PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
REPORTING CRIME OR COMMENCING PROSECUTION

16 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
17 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
18 A.W. from reporting a crime to a peace officer by telling A.W. not to tell anyone or else he
19 would harm and/or kill A.W.

20 COUNT 20 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

21 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
22 and feloniously commit a lewd or lascivious act upon or with the body, or any part or member
23 thereof, of a child, to wit: R.M, a child under the age of fourteen years, by Defendant using his
24 penis and/or hands to touch and/or rub and/or fondle R.M.'s penis and/or buttocks, with the
25 intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant,
26 or R.M.

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1 COUNT 21 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

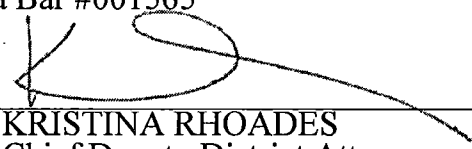
2 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
3 unlawfully, and feloniously commit a sexual penetration upon R.M., a child under the age of
4 14 years, to wit: anal intercourse, by placing his penis into the anal opening of R.M., against
5 his or her will, or under conditions in which Defendant knew, or should have known, that R.M.
6 was mentally or physically incapable of resisting or understanding the nature of Defendant's
7 conduct.

8 COUNT 22 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

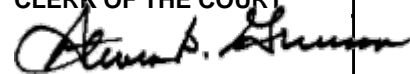
9 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
10 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
11 14 years, to wit: anal intercourse, by placing his penis into the anal opening of V.M., against
12 his or her will, or under conditions in which Defendant knew, or should have known, that V.M.
13 was mentally or physically incapable of resisting or understanding the nature of Defendant's
14 conduct.

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

18 BY


19 KRISTINA RHOADES
20 Chief Deputy District Attorney
21 Nevada Bar #012480
22
23
24
25

26 17FH1508X/jg/SVU
27 HPD EV#1703731, 1704975
28 (TK)



ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS,
#2707679

Defendant.

CASE NO: C-18-329765-1

DEPT NO: XV

ORDER DENYING DEFENDANT'S MOTION TO WITHDRAW COUNSEL

DATE OF HEARING: February 20, 2020
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for CALENDAR CALL before the above-entitled Court on the 20th day of February, 2020, the Defendant being present, represented by MITCHELL POSIN, ESQ., the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through KRISTINA RHOADES, Chief Deputy District Attorney, and as the Court did not receive a copy of Defendant's Motion to Withdraw Counsel, nor has it been filed, the Court advised it would be considering Defendant's motion as an Oral Motion to Withdraw, with the Court having heard from Defendant and Mr. Posin outside the presence of the State, and having heard arguments of Mr. Posin and Ms. Rhoades, with good cause appearing therefore,

IT IS HEREBY ORDERED that Defendant's Oral Motion to Withdraw Mitchell Posin, Esq. as attorney of record is HEREBY DENIED, with the Court having FOUND as follows:

1 (1) the Young case dealt with discretion, and the Court had discretion as to whether to
2 grant the instant Motion;

3 (2) The Court must, and did, make an inquiry into the Defendant's conflict with Mr.
4 Posin;

5 (3) having applied the factors set forth in the Young case, none of them support the
6 granting of the instant Motion;

7 (4) the Court made inquiries with the Clerk's Office regarding the filing of the
8 Defendant's Pro Per Motion, and was unable to locate the Motion;

9 (5) it was doubtful that the Defendant's Pro Per Motion was actually mailed to the
10 Court; however, if said Motion had been mailed to the Court, neither the Court, the State, nor
11 Mr. Posin received a copy;

12 (6) all parties were being made aware of the Defendant's Pro Per Motion for the first
13 time during the instant hearing, which was four (4) days prior to the trial setting, and weighed
14 against the granting of the Motion;

15 (7) the Defendant and Mr. Posin had appeared before the Court on several occasions
16 prior to the instant hearing, and the Defendant failed to raise any conflicts at any of those
17 prior hearings;

18 (8) the trial was previously continued to allow Mr. Posin time to conduct additional
19 investigations, over strenuous objections by the State;

20 (9) the Defendant was originally represented by the Public Defender's Office, and
21 chose Mr. Posin as his counsel prior to the Preliminary Hearing, which weighed against the
22 granting of the Motion;

23 (10) the Court disagreed with defense's argument that the State would not be
24 prejudiced by a continuance of the trial;

25 (11) continuing the case again on the eve of trial would be highly prejudicial to the
26 alleged victims, the State, and the potential for justice through the trial process;

27 (12) the instant case is extremely old for a criminal action;

28 ///

1 (13) Defendant had not presented sufficient justification, nor had he presented good
2 cause, to continue the current trial setting, or to appoint new counsel;

3 (14) the Defendant's allegations of irreconcilable differences with counsel were vague;

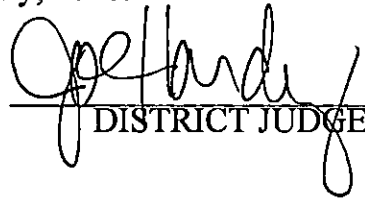
4 (15) it appeared the Defendant did not want to proceed to trial on February 24, 2020,
5 and that was not a sufficient reason to continue the trial, or appoint new counsel;

6 (16) the only witness that Defendant mentioned by name was the Defendant's brother,
7 who would be willing to testify for the Defendant without being subpoenaed; and

8 (17) the State had diligently prepared for trial, and a continuance would be highly
9 prejudicial to all parties on the State's side.


10 FURTHER, THE COURT noted that multiple times throughout the hearing Mr. Posin
11 indicated that he was prepared to proceed to trial on February 24, 2020.

12 DATED this 27th day of February, 2020.

13 
14 _____
DISTRICT JUDGE

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

17
18 BY


19 KRISTINA RHOADES
Chief Deputy District Attorney
20 Nevada Bar #012480

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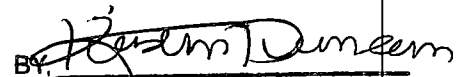
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FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

DISTRICT COURT

MAR 03 2020

CLARK COUNTY, NEVADA

BY: 
KRISTIN DUNCAN, DEPUTY

STATE OF NEVADA

Plaintiff(s),

CASE NO. C329765

-vs-

BRASS, DEQUINCY

Defendant(s).

DEPT. NO. XV

C-18-329765-1
AJUR
Amended Jury List
4901705



AMENDED JURY LIST

- | | |
|----------------------|--------------------|
| 1. Angela Armstead | 7. Edwin Garcia |
| 2. Christopher Rocca | 8. Dawn Richey |
| 3. Andrew Beals | 9. Dana Longfield |
| 4. Karen Mills | 10. Lisa Cummings |
| 5. Maroun Nehme | 11. Peter Tanner |
| 6. Patricia Ochal | 12. Carlos Morales |

ALTERNATE(S)

- | | |
|--------------------|-------------------|
| 13. Marisol Gibson | 14. Michael Jones |
|--------------------|-------------------|

MAR 03 2020

1 VER

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

BY, Kristin Duncan
KRISTIN DUNCAN, DEPUTY

4 THE STATE OF NEVADA,
5 Plaintiff,

CASE NO: C-18-329765-1
DEPT NO: XV

6 -VS-

7 DEQUINCY BRASS,
8 Defendant.

C-18-329765-1
VER
Verdict
4901706



9 **VERDICT**

10 We, the jury in the above entitled case, find the Defendant, DEQUINCY BRASS,
11 as follows:

12 **COUNT 1** - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

13 *(Please check the appropriate box, select only one)*

- 14 ☒ Guilty of Lewdness with a Child under the Age of 14
15 ☐ Not Guilty
16

17 **COUNT 2** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

18 *(Please check the appropriate box, select only one)*

- 19 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age
20 ☐ Not Guilty
21

22 **COUNT 3** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

23 *(Please check the appropriate box, select only one)*

- 24 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age
25 ☐ Not Guilty
26

27 ///

28 ///

///

///

1 **COUNT 4** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

2 *(Please check the appropriate box, select only one)*

3 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age

4 ☐ Not Guilty

5 **COUNT 5** - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

6 *(Please check the appropriate box, select only one)*

7 ☒ Guilty of Lewdness with a Child under the Age of 14

8 ☐ Not Guilty

9 **COUNT 6** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

10 *(Please check the appropriate box, select only one)*

11 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age

12 ☐ Not Guilty

13 **COUNT 7** - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

14 *(Please check the appropriate box, select only one)*

15 ☒ Guilty of Child Abuse, Neglect, or Endangerment

16 ☐ Not Guilty

17 **COUNT 8** - FIRST DEGREE KIDNAPPING

18 *(Please check the appropriate box, select only one)*

19 ☒ Guilty of First Degree Kidnapping

20 ☐ Not Guilty

21 **COUNT 9** - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

22 *(Please check the appropriate box, select only one)*

23 ☒ Guilty of Lewdness with a Child under the Age of 14

24 ☐ Not Guilty

1 **COUNT 10** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

2 *(Please check the appropriate box, select only one)*

- 3 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age
4 ☐ Not Guilty

5 **COUNT 11** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

6 *(Please check the appropriate box, select only one)*

- 7 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age
8 ☐ Not Guilty

9 **COUNT 12** - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
10 REPORTING CRIME OR COMMENCING PROSECUTION

11 *(Please check the appropriate box, select only one)*

- 12 ☒ Guilty of Preventing or Dissuading Witness or Victim from Reporting
13 Crime or Commencing Prosecution
14 ☐ Not Guilty

15 **COUNT 13** - FIRST DEGREE KIDNAPPING

16 *(Please check the appropriate box, select only one)*

- 17 ☒ Guilty of First Degree Kidnapping
18 ☐ Not Guilty

19 **COUNT 14** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age
22 ☐ Not Guilty

23 **COUNT 15** - FIRST DEGREE KIDNAPPING

24 *(Please check the appropriate box, select only one)*

- 25 ☒ Guilty of First Degree Kidnapping
26 ☐ Not Guilty

27 ///

28 ///

1 **COUNT 16** - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

2 *(Please check the appropriate box, select only one)*

3 ☒ Guilty of Lewdness with a Child under the Age of 14

4 ☐ Not Guilty

5 **COUNT 17** - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT, VICTIM
6 UNDER 16

7 *(Please check the appropriate box, select only one)*

8 16 ☒ Guilty of Battery with Intent to Commit Sexual Assault, Victim under

9 ☐ Not Guilty

10 **COUNT 18** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

11 *(Please check the appropriate box, select only one)*

12 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age

13 ☐ Not Guilty

14
15 **COUNT 19** - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
16 REPORTING CRIME OR COMMENCING PROSECUTION

17 *(Please check the appropriate box, select only one)*

18 ☒ Guilty of Preventing or Dissuading Witness or Victim from Reporting
Crime or Commencing Prosecution

19 ☐ Not Guilty

20
21 **COUNT 20** - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

22 *(Please check the appropriate box, select only one)*

23 ☐ Guilty of Lewdness with a Child under the Age of 14

24 ☒ Not Guilty

25 **COUNT 21** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

26 *(Please check the appropriate box, select only one)*

27 ☐ Guilty of Sexual Assault with a Minor under Fourteen Years of Age

28 ☒ Not Guilty

1 **COUNT 22** - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

2 *(Please check the appropriate box, select only one)*

3 ☒ Guilty of Sexual Assault with a Minor under Fourteen Years of Age

4 ☐ Not Guilty

5 DATED this 3rd day of March, 2020.

6
7 

8 FOREPERSON

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

MAR 03 2020

1 INST

2
3
4 DISTRICT COURT

BY Kristin Duncan
KRISTIN DUNCAN, DEPUTY

5 CLARK COUNTY, NEVADA.

6 THE STATE OF NEVADA,

CASE NO: C-18-329765-1

7 Plaintiff,

DEPT NO: XV

8 -vs-

9 DEQUINCY BRASS,

10 Defendant.

C-18-329765-1

Jl

Jury Instructions

4901715



11 JURY INSTRUCTIONS

MEMBERS OF THE JURY:

It is now my duty as judge to instruct you in the law that applies to this case. It is your duty as jurors to follow these instructions and to apply the rules of law to the facts as you find them from the evidence.

You must not be concerned with the wisdom of any rule of law stated in these instructions. Regardless of any opinion you may have as to what the law ought to be, it would be a violation of your oath to base a verdict upon any other view of the law than that given in the instructions of the Court.

INSTRUCTION NO. 2

If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

INSTRUCTION NO. 3

An Information is but a formal method of accusing a person of a crime and is not of itself any evidence of his guilt.

In this case, it is charged in a Third Amended Information that on or between May 4, 2015 and February 1, 2017, the Defendant committed the offenses of LEWDNESS WITH A CHILD UNDER THE AGE OF 14; SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE; CHILD ABUSE, NEGLECT, OR ENDANGERMENT; FIRST DEGREE KIDNAPPING OF A MINOR; PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION; and BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT VICTIM UNDER 16.

It is the duty of the jury to apply the rules of law contained in these instructions to the facts of the case and determine whether or not the Defendant is guilty of one or more of the offenses charged, which are set forth as follows:

COUNT 1 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part or member thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing V.M. to sit on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or by undressing and/or kissing and/or touching the buttocks and/or genital area of V.M., with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or V.M.

COUNT 2 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

did, on or between May 4, 2015 and February 1, 2017, then and there willfully, unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M., against his or her will, or under conditions in which Defendant knew, or should have known,

1 that V.M. was mentally or physically incapable of resisting or understanding the nature of
2 Defendant's conduct.

3 COUNT 3 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
4 AGE

5 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
6 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
7 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M., against his or her
8 will, or under conditions in which Defendant knew, or should have known, that V.M. was
9 mentally or physically incapable of resisting or understanding the nature of Defendant's
10 conduct.

11 COUNT 4 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
12 AGE

13 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
14 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
15 14 years, to wit: cunnilingus, by placing his mouth and/or tongue on or in the genital opening
16 of V.M., against his or her will, or under conditions in which Defendant knew, or should
17 have known, that V.M. was mentally or physically incapable of resisting or understanding
18 the nature of Defendant's conduct.

19 COUNT 5 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

20 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
21 and feloniously commit a lewd or lascivious act upon or with the body, or any part or
22 member thereof, of a child, to wit: V.M, a child under the age of fourteen years, by causing
23 V.M. to sit on his lap and/or on top of him while V.M. and/or Defendant were naked, and/or
24 by undressing and/or kissing and/or touching the buttocks and/or genital area of V.M. with
25 the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of
26 Defendant, or V.M.

27 COUNT 6 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
28 AGE

1 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
2 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
3 14 years, to wit: digital penetration, by inserting his finger(s) into the anal opening and/or the
4 genital opening of V.M., against his or her will, or under conditions in which Defendant
5 knew, or should have known, that V.M. was mentally or physically incapable of resisting or
6 understanding the nature of Defendant's conduct.

7 COUNT 7 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

8 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
9 feloniously cause a child under the age of 18 years, to wit: V.M., being approximately 9
10 years of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or
11 neglect, to wit: sexual exploitation, and/or cause V.M. to be placed in a situation where he or
12 she might have suffered unjustifiable physical pain or mental suffering as a result of abuse or
13 neglect, to wit: sexual exploitation, to wit: by Defendant causing or allowing V.M. to view
14 pornographic film.

15 COUNT 8 - FIRST DEGREE KIDNAPPING OF A MINOR

16 did, on or between May 4, 2015 and February 1, 2017, willfully, unlawfully, and
17 feloniously, lead, take, entice, and/or carry away or detain V.M., a minor, with the intent to
18 keep him or her for a protracted period of time or permanently and/or imprison or confine
19 V.M. from his or her parents, guardians, or other person or persons having lawful custody of
20 V.M., or with the intent to hold V.M. to unlawful service, or to perpetrate upon the person of
21 V.M. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual
22 assault with a minor under fourteen years of age.

23 COUNT 9 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

24 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
25 and feloniously commit a lewd or lascivious act upon or with the body, or any part or
26 member thereof, of a child, to wit: V.M., a child under the age of fourteen years, by
27 undressing and/or kissing V.M. and/or by touching the buttocks and/or genital area of V.M.,
28

1 with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of
2 Defendant, or V.M.

3 COUNT 10 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
4 AGE

5 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
6 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
7 14 years, to wit: fellatio, by placing his penis on or in the mouth of V.M., against his or her
8 will, or under conditions in which Defendant knew, or should have known, that V.M. was
9 mentally or physically incapable of resisting or understanding the nature of Defendant's
10 conduct.

11 COUNT 11 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
12 AGE

13 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
14 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
15 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of V.M.,
16 against his or her will, or under conditions in which Defendant knew, or should have known,
17 that V.M. was mentally or physically incapable of resisting or understanding the nature of
18 Defendant's conduct.

19 COUNT 12 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
20 REPORTING CRIME OR COMMENCING PROSECUTION

21 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
22 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or
23 delay V.M. from reporting a crime to a peace officer by threatening to hurt V.M. and/or
24 V.M.'s brother if V.M. told.

25 COUNT 13 - FIRST DEGREE KIDNAPPING OF A MINOR

26 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully,
27 and feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent
28 to keep him or her for a protracted period of time or permanently and/or imprison or confine

1 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
2 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
3 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual
4 assault with a minor under fourteen years of age.

5 COUNT 14 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
6 AGE

7 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
8 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
9 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

10 COUNT 15 - FIRST DEGREE KIDNAPPING OF A MINOR

11 did, on or between November 1, 2016 and February 1, 2017, willfully, unlawfully,
12 and feloniously, lead, take, entice, and/or carry away or detain A.W., a minor, with the intent
13 to keep him or her for a protracted period of time or permanently and/or imprison or confine
14 A.W. from his or her parents, guardians, or other person or persons having lawful custody of
15 A.W. or with the intent to hold A.W. to unlawful service, or to perpetrate upon the person of
16 A.W. any unlawful act, to wit: lewdness with a child under the age of 14 and/or sexual
17 assault with a minor under fourteen years of age.

18 COUNT 16 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

19 did, on or between November 1, 2016 and February 1, 2017, willfully, lewdly,
20 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any
21 part or member thereof, of a child, to wit: A.W., a child under the age of fourteen years, by
22 undressing and/or touching and/or rubbing the genital area of A.W. with his penis and/or
23 hands, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual
24 desires of Defendant, or A.W.

25 ///

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27 ///

28 ///

1 COUNT 17 - BATTERY WITH INTENT TO COMMIT SEXUAL ASSAULT, VICTIM
2 UNDER 16

3 did on or between November 1, 2016 and February 1, 2017 then and there willfully,
4 unlawfully and feloniously use force or violence upon the person of another, to wit: A.W., a
5 child under 16 years of age, with the intent to commit sexual assault, by punching A.W.

6 COUNT 18 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
7 AGE

8 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
9 unlawfully, and feloniously commit a sexual penetration upon A.W., a child under the age of
10 14 years, to wit: sexual intercourse, by placing his penis into the genital opening of A.W.

11 COUNT 19 – PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
12 REPORTING CRIME OR COMMENCING PROSECUTION

13 did, on or between November 1, 2016 and February 1, 2017, then and there willfully,
14 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or
15 delay A.W. from reporting a crime to a peace officer by telling A.W. not to tell anyone or
16 else he would harm and/or kill A.W.

17 COUNT 20 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14

18 did, on or between May 4, 2015 and February 1, 2017, willfully, lewdly, unlawfully,
19 and feloniously commit a lewd or lascivious act upon or with the body, or any part or
20 member thereof, of a child, to wit: R.M, a child under the age of fourteen years, by
21 Defendant using his penis and/or hands to touch and/or rub and/or fondle R.M.'s penis
22 and/or buttocks, with the intent of arousing, appealing to, or gratifying the lust, passions, or
23 sexual desires of Defendant, or R.M.

24 COUNT 21 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
25 AGE

26 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
27 unlawfully, and feloniously commit a sexual penetration upon R.M., a child under the age of
28 14 years, to wit: anal intercourse, by placing his penis into the anal opening of R.M., against

1 his or her will, or under conditions in which Defendant knew, or should have known, that
2 R.M. was mentally or physically incapable of resisting or understanding the nature of
3 Defendant's conduct.

4 COUNT 22 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
5 AGE

6 did, on or between May 4, 2015 and February 1, 2017, then and there willfully,
7 unlawfully, and feloniously commit a sexual penetration upon V.M., a child under the age of
8 14 years, to wit: anal intercourse, by placing his penis into the anal opening of V.M., against
9 his or her will, or under conditions in which Defendant knew, or should have known, that
10 V.M. was mentally or physically incapable of resisting or understanding the nature of
11 Defendant's conduct.

12 Each charge and the evidence pertaining to it should be considered separately. The
13 fact that you may find the Defendant guilty or not as to one of the offenses charged should
14 not control your verdict as to any other offense charged.

INSTRUCTION NO. 4

To constitute the crime charged, there must exist a union or joint operation of an act forbidden by law and an intent to do the act.

The intent with which an act is done is shown by the facts and circumstances surrounding the case.

Do not confuse intent with motive. Motive is what prompts a person to act. Intent refers only to the state of mind with which the act is done.

Motive is not an element of the crime charged and the State is not required to prove a motive on the part of the Defendant in order to convict. However, you may consider evidence of motive or lack of motive as a circumstance in the case.

INSTRUCTION NO. 5

The Defendant is presumed innocent until the contrary is proved. This presumption places upon the State the burden of proving beyond a reasonable doubt every element of the crime charged and that the Defendant is the person who committed the offense.

A reasonable doubt is one based on reason. It is not mere possible doubt but is such a doubt as would govern or control a person in the more weighty affairs of life. If the minds of the jurors, after the entire comparison and consideration of all the evidence, are in such a condition that they can say they feel an abiding conviction of the truth of the charge, there is not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or speculation.

If you have a reasonable doubt as to the guilt of the Defendant, he is entitled to a verdict of not guilty.

INSTRUCTION NO. 6

You are here to determine whether the Defendant is guilty or not guilty from the evidence in the case. You are not called upon to return a verdict as to the guilt or innocence of any other person. So, if the evidence in the case convinces you beyond a reasonable doubt of the guilt of the Defendant, you should so find, even though you may believe one or more persons are also guilty.

INSTRUCTION NO. 7

The evidence which you are to consider in this case consists of the testimony of the witnesses, the exhibits, and any facts admitted or agreed to by counsel.

There are two types of evidence; direct and circumstantial. Direct evidence is the testimony of a person who claims to have personal knowledge of the commission of the crime which has been charged, such as an eyewitness. Circumstantial evidence is the proof of a chain of facts and circumstances which tend to show whether the Defendant is guilty or not guilty. The law makes no distinction between the weight to be given either direct or circumstantial evidence. Therefore, all of the evidence in the case, including the circumstantial evidence, should be considered by you in arriving at your verdict.

Statements, arguments and opinions of counsel are not evidence in the case. However, if the attorneys stipulate to the existence of a fact, you must accept the stipulation as evidence and regard that fact as proved.

You must not speculate to be true any insinuations suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

You must disregard any evidence to which an objection was sustained by the court and any evidence ordered stricken by the court.

Anything you may have seen or heard outside the courtroom is not evidence and must also be disregarded.

INSTRUCTION NO. 8

The credibility or believability of a witness should be determined by his or her manner upon the stand, his or her relationship to the parties, his or her fears, motives, interests or feelings, his or her opportunity to have observed the matter to which he or she testified, the reasonableness of his or her statements and the strength or weakness of his or her recollections.

If you believe that a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

INSTRUCTION NO. 9

A witness who has special knowledge, skill, experience, training or education in a particular science, profession or occupation is an expert witness. An expert witness may give his or her opinion as to any matter in which he or she is skilled.

You should consider such expert opinion and weigh the reasons, if any, given for it. You are not bound, however, by such an opinion. Give it the weight to which you deem it entitled, whether that be great or slight, and you may reject it, if, in your judgment, the reasons given for it are unsound.

INSTRUCTION NO. 10

Any person who willfully commits any lewd or lascivious act, other than acts constituting the crime of sexual assault, upon or with any part of the body of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of that person or of that child, is guilty of lewdness with a minor.

INSTRUCTION NO. 11

The law does not require that the lust, passions, or sexual desires of either of such persons actually be aroused, appealed to, or gratified.

INSTRUCTION NO. 12

To constitute a lewd or lascivious act it is not necessary that the bare skin be touched.
The touching may be through the clothing of the child.

Lewdness with a child under the age of 14 years requires an act upon or with the body
of a child under the age of 14 years, but does not require physical contact between the
perpetrator and the victim.

INSTRUCTION NO. 13

Consent in fact of a minor child under fourteen years of age to sexual activity is not a defense to a charge of Lewdness with a Child Under the Age of 14.

INSTRUCTION NO. 14

A person who subjects another person to sexual penetration or forces another person to make a sexual penetration on himself or herself or another, against the victim's will, or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his/her conduct, is guilty of sexual assault.

“Sexual penetration” means cunnilingus, fellatio, or any intrusion, however slight, of any part of a person’s body or any object manipulated or inserted by a person into the genital or anal openings of the body of another, including sexual intercourse in its ordinary meaning. Evidence of ejaculation is not necessary.

Digital penetration is the placing of one or more fingers of the perpetrator into the genital or anal opening of another person.

Cunnilingus is a touching of the female sexual organ by the mouth or tongue of another person.

Fellatio is a touching of the penis by the mouth or tongue of another person.

Sexual intercourse is the intrusion, however slight, of the penis into the genital opening of another person.

Anal intercourse is the intrusion, however slight, of the penis into the anal opening of another person.

INSTRUCTION NO. 15

Physical force is not necessary in the commission of sexual assault. The crucial question is not whether a person was physically forced to engage in a sexual assault but whether the act was committed without his/her consent or under conditions in which the defendant knew or should have known, the person was incapable of giving his/her consent or understanding the nature of the act. There is no consent where a person is induced to submit to the sexual act through fear of death or serious bodily injury.

INSTRUCTION NO. 16

A person is not required to do more than his/her age, strength, surrounding facts and attending circumstances make it reasonable for him/her to do to manifest opposition to a sexual assault.

INSTRUCTION NO. 17

Submission is not the equivalent of consent. While consent inevitably involves submission, submission does not inevitably involve consent. Lack of protest by a victim is simply one among the totality of circumstances to be considered by the jury.

INSTRUCTION NO. 18

Where multiple sexual acts occur as part of a single criminal encounter a defendant may be found guilty for each separate or different act of sexual assault/lewdness.

Where a defendant commits a specific type of act constituting sexual assault/lewdness he may be found guilty of more than one count of that specific type of act of sexual assault/lewdness if:

1. There is an interruption between the acts which are of the same specific type,
2. Where the acts of the same specific type are interrupted by a different specific type of sexual assault/lewdness, or
3. For each separate object manipulated or inserted into the genital or anal opening of another.

Only one sexual assault/lewdness occurs when a defendant's actions were of one specific type of sexual assault/lewdness and those acts were continuous and did not stop between the acts of that specific type.

INSTRUCTION NO. 19

1 There is no requirement that the testimony of a victim of sexual abuse be
2 corroborated, and his or her testimony standing alone, if believed beyond a reasonable doubt,
3 is sufficient to sustain a verdict of guilty.
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INSTRUCTION NO. 20

Where a child has been the victim of a lewdness or sexual assault and does not remember the exact date of the act, the State is not required to prove a specific date, but may prove a time frame within which the act took place.

1 A person who leads, takes, entices, or carries away and/or detains any minor:

2 1) with the intent to keep the minor for a protracted period of time or permanently
3 and/or imprison or confine the minor from his or her parents, guardians, or any other person
4 having lawful custody of the minor; or

5 2) with the intent to hold the minor to unlawful service; or

6 3) to perpetrate upon the person of the minor any unlawful act;
7 is guilty of First-Degree Kidnapping.

8 The intention or purpose for which the victim was led, taken, enticed, or carried away
9 and/or detained, is a question of fact to be determined by your consideration of the evidence
10 and may be inferred from the Defendant's conduct before, after, and during the commission
11 of the offense, and all other circumstances disclosed by the evidence.

12 While a guilty verdict must be unanimous, you need not be unanimous on the means
13 or the theory of first-degree kidnapping in arriving at your verdict.

14 Consent of a minor under the age of 18 is not a defense to First Degree Kidnapping.

15 Force or threat of force is not an element of First Degree Kidnapping.
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INSTRUCTION NO. 22

A person who willfully causes a child who is less than 18 years of age to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect or to be placed in a situation where the child may suffer physical pain or mental suffering as the result of abuse or neglect is guilty of Child Abuse, Neglect, or Endangerment.

INSTRUCTION NO. 23

“Abuse or neglect” means sexual exploitation of a child under the age of 18 years, under circumstances which indicate that the child’s health or welfare is harmed or threatened with harm.

“Sexual exploitation” includes forcing, allowing or encouraging a child to view a pornographic film or literature.

A person who, by intimidating or threatening another person, prevents or dissuades a victim of a crime, a person acting on behalf of the victim or a witness from:

(a) Reporting a crime or possible crime to a:

(1) Judge;

(2) Peace officer;

(3) Parole or probation officer;

(4) Prosecuting attorney;

(5) Warden or other employee at an institution of the Department of Corrections; or

(6) Superintendent or other employee at a juvenile correctional institution;

(b) Commencing a criminal prosecution or a proceeding for the revocation of a parole or probation, or seeking or assisting in such a prosecution or proceeding; or

(c) Causing the arrest of a person in connection with a crime, or who hinders or delays such a victim, agent or witness in an effort to carry out any of those actions is guilty of preventing or dissuading witness or victim from reporting crime or commencing prosecution.

INSTRUCTION NO. 25

Battery means any willful and unlawful use of force or violence upon the person of another.

Any person who commits a battery upon another with the specific intent to commit a Sexual Assault is guilty of the offense of Battery With Intent to Commit Sexual Assault.

INSTRUCTION NO. 26

Evidence that the Defendant may have committed offenses other than that for which he is on trial, if believed, was not received and may not be considered by you to prove that he is a person of bad character or to prove that he has a disposition to commit crimes.

INSTRUCTION NO. 27

It is a defense to the charge of sexual assault that the Defendant entertained a reasonable and good faith belief that the alleged victim consented to engage in sexual intercourse. If you find such reasonable, good faith belief, even if mistaken, you must give the Defendant the benefit of the doubt and find him not guilty of sexual assault.

A belief that is based upon ambiguous conduct by the alleged victim that is the product of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person of another is not a reasonable and good faith belief.

INSTRUCTION NO. 28

Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind that such inferences should not be based on speculation or guess.

A verdict may never be influenced by sympathy, prejudice or public opinion. Your decision should be the product of sincere judgment and sound discretion in accordance with these rules of law.

INSTRUCTION NO. 29

In your deliberation you may not discuss or consider the subject of punishment, as that is a matter which lies solely with the court. Your duty is confined to the determination of whether the Defendant is guilty or not guilty.

INSTRUCTION NO. 30

During the course of this trial, and your deliberations, you are not to:

- (1) communicate with anyone in any way regarding this case or its merits – either by phone, text, Internet, or other means;
- (2) read, watch, or listen to any news or media accounts or commentary about the case;
- (3) do any research, such as consulting dictionaries, using the Internet, or using reference materials;
- (4) make any investigation, test a theory of the case, recreate any aspect of the case, or in any other way investigate or learn about the case on your own.

INSTRUCTION NO. 31

When you retire to consider your verdict, you must select one of your member to act as foreperson who will preside over your deliberation and will be your spokesperson here in court.

During your deliberation, you will have all the exhibits which were admitted into evidence, these written instructions and forms of verdict which have been prepared for your convenience.

Your verdict must be unanimous. As soon as you have agreed upon a verdict, have it signed and dated by your foreperson and then return with it to this room.

INSTRUCTION NO. 32

If, during your deliberation, you should desire to be further informed on any point of law or hear again portions of the testimony, you must reduce your request to writing signed by the foreperson. The officer will then return you to court where the information sought will be given you in the presence of, and after notice to, the district attorney and the Defendant and his/her counsel.

Playbacks of testimony are time-consuming and are not encouraged unless you deem it a necessity. Should you require a playback, you must carefully describe the testimony to be played back so that the court recorder can arrange his/her notes. Remember, the court is not at liberty to supplement the evidence.

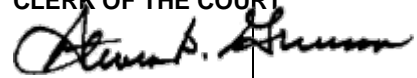
INSTRUCTION NO. 33

Now you will listen to the arguments of counsel who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever counsel may say, you will bear in mind that it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between the Defendant and the State of Nevada.

DATE: March 3, 2020

GIVEN:


DISTRICT JUDGE



JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEQUINCY BRASS
#2707679

Defendant.

CASE NO. C-18-329765-1

DEPT. NO. XV

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNT 1, 5, 9, 16 and 20 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony) in violation of NRS 201.230; COUNT 2, 3, 4, 6, 10, 11, 14, 18, 21 and 22 – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony) in violation of NRS 200.364, 200.366; COUNT 7 – CHILD ABUSE, NEGLECT OR ENDANGERMENT (Category B Felony) in violation of NRS 200.508(1); COUNT 8, 13 and 15 – FIRST DEGREE KIDNAPPING OF A MINOR (Category A Felony) in violation of NRS 200.310, 200.320; COUNT 12 and 19 – PREVENTING OR DISSUADING WITNESS OR VICTIM FROM

Jury Trial
<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Acquittal
<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input checked="" type="checkbox"/> Conviction

1 REPORTING CRIME OR COMMENCING PROSECUTION (Category D Felony) in violation
2 of NRS 199.305, of COUNT 17 – BATTERY WITH INTENT TO COMMIT SEXUAL
3 ASSAULT, VICTIM UNDER 16 (Category A Felony) in violation of NRS 200.400.4; and the
4 matter having been tried before a jury and the Defendant having been found guilty of the crimes
5 of COUNT 1, 5, 9 and 16 – LEWDNESS WITH A CHILD UNDER THE AGE OF 14
6 (Category A Felony) in violation of NRS 201.230; COUNT 2, 3, 4, 6, 10, 11, 14, 18 and 22 –
7 SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A
8 Felony) in violation of NRS 200.364, 200.366; COUNT 7 – CHILD ABUSE, NEGLECT OR
9 ENDANGERMENT (Category B Felony) in violation of NRS 200.508(1); COUNT 8, 13 and
10 15 – FIRST DEGREE KIDNAPPING OF A MINOR (Category A Felony) in violation of NRS
11 200.310, 200.320; COUNT 12 and 19 – PREVENTING OR DISSUADING WITNESS OR
12 VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION (Category D
13 Felony) in violation of NRS 199.305, of COUNT 17 – BATTERY WITH INTENT TO
14 COMMIT SEXUAL ASSAULT, VICTIM UNDER 16 (Category A Felony) in violation of
15 NRS 200.400.4; thereafter, on the 23rd day of April, 2020, the Defendant was present in court
16 for sentencing with counsel MITCHELL L. POSIN, ESQ., and good cause appearing,

17
18
19
20 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition
21 to the \$25.00 Administrative Assessment Fee, \$1,200.00 Restitution payable to Clark County
22 Social Services and \$150.00 DNA Analysis Fee including testing to determine genetic markers
23 plus \$3.00 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of
24 Corrections (NDC) as follows: **COUNT 1** - LIFE with a MINIMUM Parole Eligibility of TEN
25 (10) YEARS; **COUNT 2** - LIFE with a MINIMUM Parole Eligibility of THIRTEY-FIVE (35)
26 YEARS, CONSECUTIVE to COUNT 1; **COUNT 3** – LIFE with a MINIMUM Parole
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1 Eligibility of THIRTY-FIVE (35) YEARS, CONSECUTIVE to COUNT 2; **COUNT 4** – LIFE
2 with a MINIMUM Parole Eligibility of THIRTY-FIVE (35) YEARS, CONSECUTIVE to
3 COUNT 3; **COUNT 5** - LIFE with a MINIMUM Parole Eligibility of TEN (10) YEARS,
4 CONCURRENT with COUNT 4; **COUNT 6** - LIFE with a MINIMUM Parole Eligibility of
5 TEN (10) YEARS, CONCURRENT with COUNT 5; **COUNT 7** - a MAXIMUM of THIRTY-
6 SIX (36) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS,
7 CONCURRENT with COUNT 6; **COUNT 8** - LIFE with a MINIMUM Parole Eligibility of
8 FIVE (5) YEARS, CONCURRENT with COUNT 7; **COUNT 9** – LIFE with a MINIMUM
9 Parole Eligibility of TEN (10) YEARS, CONCURRENT with COUNT 8; **COUNT 10** - LIFE
10 with a MINIMUM Parole Eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with
11 COUNT 9; **COUNT 11** – LIFE with a MINIMUM Parole Eligibility of THIRTY-FIVE (35)
12 YEARS, CONCURRENT with COUNT 10; **COUNT 12** - a MAXIMUM of THIRTY-TWO
13 (32) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS,
14 CONCURRENT with COUNT 11; **COUNT 13** – LIFE with a MINIMUM Parole Eligibility of
15 FIVE (5) YEARS, CONCURRENT with COUNT 12; **COUNT 14** – LIFE with a MINIMUM
16 Parole Eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 13; **COUNT**
17 **15** – LIFE with a MINIMUM Parole Eligibility of FIVE (5) YEARS, CONCURRENT with
18 COUNT 14; **COUNT 16** – LIFE with a MINIMUM Parole Eligibility of TEN (10) YEARS,
19 CONCURRENT with COUNT 15; **COUNT 17** – LIFE with a MINIMUM Parole Eligibility of
20 TEN (10) YEARS, CONCURRENT with COUNT 16; **COUNT 18** – LIFE with a MINIMUM
21 Parole Eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT 17; **COUNT**
22 **19** – a MAXIMUM of THIRTY-TWO (32) MONTHS with a MINIMUM Parole Eligibility of
23 TWELVE (12) MONTHS, CONCURRENT with COUNT 18; **COUNT 22** – LIFE with a

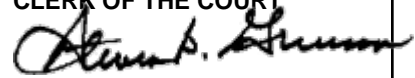
1 MINIMUM Parole Eligibility of THIRTY-FIVE (35) YEARS, CONCURRENT with COUNT
2 19; with NINE HUNDRED THIRTY-SEVEN (937) DAYS credit for time served. The
3 AGGREGATE TOTAL sentence is LIFE with a MINIMUM Parole Eligibility of ONE
4 HUNDRED FIFTEEN (115) YEARS. COUNTS 20 and 21 - NOT GUILTY.
5

6 FURTHER ORDERED, a SPECIAL SENTENCE of LIFETIME SUPERVISION is
7 imposed to commence upon release from any term of imprisonment, probation or parole. In
8 addition, before the Defendant is eligible for parole, a panel consisting of the Administrator of
9 the Mental Health and Development Services of the Department of Human Resources or his
10 designee; the Director of the Department of corrections or his designee; and a psychologist
11 licensed to practice in this state; or a psychiatrist licensed to practice medicine in Nevada must
12 certify that the Defendant does not represent a high risk to re-offend based on current accepted
13 standards of assessment.
14

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

19 DATED this 30th day of April, 2020.
20

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23 JOE HARDY
24 DISTRICT COURT JUDGE
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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

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

10 THE STATE OF NEVADA,)
11)
12 Plaintiff,) CASE NO. C-18-329765-1
13 v.) DEPT. NO. XV
14)
15 DEQUINCY BRASS,)
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. XV 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, Dequincy Brass,
25 presently incarcerated in the Nevada State Prison, appeals to the
26 Supreme Court of the State of Nevada from the judgment entered
27 against said Defendant on the 30 day of April, 2020 whereby he was
28 convicted of Cts. 1, 5, 9 and 16 - Lewdness with a Child Under the
Age of 14; Cts. 2, 3, 4, 6, 10, 11, 14, 18 and 22 - Sexual Assault
with a Minor Under 14 Years of Age; Ct. 7 - Child Abuse, Neglect
or Endangerment; Cts. 8, 13 and 15 - First Degree Kidnapping of a
Minor; Cts. 12 and 19 - Preventing or Dissuading Witness or Victim
from Reporting Crime or Commencing Prosecution; Ct. 17 - Battery
With Intent to Commit Sexual Assault, Victim Under 16 and
sentenced to \$25 Admin. Fee; \$1,200 restitution payable to Clark

1 County Social Services, \$150 DNA analysis fee including genetic
2 markers; \$3.00 DNA collection fee; Ct. 1 - 10 years to Life in
3 prison; Ct. 2 - 35 years to Life consecutive to Ct. 1; Ct. 3 - 35
4 years to Life consecutive to Ct. 2; Ct. 4 - 35 years to Life
5 consecutive to Ct. 3; Ct. 5 - 10 years to Life concurrent with Ct.
6 4; Ct. 6 - 10 years to Life concurrent with Ct. 5; Ct. 7 - 12-36
7 months with minimum parole eligibility of 12 months concurrent
8 with Ct. 6; Ct. 8 - 5 years to Life concurrent with Ct. 7 - Ct. 9
9 - 10 years to Life concurrent with Ct. 8; Ct. 10 - 35 years to
10 Life concurrent with Ct. 9; Ct. 11 - 35 to Life concurrent with
11 Ct. 10; Ct. 12 - 12-32 months concurrent with Ct. 11; Ct. 13 - 5
12 years to Life concurrent with Ct. 12; Ct. 14 - 35 years to Life
13 concurrent with Ct. 13; Ct. 15 - 5 years to life concurrent with
14 Ct. 14; Ct. 16 - 10 years to Life concurrent with Ct. 15; Ct. 17 -
15 10 years to Life concurrent with Ct. 16; Ct. 18 - 35 to Life
16 concurrent with Ct. 17; Ct. 19 - 12-32 months concurrent with Ct.
17 18; Ct. 22 - 35 to Life concurrent with Ct. 19; 937 days CTS. The
18 aggregate total sentence is 115 years to Life; Cts. 20 and 21 -
19 Not Guilty. Further ordered special sentence of Lifetime
20 Supervision; ordered to register as a sex offender in accordance
21 with NRS 179D.460 within 48 hours after any release from custody.

22 DATED this 4 day of May, 2020.

23 DARIN F. IMLAY
24 CLARK COUNTY PUBLIC DEFENDER

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

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Heather S. Lumin
CLERK OF THE COURT

DeQuincy Brass #2767679
330 S. Casino Center Blvd,
Las Vegas, Nv. 89101

IN THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA

State of Nevada
Plaintiff,

v.

DeQuincy Brass
Defendant,

CASE NO. C-18-329765-1
DEPT. NO. XV

NOTICE OF APPEAL

Notice is hereby given that DeQuincy Brass
Defendant above named, hereby appeals to the
Supreme Court of Nevada from District
Court Final judgement. entered in this
action on the 23rd day of April, 2020.

DATED THIS 23rd day of April, 2020.

RECEIVED

APR 28 2020

CLERK OF THE COURT

[Signature]
Defendant

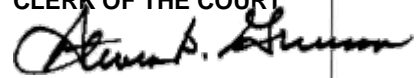
DeQuincy Brass #2707679
Clark County Detention Center
330 S. Casino Center Blvd.
Las Vegas, NV 89101



LEGAL

Clerk of the Court
Steven D. Grierson
200 Lewis Ave
Las Vegas, Nv. 89155

SENT FROM CCDC



IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

DEQUINCY BRASS,

Defendant

Supreme Court No. 81142

District Court No. C-18-329765-1

DEPT NO. XV

AFFIDAVIT & MOTION FOR EXTENSION

I, MATTHEW YARBROUGH, Court Recorder, Department XV, Eighth Judicial District Court, Las Vegas, Nevada, respectfully requests this Honorable Court for an extension of time in which to file the requested transcripts in the above matter for the reasons set forth below.

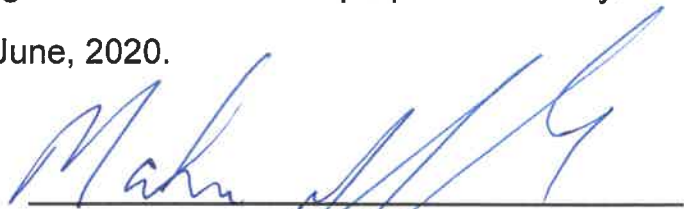
According to the Supreme Court case management, this request was filed on May 19, 2020. That puts the due date on June 19, 2020. And due to COVID-19 and the various Administrative Orders regarding all Court operations in response to COVID-19.

Therefore, I request this Honorable Court an extension until July 20th, 2020, to prepare and serve the transcripts in this matter as well as my Certificate of Service of the same.

...

1 This motion is made in good faith and not for purposes of delay.


2 Dated this 16th day of June, 2020.

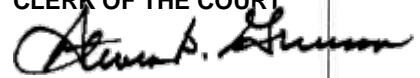
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5 MATTHEW YARBROUGH,
6 Court Recorder, Department XV
7 Eighth Judicial District Court
8 Regional Justice Center
9 Las Vegas, Nevada 89155
10 (702) 671-4408

11 CERTIFICATE OF SERVICE

12 I hereby certify that a copy of the foregoing Motion for Extension was served
13 upon Defendant's attorney Darin F. Imlay, at 309 South Third Street, Suite 226, Las
14 Vegas, Nevada 89155

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16 
17 Matthew Yarbrough,
18 Court Recorder, Department XV
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IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

DEQUINCY BRASS,

Defendant

Supreme Court No. 81142

District Court No. C-18-329765-1

DEPT NO. XV

ERRATA TO AFFIDAVIT & MOTION FOR EXTENSION

I, MATTHEW YARBROUGH, Court Recorder, Department XV, Eighth Judicial District Court, Las Vegas, Nevada, respectfully requests this Honorable Court for an extension of time in which to file the requested transcripts in the above matter for the reasons set forth below.

According to the Supreme Court case management, this request was filed on May 19, 2020. That puts the due date on June 19, 2020. This voluminous request of fifteen hearings and six trial days comes after March 12, 2020, Administrative Order 20-01, regarding all Court operations in response to COVID-19. In an effort to flatten the curve of COVID-19, the Administrative Orders 20-01 through 20-14 placed limited work restrictions for all District Court staff.


///

///

1 Therefore, I request this Honorable Court an extension until July 20th, 2020, to
2 prepare and serve the transcripts in this matter as well as my Certificate of Service
3 of the same.

4 This motion is made in good faith and not for purposes of delay.

5 Dated this 16th day of June, 2020.

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MATTHEW YARBROUGH,
Court Recorder, Department XV
Eighth Judicial District Court
Regional Justice Center
Las Vegas, Nevada 89155
(702) 671-4408

CERTIFICATE OF SERVICE

15 I hereby certify that a copy of the foregoing Motion for Extension was served
16 upon Defendant's attorney Darin F. Imlay, at 309 South Third Street, Suite 226, Las
17 Vegas, Nevada 89155

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Matthew Yarbrough,
Court Recorder, Department XV

ORDR
DARIN F. IMLAY, PUBLIC DEFENDER
NEVADA BAR NO. 5674
DEBORAH L. WESTBROOK, CHIEF DEPUTY PUBLIC DEFENDER
NEVADA BAR NO. 9285
PUBLIC DEFENDERS OFFICE
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
Telephone: (702) 455-4685
Facsimile: (702) 455-5112
deborah.westbrook@clarkcountynv.gov
Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)	
)	
Plaintiff,	)	CASE NO. C-18-329765-1
)	
v.	)	DEPT. NO. XV
)	
DEQUINCY BRASS,)	
)	
Defendant,)	

**STIPULATION AND ORDER TO UNSEAL AND PREPARE TRANSCRIPT
OF FEBRUARY 24, 2020 YOUNG HEARING**

Based on the stipulation and agreement by and between Chief Deputy Public Defender Deborah L. Westbrook and Chief Deputy District Attorney Alexander Chen, it is hereby agreed that the sealed Young hearing held on the afternoon of February 24, 2020 be unsealed and a transcript prepared within 30 days of this Order to allow for appellate review of that proceeding.

Dated this 29th day of July, 2020

IT IS SO ORDERED.


DISTRICT COURT JUDGE

Submitted by:

FB8 B2F D091 87F0
Joe Hardy
District Court Judge

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

STEVEN B. WOLFSON
CLARK COUNTY DISTRICT ATTY.

By: /s/ Deborah L. Westbrook
DEBORAH L. WESTBROOK, #9285
Chief Deputy Public Defender

By: /s/ Alexander Chen
ALEXANDER CHEN, # 10539
Chief Deputy District Attorney

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Case Name: Dequincy Brass
Case No.: C-18-329765-1
Dept. No.: XV

1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
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6 State of Nevada

CASE NO: C-18-329765-1

7 vs

DEPT. NO. Department 15

8 Dequincy Brass
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Stipulation and Order was served via the court's electronic eFile system
13 to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/29/2020

15 Mitchell Posin	mposin@gmail.com
16 District Attorney	motions@clarkcountyda.com
17 Jennifer Garcia	Jennifer.Garcia@clarkcountyda.com
18 Eileen Davis	Eileen.Davis@clarkcountyda.com
19 Carrie Connolly	connolcm@ClarkCountyNV.gov
20 Sharon Nichols	nicholss@clarkcountycourts.us
21 Norma Ramirez	ramirezn@clarkcountycourts.us
22 Matt Yarbrough	yarbroughm@clarkcountycourts.us

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Felony/Gross Misdemeanor

COURT MINUTES

February 14, 2018

C-18-329765-1 State of Nevada
vs
Dequincy Brass

February 14, 2018 10:00 AM Initial Arraignment

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

COURT CLERK: Brown, Kristen; Simpson, Dauriana; Suehiro, Sharyne

RECORDER: Schmidt, Kiara

REPORTER:

PARTIES PRESENT:

Dequincy Brass

Defendant

Mitchell L Posin

Attorney for Defendant

JOURNAL ENTRIES

Deputized Law Clerk, Stephanie Getler, present on behalf of the State.

DEFT. BRASS ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT FURTHER 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

04/26/18 9:00 AM CALENDAR CALL (DEPT. 22)

04/30/18 8:30 AM JURY TRIAL (DEPT. 22)

Felony/Gross Misdemeanor

COURT MINUTES

March 27, 2018

C-18-329765-1 State of Nevada
vs
Dequincy Brass

March 27, 2018 08:30 AM Motion to Withdraw as Counsel

HEARD BY: Johnson, Susan COURTROOM: RJC Courtroom 15D

COURT CLERK: Cromer, Keri; Kidd, Lauren

RECORDER: Ramirez, Norma

REPORTER:

PARTIES PRESENT:

Dequincy Brass Defendant

State of Nevada Plaintiff

Thomas M Carroll Attorney for Plaintiff

JOURNAL ENTRIES

Upon Court's inquiry, Deft. stated he was unaware of his attorney's motion to withdraw. Court advised Deft. the Motion was based on unpaid attorney fees. Deft. noted he spoke with his family and believed they had just paid his attorney. State requested a continuance and noted there may be new information with regards to the most recent payment. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 3/29/18 9:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

March 29, 2018

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

March 29, 2018 09:00 AM Motion to Withdraw as Counsel

HEARD BY: Johnson, Susan COURTROOM: RJC Courtroom 15D

COURT CLERK: Cromer, Keri; Kidd, Lauren

RECORDER: Ramirez, Norma

REPORTER:

PARTIES PRESENT:

Kristina A. Rhoades Attorney for Plaintiff

Mitchell L Posin Attorney for Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Posin advised Deft.'s family contacted him and he would be withdrawing his Motion to Withdraw. Colloquy regarding trial continuance. Mr. Posin anticipated 6 days. Court directed Mr. Posin to file a motion and advised Deft. needed to be present since he invoked his right to a speedy trial. COURT ORDERED, motion VACATED; matter SET for status check.

CUSTODY

4/03/2018 - 8:30 AM - STATUS CHECK: TRIAL SETTING

Felony/Gross Misdemeanor

COURT MINUTES

April 03, 2018

C-18-329765-1 State of Nevada
vs
Dequincy Brass

April 03, 2018 08:30 AM Status Check: Trial Setting

HEARD BY: Johnson, Susan COURTROOM: RJC Courtroom 15D

COURT CLERK: Cromer, Keri

RECORDER: Ramirez, Norma

REPORTER:

PARTIES PRESENT:

Dequincy Brass	Defendant
Kristina A. Rhoades	Attorney for Plaintiff
Mitchell L Posin	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

Mr. Posin advised Deft. had already waived and they needed to continue the trial date. Counsel anticipated 5-6 days to try. Colloquy regarding scheduling conflicts. COURT ORDERED, trial dates VACATED and RESET.

CUSTODY

7/19/2018 - 9:00 AM - CALENDAR CALL

7/23/2018 - 8:30 AM - JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

July 19, 2018

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

July 19, 2018 08:30 AM Calendar Call

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass	Defendant
Kristina A. Rhoades	Attorney for Plaintiff
Mitchell L Posin	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

Also present: Xavier Burns, DDA practicing under Supreme Court Rule 49.5, under the supervision of Maria Lavell, DDA.

Mr. Posin requested a continuance of the trial date. There being no objection, COURT ORDERED the trial date was hereby VACATED and RESET.

IN CUSTODY

11/8/18 8:30 AM CALENDAR CALL

11/13/18 10:30 AM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

October 30, 2018

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

October 30, 2018 09:00 AM State's Motion to Allow Dr. Sandra Cetl to Appear by
Simultaneous Audiovisual Transmission Equipment

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass

Defendant

Kristina A. Rhoades

Attorney for Plaintiff

Mitchell L Posin

Attorney for Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

There being no opposition, COURT ORDERED State's Motion to Allow Dr. Sandra Cetl to Appear by Simultaneous Audiovisual Transmission Equipment, was hereby GRANTED. The State noted that the calendar call was set to be heard on November 8, 2018, and Mr. Posin advised that the parties had discussed continuing the trial date.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

November 08, 2018

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

November 08, 2018 08:30 AM Calendar Call

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass	Defendant
Kristina A. Rhoades	Attorney for Plaintiff
Mitchell L Posin	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

Mr. Posin requested the trial date be continued, noting that he recently obtained extensive discovery, and felt that he would not be able to effectively assist the Defendant, without being able to review said discovery. The State noted that it was prepared to proceed to trial, and that the instant request was the Defendant's third request for a continuance of the trial date. Colloquy regarding scheduling. The State represented that it would not be available for trial until May or June of 2019. Noting that the State was prepared to proceed to trial, COURT ORDERED the trial date was hereby VACATED and RESET, to allow Mr. Posin to review the new discovery. Upon Court's inquiry, Mr. Posin stated that approximately one (1) week would be needed for trial.

CUSTODY

5/7/19 8:30 AM CALENDAR CALL

5/13/19 10:30 AM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

January 29, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

January 29, 2019 08:30 AM Defendant's Motion for Own Recognizance Release, or in the
Alternative for Setting of Reasonable Bail

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass

Defendant

Kristina A. Rhoades

Attorney for Plaintiff

Mitchell L Posin

Attorney for Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

Mr. Posin advised that Kristina Rhoades, DDA, had requested a continuance of the instant Motion, on behalf of the State. There being no objection by Mr. Posin, COURT ORDERED the instant Motion was hereby CONTINUED.

CUSTODY

CONTINUED TO: 2/5/19 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

February 05, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

February 05, 2019 08:30 AM Defendant's Motion for Own Recognizance Release, or in the
Alternative for Setting of Reasonable Bail

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass

Defendant

Mitchell L Posin

Attorney for Defendant

Richard H. Scow

Attorney for Plaintiff

State of Nevada

Plaintiff

JOURNAL ENTRIES

The State noted that Kristina Rhoades, DDA, was handling the instant case, and requested the matter be trailed for her presence. Mr Posin indicated he had other hearings that required his presence, and submitted on the Court's discretion. Additionally, Mr. Posin stated that both parties filed written pleadings, and would be willing to submit on the briefs. As it would like to hear oral argument, COURT ORDERED Defendant's Motion for Own Recognizance Release, or in the Alternative, for Setting of Reasonable Bail, was hereby CONTINUED.

CUSTODY

CONTINUED TO: 2/7/19 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

February 07, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

February 07, 2019 08:30 AM Defendant's Motion for Own Recognizance Release, or in the
Alternative for Setting of Reasonable Bail

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass

Defendant

Kristina A. Rhoades

Attorney for Plaintiff

Mitchell L Posin

Attorney for Defendant

State of Nevada

Plaintiff

JOURNAL ENTRIES

Mr. Posin argued in support of the Motion, citing the Defendant's lack of criminal history, and his inability to post bail as currently set. The State argued in opposition, citing the Defendant's high probability to reoffend. Having considered the facts, circumstances, allegations, and Defendant's history, and having applied those factors to NRS 178.498 and NRS 178.4853, COURT ORDERED Defendant's Motion for Own Recognizance Release, or in the Alternative, for Setting of Reasonable Bail, was hereby DENIED. COURT FURTHER ORDERED, the State's countermotion, in the form of the Opposition, was hereby GRANTED; Defendant's bail shall STAND at \$100,000.00, with the CONDITIONS of no contact whatsoever with minors, and house arrest, if the bail were to be posted. The State shall prepare the Order.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

May 07, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

May 07, 2019 08:30 AM Calendar Call

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass Defendant

Kristina A. Rhoades Attorney for Plaintiff

Mitchell L Posin Attorney for Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Posin advised that he was having issues with his investigator, and requested a brief continuance in order to obtain more information. The Court suggested the parties return on May 9, 2019. The State advised that it was unsure what information Mr. Posin was waiting for, as all discovery had been provided, and the Defendant had not noticed any witnesses. COURT ORDERED the calendar call was hereby CONTINUED.

CUSTODY

CONTINUED TO: 5/9/19 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

May 09, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

May 09, 2019 08:30 AM Calendar Call

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass	Defendant
Kristina A. Rhoades	Attorney for Plaintiff
Mitchell L Posin	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

Mr. Posin requested a continuance, noting that the investigator initially hired to the case did not respond to his calls, and he eventually learned that the investigator had quit. The State opposed the request to continue, arguing that the instant setting was the fourth trial setting, and the State was prepared to proceed to trial. Mr. Posin argued that the victims' stories changed in relation to the individuals being accused of the alleged crimes, and that was something the investigator was hired to look into. The State argued that good cause had not been shown to continue the trial date. COURT ORDERED Defendant's Oral Motion to Continue Trial was hereby DENIED for the reasons argued by the State, FINDING that the instant case had been filed on February 12, 2018, and the trial date had been continued numerous times at the request of the Defendant. The COURT FURTHER FOUND that the parties were available and prepared to proceed to trial, with the exception of the investigator issue, which did not rise to the level that would allow for another continuance.

Upon Court's inquiry, the State represented that approximately four to five days would be needed for trial. Mr. Posin requested that, if the trial went into the week of May 20, 2019, that May 20th be dark, and for trial to continue on May 21, 2019. The Court advised that it would accommodate Mr. Posin's scheduling request. COURT ORDERED a FIRM trial date was hereby SET. Colloquy regarding the amount of potential jurors that would be needed. The State requested 90 potential jurors, and the Court that 90 potential jurors would be requested.

CUSTODY

5/13/19 10:30 AM JURY TRIAL: FIRM

Felony/Gross Misdemeanor

COURT MINUTES

May 13, 2019

C-18-329765-1 State of Nevada
vs
Dequincy Brass

May 13, 2019 10:30 AM Jury Trial

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass	Defendant
Kelsey R. Einhorn	Attorney for Plaintiff
Kristina A. Rhoades	Attorney for Plaintiff
Mitchell L Posin	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Amended Information FILED IN OPEN COURT. The charges remain the same. Mr. Posin renewed his Oral Motion to Continue Trial, stating that his investigator had failed to follow-up on various lines of inquiry that they had been pursuing since 2018. Additionally, Mr. Posin argued that new discovery regarding a motel where some of the acts allegedly took place, had just been produced. The State noted that the recently produced discovery consisted of photos that would have been available to the Defendant through their own discovery. Mr. Posin noted that there had been some confusion regarding whether some of the alleged acts took place at Palms Hotel & Casino, and the photographs provided by the State were of a different hotel, with a similar name. Due to the discovery of the different hotel, Mr. Posin argued that his investigator should be permitted to investigate the records of said hotel. The State advised that the custodian of records for the hotel at issue had been subpoenaed, and was informed that the hotel did not keep any records whatsoever.

The Defendant stated that he had not had the opportunity to speak with Mr. Posin regarding the details of the case, noting that Mr. Posin had not visited him since December of 2018. Matter trailed to allow the Court to review the issues.

Matter recalled. Regarding the Defendant's allegations of ineffective assistance of counsel, the State argued that Mr. Posin had been retained since the Preliminary Hearing, and the Defendant had not made any specific request of Mr. Posin. Mr. Posin represented that he had been trying to communicate with his investigator, and that was why he failed to meet with the Defendant; approximately a week prior to the instant hearing, it was discovered that Defendant's investigator had been fired, and had not completed any of the requested investigations. The COURT expressed its frustration with Mr. Posin's failure to raise this issue prior to the trial date, and ORDERED Mr. Posin to produce Robert Lawson, the current investigator, to provide testimony regarding what occurred with the former investigator who was in his employee. Investigator Robert Lawson present. Mr. Lawson stated that the

investigator in his employee failed to do their job; however, he was unsure why Mr. Posin had not followed-up and presented the problem to him earlier than he did. Additional arguments by the State opposing Mr. Posin's oral request to continue. Upon Court's inquiry, Mr. Posin advised that he wished to have his investigator pursue communications that took place before the victims changed their story.

COURT ORDERED the trial date was hereby CONTINUED, as there was concern regarding the Defendant proceeding to trial without effective assistance of counsel. Colloquy regarding scheduling. The COURT NOTED that it reviewed the following cases in making its ruling: Strickland v. Washington; Jackson v. Warden, Nevada State Prison; Kirskey v. State; Zessman v. State; and Colgain v. State

COURT FURTHER ORDERED a status check regarding trial readiness was hereby SET. The prospective jury panel was EXCUSED by the Court's Marshal outside of the courtroom.

CUSTODY

8/13/19 8:30 AM STATUS CHECK: TRIAL READINESS

2/20/20 8:30 AM CALENDAR CALL

2/24/20 10:30 AM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

August 13, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

August 13, 2019 08:30 AM Status Check: Trial Readiness

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass Defendant

Kristina A. Rhoades Attorney for Plaintiff

Mitchell L Posin Attorney for Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Mr. Posin advised that he was communicating with his investigator. Additionally, Mr. Posin represented that, although the investigator was working on other cases, he was also working on the instant case. The State indicated that it had not received any information in the ninety days since the previous hearing, and requested another status check setting. COURT ORDERED the instant status check was hereby CONTINUED, to ensure the investigation was moving forward.

CUSTODY

CONTINUED TO: 10/1/19 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

October 01, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

October 01, 2019 08:30 AM Status Check: Trial Readiness

HEARD BY: Barker, David COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin; Lord, Rem

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass	Defendant
Kristina A. Rhoades	Attorney for Plaintiff
Mitchell L Posin	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

Investigator Robert Lawson present on behalf of the Defense.

The Court reviewed the procedural history of the case. Mr. Posin stated he anticipated being ready for trial on the date set, February 24, 2020. Mr. Posin noted Mr. Lawson had been able to continue his investigation on behalf of the Defense. COURT ORDERED, status check CONTINUED, and noted the Defendant does not have to be present at the next hearing.

CUSTODY

CONTINUED TO: 12/3/2019 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

December 03, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

December 03, 2019 08:30 AM Status Check: Trial Readiness

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass	Defendant
Kristina A. Rhoades	Attorney for Plaintiff
Mitchell L Posin	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

The State noted that it did not believe the defense had any discoverable documents as of the instant hearing. Additionally, the State advised that the jury trial was continued to allow the Defendant to obtain an expert, which had not yet been done. Upon Court's inquiry, Mr. Posin indicated that he had not obtained an expert, but would be doing so by the end of 2019. The Court advised counsel that it would not be continuing the February 24, 2020, trial date. COURT ORDERED the status check regarding trial readiness, was hereby CONTINUED.

CUSTODY

CONTINUED TO: 12/17/19 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

December 17, 2019

C-18-329765-1 State of Nevada
 vs
 Dequincy Brass

December 17, 2019 08:30 AM Status Check: Trial Readiness

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Duncan, Kristin

RECORDER: Yarbrough, Matt

REPORTER:

PARTIES PRESENT:

Dequincy Brass	Defendant
Kristina A. Rhoades	Attorney for Plaintiff
Mitchell L Posin	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

Mr. Posin advised that he had not yet retained an expert; however, he was looking to find an expert who could opine upon what a particular computer program could, or could not, do. Mr. Posin explained that there was an allegation the Defendant remotely deleted information from cell phones, and that was the reason for seeking such a particular expert. Upon Court's inquiry regarding what had been done to retain an expert, Mr. Posin noted that he recently made inquiries, and hoped to have the expert retained soon. Upon Court's inquiry regarding what else had been done to prepare for trial, Mr. Posin stated that he recently met with the Defendant, reviewed the transcripts from the Preliminary Hearing, and met with the investigator several times. The State advised that it spoke to Defendant's investigator on December 16, 2019. Additionally, the State noted that it was never in possession of any cell phones belonging to the Defendant; however, it did analyze data from two cell phones belonging to the two alleged victims. Furthermore, the State represented that the alleged victims believed the Defendant had remotely removed information from their phones; however, there was no actual data that could be presented to support that assertion. The Court noted that the parties may be able to speak and reach a resolution as to the cell phone issue. COURT ORDERED the status check regarding trial readiness, was hereby CONTINUED.

CUSTODY

CONTINUED TO: 1/14/20 8:30 AM

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DEQUINCY BRASS,) No. 81142
)
 Appellant,)
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 v.)
)
 THE STATE OF NEVADA,)
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 Respondent.)
 _____)

DARIN IMLAY Clark County Public Defender 309 South Third Street Las Vegas, Nevada 89155-2610 Attorney for Appellant	STEVE WOLFSON Clark County District Attorney 200 Lewis Avenue, 3 rd Floor Las Vegas, Nevada 89155 AARON FORD Attorney General 100 North Carson Street Carson City, Nevada 89701-4717 (702) 687-3538 Counsel for Respondent
--	--

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 26 day of January, 2021. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

DEQUINCY BRASS, #1233421
HIGH DESERT STATE PRISON
P.O. BOX 650
INDIAN SPRINGS, NV 89070

BY /s/ Rachel Howard
Employee, Clark County Public Defender's Office