

1 NOASC  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ALEXANDER CHEN  
6 Chief Deputy District Attorney  
7 Nevada Bar #010539  
8 200 Lewis Street  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

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

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

9 THE STATE OF NEVADA, )  
10 Plaintiff, )  
11 v. )  
12 VINNIE ADAMS, )  
13 #2888779, )  
14 Defendant(s). )

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

**NOTICE OF APPEAL**

- 14 TO: VINNIE ADAMS, Defendant; and  
15 TO: CLAUDIA ROMNEY, Deputy Public Defender and  
16 TO: LINDA MARIE BELL, District Judge, Eighth Judicial District Court,  
17 Dept. No. VII

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

21 Dated this 9<sup>th</sup> day of September, 2020.

22 STEVEN B. WOLFSON,  
23 Clark County District Attorney

24 BY /s/ Alexander Chen  
25 ALEXANDER CHEN  
26 Chief Deputy District Attorney  
27 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](mailto:GARCIACL@ClarkCountyNV.gov)

JUDGE LINDA MARIE BELL  
Email: [perrys@clarkcountycourt.us](mailto:perrys@clarkcountycourt.us)

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

AC/jg



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

3  
4 ALEXANDER CHEN  
5 Chief Deputy District Attorney  
6 Nevada Bar #010539  
7 Office of the Clark County District Attorney  
8 Regional Justice Center  
9 200 Lewis Avenue  
10 Post Office Box 552212  
11 Las Vegas, Nevada 89155-2212  
12 (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

10 Counsel for Appellant  
11 State of Nevada

Counsel for Respondent  
Vinnie Adams

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

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

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

18           **9. Date proceedings commenced in the district court:**

19                     Commitment and Order, filed August 8, 2019.

20           **DATED** this 9<sup>th</sup> day of September, 2020.

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

23                     BY     /s/ Alexander Chen

---

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

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**CERTIFICATE OF ELECTRONIC TRANSMISSION**

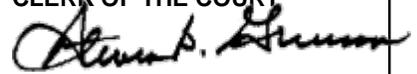
I hereby certify that service of the above and foregoing CASE APPEAL STATEMENT was made September 9, 2020, by electronic transmission to:

CLAUDIA ROMNEY  
Email: [GARCIACL@ClarkCountyNV.gov](mailto:GARCIACL@ClarkCountyNV.gov)

JUDGE LINDA MARIE BELL  
Email: [perrys@clarkcountycourt.us](mailto:perrys@clarkcountycourt.us)

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

AC/jg



1 **REQT**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ALEXANDER CHEN  
6 Chief Deputy District Attorney  
7 Nevada Bar #010539  
8 Regional Justice Center  
9 200 Lewis Avenue  
10 Las Vegas, Nevada 89155-2212  
11 (702) 671-2500  
12 Attorney for Plaintiff

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

9 THE STATE OF NEVADA, )  
10 Plaintiff, )  
11 v. ) Case No. C-19-342405-1  
12 VINNIE ADAMS, ) Dept. No. XXVIII  
13 #2888779, )  
14 Defendant. )

15 **ORIGINAL TRANSCRIPT REQUEST**

16 TO: KRISTINE SANTI, HEAD COURT RECORDER

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

- 20 **AUGUST 23, 2019 – Further Proceedings: Competency**
- 21 **FEBRUARY 7, 2020 – Further Proceedings: Competency-Return from Stein**
- 22 **FEBRUARY 21, 2020 – Further Proceedings: Competency-Return from Stein**
- 23 **FEBRUARY 28, 2020 – Status Check: Set Challenge Hearing**
- 24 **MARCH 27, 2020 – Status Check: Challenge Hearing**
- 25 **May 29, 2020 – Status Check: Set Challenge Hearing**
- 26 **JULY 17, 2020 – Challenge Hearing (Competency Court)**
- 27 **JULY 31, 2020 – Further Proceedings: Competency-Return from Stein**
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**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](mailto:GARCIACL@ClarkCountyNV.gov)

JUDGE LINDA MARIE BELL  
Email: [perrys@clarkcountycourt.us](mailto:perrys@clarkcountycourt.us)

KRISTINE SANTI  
Head Court Recorder – District Court  
[SantiK@clarkcountycourts.us](mailto: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

<b>Offense</b>	<b>Statute</b>	<b>Deg</b>	<b>Date</b>	<b>Case Type:</b>	<b>Felony/Gross Misdemeanor</b>
1. COMPETENCY DETERMINATION	COMPETENCY O		08/08/2019		
<b>Statistical Closures</b>				<b>Case Status:</b>	<b>08/25/2020 Dismissed</b>
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

<b>Defendant</b>	<b>Adams, Vinnie</b>	<i>Lead Attorneys</i> <b>Public Defender</b> <i>Public Defender</i> 702-455-4685(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</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  
*Expert Witness List - Challenge Hearing*

08/13/2020



Decision and Order  
*Decision and Order Finding Incompetence*

08/20/2020



Decision and Order  
*Amended Decision and Order (Finding of Incompetency and Order for Civil Commitment or Release)*

08/25/2020



Findings of Incompetency and Order for Civil Commitment  
*Findings of Incompetency and Order for Civil Commitment or Release*

09/09/2020



Notice of Appeal (criminal)  
Party: Plaintiff State of Nevada  
*Notice of Appeal*

09/09/2020



Case Appeal Statement  
Filed By: Plaintiff State of Nevada  
*Case Appeal Statement*

09/09/2020



Request  
Filed by: Plaintiff State of Nevada  
*Original Transcript Request*

**HEARINGS**

08/23/2019



**Further Proceedings: Competency (10:00 AM)** (Judicial Officer: Bell, Linda Marie)

Referred to Lakes Crossing;  
Journal Entry Details:  
*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 ;*

12/27/2019



**Further Proceedings: Competency-Return From Stein (10:00 AM)** (Judicial Officer: Bell, Linda Marie)

Continued;  
Journal Entry Details:  
*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;*

01/10/2020



**Further Proceedings: Competency-Return From Stein (10:00 AM)** (Judicial Officer: Bell, Linda Marie)

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 for the doctors to review additional medical records. COURT SO ORDERED. CUSTODY CONTINUED TO: 02/07/20 10:00 AM;*

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	 <b>Challenge Hearing (Competency Court)</b> (8:30 AM) (Judicial Officer: Bell, Linda Marie)  <b>MINUTES</b> 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	 <b>Further Proceedings: Competency-Return From Stein</b> (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	 <b>Further Proceedings: Return from Competency Court</b> (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	 <b>Further Proceedings: Competency</b> (11:30 AM) (Judicial Officer: Bell, Linda Marie)  <b>MINUTES</b> 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	<b>Status Check: Treatment / Discharge Plan</b> (10:00 AM) (Judicial Officer: Bell, Linda Marie)

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DAO

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

THE STATE OF NEVADA,			
	Plaintiff,		
vs.		Case No.	C-19-342405-1
VINNIE ADAMS,		Dept. No.	28
	Defendant.		

**AMENDED DECISION AND ORDER**

Vinnie Adams was referred to competency proceedings in August of 2019. Mr. Adams was found to be competent after treatment at Stein Forensic Facility, but the finding was challenged by defense counsel. The matter came before the Court for a challenge hearing on July 17, 2020. After review of the medical evaluations, expert testimony, and oral arguments, 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. 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.

**I. Factual and Procedural Background**

Vinnie Adams is charged with Child Abuse, Neglect, or Endangerment Resulting in Substantial Bodily or Mental Harm for an alleged incident occurring on October 17, 2018. In 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.

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## 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.

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**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



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

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
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

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**

<b>PRESENT:</b>	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 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**

**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**

<b>PRESENT:</b>	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

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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).

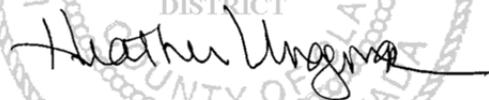
Case No: C-19-342405-1

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

