

Electronically Filed
Sep 14 2020 10:39 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

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STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
ALEXANDER CHEN
Chief Deputy District Attorney
Nevada Bar #010539
200 Lewis Street
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

v.
VINNIE ADAMS,
#2888779,

Defendant(s).

Case No. C-19-342405-1
Dept. No. XXVIII

NOTICE OF APPEAL

TO: VINNIE ADAMS, Defendant; and

TO: CLAUDIA ROMNEY, Deputy Public Defender and

TO: LINDA MARIE BELL, District Judge, Eighth Judicial District Court,
Dept. No. VII

NOTICE IS HEREBY GIVEN THAT THE STATE OF NEVADA, Plaintiff in the
above entitled matter, appeals to the Supreme Court of Nevada from the Amended Decision
and Order filed on August 20, 2020, dismissing case.

Dated this 9th day of September, 2020.

STEVEN B. WOLFSON,
Clark County District Attorney

BY /s/ Alexander Chen
ALEXANDER CHEN
Chief Deputy District Attorney
Nevada Bar #010539

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CERTIFICATE OF ELECTRONIC TRANSMISSION

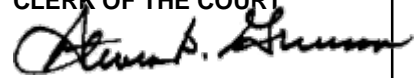
I hereby certify that service of the above and foregoing NOTICE OF APPEAL was made September 9, 2020, by electronic transmission to:

CLAUDIA ROMNEY
Email: GARCIACL@ClarkCountyNV.gov

JUDGE LINDA MARIE BELL
Email: perrys@clarkcountycourt.us

BY /s/ J. Garcia
Employee, District Attorney's Office

AC//jg



ASTA
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
ALEXANDER CHEN
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Nevada Bar #010539
200 Lewis Street
Las Vegas, Nevada 89155-2212
(702) 671-2750
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,
Plaintiff,

-vs-

VINNIE ADAMS,
#2888779,

Defendant.

Case No. C-19-342405-1

Dept. No. XXVIII

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

The State of Nevada

2. Identify the judge issuing the decision, judgment, or order appealed from:

Judge Linda Marie Bell

3. Identify all parties to the proceedings in the district court:

VINNIE ADAMS

The State of Nevada

4. Identify all parties involved in this appeal:

VINNIE ADAMS

The State of Nevada

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

ALEXANDER CHEN
Chief Deputy District Attorney
Nevada Bar #010539
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

CLAUDIA ROMNEY
Deputy Public Defender
Nevada Bar #010353
Clark County Public Defender
309 S. Third Street, #226
Las Vegas, Nevada 89155
(702) 455-3792

Counsel for Appellant
State of Nevada

Counsel for Respondent
Vinnie Adams

6. Indicate whether appellant was represented by appointed or retained counsel in the district court: Appointed

7. Indicate whether appellant is represented by appointed or retained counsel on appeal: Appointed

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

9. Date proceedings commenced in the district court:

Commitment and Order, filed August 8, 2019.

DATED this 9th day of September, 2020.

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

BY /s/ Alexander Chen

ALEXANDER CHEN
Chief Deputy District Attorney
Nevada Bar #010539
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

1 **CERTIFICATE OF ELECTRONIC TRANSMISSION**

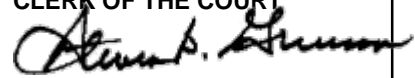
2 I hereby certify that service of the above and foregoing CASE APPEAL
3 STATEMENT was made September 9, 2020, by electronic transmission to:

4
5 CLAUDIA ROMNEY
6 Email: GARCIACL@ClarkCountyNV.gov

7 JUDGE LINDA MARIE BELL
8 Email: perrys@clarkcountycourt.us

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10
11 BY /s/ J. Garcia
12 Employee, District Attorney's Office

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REQT

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
ALEXANDER CHEN
Chief Deputy District Attorney
Nevada Bar #010539
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200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

v.

VINNIE ADAMS,
#2888779,

Defendant.

Case No. C-19-342405-1
Dept. No. XXVIII

ORIGINAL TRANSCRIPT REQUEST

TO: KRISTINE SANTI, HEAD COURT RECORDER

THE STATE OF NEVADA, Appellant named above, requests preparation of a
original transcript request of certain portions of the proceedings before the district court, as
follows:

AUGUST 23, 2019 – Further Proceedings: Competency

FEBRUARY 7, 2020 – Further Proceedings: Competency-Return from Stein

FEBRUARY 21, 2020 – Further Proceedings: Competency-Return from Stein

FEBRUARY 28, 2020 – Status Check: Set Challenge Hearing

MARCH 27, 2020 – Status Check: Challenge Hearing

May 29, 2020 – Status Check: Set Challenge Hearing

JULY 17, 2020 – Challenge Hearing (Competency Court)

JULY 31, 2020 – Further Proceedings: Competency-Return from Stein

1 **AUGUST 14, 2020 – Further Proceedings: Return from Competency Court**

2 **AUGUST 21, 2020 – Further Proceedings: Competency**

3 This notice requests a transcript of only those portions of the district court
4 proceedings which counsel reasonably and in good faith believes are necessary to determine
5 whether appellate issues are present. Voir dire examination of jurors, opening statements
6 and closing arguments of trial counsel, and the reading of jury instructions shall not be
7 transcribed unless specifically requested above.

8 I recognize that I must serve a copy of this form on the above named Court
9 Reporter/Recorder and opposing counsel, and that the above named Court Reporter/Recorder
10 shall have thirty (30) days from the receipt of this notice to prepare an original certified copy
11 and an additional certified copy for the appendix.

12 Dated this 9th day of September, 2020.

13
14 BY /s/ Alexander Chen

15 ALEXANDER CHEN
16 Chief Deputy District Attorney
17 Nevada Bar #010539
18 Office of the Clark County District Attorney
19 Regional Justice Center
20 200 Lewis Avenue
21 Post Office Box 552212
22 Las Vegas, Nevada 89155-2212
23 (702) 671-2750

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that service of the above and foregoing ORIGINAL TRANSCRIPT REQUEST was made September 9, 2020, by electronic transmission to:

CLAUDIA ROMNEY
Email: GARCIACL@ClarkCountyNV.gov

JUDGE LINDA MARIE BELL
Email: perrys@clarkcountycourt.us

KRISTINE SANTI
Head Court Recorder – District Court
SantiK@clarkcountycourts.us

BY /s/ J. Garcia
Employee, District Attorney's Office

AC//jg

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-19-342405-1**

State of Nevada
vs
Vinnie Adams

§ Location: **Department 28**
 § Judicial Officer: **Israel, Ronald J.**
 § Filed on: **08/08/2019**
 § Cross-Reference Case **C342405**
 § Number:
 § Defendant's Scope ID #: **2888779**
 § ITAG Case ID: **2178174**
 § Lower Court Case # Root: **18F19503**
 § Lower Court Case Number: **18F19503X**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. COMPETENCY DETERMINATION	COMPETENCY	O	08/08/2019		

Case Status: **08/25/2020 Dismissed**

Statistical Closures

08/25/2020 Dismissed (before trial) - Criminal
 08/20/2020 Dismissed (before trial) - Criminal

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

Case Number	C-19-342405-1
Court	Department 28
Date Assigned	08/08/2019
Judicial Officer	Israel, Ronald J.

PARTY INFORMATION

Defendant **Adams, Vinnie**






Lead Attorneys

Public Defender
Public Defender
 702-455-4685(W)

Plaintiff **State of Nevada**








Wolfson, Steven B
 702-671-2700(W)

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




08/08/2019	 Commitment and Order
08/22/2019	 Competency Evaluations <i>Competency evaluations</i>
08/23/2019	 Order of Commitment Pursuant to NRS 178.425 Filed By: Plaintiff State of Nevada <i>Order of Commitment</i>
12/19/2019	 Competency Reports <i>Stein report</i>
12/23/2019	 Order <i>Order to Transport Defendant from Southern Nevada Adult Health Rawson-Neal Psychiatric Hospital</i>

CASE SUMMARY

CASE NO. C-19-342405-1

07/17/2020	 Expert Witness List <i>Expert Witness List - Challenge Hearing</i>
08/13/2020	 Decision and Order <i>Decision and Order Finding Incompetence</i>
08/20/2020	 Decision and Order <i>Amended Decision and Order (Finding of Incompetency and Order for Civil Commitment or Release)</i>
08/25/2020	 Findings of Incompetency and Order for Civil Commitment <i>Findings of Incompetency and Order for Civil Commitment or Release</i>
09/09/2020	 Notice of Appeal (criminal) Party: Plaintiff State of Nevada <i>Notice of Appeal</i>
09/09/2020	 Case Appeal Statement Filed By: Plaintiff State of Nevada <i>Case Appeal Statement</i>
09/09/2020	 Request Filed by: Plaintiff State of Nevada <i>Original Transcript Request</i>

HEARINGS


08/23/2019	 Further Proceedings: Competency (10:00 AM) (Judicial Officer: Bell, Linda Marie) Referred to Lakes Crossing; Journal Entry Details: <i>Also present: Glen O Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Danika Navar of the Specialty Courts. Court NOTED Drs. Paglini and Collins indicate not competent; therefore, pursuant to the doctors' reports and the Dusky Standard, FINDS Defendant NOT COMPETENT as he is not capable of understanding the charges against him and is unable to assist counsel in his defense. Pursuant to NRS 178.425, COURT ORDERED, Defendant is REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, Defendant will be returned to this court for findings and referred back to the originating department for further proceedings. CUSTODY ;</i>
12/27/2019	 Further Proceedings: Competency-Return From Stein (10:00 AM) (Judicial Officer: Bell, Linda Marie) Continued; Journal Entry Details: <i>Mr. Cox requested a 30 day continuance to allow Lakes Crossing to review an additional report, noting the Defendant's attorney already sent it to them. COURT ORDERED, matter CONTINUED two weeks. CUSTODY CONTINUED TO: 1/10/20 10:00 AM;</i>
01/10/2020	 Further Proceedings: Competency-Return From Stein (10:00 AM) (Judicial Officer: Bell, Linda Marie) Continued; Journal Entry Details: <i>Also present: Glen O Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. Ms. Romney requested a continuance for the doctors to review additional medical records. COURT SO ORDERED. CUSTODY CONTINUED TO: 02/07/20 10:00 AM;</i>

EIGHTH JUDICIAL DISTRICT COURT


CASE SUMMARY

CASE NO. C-19-342405-1


02/07/2020

 **Further Proceedings: Competency-Return From Stein** (10:00 AM) (Judicial Officer: Bonaventure, Joseph T.)
Continued;
Journal Entry Details:
Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. Ms. Romney advised Defendant has a neuro exam done and the results were sent to the doctors however information has not been received as to their findings. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 02/21/20 10:00 AM;


02/21/2020

 **Further Proceedings: Competency-Return From Stein** (10:00 AM) (Judicial Officer: Bell, Linda Marie)
Set Status Check;
Journal Entry Details:
Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. Ms. Romney advised documents have been provided to the Doctors and their opinion did not change therefore a hearing will need to be set. COURT ORDERED, matter CONTINUED for hearing to be set. CUSTODY 02/28/20 10:00 AM STATUS CHECK: SET CHALLENGE HEARING;


02/28/2020

 **Status Check** (10:00 AM) (Judicial Officer: Bluth, Jacqueline M.)
STATUS CHECK: SET CHALLENGE HEARING
Continued;
Journal Entry Details:
Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. Ms. Romney advised records were just received and need to be provided to the doctors for review and requested a continuance. COURT SO ORDERED. CUSTODY CONTINUED TO: 03/20/20 10:00 AM;

03/20/2020

 **Status Check** (10:00 AM) (Judicial Officer: Bell, Linda Marie)
STATUS CHECK: SET CHALLENGE HEARING
Continued;
Journal Entry Details:
Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. Ms. Romney requested a continuance. COURT SO ORDERED. CUSTODY CONTINUED TO: 03/27/20 10:00 AM ;


03/27/2020

 **Status Check** (10:15 AM) (Judicial Officer: Bell, Linda Marie)
STATUS CHECK: CHALLENGE HEARING
Hearing Set;
Journal Entry Details:
Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. Colloquy regarding scheduling of hearing. COURT ORDERED, matter SET for hearing. CUSTODY 05/29/20 11:15 AM CHALLENGE HEARING;

05/29/2020

CANCELED Challenge Hearing (Competency Court) (8:30 AM) (Judicial Officer: Bell, Linda Marie)
Vacated - per Stipulation





05/29/2020

 **Status Check** (10:00 AM) (Judicial Officer: Bell, Linda Marie)
STATUS CHECK: SET CHALLENGE HEARING
Hearing Set;
Journal Entry Details:
Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. COURT ORDERED, matter SET for hearing. CUSTODY 06/26/20 8:30 AM CHALLENGE HEARING;

CANCELED Challenge Hearing (Competency Court) (8:30 AM) (Judicial Officer: Bell, Linda Marie)

CASE SUMMARY

CASE NO. C-19-342405-1

06/26/2020	Marie) <i>Vacated</i>
07/17/2020	 Challenge Hearing (Competency Court) (8:30 AM) (Judicial Officer: Bell, Linda Marie) MINUTES Granted; Journal Entry Details: <i>Also present: Dr. Sharon Jones Forrester, Dr. Rami Abukamil, Dr. Lia Roley, Dr. Sarah Dames, Michelle Bruening, Rachael Ponkerman, Michelle Tremar, Jessica Crellin, Shera Bradley, Testimony presented. (See worksheets) Arguments by counsel regarding Defendant's challenge of competency and ability to assist counsel in defense of case at trial or acceptance of plea option. Court will issue a written decision and parties will be notified. Matter set for status check in two weeks. CUSTODY 07/31/20 11:30 a.m. Further Proceedings: Competency Return from Stein;</i>
07/31/2020	 Further Proceedings: Competency-Return From Stein (11:30 AM) (Judicial Officer: Bell, Linda Marie) Continued; Journal Entry Details: <i>Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. COURT ORDERED, matter CONTINUED for decision. CUSTODY CONTINUED TO: 08/14/20 11:30 AM;</i>
08/14/2020	 Further Proceedings: Return from Competency Court (11:30 AM) (Judicial Officer: Bell, Linda Marie) Continued; Journal Entry Details: <i>Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. State requested a continuance to review decision issued by the Court. COURT SO ORDERED. CUSTODY CONTINUED TO: 08/21/20 11:30 AM;</i>
08/21/2020	 Further Proceedings: Competency (11:30 AM) (Judicial Officer: Bell, Linda Marie) MINUTES Set Status Check; Journal Entry Details: <i>Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present. Court noted a Decision and Order was filed on August 20, 2020 finding Defendant incompetent without the probability of restoration. COURT ORDERED, Defendant RELEASED on his OWN RECOGNIZANCE and matter SET for status check. O.R. 10/23/20 11:30 AM STATUS CHECK: TREATMENT/ DISCHARGE;</i>
10/23/2020	Status Check: Treatment / Discharge Plan (10:00 AM) (Judicial Officer: Bell, Linda Marie)

1 **DAO**

2 **EIGHTH JUDICIAL DISTRICT COURT**
3 **CLARK COUNTY, NEVADA**

4
5 THE STATE OF NEVADA,

6 Plaintiff,

7 vs.

8 VINNIE ADAMS,

9 Defendant.

Case No.

C-19-342405-1

Dept. No.

28

10
11 **AMENDED DECISION AND ORDER**

12 Vinnie Adams was referred to competency proceedings in August of 2019. Mr. Adams was
13 found to be competent after treatment at Stein Forensic Facility, but the finding was challenged by
14 defense counsel. The matter came before the Court for a challenge hearing on July 17, 2020. After
15 review of the medical evaluations, expert testimony, and oral arguments, the Court finds that Mr.
16 Adams is incompetent without the possibility of restoration.

17 Pursuant to NRS 178.460(4)(d), Mr. Adams shall remain in the custody of the Administrator
18 of the Division of Public and Behavioral Health of the Department of Health and Human Services or
19 his or her designee for a period of not more than ten days, or until such time as a petition is filed
20 within that ten day period to commit Mr. Adams pursuant to NRS 433A.200. If, within ten days, a
21 petition is not filed to commit Mr. Adams pursuant to NRS 433A.200, then Mr. Adams shall be
22 released from custody. Pursuant to NRS 178.425(5), the criminal proceedings against Mr. Adams in
23 the above-entitled matter which have been previously suspended by the Court, are hereby dismissed
24 without prejudice.

25 **I. Factual and Procedural Background**

26 Vinnie Adams is charged with Child Abuse, Neglect, or Endangerment Resulting in
27 Substantial Bodily or Mental Harm for an alleged incident occurring on October 17, 2018. In
28 February of 2019, Dr. Jones-Forrester conducted a neurocognitive evaluation of Mr. Adams. Dr.

LINDA MARIE BELL
DISTRICT JUDGE
DEPARTMENT VII

1 Jones-Forrester's evaluation determined that Mr. Adams suffered neurocognitive, intellectual, and
2 learning disabilities. The Las Vegas Justice Court subsequently referred Mr. Adams to the District
3 Court for a competency determination. In August of 2019, Mr. Adams was evaluated by Drs.
4 Paglini and Collins. Both doctors opined that Mr. Adams was not competent to proceed with
5 adjudication. Based on the doctors' opinions, Mr. Adams was referred to Stein Forensic Facility for
6 treatment and possible restoration of competency.

7 Mr. Adams did not receive a formal education due to his upbringing in the Roma culture.
8 Due to Mr. Adams's educational and cognitive deficits, Stein's treatment was supplemented with
9 specialized techniques such as using pictures to help explain the nature and purpose of court
10 proceedings. In December of 2019, Mr. Adams was evaluated at Stein by Drs. Damas, Roley, and
11 Abukamil. All three doctors diagnosed Mr. Adams with intellectual or cognitive deficits. Dr. Roley
12 also identified evidence of prenatal drug or alcohol exposure that contributed to a
13 neurodevelopmental disorder. Despite Mr. Adams's deficits, the Stein doctors determined that Mr.
14 Adams was competent to proceed with adjudication. The doctors' determination was challenged by
15 defense counsel. Prior to the challenge hearing, Dr. Jones-Forrester conducted a second evaluation
16 of Mr. Adams on May 19, 2020. At the second evaluation, Dr. Jones-Forrester observed Mr.
17 Adams's interaction with defense counsel. The challenge hearing was held on July 17, 2020. The
18 Court heard testimony from Drs. Jones-Forrester, Abukamil, Roley, and Damas, as well as argument
19 from counsel.

20 On August 13, 2020, the Court issued a decision and order. The August 13th decision found
21 that Mr. Adams is not competent to proceed with adjudication because he does not understand the
22 nature and purpose of the court proceedings, and because Mr. Adams is unable to assist counsel
23 during the proceedings with a reasonable degree of rational understanding.

24 The Court now amends the August 13th decision to find that Mr. Adams is incompetent
25 without the possibility of restoration.

26 ///

II. Discussion

A. Legal Standard

The US Supreme Court has held that a defendant is competent to stand trial when the defendant “has sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding” and the defendant “has a rational as well as factual understanding of the proceedings against him.” Dusky v. U.S., 362 U.S. 402, 402 (1960). Under Nevada Revised Statute 178.400, an incompetent defendant “may not be tried or adjudged to punishment for a public offense.” NRS 178.400(1). A defendant is incompetent when they do not have the ability to

- (a) Understand the nature of the criminal charges against the person;
- (b) Understand the nature and purpose of the court proceedings; or
- (c) Aid and assist the person’s counsel in the defense at any time during the proceedings with a reasonable degree of rational understanding.

NRS 178.400(2).

The Nevada Supreme Court has held that Nevada’s standard for competency complies with the Dusky standard. Calvin v. State, 147 P.3d 1097, 1098 (Nev. 2006).

B. Mr. Adams does not understand the nature and purpose of the court proceedings, nor is Mr. Adams able to assist counsel during the proceedings with a reasonable degree of rational understanding.

There is no dispute that Mr. Adams understands the nature of the charges against him. Dr. Jones-Forrester’s findings, however, raise doubt about Mr. Adams’s ability to understand the nature and purpose of the court proceedings. Dr. Jones-Forrester determined that Mr. Adams’s IQ is 58, which is extremely low against the average of 100. Mr. Adams’s intellectual deficits are compounded by neurocognitive deficits. Mr. Adams academic skills were generally at the kindergarten level, with the exception of Mr. Adams’s problem solving skills which were at the first grade level. The low academic skills render Mr. Adams functionally illiterate and impair Mr. Adams’s ability to understand numbers. Dr. Jones-Forrester also found significant difficulties in Mr. Adams’s attention, mental tracking, and processing speed. Difficulties in these and other

1 neurocognitive areas make Mr. Adams vulnerable to missing or misunderstanding information. Dr.
2 Jones-Forrester asserts that Mr. Adams's deficits affect his ability to understand court proceedings.

3 At the challenge hearing, all three Stein doctors acknowledged that Mr. Adams suffered from
4 intellectual disabilities. The Stein doctors did not perform testing on the extent of Mr. Adams's
5 intellectual disability. But, the Stein doctors disputed the degree to which Mr. Adams was affected
6 by his mental deficits and noted the improvement of Mr. Adams's ability to understand court
7 proceedings while at Stein. The Stein doctors acknowledged, however, that Mr. Adams's
8 understandings of court proceedings may slip over time. Drs. Abukamil and Roley both
9 recommended that Mr. Adams undergo regular reeducation on court proceedings.

10 At the May 2020 evaluation, Dr. Jones-Forrester observed the slippage of Mr. Adams's
11 understandings of court proceedings. Mr. Adams failed to retain what he had learned at Stein on
12 courtroom procedures and the roles of the participants in judicial proceedings. At one point, Mr.
13 Adams stated that the role of the prosecution was to find Mr. Adams not guilty, whereas Mr.
14 Adams's relationship with defense counsel was described as a friendship. One of Mr. Adams's
15 primary concerns was not to anger any of the court participants. The May 2020 evaluation
16 demonstrated that Mr. Adams did not have an understanding of the adversarial nature of the legal
17 process.

18 Mr. Adams's intellectual and neurocognitive deficits also impair Mr. Adams's ability to
19 assist counsel in Mr. Adams's defense. At the May 2020 evaluation, Mr. Adams did not understand
20 who would make the decision to go to trial, nor did Mr. Adams show a rational understanding of the
21 consequences of going to trial. Mr. Adams stated that he believed that he would receive probation
22 as long as he apologized to the trial judge. Mr. Adams's vulnerability to missing or
23 misunderstanding information would also affect his ability to rationally assist counsel during court
24 proceedings. Dr. Abukamil acknowledged that Mr. Adam would face difficulties during court
25 proceedings, but opined that the difficulties would be mitigated by the use of simple language,
26 speaking slowly, using concrete concepts, and taking frequent breaks. But, such techniques would
27 not be practicable at court proceedings like witness testimony. If Mr. Adams is unable to understand
28 court proceedings, he cannot rationally assist counsel in his defense.

1 Based on Mr. Adams's intellectual and neurocognitive deficits, Mr. Adams does not
2 understand the nature and purpose of court proceedings, nor can Mr. Adams assist counsel during
3 the proceedings with a reasonable degree of rational understanding.

4 **C. Mr. Adams's intellectual and neurocognitive deficits render Mr. Adams incompetent**
5 **without the possibility of restoration.**

6 At the challenge hearing, Dr. Jones-Forrester testified that Mr. Adams's low IQ and
7 neurocognitive deficits would be lifelong disabilities. Mr. Adams's educational shortcomings may
8 be improved upon with literacy, numeracy, and writing training, but Mr. Adams's intellectual and
9 neurocognitive deficits would significantly limit the range of any improvement. Based on Mr.
10 Adams's lifelong intellectual and neurocognitive deficits, the Court finds that Mr. Adams is
11 incompetent without the possibility of restoration.

12 ///

III. Conclusion

Mr. Adams is able to understand the nature of the criminal charges against him. But, Mr. Adams's intellectual and neurocognitive deficits impair his ability to understand the nature and purpose of the court proceedings. Mr. Adams's deficits also prevent Mr. Adams from aiding and assisting counsel in his defense with a reasonable degree of rational understanding. Mr. Adams's intellectual and neurocognitive deficits are lifelong disabilities, and the disabilities would significantly limit the range of possible improvement. Therefore, the Court finds that Mr. Adams is incompetent without the possibility of restoration.

Pursuant to NRS 178.460(4)(d), Mr. Adams shall remain in the custody of the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services or his or her designee for a period of not more than ten days, or until such time as a petition is filed within that ten day period to commit Mr. Adams pursuant to NRS 433A.200.

If, within ten days, a petition is not filed to commit Mr. Adams pursuant to NRS 433A.200, then Mr. Adams shall be released from custody.

Finally, pursuant to NRS 178.425(5), the criminal proceedings against Mr. Adams in the above-entitled matter which have been previously suspended by the Court, are hereby dismissed without prejudice.

Dated this 20th day of August, 2020



D88 2BD 0372 6C09
Linda Marie Bell
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
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6 State of Nevada

CASE NO: C-19-342405-1

7 vs

DEPT. NO. Department 28

8 Vinnie Adams
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 Electronic service was attempted through the Eighth Judicial District Court's
12 electronic filing system, but there were no registered users on the case. The filer has been
13 notified to serve all parties by traditional means.
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 23, 2019

C-19-342405-1 State of Nevada
vs
Vinnie Adams

**August 23, 2019 10:00 AM Further Proceedings:
Competency**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Adams, Vinnie Defendant

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Danika Navar of the Specialty Courts.

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

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 27, 2019

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

**December 27, 2019 10:00 AM Further Proceedings:
Competency-Return From
Stein**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Adams, Vinnie	Defendant
	Cox, Bryan A	Attorney
	Lavell, Maria	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Cox requested a 30 day continuance to allow Lakes Crossing to review an additional report, noting the Defendant's attorney already sent it to them. COURT ORDERED, matter CONTINUED two weeks.

CUSTODY

CONTINUED TO: 1/10/20 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 10, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

**January 10, 2020 10:00 AM Further Proceedings:
Competency-Return From
Stein**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

Ms. Romney requested a continuance for the doctors to review additional medical records. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 02/07/20 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 07, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

**February 07, 2020 10:00 AM Further Proceedings:
Competency-Return From
Stein**

HEARD BY: Bonaventure, Joseph T.

COURTROOM: RJC Courtroom 03F

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

Ms. Romney advised Defendant has a neuro exam done and the results were sent to the doctors however information has not been received as to their findings. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 02/21/20 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 21, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

**February 21, 2020 10:00 AM Further Proceedings:
Competency-Return From
Stein**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 10D

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

Ms. Romney advised documents have been provided to the Doctors and their opinion did not change therefore a hearing will need to be set. COURT ORDERED, matter CONTINUED for hearing to be set.

CUSTODY

02/28/20 10:00 AM STATUS CHECK: SET CHALLENGE HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 28, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

February 28, 2020 10:00 AM Status Check

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

Ms. Romney advised records were just received and need to be provided to the doctors for review and requested a continuance. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 03/20/20 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 20, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

March 20, 2020 10:00 AM Status Check

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Also present: Glen O Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

Ms. Romney requested a continuance. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 03/27/20 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 27, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

March 27, 2020 10:15 AM Status Check

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

Colloquy regarding scheduling of hearing. COURT ORDERED, matter SET for hearing.

CUSTODY

05/29/20 11:15 AM CHALLENGE HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 29, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

May 29, 2020 10:00 AM Status Check

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

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

COURT ORDERED, matter SET for hearing.

CUSTODY

06/26/20 8:30 AM CHALLENGE HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 17, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

**July 17, 2020 8:30 AM Challenge Hearing
(Competency Court)**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 10C

COURT CLERK: Alan Castle

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Adams, Vinnie	Defendant
	Howell, Christopher T.	Attorney
	O'Brien, Glen	Attorney
	Public Defender	Attorney
	Romney, Claudia	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Also present: Dr. Sharon Jones Forrester, Dr. Rami Abukamil, Dr. Lia Roley, Dr. Sarah Dames, Michelle Bruening, Rachael Ponkerman, Michelle Tremar, Jessica Crellin, Shera Bradley,

Testimony presented. (See worksheets) Arguments by counsel regarding Defendant's challenge of competency and ability to assist counsel in defense of case at trial or acceptance of plea option. Court will issue a written decision and parties will be notified. Matter set for status check in two weeks.

CUSTODY

07/31/20 11:30 a.m. Further Proceedings: Competency Return from Stein

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

**July 31, 2020 11:30 AM Further Proceedings:
Competency-Return From
Stein**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

COURT ORDERED, matter CONTINUED for decision.

CUSTODY

CONTINUED TO: 08/14/20 11:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

**August 14, 2020 11:30 AM Further Proceedings:
Return from Competency
Court**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala

RECORDER: Jessica Kirkpatrick

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

State requested a continuance to review decision issued by the Court. COURT SO ORDERED.

CUSTODY

CONTINUED TO: 08/21/20 11:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 21, 2020

C-19-342405-1 State of Nevada
 vs
 Vinnie Adams

August 21, 2020

11:30 AM

**Further Proceedings:
Competency**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Also present: Glen O'Brien, Deputy District Attorney, Claudia Romney, Deputy Public Defender, and Denise Baker of the Specialty Courts. Defendant present.

Court noted a Decision and Order was filed on August 20, 2020 finding Defendant incompetent without the probability of restoration. COURT ORDERED, Defendant RELEASED on his OWN RECOGNIZANCE and matter SET for status check.

O.R.

10/23/20 11:30 AM STATUS CHECK: TREATMENT/ DISCHARGE



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

STEVEN B. WOLFSON
DISTRICT ATTORNEY
200 LEWIS ST.
LAS VEGAS, NV 89155-2212

DATE: September 10, 2020
CASE: C-19-342405-1

RE CASE: STATE OF NEVADA vs. VINNIE ADAMS aka VENNTE ADAMS

NOTICE OF APPEAL FILED: September 9, 2020

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; ORIGINAL
TRANSCRIPT REQUEST; DISTRICT COURT DOCKET ENTRIES; AMENDED DECISION AND
ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

VINNIE ADAMS aka VENNTE ADAMS,

Defendant(s).

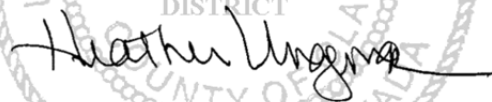
Case No: C-19-342405-1

Dept No: XXVIII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 10 day of September 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk