

*Steven D. Grierson*

Bryan Ferguson #96803  
Defendant in Proper person  
P.O. Box 656 H.D.S.P.  
Indian Springs NV 89070

Electronically Filed  
Sep 28 2020 10:55 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

District Court  
Clark County Nevada

The State of Nevada  
Plaintiff

Case NO: 06C228752-3

vs  
Bryan Ferguson  
#1299193 Defendant

Dept NO: XX

### Notice of Appeal

Notice is hereby given that defendant Bryan Ferguson, by and through himself in proper person, does now appeal to the supreme court of the State of Nevada, the decision of district court Order denying Defendants notice of motion and motion to withdraw counsel, (re-sentencing Pursuant to AB 236 and appointment of counsel).  
Ordered on 8-25-20

Dated this date 9-16-20

Respectfully Submitted,

*Bryan Ferguson*

Bryan Ferguson #96803  
In proper person


RECEIVED  
SEP 21 2020  
CLERK OF THE COURT

Certificate of service by mailing  
I Bryan Ferguson, hereby certify, pursuant to NRCPS(b),  
that on this 16 day of September 2020 I mailed a  
true and correct copy of the foregoing Notice  
of appeal by depositing it in high desert state  
prison, legal library, first-class postage, fully  
prepaid to the following:

W Jake Merback  
Chief Deputy District Attorney  
200 Lewis Ave  
Las Vegas NV 89155-2212

Clerk of the court  
Steven D Grierson  
8th Jud Dist Ct  
200 Lewis Ave 3rd floor

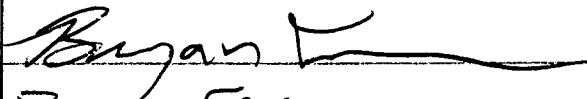
Dated this 16 day of September 2020

  
Bryan Ferguson #96803  
in proper person  
P.O. Box 650 H.D.S.P.  
Indian Springs NV 89070  
In forma pauperis:

Affirmation

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Notice of appeal filed in district court case number 06C228752-3 does not contain the social security number of any person.



Bryan Ferguson  
Defendant

8-16-20

Bryan Bergason #96803  
P.O. Box 650 H.D.S.P.  
Indian Springs NV 89070

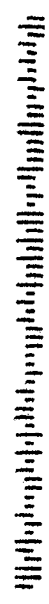
LAS VEGAS NV 890  
17 SEP 2020 PM 3 L

Thinkline

FOREVER / USA

Clerk of the Court  
Steven D Grier son  
200 Lewis Ave 3rd floor  
Las Vegas, NV 89155

89101-830000



INDIAN RESERVATION PRISON  
SEP 15 2020  
UNIT 7 AB



1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12  
13 BRYAN FERGASON  
14 aka BRYAN M. FERGASON,

15 Defendant(s),

Case No: 06C228752-3

Dept No: XX

16  
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Bryan Fergason

19 2. Judge: Eric Johnson

20 3. Appellant(s): Bryan Fergason

21 Counsel:

22 Bryan Fergason #96803  
23 P.O. Box 650  
24 Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.

Las Vegas, NV 89101  
(702) 671-2700

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

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

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

7. Appellant Represented by Appointed Counsel On Appeal: Yes

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

9. Date Commenced in District Court: December 13, 2006

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

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 52788, 52877, 53848, 57538, 58625, 59264, 59871,  
59900, 59910, 64165, 64255, 65827, 66986, 71222, 72944, 73388, 74469, 78299, 81048

12. Child Custody or Visitation: N/A

Dated This 25 day of September 2020.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

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

cc: Bryan Fergason

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. 06C228752-3**

**The State of Nevada vs Bryan Fergason**

§	Location:	<b>Department 20</b>
§	Judicial Officer:	<b>Johnson, Eric</b>
§	Filed on:	<b>12/13/2006</b>
§	Case Number History:	
§	Cross-Reference Case	<b>C228752</b>
§	Number:	
§	Defendant's Scope ID #:	<b>1299193</b>
§	Lower Court Case Number:	<b>06GJ00101</b>
§	Supreme Court No.:	<b>52877</b>
§		<b>59264</b>
§		<b>59910</b>
§		<b>71222</b>
§		<b>74469</b>

**CASE INFORMATION**

				Case Type:	<b>Felony/Gross Misdemeanor</b>
<b>Offense</b>	<b>Statute</b>	<b>Deg</b>	<b>Date</b>	Case Status:	
1. CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY	199.480	G	01/01/1900	<b>06/04/2010 Closed</b>	
2. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900		
3. POSSESSION OF STOLEN PROPERTY	205.275	F	01/01/1900		
4. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
5. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900		
6. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900		
7. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
8. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
9. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
10. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
11. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
12. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900		
13. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
14. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
15. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
16. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
17. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900		
18. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900		
19. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900		
20. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS	205.275	F	01/01/1900		
21. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900		

**CASE SUMMARY****CASE No. 06C228752-3**

22. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900
23. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900
24. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900
25. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900
26. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE	205.275	F	01/01/1900
27. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE	205.275	F	01/01/1900

**Related Cases**

06C228752-1 (Multi-Defendant Case)

06C228752-2 (Multi-Defendant Case)

06C228752-4 (Multi-Defendant Case)

**Statistical Closures**

07/22/2009 USJR Reporting Statistical Closure

02/25/2009 USJR Reporting Statistical Closure

06/04/2010 USJR Reporting Statistical Closure

**Warrants**

Bench Warrant - Ferguson, Bryan (Judicial Officer: Hardcastle, Kathy )

12/21/2006 Quashed

12/13/2006 Issued

Fine: \$0

Bond: \$0

DATE	CASE ASSIGNMENT
------	-----------------

**Current Case Assignment**


Case Number	06C228752-3
Court	Department 20
Date Assigned	05/04/2015
Judicial Officer	Johnson, Eric

PARTY INFORMATION
-------------------

<b>Defendant</b>	<b>Ferguson, Bryan</b>	<i>Lead Attorneys</i>
		<b>Pro Se</b>
<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**

12/13/2006	 Indictment <i>INDICTMENT</i>
12/13/2006	Hearing <i>INITIAL ARRAIGNMENT</i>
12/13/2006	Hearing <i>INITIAL ARRAIGNMENT</i>



# CASE SUMMARY

CASE NO. 06C228752-3

12/13/2006	Hearing <i>INITIAL ARRAIGNMENT</i>
12/13/2006	Hearing <i>INITIAL ARRAIGNMENT</i>
12/13/2006	Hearing <i>GRAND JURY INDICTMENT</i>
12/13/2006	Bench Warrant <i>BENCH WARRANT ISSUED</i>
12/13/2006	Order <i>ORDER OF INTENT TO FORFEIT</i>
12/13/2006	 Order <i>NOTICE AND ORDER TO TRANSFER BAIL</i>
12/13/2006	 Warrant <i>INDICTMENT WARRANT</i>
12/13/2006	 Warrant <i>INDICTMENT WARRANT</i>
12/13/2006	 Warrant <i>INDICTMENT WARRANT</i>
12/13/2006	 Notice <i>Notice and Order to Transfer Bail</i>
12/15/2006	 Indictment <i>AMENDED INDICTMENT</i>
12/18/2006	 Motion to Quash Bench Warrant <i>Request to Quash Warrant and/or Release or in the Alternative Bail Reduction</i>
12/18/2006	 Receipt of Copy <i>RECEIPT OF COPY</i>
12/19/2006	Bench Warrant <i>BENCH WARRANT ISSUED</i>
12/19/2006	Order <i>ORDER OF INTENT TO FORFEIT</i>
12/19/2006	Bench Warrant <i>BENCH WARRANT ISSUED</i>
12/19/2006	Order <i>ORDER OF INTENT TO FORFEIT</i>
12/19/2006	 Bench Warrant <i>BENCH WARRANT RETURN</i>
12/19/2006	 Bench Warrant

# CASE SUMMARY

CASE No. 06C228752-3

## BENCH WARRANT RETURN

12/20/2006	Hearing <i>ARRAIGNMENT CONTINUED (DEFTS' MONROE; FERGASON &amp; HOLMES)</i>
12/22/2006	Motion <i>ALL PENDING MOTIONS (12/20/06)</i>
12/27/2006	Hearing <i>ARRAIGNMENT CONTINUED (DEFT. TREVARTHEN)</i>
12/28/2006	 Order <i>STIPULATION AND ORDER</i>
01/04/2007	Motion <i>ALL PENDING MOTIONS (1/4/07)</i>
01/05/2007	Hearing <i>ARRAIGNMENT CONTINUED</i>
01/05/2007	Hearing <i>CONFIRMATION OF COUNSEL (LANGFORD)</i>
01/05/2007	Hearing <i>CONFIRMATION OF COUNSEL (FIGLER)</i>
01/05/2007	Hearing <i>STATUS CHECK: BAIL BONDS</i>
01/05/2007	 Notice <i>NOTICE OF ENTRY OF ORDER</i>
01/05/2007	Hearing <i>SOURCE HEARING</i>
01/08/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF NOVEMBER 28, 2006</i>
01/08/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF NOVEMBER 28, 2006</i>
01/08/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF DECEMBER 12, 2006</i>
01/08/2007	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF DECEMBER 13, 2006</i>
01/08/2007	 Bond <i>BOND - #DS250-148813 - \$137,000.00</i>
01/11/2007	Motion <i>ALL PENDING MOTIONS (1/11/06); DEFTS' MONROE &amp; TREVARTHEN</i>
01/12/2007	Hearing <i>CONFIRMATION OF COUNSEL (LORD)</i>

# CASE SUMMARY







CASE NO. 06C228752-3

01/22/2007	 Bond <i>BOND - #DS50-134729 - \$13,000.00</i>
01/24/2007	 Notice <i>NOTICE OF RECEIPT OF BOND TRANSFER</i>
01/31/2007	 Motion <i>DEFENDANT'S MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF HABEAS CORPUS</i>
01/31/2007	 Order <i>ORDER OF HOURLY APPOINTMENT</i>
02/01/2007	 Petition <i>Petition for Writ of Habeas Corpus</i>
02/01/2007	 Petition <i>Petition for Writ of Habeas Corpus and Motion to Dismiss</i>
02/01/2007	 Order <i>ORDER</i>
02/05/2007	 Certificate <i>CERTIFICATE OF MAILING</i>
02/06/2007	 Order <i>ORDER APPOINTING COUNSEL</i>
02/07/2007	 Order <i>ORDER APPOINTING COUNSEL</i>
02/08/2007	 Request <i>EX PARTE MOTION FOR EMPLOYMENT AND PAYMENT OF INVESTIGATOR</i>
02/14/2007	Hearing <i>STATUS CHECK: PETITION/TRIAL</i>
02/14/2007	Conversion Case Event Type <i>ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)</i>
02/14/2007	 Order <i>ORDER</i>
02/14/2007	 Writ <i>RETURN TO WRIT OF HABEAS CORPUS</i>
02/14/2007	 Writ <i>RETURN TO WRIT OF HABEAS CORPUS</i>
02/15/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
02/20/2007	Motion

# CASE SUMMARY

CASE NO. 06C228752-3












ALL PENDING MOTIONS 2-20-07

02/28/2007	 Ex Parte Order <i>EX PARTE ORDER APPOINTING INVESTIGATOR</i>
02/28/2007	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS</i>
02/28/2007	 Request <i>EX PARTE MOTION TO APPOINT INVESTIGATOR</i>
03/06/2007	Hearing <i>STATUS CHECK: SENTENCING</i>
03/06/2007	 Indictment <i>SECOND AMENDED INDICTMENT</i>
03/06/2007	 Writ <i>RETURN TO WRIT OF HABEAS CORPUS</i>
03/06/2007	 Memorandum <i>GUILTY PLEA AGREEMENT</i>
03/19/2007	 Conversion Case Event Type <i>AGREEMENT TO TESTIFY</i>
04/17/2007	 Order <i>STIPULATION AND ORDER EXTENDING TIME</i>
04/26/2007	 Receipt <i>RECEIPT OF EXHIBITS</i>
05/07/2007	 Petition <i>PETITION FOR WRIT OF HABEAS CORPUS</i>
05/09/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
05/09/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
05/14/2007	 Motion <i>MOTION TO WITHDRAW AS ATTORNEY OF RECORD FOR DAIMON MONROE</i>
05/14/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
05/21/2007	 Order <i>ORDER FOR PRODUCTION OF INMATES</i>
06/06/2007	 Application <i>EX PARTE APPLICATION FOR AUTHORIZATION OF FEES IN EXCESS OF THE</i>

# CASE SUMMARY











CASE No. 06C228752-3

STATUTORY AMOUNT AUTHORIZED BY NRS 7.125 AND 7.145

07/03/2007	 Order <i>ORDER</i>
08/08/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
08/08/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
09/01/2007	Petition <i>PTN FOR WRIT OF HABEAS CORPUS (DEFT. MONROE) VJ 09-25-07</i>
09/01/2007	 Order <i>ORDER SETTING HEARING DATE</i>
09/13/2007	 Motion <i>Motion to Continue Trial</i>
09/13/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
09/18/2007	Petition <i>PTN FOR WRIT OF HABEAS CORPUS (DEFT. FERGUSON) VJ 09-25-07</i>
09/18/2007	Petition <i>PTN FOR WRIT OF HABEAS CORPUS (DEFT. HOLMES) VJ 09-25-07</i>
09/18/2007	 Request <i>AMENDED NOTICE OF MOTION ON DEFENDANT'S MOTION TO CONTINUE TRIAL</i>
09/19/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
09/25/2007	Hearing <i>STATUS CHECK: TRIAL SETTING</i>
09/25/2007	Hearing <i>STATUS CHECK: TRIAL SETTING</i>
10/02/2007	Petition <i>PTN FOR WRIT OF HABEAS CORPUS</i>
10/02/2007	Motion <i>ALL PENDING MOTIONS 10/02/07</i>
10/04/2007	 Application <i>EX PARTE APPLICATION FOR EXCESSIVE INVESTIGATOR FEES</i>
10/16/2007	 Order <i>ORDER TO APPOINT INVESTIGATOR AND INVESTIGATIVE FEES</i>
10/19/2007	 Order <i>AMENDED ORDER APPOINTING COUNSEL AND ALLOWING INTERIM BILLING</i>

# CASE SUMMARY

CASE NO. 06C228752-3

11/06/2007	 Ex Parte Order <i>EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY ON COURT APPOINTED CASE - FIRST INTERIM BILLING</i>
11/06/2007	 Supplement <i>SUPPLEMENT TO DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS</i>
11/06/2007	 Receipt of Copy <i>RECEIPT OF COPY</i>
11/06/2007	 Request <i>EX PARTE MOTION TO ALLOW FEES IN EXCESS OF STATORY MAXIMUM FOR ATTORNEY ON COURT APPOINTED CASE</i>
12/10/2007	 Order <i>TRIAL ORDER</i>
01/23/2008	Hearing <i>MINUTE ORDER RE: (RECUSAL)</i>
01/23/2008	 Notice of Department Reassignment <i>NOTICE OF DEPARTMENT REASSIGNMENT</i>
01/24/2008	Hearing <i>MINUTE ORDER RE: REASSIGNMENT TO DEPT. VII</i>
01/25/2008	Hearing <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/25/2008	Hearing <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/25/2008	Hearing <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/30/2008	Motion <i>ALL PENDING MOTIONS 1/30/08</i>
02/05/2008	Motion <i>ALL PENDING MOTIONS 2-5-08</i>
04/23/2008	 Notice of Witnesses and/or Expert Witnesses <i>NOTICE OF EXPERT WITNESSES [NRS 174.234(2)]</i>
04/24/2008	 Motion <i>MOTION TO SEVER</i>
04/24/2008	Hearing <i>STATUS CHECK: SENTENCING</i>
04/25/2008	 Motion <i>MOTION TO SEVER, ON ORDER SHORTENING TIME</i>
04/25/2008	 Receipt of Copy

# CASE SUMMARY

CASE No. 06C228752-3

## RECEIPT OF COPY

04/25/2008



Receipt of Copy

RECEIPT OF COPY

04/28/2008



Opposition

OPPOSITION TO DEFENDANT HOLMES' MOTION TO SEVER

04/28/2008



Opposition

OPPOSITION TO DEFENDANT FERGUSON'S MOTION TO SEVER

04/29/2008



Motion

MOTION TO AMEND INDICTMENT

04/29/2008

Motion

STATE'S MTN TO AMEND INDICTMENT

04/29/2008

Motion

STATE'S MTN TO AMEND INDICTMENT

04/30/2008



Notice

NOTICE OF HABITUAL CRIMINALITY

04/30/2008



Opposition

STATE'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY THE DISTRICT ATTORNEY'S OFFICE AND SANDRA DIGIACOMO AS PROSECUTOR DUE TO CONFLICT ON INTEREST

05/01/2008

Motion

ALL PENDING MOTIONS 5-1-08

05/01/2008



Indictment

AMENDED INDICTMENT

05/01/2008



Order

ORDER AMENDING INDICTMENT

05/02/2008



Order

SECOND ORDER TO APPOINT INVESTIGATOR AND INVESTIGATIVE FEES

05/03/2008



Motion

Motion to Suppress Telephone Recordings

05/03/2008



Motion

MOTION TO DISQUALIFY DISTRICT ATTORNEY'S OFFICE & SANDRA DIGIACOMO AS PROSECUTOR DUE TO CONFLICT OF INTEREST

05/03/2008



Motion

MOTION IN LIMINE RE: ROP DETECTIVES, SURVEILLANCE AND DETECTION OF ROP DETECTIVES AND FLYER

05/03/2008



Motion

NOTICE OF MOTION AND MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS

# CASE SUMMARY

CASE NO. 06C228752-3















05/05/2008	 Notice of Witnesses and/or Expert Witnesses <i>NOTICE OF WITNESSES [NRS 174.234(1)(A)]</i>
05/06/2008	 Motion <i>MOTION TO SUPPRESS</i>
05/06/2008	 Motion <i>Motion to Dismiss Possession of Stolen Property Charges</i>
05/07/2008	 Motion <i>DEFENDANT'S MOTION FOR PRODUCTION OF DISCOVERY</i>
05/07/2008	 Motion <i>MOTION IN LIMINE TO EXCLUDE/PRECLUDE EVIDENCE ATTRIBUTED TO CO-DEFENDANTS FROM BEING ADMITTED DURING TRIAL AGAINST THE DEFENDANT, BRYAN FERGASON</i>
05/07/2008	 Motion <i>MOTION IN LIMINE TO BAR ADMISSION OF RECORDED TELEPHONE CALLS</i>
05/07/2008	 Motion <i>MOTION TO SUPPRESS</i>
05/07/2008	 Motion <i>JOINDER TO MOTIONS</i>
05/07/2008	 Motion <i>MOTION TO STRIKE LANGUAGE IN COUNT ONE AND COUNT THIRTEEN OF AMENDED INDICTMENT</i>
05/07/2008	 Motion <i>MOTION IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY, OR EVIDENCE OF VALUE FOR THE PROPERTY AT ISSUE</i>
05/07/2008	 Motion <i>MOTION IN LIMINE TO BAR ADMISSION OF EVIDENCE THAT THE DEFENDANT COMMITTED BURGLARY IN THE INSTANT CASE</i>
05/07/2008	 Receipt of Copy <i>RECEIPT OF COPY</i>
05/07/2008	 Receipt of Copy <i>RECEIPT OF COPY</i>
05/07/2008	 Certificate <i>CERTIFICATE OF SERVICE</i>
05/07/2008	 Receipt of Copy <i>RECEIPT OF COPY</i>
05/07/2008	 Receipt of Copy



# CASE SUMMARY














CASE No. 06C228752-3

## RECEIPT OF COPY

05/08/2008	 Motion <i>MOTION TO DISMISS CONSPIRACY TO COMMIT BURGLARY AND/OR POSSESSION OF STOLEN PROPERTY CHARGES</i>
05/08/2008	 Motion <i>MOTION IN LIMINE TO EXCLUDE ANY TESTIMONY REGARDING HOLMES' PRIOR ARRESTS AND/OR CRIMINAL HISTORY AS WELL AS ANY CIRCUMSTANCES SURROUNDING THOSE EVENTS</i>
05/08/2008	 Motion <i>MOTION IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS</i>
05/08/2008	 Motion <i>MOTION TO JOIN CO-DEFENDANT DAIMON MONROE'S MOTIONS</i>
05/08/2008	 Motion <i>MOTION TO JOIN CO-DEFENDANT BRYAN FERGASON'S MOTIONS</i>
05/08/2008	 Motion <i>MOTION TO SUPPRESS</i>
05/08/2008	 Opposition <i>OPPOSITION TO MOTION IN LIMINE TO EXCLUDE PRECLUDE EVIDENCE ATTRIBUTED TO CO-DEFENDANT'S FROM BEING ADMITTED DURING TRIAL AGAINST EHE DEFENDANT, BRYAN FERGASON</i>
05/08/2008	 Opposition <i>STATE'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS POSSESSION OF STOLEN PROPERTY CHARGES</i>
05/08/2008	 Notice of Witnesses and/or Expert Witnesses <i>NOTICE OF WITNESSES</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT FERGASON'S MOTION IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT FERGASON'S MOTION TO SUPPRESS</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT MONROE'S MOTION TO SUPPRESS TELEPHONE RECORDINGS</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT HOLMES' MOTION IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT FERGASON'S MOTION TO STRIKE LANGUAGE IN COUNT ONE AND COUNT THIRTEEN OF AMENDED INDICTMENT</i>














# CASE SUMMARY

CASE NO. 06C228752-3

05/09/2008	 Opposition <i>STATE'S OPPOSITION TO DEFENDANT'S MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT HOLMES' MOTION TO DISMISS CONSPIRACY TO COMMIT BURGLARY AND/OR STOLEN PROPERTY CHARGES</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT'S MOTION IN LIMINE TO BAR ADMISSION OF EVIDENCE</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT'S MOTION IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY</i>
05/09/2008	 Opposition <i>OPPOSITION TO DEFENDANT'S MOTION IN LIMINE RE: ROP DETECTIVES</i>
05/12/2008	Motion <i>ALL PENDING MOTIONS 5-12-08</i>
05/12/2008	 Bench Warrant <i>BENCH WARRANT</i>
05/12/2008	 Jury List <i>JURY LIST</i>
05/13/2008	 Indictment <i>SECOND AMENDED INDICTMENT</i>
05/15/2008	 Notice of Intent to Forfeit <i>NOTICE OF INTENT TO FORFEIT</i>
05/15/2008	 Notice of Intent to Forfeit <i>NOTICE OF INTENT TO FORFEIT</i>
05/15/2008	Hearing <i>SHOW CAUSE HEARING</i>
05/19/2008	 Proposed Jury Instructions Not Used At Trial <i>PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL</i>
05/20/2008	Conversion Case Event Type <i>SENTENCING</i>
05/20/2008	 Amended Jury List <i>AMENDED JURY LIST</i>
05/20/2008	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY (INSTRUCTION NO. 1)</i>
05/20/2008	 Judgment

# CASE SUMMARY

CASE NO. 06C228752-3

	<i>VERDICT</i>
05/21/2008	 Notice of Witnesses and/or Expert Witnesses <i>DEFENDANT'S WITNESS LIST</i>
05/21/2008	 Receipt of Copy <i>RECEIPT OF COPY</i>
05/21/2008	 Jury List <i>JURY LIST</i>
05/21/2008	 Indictment <i>THIRD AMENDED INDICTMENT</i>
05/21/2008	 Indictment <i>FOURTH AMENDED INDICTMENT</i>
05/28/2008	 Proposed Jury Instructions Not Used At Trial <i>PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL</i>
05/28/2008	 Memorandum <i>BENCH MEMORANDUM</i>
05/29/2008	Conversion Case Event Type <i>SENTENCING</i>
05/29/2008	 Instructions to the Jury <i>INSTRUCTIONS TO THE JURY (INSTRUCTION NO. 1)</i>
05/29/2008	 Jury List <i>AMENDED JURY LIST</i>
05/29/2008	 Judgment <i>VERDICT</i>
05/29/2008	Judgment <i>VERDICT (COUNT 3) - RELATED PARTYID: 06C228752_0003</i>
06/03/2008	 Motion <i>MOTION TO WITHDRAW</i>
06/03/2008	 Receipt of Copy <i>RECEIPT OF COPY</i>
06/05/2008	 Order <i>EX PARTE ORDER ALLOWING FEES IN EXCESS OF STATUTORY MAXIMUM FOR ATTORNEY ON COURT APPOINTED CASE - FIRST INTERIM BILLING</i>
06/16/2008	Bench Warrant <i>NO BAIL BENCH WARRANT ISSUED</i>
06/16/2008	Order <i>ORDER OF INTENT TO FORFEIT</i>









# CASE SUMMARY

CASE NO. 06C228752-3

06/16/2008	 Order <i>ORDER TO WITHDRAW</i>
06/17/2008	 Notice <i>NOTICE OF ENTRY OF ORDER</i>
07/11/2008	 Motion to Quash Bench Warrant <i>MOTION TO QUASH BENCH WARRANT AND SET BAIL</i>
07/16/2008	Conversion Case Event Type <i>SENTENCING</i>
08/04/2008	 Motion <i>NOTICE OF MOTION AND MOTION FOR RELEASE OF EVIDENCE TO VICTIM'S AND/OR AUCTION BY LVMPD</i>
08/13/2008	 Order <i>ORDER</i>
08/19/2008	 Motion <i>NOTICE OF MOTION AND MOTION FOR RELEASE OF PROPERTY TO VICTIM RICHARD FOSTESON</i>
08/19/2008	 Order <i>ORDER FOR PRODUCTION OF INMATE BRYAN FERGASON, BAC #96803</i>
08/23/2008	 Order <i>ORDER</i>
09/18/2008	 PSI <i>Supplemental Pre-Sentence Investigation Report (Unfiled) Confidential</i>
09/18/2008	 PSI - Miscellaneous <i>Letter from P&amp;P</i>
09/18/2008	 PSI - Miscellaneous <i>Clinical Competency Evaluation (Confidential)</i>
09/18/2008	 PSI - Miscellaneous <i>Request for Evaluation for Competency &amp; Competency Evaluation Coversheet</i>
09/18/2008	 PSI - Miscellaneous <i>Criminal Competency Evaluation</i>
09/26/2008	Hearing <i>STATUS CHECK: COMPLIANCE</i>
09/30/2008	 Receipt of Copy <i>RECEIPT OF COPY</i>
09/30/2008	 Memorandum <i>SENTENCING MEMORANDUM</i>

















# CASE SUMMARY

CASE NO. 06C228752-3

10/01/2008	Motion <i>ALL PENDING MOTIONS 10-1-08</i>
10/01/2008	Conversion Case Event Type <i>AS TO DEFENDANT #1) CTS 1-14 CONCURRENT WITH EACH OTHER, CTS 15-27 CONCURRENT WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1-14. WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1-14.</i>
10/01/2008	Conversion Case Event Type <i>AS TO DEFENDANT #3) CTS 1,2 AND 4-14 CONCURRENT WITH EACH OTHER CTS 15-27 CONCURRENT WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1,2 AND 4-14. CONCURRENT WITH EACH OTHER BUT CONSECUTIVE WITH CTS 1,2 AND 4-14.</i>
10/03/2008	 Judgment <i>JUDGMENT OF CONVICTION (PLEA OF GUILTY)</i>
11/03/2008	 Request <i>STATE'S NOTICE OF MOTION AND MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS OR BAD ACTS</i>
11/03/2008	 Request <i>STATE'S NOTICE OF MOTION AND MOTION IN LIMINE</i>
11/03/2008	Motion <i>STATE'S MTN TO ADMIT EVIDENCE (VJ 11-12-08)</i>
11/03/2008	Motion <i>STATE'S MTN IN LIMINE /134</i>
11/04/2008	 Judgment <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>
11/04/2008	Judgment <i>JUDGMENT OF CONVICTION/GENETIC TESTING</i>
11/04/2008	 Judgment <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>
11/04/2008	Judgment <i>JUDGMENT OF CONVICTION/GENETIC TESTING</i>
11/07/2008	Hearing <i>ENTRY OF PLEA</i>
11/07/2008	 Notice of Witnesses and/or Expert Witnesses <i>SUPPLEMENTAL NOTICE OF WITNESSES [NRS 174.234(1)(A)]</i>
11/10/2008	Conversion Case Event Type <i>SENTENCING</i>
11/10/2008	 Indictment <i>FIFTH AMENDED INDICTMENT</i>
11/10/2008	 Memorandum <i>GUILTY PLEA AGREEMENT</i>

# CASE SUMMARY

CASE NO. 06C228752-3

11/14/2008	 Order <i>ORDER OF APPOINTMENT</i>
11/19/2008	 Notice of Appeal <i>NOTICE OF APPEAL</i>
11/25/2008	 Bench Warrant <i>BENCH WARRANT RETURN</i>
12/04/2008	 Motion <i>Notice of Motion and Motion for Release of Evidence to Victim's and/or Auction by LVMPD</i>
12/04/2008	 Notice of Appeal <i>NOTICE OF APPEAL</i>
12/04/2008	 Statement <i>CASE APPEAL STATEMENT</i>
12/04/2008	 Request <i>REQUEST FOR ROUGH DRAFT TRANSCRIPT</i>
12/19/2008	 Order <i>ORDER APPOINTING COUNSEL</i>
01/05/2009	Judgment <i>JUDGMENT OF CONVICTION/ADMIN ASSESSMENT</i>
01/05/2009	Judgment <i>JUDGMENT OF CONVICTION/GENETIC TESTING</i>
01/05/2009	 Judgment <i>JUDGMENT OF CONVICTION (PLEA OF GUILTY)</i>
01/20/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MAY 22, 2008</i>
01/20/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JANUARY 30, 2008</i>
01/20/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MAY 1, 2008</i>
01/20/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MAY 29, 2008</i>
01/20/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MAY 23, 2008</i>
01/20/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MAY 28, 2008</i>
01/20/2009	 Reporters Transcript

**CASE SUMMARY**

**CASE NO. 06C228752-3**

*REPORTER'S TRANSCRIPT OF AUGUST 7, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF AUGUST 21, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 20, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 19, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 13, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF FEBRUARY 5, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 21, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 16, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 15, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF OCTOBER 1, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 12, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 27, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MAY 14, 2008*

01/20/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF DECEMBER 13, 2006*

02/05/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF MARCH 6, 2007*

02/05/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF NOVEMBER 8, 2007*

02/05/2009



Reporters Transcript

*REPORTER'S TRANSCRIPT OF JANUARY 4, 2007*

02/13/2009



Motion

*MOTION FOR RETURN OF SEIZED PROPERTY*

# CASE SUMMARY








CASE No. 06C228752-3

02/26/2009	Hearing <i>STATES REQUEST STATUS CHECK: CORRECTED JOC</i>
02/26/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF DECEMBER 30, 2008</i>
02/27/2009	 Opposition <i>STATE'S OPPOSITION TO DEFENDANT'S MOTION FOR RETURN OF SEIZED PROPERTY</i>
03/04/2009	Motion <i>ALL PENDING MOTIONS (3-03-09)</i>
03/17/2009	 Motion <i>MOTION AND NOTICE OF MOTION TO WITHDRAW GUILTY PLEA</i>
03/17/2009	 Receipt of Copy <i>RECEIPT OF COPY</i>
03/27/2009	 Receipt of Copy <i>RECEIPT OF COPY</i>
03/27/2009	 Opposition <i>OPPOSITION TO DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA</i>
03/30/2009	 Certificate <i>CERTIFICATE OF SERVICE BY FACSIMILE</i>
03/30/2009	 Reply <i>REPLY TO STATE'S OPPOSITION TO MOTION TO WITHDRAW GUILTY PLEA</i>
03/31/2009	Motion <i>ALL PENDING MOTIONS 3/31/09</i>
04/01/2009	 Order <i>ORDER DENYING MOTION FOR RETURN OF SEIZED PROPERTY</i>
04/06/2009	 Judgment <i>AMENDED JUDGMENT OF CONVICTION (JURY TRIAL)</i>
04/17/2009	 Order <i>ORDER DENYING DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA</i>
05/18/2009	 Statement <i>CASE APPEAL STATEMENT</i>
05/18/2009	 Notice of Appeal <i>NOTICE OF APPEAL</i>
07/21/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF JULY 15, 2008</i>



















# CASE SUMMARY

CASE NO. 06C228752-3

07/23/2009	Hearing <i>AT THE REQUEST OF THE COURT: CONFIRMATION OF APPELLANT COUNSEL</i>
09/29/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MAY 1, 2008</i>
09/29/2009	 Request <i>REQUEST FOR ROUGH DRAFT TRANSCRIPT</i>
10/02/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF MARCH 31, 2009</i>
10/02/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF APRIL 2, 2009</i>
10/05/2009	 Reporters Transcript <i>REPORTER'S TRANSCRIPT OF NOVEMBER 10, 2008</i>
04/07/2010	Hearing <i>FURTHER PROCEEDINGS COMPETENCY (DEPT V)</i>
06/04/2010	 Judgment <i>NEVADA SUPREME COURT CLERK'S CERTIFICATE JUDGMENT - AFFIRMED</i>
12/21/2010	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>NEVADA SUPREME COURT CLERK'S CERTIFICATE JUDGMENT - AFFIRMED/REHEARING DENIED</i>
01/31/2011	Case Reassigned to Department 20 <i>Case reassigned from Judge Kathy Hardcastle</i>
06/09/2011	 Petition for Writ of Habeas Corpus Filed by: Defendant Fergason, Bryan
06/16/2011	 Order for Petition for Writ of Habeas Corpus
08/02/2011	 Notice of Motion Filed By: Defendant Fergason, Bryan
08/02/2011	 Motion to Continue Filed By: Defendant Fergason, Bryan <i>Motion for a 90 Day Continuance to Reply to State's Answer to Petition for Writ of Habeas Corpus (Post-Conviction)</i>
08/09/2011	 Response <i>State's Response to Defendant's Supplement to Post-Conviction Petition for Writ of Habeas Corpus</i>
08/09/2011	 Opposition <i>State's Opposition to Defendant's Motion for a 90 day Continuance to Reply to the State's Answer to Defendant's Petition for Writ of Habeas Corpus (PostConviction)</i>
09/22/2011	 Notice of Appeal (criminal)

# CASE SUMMARY















CASE NO. 06C228752-3

	Party: Defendant Fergason, Bryan <i>Notice of Appeal</i>
09/23/2011	 Case Appeal Statement Filed By: Plaintiff State of Nevada
09/29/2011	 Motion Filed By: Defendant Fergason, Bryan <i>Motion for Return of Seized Property Pursuant to NRS 179.1173, 179.1164(1a), and 179.1175</i>
10/18/2011	 Order Filed By: Plaintiff State of Nevada
10/20/2011	 Notice of Entry of Decision and Order
11/03/2011	 Order
11/09/2011	 Findings of Fact, Conclusions of Law and Order
11/16/2011	 Notice of Entry of Decision and Order
12/21/2011	 Notice of Appeal (criminal) Party: Defendant Fergason, Bryan <i>Notice of Appeal</i>
12/22/2011	 Case Appeal Statement
04/18/2012	 Notice of Hearing <i>Notice of Hearing</i>
05/15/2012	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>Judgment Reversed and Remanded.</i>
06/26/2012	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed; Rehearing Denied</i>
07/11/2012	 Order Filed By: Defendant Fergason, Bryan <i>Order of Appointment</i>
05/04/2015	Case Reassigned to Department 20 <i>Case reassigned from Judge Jerome Tao Dept 20</i>
11/02/2015	 Supplemental Filed by: Defendant Fergason, Bryan <i>Supplemental Petition for Writ of Habeas Corpus (Post-Conviction)</i>
11/02/2015	 Affidavit Filed By: Defendant Fergason, Bryan <i>Affidavit of Bryan Fergason</i>
11/17/2015	 Order

# CASE SUMMARY

CASE NO. 06C228752-3

## Order Setting Briefing Schedule and Hearing Date

12/04/2015	 Affidavit Filed By: Defendant Ferguson, Bryan <i>Affidavit of Daimon Monroe</i>
01/15/2016	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Supplemental Petition for Writ of Habeas Corpus (Post-Conviction)</i>
02/19/2016	 Reply Filed by: Defendant Ferguson, Bryan <i>Reply to State's Response to Defendant's Supplemental Petition for Writ of Habeas Corpus (Post Conviction)</i>
04/06/2016	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate - Bryan Ferguson, aka Bryan Michael Ferguson, BAC #96803</i>
05/16/2016	 Order <i>Application and Order for Transcripts</i>
06/28/2016	 Transcript of Proceedings <i>Reporter's Transcript of Evidentiary Hearing May 6, 2016</i>
08/16/2016	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff State of Nevada
08/18/2016	 Notice of Entry <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
09/02/2016	 Case Appeal Statement Filed By: Defendant Ferguson, Bryan <i>Case Appeal Statement (NRAP 3(d)(4))</i>
09/02/2016	 Notice of Appeal (criminal) Party: Defendant Ferguson, Bryan <i>Notice of Appeal</i>
09/15/2017	 Motion Filed By: Defendant Ferguson, Bryan <i>Motion and Notice of Motion to Amend Findings of Fact, Conclusions of Law and Order</i>
09/19/2017	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Motion and Notice of Motion to Amend Findings of Fact, Conclusion of Law and Order</i>
09/20/2017	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
11/09/2017	 Notice of Appeal (criminal) Party: Defendant Ferguson, Bryan

# CASE SUMMARY

CASE NO. 06C228752-3

## Notice of Appeal

- |            |  |
|------------|--|
| 11/09/2017 |  Case Appeal Statement<br>Filed By: Defendant Fergason, Bryan<br><i>Case Appeal Statement</i>   |
| 11/09/2017 |  Request<br>Filed by: Defendant Fergason, Bryan<br><i>Request for Rough Draft Transcripts</i>   |
| 11/20/2017 |  Recorders Transcript of Hearing<br><i>Defendant's Motion to Amend Findings of Fact, Conclusions of Law and Order, October 3, 2017</i>  |
| 12/26/2017 |  Findings of Fact, Conclusions of Law and Order<br>Filed By: Plaintiff State of Nevada<br><i>Amended Findings of Fact, Concusions of Law and Order</i>  |
| 12/28/2017 |  Notice of Entry<br><i>Notice of Entry of Amended Findings of Fact, Conclusions of Law and Order</i>  |
| 04/15/2019 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed<br><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>  |
| 07/31/2020 |  Motion to Withdraw As Counsel<br>Filed By: Defendant Fergason, Bryan<br><i>Notice of Motion and Motion to Withdraw Counsel, Re- Sentencing Pursuant to AB 236 and Appointment of Counsel</i>                                  |
| 07/31/2020 |  Clerk's Notice of Hearing<br><i>Notice of Hearing</i>  |
| 08/18/2020 |  Opposition to Motion<br>Filed By: Plaintiff State of Nevada<br><i>State's Opposition to Defendant's Pro Per Notice of Motion and Motion to Withdraw Counsel, Re-Sentencing Pursuant to AB 236 and Appointment of Counsel</i> |
| 08/22/2020 |  Motion to Withdraw As Counsel<br>Filed By: Defendant Fergason, Bryan<br><i>Motion to Withdraw as Attorney of Record</i>  |
| 09/02/2020 |  Order Denying Motion<br>Filed By: Plaintiff State of Nevada<br><i>ORDER DENYING DEFENDANT'S MOTION TO WITHDRAW COUNSEL, RESENTENCING &amp; APPOINT NEW COUNSEL</i>   |
| 09/24/2020 |  Notice of Appeal (criminal)<br><i>Notice of Appeal</i>   |
| 09/25/2020 |  Case Appeal Statement<br>Filed By: Defendant Fergason, Bryan<br><i>Case Appeal Statement</i>   |

## **DISPOSITIONS**

# CASE SUMMARY

CASE NO. 06C228752-3

01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 1. CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 2. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 3. POSSESSION OF STOLEN PROPERTY Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 4. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 5. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 6. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 7. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 8. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 9. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 10. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:

# CASE SUMMARY

CASE NO. 06C228752-3

01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 11. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 12. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 13. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 14. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 15. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 16. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 17. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 18. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 19. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 20. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion)

# CASE SUMMARY

CASE NO. 06C228752-3

	21. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 22. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 23. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 24. POSSESSION OF STOLEN P ROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 25. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 26. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Not Guilty PCN: Sequence:
01/01/1900	<b>Plea</b> (Judicial Officer: User, Conversion) 27. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Not Guilty PCN: Sequence:
05/29/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 3. POSSESSION OF STOLEN PROPERTY Not Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:

**CASE SUMMARY****CASE NO. 06C228752-3**

10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 4. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 5. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 6. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 7. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 8. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 9. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 10. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 11. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:



# CASE SUMMARY

CASE NO. 06C228752-3

10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 12. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 13. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 14. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 15. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 16. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 17. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 18. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)

# CASE SUMMARY

CASE NO. 06C228752-3

	19. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
	20. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
	21. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
	22. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
	23. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
	24. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
	25. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
	26. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE Guilty PCN: Sequence:

**CASE SUMMARY****CASE NO. 06C228752-3**

10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion) 27. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE Guilty PCN: Sequence:
10/01/2008	<b>Disposition</b> (Judicial Officer: User, Conversion)
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 1. CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY 01/01/1900 (G) 199.480 (199.480) PCN: Sequence:
	<hr/> Converted Disposition: Sentence# 0001: Minimum 12 Months to Maximum 12 Months Placement: CCDC Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0001 in Case#: 06C227874 Converted Disposition: Sentence# 0002: DNA FEE/GENETIC MARKERS ANALYSIS Amount: \$150.00 Converted Disposition: Sentence# 0003: ADMINISTRATION FEE Amount: \$25.00 Comment (Deft Sentenced as to Habitual Criminal Statue.)
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 2. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE 01/01/1900 (F) 205.275 (205.275) PCN: Sequence:
	<hr/> Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0001 and Sentence#: 0001
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 4. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE 01/01/1900 (F) 205.275 (205.275) PCN: Sequence:
	<hr/> Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0004 and Sentence#: 0001
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 6. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE 01/01/1900 (F) 205.275 (205.275) PCN: Sequence:
	<hr/> Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0006

# CASE SUMMARY

CASE NO. 06C228752-3

and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

7. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE

01/01/1900 (F) 205.275 (205.275)

PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE

Cons/Conc: Concurrent

w/Charge Item: 0008

and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

8. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE

01/01/1900 (F) 205.275 (205.275)

PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE

Cons/Conc: Concurrent

w/Charge Item: 0009

and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

9. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE

01/01/1900 (F) 205.275 (205.275)

PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE

Cons/Conc: Concurrent

w/Charge Item: 0010

and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

10. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE

01/01/1900 (F) 205.275 (205.275)

PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE

Cons/Conc: Concurrent

w/Charge Item: 0011

and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

11. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE

01/01/1900 (F) 205.275 (205.275)

PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE

Cons/Conc: Concurrent

w/Charge Item: 0012

and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

12. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE

01/01/1900 (F) 205.275 (205.275)

PCN: Sequence:

Converted Disposition:

# CASE SUMMARY

CASE NO. 06C228752-3

	<p>Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  Cons/Conc: Concurrent  w/Charge Item: 0013  and Sentence#: 0001</p>
10/01/2008	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)  13. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE  01/01/1900 (F) 205.275 (205.275)  PCN: Sequence:</p> <hr/> <p>Converted Disposition:  Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  Cons/Conc: Concurrent  w/Charge Item: 0014  and Sentence#: 0001</p>
10/01/2008	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)  14. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE  01/01/1900 (F) 205.275 (205.275)  PCN: Sequence:</p> <hr/> <p>Converted Disposition:  Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  Cons/Conc: Concurrent  w/Charge Item: 0015  and Sentence#: 0001</p>
10/01/2008	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)  15. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE  01/01/1900 (F) 205.275 (205.275)  PCN: Sequence:</p> <hr/> <p>Converted Disposition:  Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE</p>
10/01/2008	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)  16. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE  01/01/1900 (F) 205.275 (205.275)  PCN: Sequence:</p> <hr/> <p>Converted Disposition:  Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  Cons/Conc: Concurrent  w/Charge Item: 0017  and Sentence#: 0001</p>
10/01/2008	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)  17. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE  01/01/1900 (F) 205.275 (205.275)  PCN: Sequence:</p> <hr/> <p>Converted Disposition:  Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  Cons/Conc: Concurrent  w/Charge Item: 0018  and Sentence#: 0001</p>
10/01/2008	<p><b>Adult Adjudication</b> (Judicial Officer: User, Conversion)  18. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE  01/01/1900 (F) 205.275 (205.275)  PCN: Sequence:</p> <hr/> <p>Converted Disposition:</p>

**CASE SUMMARY****CASE NO. 06C228752-3**

	Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0019 and Sentence#: 0001
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 19. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE 01/01/1900 (F) 205.275 (205.275) PCN: Sequence:
	Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0020 and Sentence#: 0001
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 20. RECEIVING, POSSESSING OR WITHHOLDING STOLEN GOODS 01/01/1900 (F) 205.275 (205.275) PCN: Sequence:
	Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0021 and Sentence#: 0001
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 21. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE 01/01/1900 (F) 205.275 (205.275) PCN: Sequence:
	Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0022 and Sentence#: 0001
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 22. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE 01/01/1900 (F) 205.275 (205.275) PCN: Sequence:
	Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0023 and Sentence#: 0001
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 23. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE 01/01/1900 (F) 205.275 (205.275) PCN: Sequence:
	Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Concurrent w/Charge Item: 0024 and Sentence#: 0001
10/01/2008	<b>Adult Adjudication</b> (Judicial Officer: User, Conversion) 24. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE 01/01/1900 (F) 205.275 (205.275)

# CASE SUMMARY

CASE NO. 06C228752-3

PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Concurrent  
w/Charge Item: 0025  
and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

25. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE  
01/01/1900 (F) 205.275 (205.275)  
PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Concurrent  
w/Charge Item: 0026  
and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

26. POSSESSION OF STOLEN PROPERTY VALUE \$2500 OR MORE  
01/01/1900 (F) 205.275 (205.275)  
PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Concurrent  
w/Charge Item: 0027  
and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: User, Conversion)

27. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE  
01/01/1900 (F) 205.275 (205.275)  
PCN: Sequence:

Converted Disposition:

Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE  
Cons/Conc: Concurrent  
w/Charge Item: 0028  
and Sentence#: 0001

10/01/2008

**Adult Adjudication** (Judicial Officer: Johnson, Eric)

5. POSSESSION OF STOLEN PROPERTY VALUE \$250 OR MORE  
01/01/1900 (F) 205.275 (205.275)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Life with the possibility of parole after:20 Years  
Concurrent: Charge 4

## HEARINGS

12/13/2006

**Grand Jury Indictment** (1:30 PM)

GRAND JURY INDICTMENT Relief Clerk: Sandra Anderson Reporter/Recorder: Paula Walsh Heard By: Kathy Hardcastle  
Matter Heard; GRAND JURY INDICTMENT Relief Clerk: Sandra Anderson Reporter/Recorder: Paula Walsh Heard By: Kathy Hardcastle  
Journal Entry Details:

Mary Jane Burkhalter, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 06AGJ101A/B/C/D to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C228752, Department XII. Mr. Jorgenson requested warrants for all

# CASE SUMMARY

CASE No. 06C228752-3

*Defts. Arguments by Ms. Digiacomo regarding bail amounts. Opposing argument on behalf of Deft. Holmes by Mr. Sullivan. As to Deft. MONROE: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$500,000.00 BOND. Matter set for initial arraignment. As to Deft. TREVARTEN: State requested a summons be issued and sent. COURT SO ORDERED. Matter set for initial arraignment. As to Deft. FREGASON: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$250,000.00 BOND. Matter set for initial arraignment. As to Deft. HOLMES: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$150,000.00 BOND. FURTHER ORDERED, transfer bail amount of \$13,000.00. Matter set for initial arraignment. Exhibit(s) 1-187 lodged with Clerk of District Court. CUSTODY (MONROE/FREGASON) B.W. (HOLMES/TREVARTEN) 12-20-06 10:30 AM INITIAL ARRAIGNMENT (MONROE/FREGASON/HOLMES) 12-27-06 10:30 AM INITIAL ARRAIGNMENT (TREVARTEN) ;*

12/20/2006	<b>Initial Arraignment (10:30 AM)</b> Events: 12/13/2006 Hearing <i>INITIAL ARRAIGNMENT Heard By: Kevin Williams</i>
12/20/2006	<b>Initial Arraignment (10:30 AM)</b> Events: 12/13/2006 Hearing <i>INITIAL ARRAIGNMENT Heard By: Kevin Williams</i>
12/20/2006	<b>Initial Arraignment (10:30 AM)</b> Events: 12/13/2006 Hearing <i>INITIAL ARRAIGNMENT Heard By: Kevin Williams</i>
12/20/2006	<b>Motion to Quash Bench Warrant (10:30 AM)</b> Events: 12/18/2006 Motion to Quash Bench Warrant <i>DEFT'S QUASH BENCH WARRANT &amp; FOR OR RELEASE OR BAIL REDUCTION/8 Heard By: Kevin Williams</i>
12/20/2006	<b>Bench Warrant Return (10:30 AM)</b> Events: 12/19/2006 Bench Warrant <i>BENCH WARRANT RETURN /13 Heard By: Kevin Williams</i>
12/20/2006	<b>Bench Warrant Return (10:30 AM)</b> Events: 12/19/2006 Bench Warrant <i>BENCH WARRANT RETURN /14 Heard By: Kevin Williams</i>
12/20/2006	<b>All Pending Motions (10:30 AM)</b> <i>ALL PENDING MOTIONS (12/20/06) Court Clerk: Sharry Frascarelli Relief Clerk: Tia Everett/te Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i> Matter Heard; ALL PENDING MOTIONS (12/20/06) Court Clerk: Sharry Frascarelli Relief Clerk: Tia Everett/te Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams Journal Entry Details: <i>ARRAIGNMENT (MONROE, HOLMES, FERGUSON)...BENCH WARRANT RETURN (MONROE, FERGUSON)...QUASH BENCH WARRANT &amp; RELEASE ON OWN RECOGNIZANCE OR BAIL REDUCTION (HOLMES) Ms. Digiacomo stated that this was a complicated case and there were issues regarding counsel for the Defendants; she requested this matter be continued for arraignment in Department XII in front of Judge Leavitt. COURT SO ORDERED. Mr. Sullivan argued motion for Defendant Holmes Own Recognizance release or bail reduction. State submitted. COURT ORDERED, bail remains at \$13,000 until the date of 1/4/07 at which time bail will increase to \$150,000 as was set at the Indictment. 1/4/07 9:30 AM ARRAIGNMENT CONTINUED (DEPT 12) ;</i>
12/27/2006	<b>Initial Arraignment (10:30 AM)</b> Events: 12/13/2006 Hearing <i>INITIAL ARRAIGNMENT Court Clerk: Roshonda Mayfield/rm Relief Clerk: Tia Everett Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams</i> Matter Heard; INITIAL ARRAIGNMENT Court Clerk: Roshonda Mayfield/rm Relief Clerk: Tia Everett Reporter/Recorder: Kiara Schmidt Heard By: Kevin Williams Journal Entry Details: <i>Judge Leavitt signed an order for this matter to be continued in department XII and heard with the co-defendants. NIC 1/4/07 9:30 AM ARRAIGNMENT CONTINUED (DEPT 12) ;</i>



# CASE SUMMARY

CASE NO. 06C228752-3

01/04/2007	<p><b>Arraignment Continued (9:30 AM)</b>  Events: 12/20/2006 Hearing  ARRAIGNMENT CONTINUED (DEFTS' MONROE; FERGASON &amp; HOLMES)</p>
01/04/2007	<p><b>Arraignment Continued (9:30 AM)</b>  Events: 12/27/2006 Hearing  ARRAIGNMENT CONTINUED (DEFT. TREVARTHEN) Heard By: Michelle Leavitt</p>
01/04/2007	<p><b>All Pending Motions (9:30 AM)</b>  ALL PENDING MOTIONS (1/4/07) Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Matter Heard; ALL PENDING MOTIONS (1/4/07) Court Clerk: April Watkins  Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Journal Entry Details:  ARRAIGNMENT CONTINUED (ALL) Mr. DiGiacomo advised as to Deft. Holmes he was indicted with bail being set at \$150,000.00 by Judge Hardcastle. Further, Deft. originally posted \$13,000.00 at the Justice Court level prior to the Grand Jury Indictment and was ordered transferred from the initial case to this case. Hearing Master Williams gave Deft. additional time to post the remaining balance of the \$137,500.00 which is to be posted today. Ms. Dustin advised matter originated in Justice Court 7 and then went in front of the Grand Jury. Further, Ms. Dustin stated police investigation lead to Deft. Ferguson's assets to be seized and frozen. Additionally, Ms. Dustin stated she was appointed by Justice of the Peace Bennett-Heron and requested this Court do the same. Court stated once appointed at Justice Court level, counsel is appointed at District Court level and instructed counsel to file the appropriate documents. Mr. Lasso requested to withdraw as to Deft. Monroe. Court stated counsel is not permitted to withdraw at this time until after Deft. has been arraigned and advised counsel he needs to file the appropriate motion. CONFERENCE AT BENCH. Colloquy regarding receipt of Grand Jury Transcripts. COURT ORDERED, Grand Jury Transcripts to be produced and filed forthwith. Further Court FINDS good cause has been shown and ORDERED, counsel has 21 days from the filing of the transcript to file writs. Mr. Sullivan advised Deft. Holmes has posted a total of \$35,000.00 bail and argued the \$13,000.00 posted on this case is sufficient as he is not a flight risk. Opposition by Mr. DiGiacomo who argued prior felony conviction was with Co-Deft. Monroe. Further, Mr. DiGiacomo advised every piece of property in home was stolen and Defts' were only charged as to each victim. Additionally, Mr. DiGiacomo advised authorities are looking for all of the proceeds from the stolen property and argued there was over \$150,000.00 in a bank account which \$145,000.00 was transferred from Deft. Monroe to Deft. Holmes who proceeded to spend approximately \$75,000.00. Also, Mr. DiGiacomo advised there is an agreement with the FBI to return the \$75,000.00. Further, Mr. DiGiacomo requested as to Deft. Holmes there be a Source Hearing held as to the posting of the bond, surrender of his passport to the Court and requested he be remanded today until Source Hearing can be held. COURT ORDERED, Deft. Holmes REMANDED TO CUSTODY and BAIL REMAINS SET at \$150,000.00. Opposition by Mr. Sullivan. Court advised prior to bond being accepted, a Source Hearing will be held to determine where the money is coming from in order for bond to be posted. AS TO DEFT. MONROE: COURT ORDERED, request to withdraw by Mr. Lasso GRANTED; Robert Langford, Esq., APPOINTED; matter CONTINUED and SET for confirmation of counsel. DEFT. TREVARTHEN ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE. COURT ORDERED, Dayvid Figler, Esq., APPOINTED as counsel and matter SET for confirmation of counsel. DEFT. FERGASON ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. DEFT. HOLMES ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE. Mr. DiGiacomo INVOKED THE 60-DAY RULE on behalf of the State. COURT ORDERED, matter set for trial. CUSTODY (MONROE, FERGASON, HOLMES)...NIC (TREVARTHEN) 1/11/07 9:30 AM ARRAIGNMENT CONTINUED...CONFIRMATION OF COUNSEL (LANGFORD)(DEFT. MONROE) 1/11/07 9:30 AM CONFIRMATION OF COUNSEL (FIGLER)(DEFT. TREVARTHEN) 3/6/07 9:30 AM CALENDAR CALL (ALL) 3/13/07 1:30 PM JURY TRIAL (ALL) CLERK'S NOTE: Chuck with Mr. Langford's office advised of appointment and court date. Gabby with Mr. Figler's office advised of appointment and court date. Clark County Detention Center advised by this Court's Judicial Executive Assistant that Deft. Holmes is not to be released on bond until this Court has a Source Hearing. ;</p>
01/05/2007	<p><b>Hearing (2:00 PM)</b>  SOURCE HEARING Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt</p>

# CASE SUMMARY

CASE NO. 06C228752-3

Matter Heard; SOURCE HEARING Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt

## Journal Entry Details:

*Mr. Sullivan advised the balance of the bond is \$137,000.00 which is being posted at this time. Deft. sworn and testified. Further, Mr. Sullivan bond is arranged through Bail Bonds Unlimited who has posted an additional \$35,000.00 bond on Deft's other charges. Additionally, bond company is willing to accept and pay the bond while Deft. makes payments on the remainder balance. Colloquy. Mr. Sullivan stated \$7,500.00 is currently being posted by the bond company for the bond in the amount of \$137,000.00. Deft. advised he put up one of three homes for collateral as well and advised the money is coming from a equity line of credit. Court noted documents have been provided as to the equity line and stated it does not indicate any dates of withdrawal of the money. Mr. Sullivan argued there is plenty of equity in the home. Deft. stated he bought home five years ago and has two equity lines of credit. One from one home and one from another. Further colloquy. Ms. DiGiacomo stated Deft. accepted \$145,000.00 of settlement money on November 17, 2006, which \$70,000.00 was returned two weeks later. However, agreement with Deft. that he would pay back \$75,000.00 in three months to the Metropolitan Police Department (Metro) and the FBI. Ms. DiGiacomo advised Deft. Trevarthen was withdrawing the money from their accounts Friday before source hearing and all was traced accept for the \$145,000.00 which Deft. Trevarthen stated she gave to Deft. Holmes. Deft. Trevarthen told Metro she attempted to get money back and Deft's Holmes refused to give money back. Further, the State is concerned as to where the \$75,000.00 as counsel is not sure what happened to it at this point. Mr. Sullivan argued Deft. Holmes never admitted to taking the money. Further, equity lines where opened prior to all of this. Mr. Sullivan further argued Deft. was advised all of his homes and property would be seized and counsel advised Deft. to give what ever money had to Metro and the FBI. Additionally, Mr. Sullivan argued Deft. has provided sufficient proof as to where money is coming from. Court stated she is concerned as to where the money will be coming from as to paying payments towards the balance of the bond. Deft. advised he father is also helping to pay the bond company as well. Mr. Sullivan stated Deft. works full time at the Horseshoe and argued he has legitimate means to pay. Court further stated it appears Deft. can post the bond. Further, Deft. can come in and prove the source of the money as to the payments to the bond company. Mr. Sullivan also advised Deft. has ownership of two vehicles. Colloquy. Ms. DiGiacomo advised Deft. also owns a 27 foot cargo truck and a Suburban. COURT ORDERED, Deft. RELEASED ON BOND once posted and matter set for status check for Deft. to provide paper trail of where money is coming from. Colloquy regarding the \$13,000.00 already posted in Justice Court. BOND 2/8/07 9:30 AM STATUS CHECK: BAIL BOND ;*

01/11/2007

## Arraignment Continued (9:30 AM)

Events: 01/05/2007 Hearing

ARRAIGNMENT CONTINUED Heard By: Michelle Leavitt

01/11/2007

## Motion for Confirmation of Counsel (9:30 AM)

Events: 01/05/2007 Hearing

CONFIRMATION OF COUNSEL (LANGFORD) Heard By: Michelle Leavitt

01/11/2007

## Motion for Confirmation of Counsel (9:30 AM)

Events: 01/05/2007 Hearing

CONFIRMATION OF COUNSEL (FIGLER) Heard By: Michelle Leavitt

01/11/2007

## All Pending Motions (9:30 AM)

ALL PENDING MOTIONS (1/11/06); DEFTS' MONROE & TREVARTHEN Court Clerk:

April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt

Matter Heard; ALL PENDING MOTIONS (1/11/06); DEFTS' MONROE & TREVARTHEN

Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt

## Journal Entry Details:

DEFT. MONROE: Ms. Burke CONFIRMED as counsel on behalf of Robert Langford, Esq.

DEFT. MONROE ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE.

COURT ORDERED, matter set for trial. DEFT. TREVARTHEN: CONFERENCE AT BENCH.

COURT ORDERED, matter SET for confirmation of counsel. CUSTODY (MONROE)...NIC

(TREVARTHEN) 1/18/07 9:30 AM CONFIRMATION OF COUNSEL (LORD)(TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (MONROE) 3/13/07 1:30 PM JURY TRIAL (MONROE)

CLERK'S NOTE: Ms. Burke appeared on February 13, 2007 advising that she was the

attorney appearing for Deft. Monroe on this date and not Ms. Winckler. Minute order

corrected to reflect Ms. Burke's appearance./kb 2-13-07 ;

# CASE SUMMARY

CASE NO. 06C228752-3

01/18/2007	<p><b>Motion for Confirmation of Counsel (9:30 AM)</b></p> <p>Events: 01/12/2007 Hearing  CONFIRMATION OF COUNSEL (LORD) Relief Clerk: Teri Braegelmann  Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Granted; CONFIRMATION OF COUNSEL (LORD) Relief Clerk: Teri Braegelmann  Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Journal Entry Details:  Upon Court's inquiry, Mr. Lord stated deft. is indigent due to all of her assets being frozen as a result of this case. Statements by deft. regarding the reason she moved to Texas was because she has family there. Colloquy regarding deft. residing out of state. Mr. Lord advised deft. was given an O.R. in Justice Court. COURT ORDERED, Mr. Lord APPOINTED. NIC ;</p>
02/08/2007	<p><b>Status Check (9:30 AM)</b></p> <p>Events: 01/05/2007 Hearing  STATUS CHECK: BAIL BONDS Court Clerk: Teri Braegelmann Relief Clerk: Tina Hurd/th  Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Off Calendar; STATUS CHECK: BAIL BONDS Court Clerk: Teri Braegelmann Relief Clerk: Tina Hurd/th Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Journal Entry Details:  No appearance by Deft's counsel Sean Sullivan. Court advised they were supposed to have a source hearing today. As Mr. Sullivan is not present, COURT ORDERED, matter OFF CALENDAR. CUSTODY ;</p>
02/13/2007	<p><b>Motion (9:30 AM)</b></p> <p>Events: 01/31/2007 Motion  DEFT'S MTN FOR EXTENSION OF TIME TO FILEPTN FOR WRIT OF HABEAS CORPUS/30 Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Granted; DEFT'S MTN FOR EXTENSION OF TIME TO FILEPTN FOR WRIT OF HABEAS CORPUS/30 Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Journal Entry Details:  Ms. Burke requested to file the petition within 15 days from today or by February 28, 2007. Ms. DiGiacomo advised the Court that this case will not be ready to proceed to trial on March 6, 2007 and requested to place this matter on for status check along with the co-deft's to address this issue. Colloquy between Court and counsel regarding the trial and petition. Ms. Burke stated that she will be able to come to court on February 20, 2007 to address the trial setting and will be able to advise Ms. DiGiacomo if a petition is going to be filed. COURT ORDERED, Motion GRANTED; Petition to be filed by February 28, 2007 and matter set for argument; FURTHER ORDERED, matter set for status check on February 20, 2007 to address the trial setting and for Ms. Burke to advise if a petition is going to be filed. CUSTODY 2/20/07 9:30 AM STATUS CHECK: PETITION/TRIAL 3/06/07 9:30 AM ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS ;</p>
02/20/2007	<p><b>Petition for Writ of Habeas Corpus (9:30 AM)</b></p> <p>Events: 02/01/2007 Petition  PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07) Heard By: Michelle Leavitt</p>
02/20/2007	<p><b>Petition for Writ of Habeas Corpus (9:30 AM)</b></p> <p>Events: 02/01/2007 Petition  PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)</p>
02/20/2007	<p><b>Status Check (9:30 AM)</b></p> <p>Events: 02/14/2007 Hearing  STATUS CHECK: PETITION/TRIAL</p>
02/20/2007	<p><b>All Pending Motions (9:30 AM)</b></p> <p>ALL PENDING MOTIONS 2-20-07 Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Matter Heard; ALL PENDING MOTIONS 2-20-07 Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  Journal Entry Details:  PETITION FOR WRIT OF HABEAS CORPUS (FERGASON &amp; HOLMES)...STATUS CHECK:</p>

# CASE SUMMARY

CASE NO. 06C228752-3

PETITION/TRIAL (MONROE) Ms. Burke stated that she received a call continuing the motions but based on the last hearing, was supposed to advise the State as to whether or not a writ is going to be filed. Mr. Burke advised the Court that a writ will be filed and is due February 28, 2007 with a hearing date of March 6, 2007 along with the other writs that have been filed. Court noted Ms. Burke's representations regarding filing of the writ and ORDERED, all Writ's will be heard on March 6, 2007 at 11:00 am. CUSTODY (MONROE) NIC (FERGASON & HOLMES) 3/06/07 11:00 AM DEFTS PETITION'S FOR WRIT OF HABEAS CORPUS (MONROE, FERGASON & HOLMES) ;

03/06/2007

## Calendar Call (11:00 AM)

CALENDAR CALL Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt

Matter Heard; CALENDAR CALL Relief Clerk: Kristen Brown Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt

Journal Entry Details:

State's Return to Writ of Habeas Corpus FILED IN OPEN COURT. Ms. DiGiacomo advised the Court that the State's Return has been filed in open court. Colloquy between Court and Deft. Hoyt regarding waiving speedy trial rights and the filing of the Writ. Ms. Burke stated that she had gone over all the prerequisites with the deft. regarding this issue; further, would be ineffective if proceeded to trial next week. Ms. DiGiacomo stated that Deft. Hoyt is looking at the large habitual criminal treatment. Court advised the Deft. that based on those facts, this trial can not proceed next week. Ms. Dustin advised the Court that this has been explained to her client, Deft. Ferguson, and the deft. understands. Ms. Sullivan stated that based on the multiple charges, there is no possibility of this case proceeding to trial on this stack. Ms. Burke again stated that she has retained an investigator and this has been explained to her client, Deft. Hoyt, but the deft. is frustrated by being in custody. Ms. DiGiacomo advised the Court that this will be a 3-4 week trial. COURT ORDERED, Trial VACATED and RESET; FURTHER ORDERED, the Writ's filed by the deft's will be RESET by the Court. RECALLED: Ms. DiGiacomo, Mr. Lord and Deft. Trevarthen present. Mr. Lord stated this matter is negotiated with regards to his client. Second Amended Indictment and Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: State will have no opposition to probation but have the right to argue the terms of probation. DEFT. TREVARTEN ARRAIGNED AND PLED GUILTY to COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNT 2 - POSSESSION OF STOLEN PROPERTY (F). Ms. DiGiacomo requested a status check regarding sentencing be set prior to referring this matter to Parole and Probation. COURT ACCEPTED plea and ORDERED, matter set for status check regarding sentencing. Court stated it will allow the deft. to travel back to Texas but deft. will have to remain trouble free. CUSTODY (MONROE) NIC (TREVARTEN, FERGASON & HOLMES) 10/02/07 9:30 AM CALENDAR CALL (MONROE, FERGASON & HOLMES) 10/09/07 1:30 PM JURY TRIAL (MONROE, FERGASON & HOLMES) 11/08/07 9:30 AM STATUS CHECK: SENTENCING (TREVARTEN) ;

03/06/2007

## Petition for Writ of Habeas Corpus (11:00 AM)

PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07) Heard By: Michelle Leavitt

03/06/2007

## Petition for Writ of Habeas Corpus (11:00 AM)

PTN FOR WRIT OF HABEAS CORPUS (VJ 3/01/07)

03/06/2007

## CANCELED Hearing (11:00 AM)

Events: 02/14/2007 Conversion Case Event Type  
Vacated

03/13/2007

## CANCELED Jury Trial (1:30 PM)

Vacated

05/29/2007

## Motion to Withdraw as Counsel (9:30 AM)

Events: 05/14/2007 Motion

SUSAN D BURKE'S MTN TO WITHDRAW AS ATTORNEY OF RECORD /43 Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt

Granted; SUSAN D BURKE'S MTN TO WITHDRAW AS ATTORNEY OF RECORD /43 Court Clerk: April Watkins Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt

Journal Entry Details:

Ms. Burke advised there was no opposition to her motion and stated Mr. Hart has taken over Deft's other case in Department XX and requested that he be appointed in this matter.

# CASE SUMMARY

CASE NO. 06C228752-3

*Statement by Mr. Hart. COURT ORDERED, motion GRANTED and Marty Hart, Esq., APPOINTED. Further, Ms. Burke advised she has provided discovery to Mr. Hart. CUSTODY ;*

09/20/2007

**Motion to Continue (9:30 AM)**

Events: 09/13/2007 Motion

*DEFT'S MTN TO CONTINUE TRIAL/45 Heard By: Michelle Leavitt*

09/25/2007

**Motion to Continue (9:30 AM)**

*DEFT'S MTN TO CONTINUE TRIAL/45 Court Clerk: April Watkins Relief Clerk: Lorraine Williams/lmw Reporter/Recorder: Thelma Stapley Heard By: Leavitt, Michelle*

*Matter Continued; DEFT'S MTN TO CONTINUE TRIAL/45 Court Clerk: April Watkins Relief Clerk: Lorraine Williams/lmw Reporter/Recorder: Thelma Stapley Heard By: Leavitt, Michelle*

*Journal Entry Details:*

*Court advised the matter should be continued to have all Defts. present. Colloquy. Ms. Dustin advised Deft. Ferguson will be joining in with Deft. Holmes's motion. Mr. Lord requested Deft. Trevarthen's sentencing date be set after trial date is set. COURT ORDERED, matter CONTINUED; Petition for Writ of Habeas Corpus VACATED at this time. BOND 10/02/07 9:30 AM STATUS CHECK: TRIAL SETTING (FERGUSON & MONROE) ;*

09/28/2007

**CANCELED Petition for Writ of Habeas Corpus (1:30 PM)**

Events: 09/01/2007 Petition

*Vacated*

09/28/2007

**CANCELED Petition for Writ of Habeas Corpus (1:30 PM)**

Events: 09/18/2007 Petition

*Vacated*

09/28/2007

**CANCELED Petition for Writ of Habeas Corpus (1:30 PM)**

Events: 09/18/2007 Petition

*Vacated*

10/02/2007

**Calendar Call (9:30 AM)**

*CALENDAR CALL*

10/02/2007

**Calendar Call (9:30 AM)**

*CALENDAR CALL*

10/02/2007

**Calendar Call (9:30 AM)**

*CALENDAR CALL Heard By: Michelle Leavitt*

10/02/2007

**Motion to Continue (9:30 AM)**

*DEFT'S MTN TO CONTINUE TRIAL/45 Heard By: Michelle Leavitt*

10/02/2007

**Status Check (9:30 AM)**

Events: 09/25/2007 Hearing

*STATUS CHECK: TRIAL SETTING Heard By: Michelle Leavitt*

10/02/2007

**Status Check (9:30 AM)**

Events: 09/25/2007 Hearing

*STATUS CHECK: TRIAL SETTING Heard By: Michelle Leavitt*

10/02/2007

**All Pending Motions (9:30 AM)**

*ALL PENDING MOTIONS 10/02/07 Court Clerk: April Watkins Relief Clerk: Lorraine Williams/lmw Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt*

*Matter Heard; ALL PENDING MOTIONS 10/02/07 Court Clerk: April Watkins Relief Clerk: Lorraine Williams/lmw Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt*

*Journal Entry Details:*

*DEFT HOLMES' MOTION TO CONTINUE TRIAL...STATUS CHECK: TRIAL SETTING (MONROE & FERGASON)...CALENDAR CALL (MONROE, FERGASON, HOLMES) All counsel advise they have agreed to continue trial. Ms. DiGiacomo advised counsel has*

# CASE SUMMARY

CASE NO. 06C228752-3

*selected March 18, 2008, as new trial date, but noted status check for Deft. Trevarthen will need to be moved until after trial because she is testifying. Court asked counsel if a special setting would be required for writs. Conference at the Bench. COURT ORDERED, trial date VACATED and RE-SET; status check CONTINUED; Writs of Habeas Corpus SET. 11/08/07 11:00 AM WRITS OF HABEAS CORPUS (MONROE, FERGASON, HOLMES) 03/11/08 9:30 AM CALENDAR CALL (MONROE, FERGASON, HOLMES) 03/18/08 1:30 PM JURY TRIAL (MONROE, FERGASON, HOLMES) 04/24/08 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN) ;*

10/09/2007 **CANCELED Jury Trial (1:30 PM)**  
*Vacated*

10/09/2007 **CANCELED Jury Trial (1:30 PM)**  
*Vacated*

10/09/2007 **CANCELED Jury Trial (1:30 PM)**  
*Vacated*

11/08/2007 **Status Check (9:30 AM)**  
Events: 03/06/2007 Hearing  
*STATUS CHECK: SENTENCING Heard By: Michelle Leavitt*

11/08/2007 **Petition for Writ of Habeas Corpus (11:00 AM)**  
Events: 10/02/2007 Petition  
*PTN FOR WRIT OF HABEAS CORPUS Relief Clerk: Tia Everett/te Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt*  
Denied; PTN FOR WRIT OF HABEAS CORPUS Relief Clerk: Tia Everett/te Reporter/Recorder: Thelma Stapley Heard By: Michelle Leavitt  
Journal Entry Details:  
*Mr. Sullivan requested Defendant Holmes presence be waived as he has gainful employment. COURT SO ORDERED. Ms. Dustin, Mr. Hart, and Mr. Sullivan argued the only witness who can substantiate any of the claims is Tonya Trevarthen who is also a co-defendant in this case. Additionally, counsel argued there was insufficient evidence presented to the Grand Jury as there were taped phone conversations presented to the Grand Jury; however, only excerpts were played and not the entire tape; therefore counts 1 and 2, 5 through 14, 16 through 23, 25 and 27 should be dismissed as they are not properly supported. Mr. DiGiacomo opposed by arguing you can not question how a jury deliberates as they were presented the evidence and all exhibits were admitted and sent back with the jury at the time of deliberation to allow them the opportunity to relisten to any of the phone conversations they chose to. COURT FURTHER ORDERED, Petitions DENIED and Trial Date STANDS. Colloquy regarding trial date. FURTHER ORDERED, matter set for status check. CUSTODY (MONROE)...CUSTODY (FERGASON)...BOND (HOLMES) 1/17/08 9:30 AM STATUS CHECK: STATUS OF TRIAL ;*

01/23/2008 **Minute Order (9:00 AM)**  
*MINUTE ORDER RE: (RECUSAL) Court Clerk: April Watkins Heard By: Michelle Leavitt*  
Matter Heard; MINUTE ORDER RE: (RECUSAL) Court Clerk: April Watkins Heard By: Michelle Leavitt  
Journal Entry Details:  
*The court hereby recuses from the above-entitled case due to the appearance of impropriety. This court has been named as a victim in Justice Court case No.: 08F01002X. Per the Chief Judge, Kathy Hardcastle, this case is hereby reassigned to department 4 for further proceedings consistent with this minute order. Any dates previously set by this court are VACATED. ;*

01/24/2008 **Minute Order (9:00 AM)**  
*MINUTE ORDER RE: REASSIGNMENT TO DEPT. VII Court Clerk: Denise Trujillo Heard By: Kathy Hardcastle*  
Matter Heard; MINUTE ORDER RE: REASSIGNMENT TO DEPT. VII Court Clerk: Denise Trujillo Heard By: Kathy Hardcastle  
Journal Entry Details:  
*Due to previous Court's recusal, and Per Order of the Chief Judge, due to the appearance of impropriety, this case is hereby TRANSFERRED to Dept. 7 for further proceedings. CLERK'S NOTE: A copy of this minute order to be placed in the attorney folder(s) of Marty Hart, Jonathan Lord, Cynthia Dustin and Sean Sullivan. ;*

# CASE SUMMARY

CASE NO. 06C228752-3

01/30/2008	<b>Status Check (8:30 AM)</b> Events: 01/25/2008 Hearing <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/30/2008	<b>Status Check (8:30 AM)</b> Events: 01/25/2008 Hearing <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/30/2008	<b>Status Check (8:30 AM)</b> Events: 01/25/2008 Hearing <i>STATUS CHECK: VERIFY TRIAL DATES</i>
01/30/2008	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS 1/30/08 Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i> Matter Heard; ALL PENDING MOTIONS 1/30/08 Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Stewart Bell Journal Entry Details: <i>STATUS CHECK: VERIFY TRIAL DATES (MONROE)...STATUS CHECK: VERIFY TRIAL DATES (FERGASON)...STATUS CHECK: VERIFY TRIAL DATES (HOLMES) Court advised this case was reassigned to this Department because another Judge recused. Court further advised Ms. Dustin informed the current trial date does not work for her. Colloquy between Court and counsel regarding possible trial dates. Mr. Sullivan requested matter be continued one (1) week to allow him time to review the State's file which may give him a better insight as to when the trial should be set. COURT ORDERED, matter CONTINUED. Mr. Sullivan requested Defendant Holmes' presence be waived on the continuance date for employment reasons and, COURT SO ORDERED. CUSTODY (COC)(MONROE &amp; FERGASON) BOND (HOLMES 2/5/08 8:30 AM ALL PENDING MOTIONS ;</i>
02/05/2008	<b>Status Check (8:30 AM)</b> <i>STATUS CHECK: VERIFY TRIAL DATES</i>
02/05/2008	<b>Status Check (8:30 AM)</b> <i>STATUS CHECK: VERIFY TRIAL DATES</i>
02/05/2008	<b>Status Check (8:30 AM)</b> <i>STATUS CHECK: VERIFY TRIAL DATES</i>
02/05/2008	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS 2-5-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i> Matter Heard; ALL PENDING MOTIONS 2-5-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell Journal Entry Details: <i>Deft. Holmes' presence WAIVED. Colloquy regarding the trial date. COURT ORDERED, trial date VACATED AND RESET to May 12. CUSTODY (COC - MONROE &amp; FERGASON)...BOND (HOLMES) 5-1-08 8:30 AM CALENDAR CALL 5-12-08 9:30 AM JURY TRIAL ;</i>
03/11/2008	<b>CANCELED Calendar Call (9:30 AM)</b> <i>Vacated</i>
03/11/2008	<b>CANCELED Calendar Call (9:30 AM)</b> <i>Vacated</i>
03/11/2008	<b>CANCELED Calendar Call (9:30 AM)</b> <i>Vacated</i>
03/13/2008	<b>CANCELED Calendar Call (8:30 AM)</b> <i>Vacated</i>

**CASE SUMMARY****CASE NO. 06C228752-3**

03/13/2008	<b>CANCELED Calendar Call (8:30 AM)</b> <i>Vacated</i>
03/13/2008	<b>CANCELED Calendar Call (8:30 AM)</b> <i>Vacated</i>
03/13/2008	<b>CANCELED Calendar Call (9:30 AM)</b> <i>Vacated</i>
03/13/2008	<b>CANCELED Calendar Call (9:30 AM)</b> <i>Vacated</i>
03/13/2008	<b>CANCELED Calendar Call (9:30 AM)</b> <i>Vacated</i>
03/18/2008	<b>CANCELED Jury Trial (1:30 PM)</b> <i>Vacated</i>
03/18/2008	<b>CANCELED Jury Trial (1:30 PM)</b> <i>Vacated</i>
03/18/2008	<b>CANCELED Jury Trial (1:30 PM)</b> <i>Vacated</i>
03/25/2008	<b>CANCELED Jury Trial (10:30 AM)</b> <i>Vacated</i>
03/25/2008	<b>CANCELED Jury Trial (10:30 AM)</b> <i>Vacated</i>
03/25/2008	<b>CANCELED Jury Trial (10:30 AM)</b> <i>Vacated</i>
03/25/2008	<b>CANCELED Jury Trial (10:30 AM)</b> <i>Vacated</i>
03/25/2008	<b>CANCELED Jury Trial (10:30 AM)</b> <i>Vacated</i>
03/25/2008	<b>CANCELED Jury Trial (10:30 AM)</b> <i>Vacated</i>
04/24/2008	<b>Status Check (8:30 AM)</b> <i>STATUS CHECK: SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell Matter Heard; STATUS CHECK: SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell Journal Entry Details: Conference at the bench. COURT ORDERED, matter CONTINUED for status check. NIC 7- 16-08 8:30 AM STATUS CHECK: SENTENCING ;</i>
05/01/2008	<b>Calendar Call (8:30 AM)</b> <i>CALENDAR CALL</i>
05/01/2008	<b>Calendar Call (8:30 AM)</b> <i>CALENDAR CALL</i>
05/01/2008	<b>Calendar Call (8:30 AM)</b> <i>CALENDAR CALL</i>
05/01/2008	<b>Motion to Sever (8:30 AM)</b>



# CASE SUMMARY

CASE NO. 06C228752-3

	<p>Events: 04/24/2008 Motion  <i>DEFT'S MTN TO SEVER /83 Heard By: Stewart Bell</i></p>
05/01/2008	<p><b>Motion to Sever</b> (8:30 AM)  Events: 04/25/2008 Motion  <i>DEFT'S MTN TO SEVER /84 Heard By: Stewart Bell</i></p>
05/01/2008	<p><b>Motion to Amend</b> (8:30 AM)  Events: 04/29/2008 Motion  <i>STATE'S MTN TO AMEND INDICTMENT /86</i></p>
05/01/2008	<p><b>Motion to Amend</b> (8:30 AM)  Events: 04/29/2008 Motion  <i>STATE'S MTN TO AMEND INDICTMENT</i></p>
05/01/2008	<p><b>Motion to Amend</b> (8:30 AM)  Events: 04/29/2008 Motion  <i>STATE'S MTN TO AMEND INDICTMENT</i></p>
05/01/2008	<p><b>All Pending Motions</b> (8:30 AM)  <i>ALL PENDING MOTIONS 5-1-08 Court Clerk: Tina Hurd Relief Clerk: Sharon Coffman/sc..Dana Cooper Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>  Matter Heard; <i>ALL PENDING MOTIONS 5-1-08 Court Clerk: Tina Hurd Relief Clerk: Sharon Coffman/sc..Dana Cooper Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>  Journal Entry Details:  <i>STATE'S MOTION TO AMEND INDICTMENT (ALL)...DEFENDANT HOLMES' MOTION TO SEVER...DEFENDANT FERGASON'S MOTION TO SEVER COURT ORDERED, State's Motion to Amend Indictment is GRANTED. Amended Indictment FILED IN OPEN COURT. Ms. Dustin advised her client is joining in all the motions. COURT ORDERED, Motion to Disqualify the District Attorney is DENIED. COURT FURTHER ORDERED, Defendant Holmes' Motion to Sever is DENIED; Defendant Fergason's Motion to Sever is GRANTED. Conference at the Bench regarding motions to be filed. Judge noted he will be away and is unable to hear them. Argument by Ms. Dustin as to the Amended Indictment. Court noted there are the same number of counts and the same number of charges; only property was added. Argument by Mr. Sullivan as to the large amount of discovery and the short time he has to review it. Ms. DiaGiacomo advised it consists of multiple copies and is all financial. Court noted there should be enough time for review before trial. Colloquy as to witnesses (80 - 100) and scheduling. COURT ORDERED, TRIAL DATE STANDS; FURTHER ORDERED, the Fergason trial shall immediately follow this one. Further discussion as to Motions to be filed. Court noted these will be heard the morning of trial. CUSTODY (COC) (MONROE &amp; FERGASON) BOND (HOLMES) 5/12/08 9:30 A.M. TRIAL BY JURY (MONROE &amp; HOLMES) 5/20/08 9:30 A.M. TRIAL BY JURY (FERGASON) ;</i></p>
05/12/2008	<p><b>Motion to Suppress</b> (8:30 AM)  Events: 05/03/2008 Motion  <i>DEFT'S MTN TO SUPPRESS TELEPHONE RECORDINGS/93 Heard By: Stewart Bell</i></p>
05/12/2008	<p><b>Motion to Disqualify Attorney</b> (8:30 AM)  Events: 05/03/2008 Motion  <i>DEFT'S MTN TO DISQUALIFY DA'S OFFICE &amp; SANDRA DIGIACOMO AS PROSECUTOR /94 Heard By: Stewart Bell</i></p>
05/12/2008	<p><b>Motion in Limine</b> (8:30 AM)  Events: 05/03/2008 Motion  <i>DEFT'S MTN IN LIMINE RE: ROP DETECTIVES/95 Heard By: Stewart Bell</i></p>
05/12/2008	<p><b>Motion to Suppress</b> (8:30 AM)  Events: 05/03/2008 Motion  <i>DEFT'S MTN TO SUPPRESS EVIDENCE OBTAINEDPURSUANT TO SEARCH WARRANTS/96</i></p>
05/12/2008	<p><b>Motion to Suppress</b> (8:30 AM)  Events: 05/06/2008 Motion</p>

# CASE SUMMARY

CASE NO. 06C228752-3

	<i>DEFTS MTN TO SUPPRESS /97 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion to Dismiss (8:30 AM)</b> Events: 05/06/2008 Motion <i>DEFTS MTN TO DISMISS POSSESSION OF STOLEN PROPERTY/98 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion to Suppress (8:30 AM)</b> Events: 05/07/2008 Motion <i>DEFT'S MTN TO SUPPRESS /102 Heard By: Stewart Bell</i>
05/12/2008	<b>Joinder (8:30 AM)</b> Events: 05/07/2008 Motion <i>DEFT'S JOINDER IN MTNS IN LIMINE/103 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion to Strike (8:30 AM)</b> Events: 05/07/2008 Motion <i>DEFT'S MTN TO STRIKE LANGUAGE IN COUNT 1&amp; COUNT 13 /104 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion in Limine (8:30 AM)</b> Events: 05/07/2008 Motion <i>DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY /105 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion in Limine (8:30 AM)</b> Events: 05/07/2008 Motion <i>DEFT'S MTN IN LIMINE TO BAR ADMISSION OF EVID /106 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion to Dismiss (8:30 AM)</b> Events: 05/08/2008 Motion <i>DEFT'S MTN TO DISMISS /107 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion in Limine (8:30 AM)</b> Events: 05/08/2008 Motion <i>DEFT'S MTN IN LIMINE TO EXCLUDE ANY TESTIMONY RE PRIOR ARRESTS/108 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion in Limine (8:30 AM)</b> Events: 05/08/2008 Motion <i>DEFT'S MTN IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS/109 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion (8:30 AM)</b> Events: 05/08/2008 Motion <i>DEFT'S MTN TO JOIN CO DEFT DAIMON MONROE'S MOTIONS/110 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion (8:30 AM)</b> Events: 05/08/2008 Motion <i>DEFT'S MTN TO JOIN CO DEFT BRYAN FERGASON'S MOTIONS/111 Heard By: Stewart Bell</i>
05/12/2008	<b>Motion to Suppress (8:30 AM)</b> Events: 05/08/2008 Motion <i>DEFT'S MTN TO SUPPRESS /112 Heard By: Stewart Bell</i>
05/12/2008	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS 5-12-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i> Bench Warrant Issued; <i>ALL PENDING MOTIONS 5-12-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>

**CASE SUMMARY****CASE NO. 06C228752-3****Journal Entry Details:**

9:50 A.M.--Deft. Holmes not present. Court advised he will hear the motions and, if Deft. Holmes is not present when jury selection starts, he will issue a bench warrant. DEFT. MONROE'S JOINDER TO MOTIONS...DEFT. HOLMES' MOTION TO JOIN CO-DEFT. DAIMON MONROE'S MOTIONS...DEFT. HOLMES' MOTION TO JOIN CO-DEFT. BRYAN FERGASON'S MOTIONS...Ms. Dustin joined in Mr. Hart's motions. COURT ORDERED, the joinders are GRANTED and any rulings on the motions will be as to all Defts. DEFT. MONROE'S MOTION IN LIMINE RE: ROP DETECTIVES...Court stated he does not see there is much prejudice on this. On the other hand, he does not see any relevance to the flyers and does not see it is necessarily inferable they have prior convictions. Mr. Hart argued it is more than a slight inference of a history. Ms. Dustin argued Deft. Ferguson never got out of custody so they could not have been following him. Further arguments by counsel. COURT ORDERED, motion to exclude reference to repeat offenders is DENIED; the evidence regarding the flyers is marginally relevant, however, the prejudicial effect outweighs the probative value and the flyers are EXCLUDED. DEFT. MONROE'S MOTION TO DISQUALIFY DISTRICT ATTORNEY'S OFFICE AND SANDRA DIGIACOMO AS PROSECUTOR...COURT ORDERED, motion DENIED as there is no impropriety. DEFT. MONROE'S MOTION TO SUPPRESS TELEPHONE RECORDINGS...Court advised he needs to see the transcripts of these phone calls and advised Bruton trumps conspiracy. They would be admissible against the person on the phone but specific content is not admissible regarding past crimes without a Petrocelli Hearing and regarding a third person that is not on the phone. As to the case in Department 5, Court advised the Jury is not going to know they were convicted there. Arguments by counsel. Court advised the arrest and the burglary are part and parcel of the conspiracy and is material and relevant and that led to the search warrant. DEFT. MONROE'S MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS...Mr. Hart argued it was a very general warrant. Court advised, given the information the police had and observations they made, he believes the search warrant was reasonably specific and does NOT find it was over broad. COURT ORDERED, motion DENIED. DEFT. MONROE'S MOTION TO SUPPRESS...DEFT. FERGASON'S MOTION TO SUPPRESS... Ms. Dustin argued unreasonable detention. COURT ORDERED, motions DENIED. Court stated he believes it is pretty clear that foul play was afoot and it started with a Terry stop and moved to probable cause. DEFT. FERGASON'S MOTION TO STRIKE LANGUAGE IN COUNT 1 & COUNT 13 OF AMENDED INDICTMENT...Court stated he believes Ms. Dustin is not correct as to Count 1 but is correct as to Count 13. There is no way to know what items the Jury would be convinced of in Count 13. Ms. Dustin argued the Oncu Crystal Palace language added to Count 1 is substantive and was not brought in before the Grand Jury. Ms. DiGiacomo argued it is a different standard before the Grand Jury and was basic information. COURT ORDERED, as to Count 1, motion DENIED, however, that language is STRICKEN from Count 13; State to amend the Indictment to strike the new language that was added. DEFT. FERGASON'S MOTION IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY OR EVIDENCE OF VALUE FOR THE PROPERTY AT ISSUE...COURT ORDERED, motion GRANTED as to the expert. Court advised the people can clearly value their own property and ORDERED, motion to preclude the owners from testifying as to the value of their own property is DENIED. DEFT. FERGASON'S MOTION IN LIMINE TO BAR ADMISSION OF EVIDENCE THAT THE DEFT. COMMITTED BURGLARY IN THE INSTANT CASE...Arguments by counsel regarding any burglaries before that time period. COURT ORDERED, motion GRANTED. DEFT. FERGASON'S MOTION FOR PRODUCTION OF DISCOVERY (set for May 19)...Ms. Dustin advised this issue resolved yesterday. COURT ORDERED, motion WITHDRAWN and hearing date VACATED. DEFT. FERGASON'S MOTION IN LIMINE TO EXCLUDE/PRECLUDE EVIDENCE OF CO-DEFT'S RESIDENCE (set for May 19)...COURT ORDERED, motion DENIED. Court advised, if the State convinces the Jury of a conspiracy, the act of one is the act of all. DEFT'S FERGASON'S MOTION TO DISMISS POSSESSION OF STOLEN PROPERTY CHARGES ...DEFT. HOLMES' MOTION TO DISMISS CONSPIRACY TO COMMIT BURGLARY AND/OR POSSESSION OF STOLEN PROPERTY CHARGES...Court advised there really is not a motion to dismiss in this jurisdiction, it is really a Writ of Habeas Corpus and is procedurally barred. Ms. Dustin stated she believes some of the Possession of Stolen Property charges are stale by the statute of limitations. Court advised possession is the date it is recovered by the police. Arguments by counsel. Court FINDS the motions are procedurally barred and FINDS a Jury could convict or acquit. COURT ORDERED, motions DENIED. DEFT. FERGASON'S MOTION TO BAR RECORDED PHONE CALLS (set for May 19)... DEFT. HOLMES' MOTION IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS...COURT ORDERED, the calls may come in if they are in furtherance of a conspiracy. Ms. Dustin argued the conspiracy ended when Deft. Ferguson was taken into custody. Court advised it may or may not have been over, however, the conspiracy could still be going on today. COURT ORDERED, Deft. Ferguson's motion DENIED for both substantive and procedural reasons. COURT FURTHER ORDERED, Deft. Holmes' motion DENIED for the same reasons. DEFT. HOLMES' MOTION

# CASE SUMMARY

CASE No. 06C228752-3

*IN LIMINE TO EXCLUDE ANY TESTIMONY REGARDING DEFT. HOLMES' PRIOR ARRESTS AND/OR CRIMINAL HISTORY AS WELL AS ANY CIRCUMSTANCES SURROUNDING THOSE EVENTS...COURT ORDERED, motion GRANTED, however, they may come in if Deft. Holmes testifies; non-Felonies and arrests that did not amount to a conviction may NOT come in. DEFT. HOLMES' MOTION TO SUPPRESS...COURT ORDERED, motion DENIED. Court advised he sees no problems with these, assuming the Jury believes the officers. 10:36 A.M.--Deft. Holmes still not present. Mr. Sullivan advised Deft's wife indicated they had a fight and he took off. Court stated he believes Deft. Holmes took off but not for that reason. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL, for Deft. Holmes. Court advised, if Deft. Holmes is picked up in the next week, he will be tried with Deft. Ferguson. Mr. Sullivan may file a motion to withdraw. Mr. Sullivan advised he spoke with Deft. Holmes last night and advised Deft. has been compliant with his appearances up to now. Court advised Deft. Holmes has generally not been here at the prior hearings and Mr. Sullivan has represented he had good contact. Hearing concluded. CUSTODY (COC - MONROE & FERGASON)...B.W. (BOND - HOLMES) ;*

05/12/2008 **CANCELED Jury Trial (9:30 AM)**  
*Vacated*

05/12/2008 **CANCELED Jury Trial (9:30 AM)**  
*Vacated*

05/12/2008 **CANCELED Jury Trial (9:30 AM)**  
*Vacated*

05/12/2008 **CANCELED Jury Trial (9:30 AM)**  
*Vacated*

05/12/2008 **CANCELED Jury Trial (9:30 AM)**  
*Vacated*

05/12/2008 **Jury Trial (9:30 AM)**  
*TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.*  
*Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.*  
*Journal Entry Details:*  
*11:02 A.M.--Colloquy regarding Deft's last name. Court advised he will have to mention both Monroe and Hoyt due to the publicity generated by the other case. Counsel acknowledged.*  
*11:07 a.m.--Jury venire present. Introductions by Court and counsel. Clerk called roll of the venire; voir dire oath administered. Jury selection commenced. 12:24 p.m.--Fourteen (14) jurors selected. Jury was NOT sworn. Court thanked and excused the remaining venire. Court advised the Jury of scheduling and procedure. Court advised the Jury will be given the oath of service tomorrow morning before trial gets started. 12:33 p.m.--Jury admonished and excused for the day due to other matters that need to be resolved to make the trial run smoother, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding what needs to be done regarding exhibits as there are approximately 1000. 12:36 p.m.--Court adjourned. CUSTODY (COC) ;*

05/13/2008 **Jury Trial (9:30 AM)**  
*TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.*  
*Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.*  
*Journal Entry Details:*  
*9:41 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Second Amended Indictment FILED IN OPEN COURT. Mr. Hart advised the State has downloaded information from Deft. Monroe's computer that has schematics and such. Court advised the State cannot argue other burglaries but can put in the schematics to show intent. Court advised the Indictment is lengthy and, instead of having the Clerk read it, he will provide the jurors with copies of the Indictment. Court stated he believes that will limit confusion as to the counts as well. Ms. DiGiacomo advised witness Brent Ingle is undergoing radiation treatment for cancer and cannot come to court. As he is unavailable for trial, Ms. DiGiacomo moved to use his prior testimony. Mr. Hart stated he would prefer to have the witness live, however, he understands*

# CASE SUMMARY

CASE No. 06C228752-3

the circumstances. COURT ORDERED, a reader will be used to read in the prior testimony. 9:44 A.M.--Jury present. Oath of service administered to the Jury. Court read the opening charge to the Jury. Opening statements by Ms. DiGiacomo and Mr. Hart. Testimony and exhibits presented. (See worksheets.) 12:01 p.m.--Jury admonished and excused for lunch, to return at 1:10 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart objected to the officer identifying his client by the orange socks which indicate he is in jail. Mr. Hart moved for a mistrial. Court stated he does not believe any of these jurors were ever in trouble and the orange socks mean nothing to them. COURT ORDERED, mistrial DENIED. 12:03 p.m.--Court adjourned for lunch. 1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 4:30 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Monroe regarding his right to not be compelled to testify. Colloquy regarding obtaining toothpaste and shampoo for Deft. 4:37 p.m.--Court adjourned. CUSTODY (COC) ;

05/14/2008

## Jury Trial (9:45 AM)

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

### Journal Entry Details:

9:56 A.M.--OUTSIDE THE PRESENCE OF THE JURY, upon inquiry by Ms. DiGiacomo, COURT ORDERED, the State may explain what ROP stands for (Repeat Offenders Program). Court further advised he is going to instruct the Jury on the value issue. 9:57 a.m.--Jury present. Court instructed the Jury regarding value. Further testimony and exhibits presented. (See worksheets.) 11:50 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding jury instructions and victim-witnesses. Court adjourned for lunch. 12:58 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart reserved his right to argue his objection regarding the stop and related issues. Court acknowledged. Further testimony and exhibits presented. 3:58 p.m.--There being no further witnesses available, Court admonished the Jury and excused them for the evening, to return at 9:45 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart renewed his motion to suppress and argued one of the officers' testimony has morphed over time. Mr. Hart argued there was no basis for the car stop as there was no indicia of entry into Just For Kids Dentistry. Ms. DiGiacomo advised this motion has been brought before Judge Wall twice and been denied. Further arguments by counsel. Court advised officers can make a Terry stop if they think something is afoot. Court further advised the Terry stop turned into probable cause in about 5 minutes and officers certainly had a Terry basis for pulling the car over. COURT ORDERED, the defense motion DENIED. Colloquy regarding the jail calls. COURT ORDERED, any reference to Deft. Monroe's prior record and any conversation where Deft. is not present will not come in. Court adjourned for the evening. CUSTODY (COC) ;

05/15/2008

## Jury Trial (9:15 AM)

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

### Journal Entry Details:

10:22 A.M.--Deft. not present. Jury present. Court advised Mr. Hart is ill and the trial cannot go forward without him, however, counsel have indicated they will pare down the rest of the case and keep the trial on schedule. 10:24 a.m.--Court admonished the Jury and excused them for the day, to return at 9:15 a.m. tomorrow morning. 10:25 A.M.--Deft. Monroe present. Court advised Mr. Hart is ill and they will be picking up the trial tomorrow. Court advised Juror #6-Mr. Arnold has indicated to the bailiff he recognized a witness yesterday that he worked with 15-18 years ago and has indicated it will not affect him, he just felt it was his duty to inform the Court. Ms. DiGiacomo advised no witnesses indicated they recognized a juror. 10:30 a.m.--Court adjourned for the day. CUSTODY (COC) ;

05/16/2008

## Jury Trial (9:30 AM)

TRIAL BY JURY Court Clerk: Tina Hurd Relief Clerk: Carole D'Aloia (1:05 PM - 5:10 PM) Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Relief Clerk: Carole D'Aloia (1:05 PM - 5:10 PM) Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

### Journal Entry Details:

# CASE SUMMARY

CASE No. 06C228752-3

9:11 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Court stated he understands there has been an agreement regarding the jail calls. Mr. Hart concurred, however, one call he is concerned with is a call regarding 10 "G's" for someone to take a swim and not testify. Ms. Small advised that is regarding the victim Mr. Hung and it is apparent that is who they are talking about. Mr. Hart advised there is another call regarding the media. Ms. DiGiacomo advised the call was regarding what was said on the news and that they stated it was \$2 million worth of stolen property. The call also references Bobby Holmes taking care of one of the storage units. Mr. Hart objected as there is an issue of fact. COURT ORDERED, objection OVERRULED. 9:14 a.m.--Jury present. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:05 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart argued they keep hearing "Repeat Offender Program" and argued further he does not know why there has to be any mention of the SWAT team coming in to serve the search warrants. Court advised this is how they do business and ORDERED, objection OVERRULED. Colloquy regarding witnesses and scheduling. Mr. Hart argued regarding the stuff the State intends to bring in off of the computers and argued there are no burglaries charged and this backdoors in the other bad acts. Court advised, if there is an issue of stolen property and there is not an issue that Deft. Monroe knew or should have known it was stolen, he will sustain the objection and not let it in. Mr. Hart advised he cannot stipulate to that. COURT ORDERED, objection OVERRULED. 12:07 p.m.--Court adjourned for lunch 1:05 PM Jury Trial Continues (Carole D'Aloia, Relief Clerk) Witness testimony and exhibits admitted continue (see worksheet). At the hour of 5:10 PM, Court admonished the jury for the weekend, instructed them to return Monday at 9:30 AM and, ORDERED, matter CONTINUED. CUSTODY (COC) ;

05/19/2008 CANCELED Motion (8:30 AM)  
Events: 05/07/2008 Motion  
Vacated

05/19/2008 CANCELED Motion in Limine (8:30 AM)  
Events: 05/07/2008 Motion  
Vacated

05/19/2008 CANCELED Motion in Limine (8:30 AM)  
Events: 05/07/2008 Motion  
Vacated

05/19/2008 Jury Trial (9:30 AM)  
TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.  
Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.  
Journal Entry Details:  
9:44 A.M.--Jury present. Further testimony and exhibits presented. (See worksheets.) 11:46 a.m.--Court stated he understands the State has one long witness, one short witness and two that need to be recalled that will not be here until after lunch. Jury admonished and excused for lunch, to return at 12:45 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Ms. DiGiacomo moved to amend the Indictment to correct a typo in Count 1. COURT ORDERED, GRANTED. Jury Instructions settled on the record. 12:01 p.m.--Court adjourned for lunch. 1:00 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 2:48 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart stated he believes the comment regarding posting bail previously brings in prior bad acts. Court advised it could be for anything or even for someone else and he believes it is innocuous. Mr. Hart stated he believes the next call is whether Deft. Monroe could do it and that it was not as much fun without Ferguson. Ms. DiGiacomo advised the conspiracy is ongoing at this point and it is in furtherance of the conspiracy. COURT ORDERED, objection OVERRULED. 3:00 p.m.--Jury present. Further testimony and exhibits presented. 5:14 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. CUSTODY (COC) ;

05/20/2008 CANCELED Jury Trial (9:30 AM)  
Vacated

05/20/2008 Jury Trial (9:30 AM)  
TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell

# CASE SUMMARY

CASE NO. 06C228752-3

Matter Heard; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent  
Heard By: Stewart Bell

## Journal Entry Details:

9:38 A.M.--Court reconvened with all present as before. Court advised the Jury of the day's schedule. Further testimony and exhibits presented. (See worksheets.) State and defense rested. Court instructed the Jury. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected two alternates by random drawing: Alternate #1 - Juror #3-Natalia Salman and Alternate #2 - Juror #6-Thurman Arnold. 11:53 a.m.--Jury retired to deliberate. 1:49 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow: GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM); GUILTY of COUNTS 2-4, 7-11, 13-17, 22-24, 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F); GUILTY of COUNTS 5-6, 12, 18-21, 25, 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Jury polled at request of Mr. Hart; 12 affirmed. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Monroe to REMAIN IN CUSTODY WITHOUT BAIL pending sentencing. CUSTODY (COC) 8-26-08 8:30 AM SENTENCING ;

05/21/2008

## Jury Trial (9:30 AM)

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

## MINUTES

Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

## Journal Entry Details:

9:20 A.M.--OUTSIDE THE PRESENCE OF THE JURY VENIRE, colloquy regarding exhibits. Third Amended Indictment FILED IN OPEN COURT. Court advised a copy of the Third Amended Indictment will be provided to the jurors to avoid confusion. 9:43 a.m.--Jury venire present. Introductions by Court and counsel. Clerk called roll of the venire; voir dire oath administered. Jury selection commenced. 11:21 a.m.--Fourteen (14) jurors selected and sworn. Court thanked and excused the remaining venire. Court read the opening charge to the Jury. Opening statements by counsel. 11:50 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Ms. Dustin advised she has lodged an objection to the State offering the transcript of Burt Engle's testimony. It is from a Department 20 case and she did not represent Deft. Ferguson in that case. Ms. Dustin stated she believes the State has a wealth of evidence without it. Court advised, in the co-Deft's trial, the State made the Court aware Mr. Engle has cancer and is under treatment that does not allow him to come to the courthouse. Mr. Engle is unavailable and the rules state his prior testimony is admissible even when the Deft. was represented by a different attorney. COURT ORDERED, the transcript testimony of Burt Engle WILL BE ALLOWED. Colloquy regarding procedure for reading in the testimony. 11:54 a.m.--Court adjourned for lunch. 12:57 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Ferguson regarding his right to not be compelled to testify. Ms. Dustin advised the Anku Crystal Palace was originally charged in the Dept. 20 case and was subsequently dismissed and added to this case. Court inquired when jeopardy attached. Ms. Dustin stated she does not believe it is a jeopardy issue in this case. 1:05 p.m.--Jury present. Testimony and exhibits presented. (See worksheets.) 4:47 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. CUSTODY (COC) ;

05/22/2008

## Jury Trial (9:15 AM)

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

## Journal Entry Details:

9:32 A.M.--Court reconvened with all present as before. Further testimony and exhibits presented. (See worksheets.) 11:56 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. 1:00 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 4:52 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:15 a.m. tomorrow morning. CUSTODY (COC) ;

05/23/2008

## Jury Trial (10:00 AM)

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell,

# CASE SUMMARY

CASE NO. 06C228752-3

Stewart L.

Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Journal Entry Details:

9:15 A.M.--Court reconvened with all present as before. Further Testimony and exhibits presented. (See worksheets.) 11:51 a.m.--Jury admonished and excused for lunch, to return at 12:50 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding NRS 205.275. 12:53 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 3:22 p.m.--There being no further witnesses available for the day, Court admonished the Jury and excused them for the weekend, to return on Tuesday morning at 10:00 a.m. OUTSIDE THE PRESENCE OF THE JURY, Court showed counsel two questions submitted by jurors which were not actually for witnesses. Said questions marked as Court's exhibits. 3:25 p.m.--Off the record. CUSTODY (COC) ;

05/27/2008

## Jury Trial (9:30 AM)

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Journal Entry Details:

10:05 A.M.--Court reconvened with all present as before. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. 12:57 P.M.--OUTSIDE THE PRESENCE OF THE JURY, arguments regarding Touch of Vegas. Bailiff advised Juror #12-Mr. Smith knows witness Amanda Terry. Colloquy between Court and Juror Smith. Upon Court's inquiry, Mr. Smith advised his objectivity would not be affected. 1:11 p.m.--Jury present. Further testimony and exhibits presented. 3:09 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Ms. Dustin advised Ms. Trevarthan testified to conversations between Defts. Monroe and Holmes. Court advised counsel must object at the time and he will rule. Colloquy. 3:15 p.m.--Jury present. Further testimony by Ms. Trevarthan. Ms. Dustin requested a cautionary instruction regarding some of the testimony by this witness regarding other uncharged acts. Court gave a cautionary instruction to the Jury regarding Deft. Ferguson not being charged with Burglary and to consider the testimony only as it relates to whether Deft. knew these items were stolen. Further testimony and exhibits presented. 4:58 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Juror #9-Anthony Indurante present. Court advised someone noticed Detective Churches acknowledged this juror outside and believes they took some Karate classes together. Upon Court's inquiry, Mr. Indurante advised he will not give the detective's testimony any more weight than anyone else. Juror excused for the evening. Colloquy regarding the remaining witnesses, scheduling and Jury Instructions. Colloquy regarding value and corresponding Jury Instructions. Ms. Dustin advised she objected at the bench regarding some of the testimony by Detective Nickell regarding this long process he did, going back into Anku Crystal Place and Just for Kids Dentistry and argued that, coupled with some testimony by Tonya Trevarthan, slides them into uncharged bad acts. Court stated he does not know how they could testify any other way. Ms. Dustin advised, as to the phone call between Engle and Monroe, Deft. Monroe says they had 2 or 3 pieces of Anku and "he" had to have them. He basically makes an admission including Deft. Ferguson. Ms. DiGiacomo argued they will speak about it again in other calls and Deft. Monroe says "we" and "he" but nothing specific. COURT ORDERED, the third phone call STRICKEN and will admonish the jurors to disregard. Court stated he does not believe this is a big issue. Colloquy regarding the phone calls. COURT ORDERED, counsel to review the phone calls and make sure there is nothing else that is Bruton inculpatory evidence. Court adjourned. CUSTODY (COC) ;

05/28/2008

## Jury Trial (10:00 AM)

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Matter Continued; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.

Journal Entry Details:

9:28 A.M.--OUTSIDE THE PRESENCE OF THE JURY, State's Bench Memorandum FILED IN OPEN COURT. Ms. DiGiacomo argued the phone call was not a Bruton issue under the reading of the Bruton case. It was not a confession to a police officer, it was a statement from one co-conspirator to another. It was a statement in furtherance of this conspiracy; it was not testimonial. Court stated he believes it could have been redacted but he is not going to play it again with it out as it would just highlight it and it is a meaningless piece of the puzzle. Ms. Dustin argued that, coupled with the testimony of Tonya Trevarthan, has sufficiently rung the



**CASE SUMMARY****CASE NO. 06C228752-3**

bell and moved for a mistrial. Ms. Dustin argued it shifts the burden too much and she does not believe it can be fixed with an instruction. Court stated he does not believe it is that serious and he believes it could be fixed. Court advised the Jury will be admonished to disregard phone call #3. 9:34 a.m.--Jury present. Court ADMONISHED the Jury to disregard call #3 and advised the DVD has been redacted. COURT FURTHER ORDERED, State's exhibits 1189 and 1189A WITHDRAWN. Further testimony and exhibits presented. (See worksheets.) Ms. DiGiacomo advised counsel have stipulated, if Detective Julie Hall was recalled, that on October 12, Bobby Holmes was arrested for Possession of Stolen Property based on items removed from his home. 11:54 a.m.--Jury admonished and excused for lunch, to return at 1:15 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Jury Instructions settled on the record. 12:20 p.m.--Court adjourned for lunch. 1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented. 3:32 p.m.--Court admonished the Jury and excused them for the evening, to return at 10:00 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding the verdict form and Jury Instruction #10. Court stated he believes Instruction #10 is correct but the verdict form needs to be corrected. Ms. Dustin requested the defense proposed instructions be marked and put in the record so the record is complete. Court instructed counsel to provide clean copies and the Clerk will make the whole package part of the record. 3:37 p.m.--Court adjourned. CUSTODY (COC) ;

05/29/2008

**Jury Trial (10:00 AM)**

TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell

Matter Heard; TRIAL BY JURY Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell

Journal Entry Details:

10:05 A.M.--Court reconvened with all present as before. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected the alternates by random drawing: Juror #2-Yvette Scurlock and Juror #3-James Buell. 11:54 a.m.--Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY, upon Court's inquiry, Deft. Ferguson agreed he approved the way Ms. Dustin approached and handled his case. Off the record. 2:04 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow: GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM). GUILTY of COUNTS 2, 5-6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY, VALUE \$250.00 OR MORE (F). GUILTY of COUNTS 4, 7-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY, VALUE \$2,500.00 OR MORE (F). Count 3 - NOT guilty. Jury was not polled. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Ferguson to REMAIN IN CUSTODY WITHOUT BAIL pending sentencing. CUSTODY (COC-NDC) 8-26-08 8:30 AM SENTENCING ;

06/16/2008

**Motion to Withdraw as Counsel (8:30 AM)**

Events: 06/03/2008 Motion

SULLIVAN'S MTN TO WITHDRAW AS COUNSEL Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell

Granted; SULLIVAN'S MTN TO WITHDRAW AS COUNSEL Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell

Journal Entry Details:

COURT ORDERED, motion GRANTED. Order signed in open court. B.W. (BOND) ;

07/15/2008

**Motion to Quash Bench Warrant (8:30 AM)**

Events: 07/11/2008 Motion to Quash Bench Warrant

DEFT'S MTN TO QUASH BENCH WARRANT/123 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell

Denied; DEFT'S MTN TO QUASH BENCH WARRANT/123 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell

Journal Entry Details:

Mr. Kennedy CONFIRMED as counsel. Motion argued and submitted. COURT ORDERED, motion DENIED; DEFT. HOLMES REMANDED TO CUSTODY, TO BE HELD WITHOUT BAIL pending trial. Colloquy regarding a trial date. COURT ORDERED, matter set for trial on November 17 and will be first up. Court advised, if for some reason Mr. Kennedy cannot try the case, he must make the decision whether to withdraw by the end of this month. CUSTODY 11-13-08 8:30 AM CALENDAR CALL 11-17-08 9:30 AM JURY TRIAL ;

07/16/2008

**Status Check (8:30 AM)**

# CASE SUMMARY

CASE NO. 06C228752-3

	<p>Events: 04/24/2008 Hearing</p> <p><i>STATUS CHECK: SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i></p> <p>Matter Heard; STATUS CHECK: SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</p> <p>Journal Entry Details:</p> <p><i>No appearance by Deft. Trevarthen or her counsel Jonathan Lord. Court stated he is not sure why he should not just go ahead and sentence this Deft. Colloquy. COURT ORDERED, matter CONTINUED for sentencing. NIC 8-13-08 8:30 AM SENTENCING ;</i></p>
08/07/2008	<p><b>Motion (8:30 AM)</b></p> <p>Events: 08/04/2008 Motion</p> <p><i>STATE'S MTN FOR RELEASE OF EVIDENCE TO VICTIMS AND/OR AUCTION BY LVMPD Relief Clerk: Carole D'Aloia Reporter/Recorder: Cheryl Carpenter Heard By: Stewart Bell</i></p> <p>Granted in Part; STATE'S MTN FOR RELEASE OF EVIDENCE TO VICTIMS AND/OR AUCTION BY LVMPD Relief Clerk: Carole D'Aloia Reporter/Recorder: Cheryl Carpenter Heard By: Stewart Bell</p> <p>Journal Entry Details:</p> <p><i>Following arguments by counsel, COURT ORDERED, motion GRANTED to the extent that property belonging to the named victims in the Indictment who testified as the trials of Defendants Monroe and Ferguson be released to said victims. Court advised it received notice from the Division of Parole and Probation (P&amp;P) indicating it needs additional time to complete the Presentence Investigation Reports for Defendants Monroe and Ferguson and, ORDERED, sentencing dates CONTINUED. CUSTODY (MONROE) NIC (TREVARTHEN) CUSTODY (COC-NDC)(FERGASON) CUSTODY (HOLMES ;</i></p>
08/13/2008	<p><b>Sentencing (8:30 AM)</b></p> <p>Events: 07/16/2008 Conversion Case Event Type</p> <p><i>SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i></p> <p>Matter Continued; SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</p> <p>Journal Entry Details:</p> <p><i>No appearance by Deft. Trevarthen or her counsel Jonathan Lord. Ms. Krusey advised counsel are requesting a continuance to September 22 as Mr. Lord cannot be here today and the other case is set for hearing that day. COURT ORDERED, matter CONTINUED to tomorrow to reset the sentencing and the Miller Hearing in case C237052. Law clerk will notify counsel in both cases. NIC ;</i></p>
08/14/2008	<p><b>Sentencing (8:30 AM)</b></p> <p><i>SENTENCING Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</i></p> <p>Matter Continued; SENTENCING Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Bell, Stewart L.</p> <p>Journal Entry Details:</p> <p><i>Court noted the absence of the Defendant and Mr. Lord and, ORDERED, Defendant's presence WAIVED this date. Based on the re-setting of the Miller Hearing in case C235232, COURT ORDERED, sentencing CONTINUED to 9/26/08. NIC CLERK'S NOTE: A COPY OF THIS MINUTE ORDER PLACED IN THE ATTORNEY FILE OF JOHNATHAN J. LORD, ESQ. ON 8/15/08. cd ;</i></p>
08/21/2008	<p><b>Motion (8:30 AM)</b></p> <p>Events: 08/19/2008 Motion</p> <p><i>STATES MTN FOR RELEASE OF PROPERTY/128 Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i></p> <p>Granted; STATES MTN FOR RELEASE OF PROPERTY/128 Relief Clerk: Carole D'Aloia Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</p> <p>Journal Entry Details:</p> <p><i>Mr. Kennedy advised he has no objection to the State's motion. Court noted the objections of Mr. Hart and Ms. Dustin and, ORDERED, motion GRANTED, Ms. DiGiacomo to prepare and submit appropriate Order. CUSTODY (MONROE AND HOLMES) NIC (TREVARTHEN) CUSTODY (COC-NDC)(FERGASON ;</i></p>
08/26/2008	<p><b>Sentencing (8:30 AM)</b></p>

# CASE SUMMARY

CASE NO. 06C228752-3

	<p>Events: 05/20/2008 Conversion Case Event Type SENTENCING Heard By: Stewart Bell</p>
08/26/2008	<p><b>Sentencing (8:30 AM)</b> Events: 05/29/2008 Conversion Case Event Type SENTENCING Heard By: Stewart Bell</p> <p><b>MINUTES</b> Conversion Case Event Type SENTENCING Matter Continued; SENTENCING Heard By: Stewart Bell</p>
09/26/2008	<p><b>Sentencing (8:30 AM)</b> SENTENCING Court Clerk: Tina Hurd Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Angela Lee Heard By: David Wall Matter Continued; SENTENCING Court Clerk: Tina Hurd Relief Clerk: Susan Jovanovich /sj Reporter/Recorder: Angela Lee Heard By: David Wall Journal Entry Details: DEFT. TREVARTHEN ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM). Colloquy regarding recommendation of informal probation. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Deft. SENTENCED to Clark County Detention Center (CCDC) for SIX (6) MONTHS, SUSPENDED; placed on INFORMAL PROBATION for SIX (6) MONTHS. CONDITIONS: 1. Deft. not be arrested for any new offenses other than traffic offenses. 2. Maintain full time employment. Count 2 HELD IN ABEYANCE. FURTHER, matter SET for status check on compliance. Court advised Deft. he will waive her presence at next hearing if proof of employment is provided. BOND, if any, EXONERATED. NIC 03-31-09 8:30 A.M. STATUS CHECK - COMPLIANCE ;</p>
10/01/2008	<p><b>Sentencing (8:30 AM)</b> SENTENCING Heard By: Stewart Bell</p>
10/01/2008	<p><b>Sentencing (8:30 AM)</b> SENTENCING Heard By: Stewart Bell</p>
10/01/2008	<p><b>All Pending Motions (8:30 AM)</b> ALL PENDING MOTIONS 10-1-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</p> <p><b>MINUTES</b> Motion ALL PENDING MOTIONS 10-1-08 Matter Heard; ALL PENDING MOTIONS 10-1-08 Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell Journal Entry Details: DEFT. MONROE ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2-4, 8-11, 13-17, 22-24 &amp; 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F) and COUNTS 5, 6, 12, 18-21, 25 &amp; 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Certified copies of three prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Monroe to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center; Count 2 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 3 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 4 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 5 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 6 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 7 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 8 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 9 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 10 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 11 -</p>

**CASE SUMMARY****CASE No. 06C228752-3**

to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 12 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 13 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 14 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC). Counts 1-14 to be served CONCURRENTLY with each other. Count 15 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 16 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 17 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 18 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 19 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 20 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 21 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 22 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 23 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 24 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 25 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 26 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 27 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC). Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1-14. Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED. DEFT. FERGASON ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2, 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (F) and COUNTS 4, 7, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE. Certified copies of five prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Fergason to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center; Count 2 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 4 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 5 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 6 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 7 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 8 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 9 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 10 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 11 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 12 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 13 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 14 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC). Counts 1, 2 and 4-14 to be served CONCURRENTLY with each other. Count 15 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 16 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 17 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 18 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 19 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 20 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 21 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 22 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 23 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 24 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 25 - to LIFE with a MINIMUM parole eligibility of TWENTY (20)

# CASE SUMMARY

CASE No. 06C228752-3

YEARS in the Nevada Department of Corrections (NDC); Count 26 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 27 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC). Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1, 2 and 4-14. Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED. At request of counsel, COURT ORDERED, Mr. Hart and Ms. Dustin APPOINTED on appeal. ;

11/10/2008

## Entry of Plea (8:30 AM)

Events: 11/07/2008 Hearing

ENTRY OF PLEA Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass

## MINUTES

Hearing

### ENTRY OF PLEA

Matter Heard; ENTRY OF PLEA Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass

Journal Entry Details:

Judge Glass stated this is an add to the calendar and she agreed to hear the matter for Judge Bell. Counsel advised the matter has negotiated and NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. HOLMES EXAMINED and PLED GUILTY to the FIFTH AMENDED INDICTMENT FILED IN OPEN COURT CHARGING COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR COMMIT BURGLARY (GM) and COUNTS 2 and 3 - POSSESSION OF STOLEN PROPERTY (F). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing. CUSTODY (HOLMES) 12/30/08 8:30 AM SENTENCING - DEPT. VII ;

11/13/2008

## CANCELED Calendar Call (8:30 AM)

Vacated

11/13/2008

## CANCELED Motion to Admit Evidence (8:30 AM)

Events: 11/03/2008 Motion

Vacated

11/13/2008

## CANCELED Motion in Limine (8:30 AM)

Vacated

STATE'S MTN IN LIMINE /134

11/17/2008

## CANCELED Jury Trial (9:30 AM)

Vacated

12/01/2008

## Bench Warrant Return (8:30 AM)

Events: 11/25/2008 Bench Warrant

BENCH WARRANT RETURN Relief Clerk: Nora Pena Reporter/Recorder: Cheryl Carpenter Heard By: Stewart Bell

Matter Heard; BENCH WARRANT RETURN Relief Clerk: Nora Pena Reporter/Recorder: Cheryl Carpenter Heard By: Stewart Bell

Journal Entry Details:

COURT ORDERED, Sentence date STANDS and BOND, if any, EXONERATED. CUSTODY (COC) ;

12/05/2008

## Show Cause Hearing (9:05 AM)

Events: 05/15/2008 Hearing

SHOW CAUSE HEARING Court Clerk: Denise Trujillo/dt Relief Clerk: Janet Deaver Reporter/Recorder: Jjill Jacoby Heard By: Kathy Hardcastle

Matter Heard; SHOW CAUSE HEARING Court Clerk: Denise Trujillo/dt Relief Clerk: Janet Deaver Reporter/Recorder: Jjill Jacoby Heard By: Kathy Hardcastle

Journal Entry Details:

As Deft. was picked up and bond exonerated, COURT ORDERED, matter OFF CALENDAR. ;

# CASE SUMMARY

CASE NO. 06C228752-3

12/18/2008	<p><b>Motion (8:30 AM)</b>  Events: 12/04/2008 Motion  <i>STATES MTN FOR RELEASE OF EVIDENCE/136 Court Clerk: Tina Hurd</i>  <i>Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>  Off Calendar; <i>STATES MTN FOR RELEASE OF EVIDENCE/136 Court Clerk: Tina Hurd</i>  <i>Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>  Journal Entry Details:  <i>Ms. Dustin advised this case is before the Supreme Court on appeal so she does not believe the Court has jurisdiction and the proper venue would be through the forfeiture case and not here where it is on appeal. Court stated he believes, as a general proposition, Ms. Dustin is right. Mr. Kephart advised he will accept those representations. COURT ORDERED, motion OFF CALENDAR. CUSTODY (COC - MONROE &amp; HOLMES)...NIC (TREVARTHEN)...NDC (FERGUSON) ;</i></p>
12/30/2008	<p><b>Sentencing (8:30 AM)</b>  Events: 11/10/2008 Conversion Case Event Type  <i>SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i></p> <p><b>MINUTES</b>  Conversion Case Event Type  <i>SENTENCING</i>  Granted; <i>SENTENCING Court Clerk: Tina Hurd Reporter/Recorder: Renee Vincent Heard By: Stewart Bell</i>  Journal Entry Details:  <i>DEFT. HOLMES ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNTS 2 &amp; 3 - POSSESSION OF STOLEN PROPERTY (F). Matter argued and submitted. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center (CCDC); Count 2 - to a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 1; Count 3 - to a MINIMUM of TWENTY FOUR (24) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC), CONSECUTIVE to Count 2. 169 DAYS credit for time served. Deft. to PAY \$4,892.45 RESTITUTION. BOND, if any, EXONERATED. ;</i></p>
03/03/2009	<p><b>Motion (9:00 AM)</b>  Events: 02/13/2009 Motion  <i>DEFT'S PRO PER MTN FOR RETURN OF SEIZED PROPERTY/137 Heard By: Kathy Hardcastle</i></p>
03/03/2009	<p><b>Request (9:00 AM)</b>  Events: 02/26/2009 Hearing  <i>STATES REQUEST STATUS CHECK: CORRECTED JOC Heard By: Kathy Hardcastle</i></p>
03/03/2009	<p><b>All Pending Motions (9:00 AM)</b>  <i>ALL PENDING MOTIONS (3-03-09) Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Debra Winn Heard By: Kathy Hardcastle</i>  Matter Heard; <i>ALL PENDING MOTIONS (3-03-09) Relief Clerk: Phyllis Irby/pi Reporter/Recorder: Debra Winn Heard By: Kathy Hardcastle</i>  Journal Entry Details:  <i>DEFT'S PRO PER MOTION FOR RETURN OF SEIZED PROPERTY...STATE'S REQUEST STATUS CHECK: CORRECTED JUDGMENT OF CONVICTION MATTER TRAILED. MATTER RECALLED. Deft not present. COURT NOTED, Deft is in NDC, presence WAIVED. Ms. Digiacoimo advised the JOC was incorrect. There was a clerical error on the JOC. COURT ORDERED, State to prepare an Amended JOC. As to Deft's Pro Per Motion, COURT ORDERED, DENIED WITHOUT PREJUDICE. ;</i></p>
03/31/2009	<p><b>Status Check: Compliance (9:00 AM)</b>  Events: 09/26/2008 Hearing  <i>STATUS CHECK: COMPLIANCE Heard By: Kathy Hardcastle</i></p>

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**






**CASE NO. 06C228752-3**

03/31/2009	<p><b>Motion (9:00 AM)</b>  Events: 03/17/2009 Motion  <i>DEFT'S MTN TO WITHDRAW GUILTY PLEA /140 Heard By: Kathy Hardcastle</i></p>
03/31/2009	<p><b>All Pending Motions (9:00 AM)</b>  <i>ALL PENDING MOTIONS 3/31/09 Court Clerk: Denise Trujillo Reporter/Recorder: Cheryl Carpenter Heard By: Kathy Hardcastle</i></p> <p><b>MINUTES</b>  Motion  <i>ALL PENDING MOTIONS 3/31/09</i>  Matter Heard; ALL PENDING MOTIONS 3/31/09 Court Clerk: Denise Trujillo Reporter/Recorder: Cheryl Carpenter Heard By: Kathy Hardcastle  Journal Entry Details:  <i>STATUS CHECK: COMPLIANCE (TREVARTHEN)...DEFT'S MOTION TO WITHDRAW GUILTY PLEA Mr. Lord advised Deft. TREVARTHEN has complied with all conditions and pursuant to negotiations requested she be allowed to withdraw plea as to CT II and that it be DISMISSED, and that case be closed as to CT I. State CONCURRED. COURT ORDERED, COUNT II DISMISSED and CASE CLOSED. Court advised it did not receive Deft's reply and ORDERED, matter CONTINUED. CUSTODY (COC - HOLMES) 4/2/09 9:00 AM DEFT'S MOTION TO WITHDRAW GUILTY PLEA (HOLMES) ;</i></p>
04/02/2009	<p><b>Motion (9:00 AM)</b>  <i>DEFT'S MTN TO WITHDRAW GUILTY PLEA /140 Court Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Kathy Hardcastle</i>  Denied; DEFT'S MTN TO WITHDRAW GUILTY PLEA /140 Court Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Kathy Hardcastle  Journal Entry Details:  <i>Arguments by counsel. COURT stated findings and ORDERED, motion DENIED. CUSTODY (COC) ;</i></p>
08/04/2009	<p><b>Request of Court (9:00 AM)</b>  Events: 07/23/2009 Hearing  <i>AT THE REQUEST OF THE COURT:CONFIRMATIONOF APPELANT COUNSEL Court Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Hardcastle, Kathy</i>  Matter Continued; AT THE REQUEST OF THE COURT:CONFIRMATIONOF APPELANT COUNSEL Court Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Hardcastle, Kathy  Journal Entry Details:  <i>COURT ORDERED, matter CONTINUED. CUSTODY (NDC) ;</i></p>
08/12/2009	<p><b>Request of Court (9:00 AM)</b>  <i>AT THE REQUEST OF THE COURT:CONFIRMATIONOF APPELANT COUNSEL Court Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Kathy Hardcastle</i>  Matter Continued; AT THE REQUEST OF THE COURT:CONFIRMATIONOF APPELANT COUNSEL Court Clerk: Denise Trujillo Reporter/Recorder: Lara Corcoran Heard By: Kathy Hardcastle  Journal Entry Details:  <i>Mr. Ruggeroli advised he believes he can confirm, but has not received file. COURT ORDERED, Mr. Ruggeroli is CONFIRMED, and if he finds out later there is a problem, then can place matter BACK on calendar. FURTHER, once he reviews the file, he can determine if there are any appealable issues and place matter on calendar. CUSTODY (NDC) ;</i></p>
04/08/2010	<p><b>Further Proceedings (9:30 AM)</b>  Events: 04/07/2010 Hearing  <i>FURTHER PROCEEDINGS COMPTENCY (DEPT V) Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass</i>  Matter Heard; FURTHER PROCEEDINGS COMPTENCY (DEPT V) Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass  Journal Entry Details:  <i>APPEARANCES CONTINUED: Christy Craig, Chief Deputy Public Defender, present representing defendant in Case No. C237052. Christina Greene of the Specialty Courts present. Defendant HOYT present in custody. Competency is at issue in Case nos. C237052, C241570 and C227874, however, this case was just opened to appoint appellate counsel;</i></p>

# CASE SUMMARY





CASE NO. 06C228752-3

therefore, COURT ORDERED, matter OFF CALENDAR. CUSTODY ;

08/16/2011	<p><b>Petition for Writ of Habeas Corpus (8:30 AM)</b> (Judicial Officer: Tao, Jerome T.)  <b>08/16/2011, 08/25/2011</b>  <i>Petition for Writ of Habeas Corpus (Post-Conviction Relief)</i>  Matter Continued;  Denied;  Matter Continued;  Denied;</p>
08/16/2011	<p><b>Motion to Continue (8:30 AM)</b> (Judicial Officer: Tao, Jerome T.)  <b>08/16/2011, 08/25/2011</b>  <i>Motion for 90 Day Continuance to Reply to State's Answer to Petition for Writ of Habeas Corpus (Post-Conviction)</i>  Matter Continued;  Denied;  Matter Continued;  Denied;</p>
08/16/2011	<p> <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Tao, Jerome T.)  Matter Heard;  Journal Entry Details:  <i>PETITION FOR WRIT OF HABEAS CORPUS ... MOTION FOR 90 DAY CONTINUANCE TO REPLY TO STATE'S ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION) Court noted motion to withdraw was never filed, therefore, Cynthia Dustin is still the attorney of record and these motions must be filed by the attorney of record. COURT ORDERED, Motions CONTINUED and a copy to be provided to Ms. Dustin. NDC CONTINUED TO: 8/25/2011 8:30 AM ;</i></p>
08/25/2011	<p> <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Tao, Jerome T.)  Matter Heard;  Journal Entry Details:  <i>Ms. Dustin advised these are Defendant's Pro Per motions and moved to withdraw as counsel. COURT ORDERED, Oral Motion GRANTED. AS TO DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS: Court FINDS, claims to be without merit, fail to meet the standard of Strickland, and are belied by the record; therefore, COURT ORDERED, Petition DENIED. Court notes there are approximately 20 claims and State will prepare the Findings of Fact and Conclusions of Law and identify which claims specifically are belied by the record and/or fail to meet standards of Strickland. AS TO DEFENDANT'S MOTION FOR 90 DAY CONTINUANCE TO REPLY TO STATE'S ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION): COURT ORDERED, Motion DENIED as MOOT. NDC ;</i></p>
10/11/2011	<p> <b>Motion (8:30 AM)</b> (Judicial Officer: Tao, Jerome T.)  Events: 09/29/2011 Motion  <i>Motion for Return of Seized Property</i>  Denied;  Journal Entry Details:  <i>Upon Court's inquiry, Ms. Demonte advised the property requested was returned to the victim already and is not in the possession of Metro and/or the District Attorney. COURT ORDERED, Motion DENIED as MOOT. NDC ;</i></p>
05/15/2012	<p> <b>Appointment of Counsel (8:30 AM)</b> (Judicial Officer: Tao, Jerome T.)  <i>Pursuant to Nevada Supreme Court Order of Reversal and Remand filed April 11, 2012</i>  Matter Heard;  Journal Entry Details:  <i>Ms. Engler confirmed as counsel on behalf of Matthew Carling Esq. and requested matter be set for a status check in thirty days to confirm he has received the Defendant's filed. COURT SO ORDERED. NDC 6/12/2012 8:30 AM STATUS CHECK: DEFENDANT'S FILE ;</i></p>
06/12/2012	<p> <b>Status Check (8:30 AM)</b> (Judicial Officer: Tao, Jerome T.)</p>



**CASE SUMMARY****CASE NO. 06C228752-3**

	<p><b>06/12/2012, 06/19/2012</b></p> <p><i>Status Check: Defendant's File</i></p> <p>Matter Continued;</p> <p>Off Calendar;</p> <p>Journal Entry Details:</p> <p><i>Following representations by counsel, COURT ORDERED, matter OFF CALENDAR. NDC ;</i></p> <p>Matter Continued;</p> <p>Off Calendar;</p> <p>Journal Entry Details:</p> <p><i>Court noted the lack of appearance by the parties. Therefore, COURT ORDERED, matter CONTINUED for the presence of counsel and/or relevant parties. NDC 6/19/12 8:30 A.M. STATUS CHECK: DEFT'S FILE Clerk's note: A copy of this minute order has been emailed to Attorney Carling at: cedarlegal@gmail.com. (rm 6/18/12) ;</i></p>
03/29/2016	<p> <b>Petition for Writ of Habeas Corpus (8:30 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p><i>Defendant's Supplemental Petition for Writ of Habeas Corpus (Post-Conviction)</i></p> <p>Hearing Set;</p> <p>Journal Entry Details:</p> <p><i>Arguments by Mr. Carling and Ms. DiGiacomo in support of their respective positions. Following, Court stated its findings and advised there would be a limited Evidentiary Hearing as to C &amp; D but not as to A &amp; B. COURT ORDERED, matter SET for a limited Evidentiary Hearing. Upon inquiry, counsel feel the hearing will take approximately 2 hours. NDC 5/6/16 1:30 PM EVIDENTIARY HEARING;</i></p>
05/06/2016	<p> <b>Evidentiary Hearing (1:30 PM)</b> (Judicial Officer: Johnson, Eric)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>Mr. Carling advised Defendant has waived the attorney/client privilege. Court so noted. Ms. DiGiacomo objected to defense calling the attorney first as there has been no showing of ineffectiveness of counsel. HEARING COMMENCED. Witnesses sworn and testified. Closing arguments by Mr. Carling and Ms. DiGiacomo. Court stated its FINDINGS: As to Grounds 1 &amp; 2 - Court finds no basis to grant; As to Grounds 3 - From testimony, it is clear that Ms. Cruz did not say that Defendant would receive a life sentence and that a small habitual enhancement was discussed with him; As to Grounds 4 - From testimony, Ms. Cruz did not remember guilty on Defendant's picture in the opening statement and would have objected, but did remember it in the closing. Therefore, COURT ORDERED, Petition DENIED. NDC;</i></p>
10/03/2017	<p> <b>Motion to Amend (8:30 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p><i>DEFT'S Motion to Amend Findings of Fact, Conclusions of Law and Order</i></p> <p>Matter Resolved;</p> <p>Journal Entry Details:</p> <p><i>Mr. Carling advised Defendant is in prison and not present today. Court noted the State is recommending to combine the findings filed on 11/9/2011 with 8/16/2016 into one final Order. Mr. Carling advised that would work for him. Following, Court directed Mr. Stephens prepare the document combining both of the findings of facts and ORDERED, matter RESOLVED. NDC;</i></p>
08/25/2020	<p> <b>Motion to Withdraw as Counsel (1:45 PM)</b> (Judicial Officer: Johnson, Eric)</p> <p><i>Defendant Notice of Motion and Motion to Withdraw Counsel, Re- Sentencing Pursuant to AB 236 and Appointment of Counsel</i></p> <p>Denied;</p> <p>Journal Entry Details:</p> <p><i>Defendant not present. Court noted the State had filed an opposition to Defendant's Motion. Court stated its findings and ORDERED, Motion DENIED. State to prepare the Order. NDC Clerk's Note: A copy of the foregoing minutes were mailed to: Bryan Ferguson #96803 HDSP P.O. Box 650 Indian Springs, NV 89070 (8/26/20 sa);</i></p>
DATE	FINANCIAL INFORMATION

**Defendant** Ferguson, Bryan  
Total Charges  
Total Payments and Credits

234.00

134.16

**CASE SUMMARY**

**CASE NO. 06C228752-3**

**Balance Due as of 9/25/2020**

**99.84**

*Heather S. Linn*

CLERK OF THE COURT

**ORDD**  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
W. JAKE MERBACK  
Chief Deputy District Attorney  
Nevada Bar #009126  
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-

BRYAN MICHAEL FERGASON,  
#1299193  
Defendant.

CASE NO: 06C228752-3

DEPT NO: XX

**ORDER DENYING DEFENDANT'S NOTICE OF MOTION AND MOTION TO  
WITHDRAW COUNSEL, RE-SENTENCING PURSUANT TO AB 236 AND  
APPOINTMENT OF COUNSEL**

DATE OF HEARING: August 25, 2020  
TIME OF HEARING: 1:45 P.M.

THIS MATTER having come on for hearing before the above entitled Court on the 25th day of August, 2020, the Defendant not being present, incarcerated in the Nevada Department of Corrections, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through W. JAKE MERBACK, Chief Deputy District Attorney, without argument, based on the pleadings and good cause appearing therefor,

///

///

///

///

1 IT IS HEREBY ORDERED that the Defendant's Notice of Motion and Motion to  
2 Withdraw Counsel, Re-Sentencing Pursuant to AB 236 and Appointment of Counsel, shall  
3 be, and it is DENIED.

Dated this 2nd day of September, 2020

4 DATED this \_\_\_\_\_ day of August, 2020.

5  
6   
DISTRICT JUDGE

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

C69 705 BA0A ACE4  
Eric Johnson  
District Court Judge

9  
10 BY 

W. JAKE MERBACK  
Chief Deputy District Attorney  
Nevada Bar #009126

11  
12  
13  
14  
15  
16 CERTIFICATE OF SERVICE

17 I certify that on the 2<sup>nd</sup> day of August, 2020, I mailed a copy of the foregoing Order

18 to:

19 BRYAN FERGASON, NDC #96803  
20 HDSP  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070

21  
22  
23 BY 

Secretary for the District Attorney's Office

24  
25  
26  
27  
28 06F21801C/ckb/L4

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 The State of Nevada vs Bryan  
Ferguson

CASE NO: 06C228752-3

7 DEPT. NO. Department 20

8  
9 **AUTOMATED CERTIFICATE OF SERVICE**

10 Electronic service was attempted through the Eighth Judicial District Court's  
11 electronic filing system, but there were no registered users on the case. The filer has been  
12 notified to serve all parties by traditional means.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 13, 2006

06C228752-3

The State of Nevada vs Bryan Ferguson

December 13, 2006

1:30 PM

Grand Jury Indictment

**GRAND JURY  
INDICTMENT**

**Relief Clerk: Sandra  
Anderson**

**Reporter/Recorder:**

**Paula Walsh Heard**

**By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra  
Jorgenson, Eric G.

Attorney  
Attorney

**JOURNAL ENTRIES**

- Mary Jane Burkhalter, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. The State presented Grand Jury Case Number 06AGJ101A/B/C/D to the Court. COURT ORDERED, the indictment may be filed and is assigned Case Number C228752, Department XII. Mr. Jorgenson requested warrants for all Defts. Arguments by Ms. Digiacomo regarding bail amounts. Opposing argument on behalf of Deft. Holmes by Mr. Sullivan.

As to Deft. MONROE: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$500,000.00 BOND. Matter set for initial arraignment.

As to Deft. TREVARTEN: State requested a summons be issued and sent. COURT SO ORDERED. Matter set for initial arraignment.

As to Deft. FREGASON: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$250,000.00 BOND. Matter set for initial arraignment.

As to Deft. HOLMES: COURT ORDERED, BENCH WARRANT WILL ISSUE, \$150,000.00 BOND.

FURTHER ORDERED, transfer bail amount of \$13,000.00. Matter set for initial arraignment.

Exhibit(s) 1-187 lodged with Clerk of District Court.

CUSTODY (MONROE/FREGASON)

B.W. (HOLMES/TREVARTHEN)

12-20-06 10:30 AM INITIAL ARRAIGNMENT (MONROE/FREGASON/HOLMES)

12-27-06 10:30 AM INITIAL ARRAIGNMENT (TREVARTHEN)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 20, 2006

06C228752-3

The State of Nevada vs Bryan Ferguson

December 20, 2006

10:30 AM

All Pending Motions

**ALL PENDING  
MOTIONS (12/20/06)**  
**Court Clerk: Sharry  
 Frascarelli Relief  
 Clerk: Tia Everett/te  
 Reporter/Recorder:  
 Kiara Schmidt Heard  
 By: Kevin Williams**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

DiGiacomo, Sandra  
 Dustin, Cynthia L.  
 Ferguson, Bryan

Attorney  
 Attorney  
 Defendant

**JOURNAL ENTRIES**

- ARRAIGNMENT (MONROE, HOLMES, FERGUSON)...BENCH WARRANT RETURN (MONROE, FERGUSON)...QUASH BENCH WARRANT & RELEASE ON OWN RECOGNIZANCE OR BAIL REDUCTION (HOLMES)

Ms. Digiacomo stated that this was a complicated case and there were issues regarding counsel for the Defendants; she requested this matter be continued for arraignment in Department XII in front of Judge Leavitt. COURT SO ORDERED. Mr. Sullivan argued motion for Defendant Holmes Own Recognizance release or bail reduction. State submitted. COURT ORDERED, bail remains at \$13,000 until the date of 1/4/07 at which time bail will increase to \$150,000 as was set at the Indictment. 1/4/07 9:30 AM ARRAIGNMENT CONTINUED (DEPT 12)



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 27, 2006**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**December 27, 2006****10:30 AM****Initial Arraignment****INITIAL  
ARRAIGNMENT  
Court Clerk:  
Roshonda  
Mayfield/rm Relief  
Clerk: Tia Everett  
Reporter/Recorder:  
Kiara Schmidt Heard  
By: Kevin Williams****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Keeler, Brett O.

Attorney

**JOURNAL ENTRIES**

- Judge Leavitt signed an order for this matter to be continued in department XII and heard with the co-defendants.

NIC

1/4/07 9:30 AM ARRAIGNMENT CONTINUED (DEPT 12)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 04, 2007**

06C228752-3

The State of Nevada vs Bryan Ferguson

**January 04, 2007****9:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS (1/4/07)  
Court Clerk: April  
Watkins  
Reporter/Recorder:  
Thelma Stapley  
Heard By: Michelle  
Leavitt**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Di Giacomo, Marc P.  
Dustin, Cynthia L.  
Ferguson, Bryan

Attorney  
Attorney  
Defendant

**JOURNAL ENTRIES****- ARRAIGNMENT CONTINUED (ALL)**

Mr. DiGiacomo advised as to Deft. Holmes he was indicted with bail being set at \$150,000.00 by Judge Hardcastle. Further, Deft. originally posted \$13,000.00 at the Justice Court level prior to the Grand Jury Indictment and was ordered transferred from the initial case to this case. Hearing Master Williams gave Deft. additional time to post the remaining balance of the \$137,500.00 which is to be posted today.

Ms. Dustin advised matter originated in Justice Court 7 and then went in front of the Grand Jury. Further, Ms. Dustin stated police investigation lead to Deft. Ferguson's assets to be seized and frozen. Additionally, Ms. Dustin stated she was appointed by Justice of the Peace Bennett-Heron and requested this Court do the same. Court stated once appointed at Justice Court level, counsel is appointed at District Court level and instructed counsel to file the appropriate documents.

Mr. Lasso requested to withdraw as to Deft. Monroe. Court stated counsel is not permitted to withdraw at this time until after Deft. has been arraigned and advised counsel he needs to file the appropriate motion. CONFERENCE AT BENCH.

Colloquy regarding receipt of Grand Jury Transcripts. COURT ORDERED, Grand Jury Transcripts to be produced and filed forthwith. Further Court FINDS good cause has been shown and ORDERED, counsel has 21 days from the filing of the transcript to file writs.

Mr. Sullivan advised Deft. Holmes has posted a total of \$35,000.00 bail and argued the \$13,000.00 posted on this case is sufficient as he is not a flight risk. Opposition by Mr. DiGiacomo who argued prior felony conviction was with Co-Deft. Monroe. Further, Mr. DiGiacomo advised every piece of property in home was stolen and Defts' were only charged as to each victim. Additionally, Mr. DiGiacomo advised authorities are looking for all of the proceeds from the stolen property and argued there was over \$150,000.00 in a bank account which \$145,000.00 was transferred from Deft. Monroe to Deft. Holmes who proceeded to spend approximately \$75,000.00. Also, Mr. DiGiacomo advised there is an agreement with the FBI to return the \$75,000.00. Further, Mr. DiGiacomo requested as to Deft. Holmes there be a Source Hearing held as to the posting of the bond, surrender of his passport to the Court and requested he be remanded today until Source Hearing can be held. COURT ORDERED, Deft. Holmes REMANDED TO CUSTODY and BAIL REMAINS SET at \$150,000.00. Opposition by Mr. Sullivan. Court advised prior to bond being accepted, a Source Hearing will be held to determine where the money is coming from in order for bond to be posted. AS TO DEFT. MONROE: COURT ORDERED, request to withdraw by Mr. Lasso GRANTED; Robert Langford, Esq., APPOINTED; matter CONTINUED and SET for confirmation of counsel. DEFT. TREVARTHEN ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE. COURT ORDERED, Dayvid Figler, Esq., APPOINTED as counsel and matter SET for confirmation of counsel.

DEFT. FERGASON ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE.

DEFT. HOLMES ARRAIGNED, PLED NOT GUILTY and WAIVED THE 60-DAY RULE.

Mr. DiGiacomo INVOKED THE 60-DAY RULE on behalf of the State. COURT ORDERED, matter set for trial.

CUSTODY (MONROE, FERGASON, HOLMES)...NIC (TREVARTHEN)

1/11/07 9:30 AM ARRAIGNMENT CONTINUED...CONFIRMATION OF COUNSEL

(LANGFORD)(DEFT. MONROE)

1/11/07 9:30 AM CONFIRMATION OF COUNSEL (FIGLER)(DEFT. TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (ALL)

3/13/07 1:30 PM JURY TRIAL (ALL)

#### CLERK'S NOTE:

Chuck with Mr. Langford's office advised of appointment and court date.

Gabby with Mr. Figler's office advised of appointment and court date.

Clark County Detention Center advised by this Court's Judicial Executive Assistant that Deft. Holmes is not to be released on bond until this Court has a Source Hearing.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 05, 2007**

06C228752-3

The State of Nevada vs Bryan Fergason

**January 05, 2007****2:00 PM****Hearing****SOURCE HEARING****Court Clerk: April  
Watkins****Reporter/Recorder:****Thelma Stapley****Heard By: Michelle  
Leavitt****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

**JOURNAL ENTRIES**

- Mr. Sullivan advised the balance of the bond is \$137,000.00 which is being posted at this time. Deft. sworn and testified. Further, Mr. Sullivan bond is arranged through Bail Bonds Unlimited who has posted an additional \$35,000.00 bond on Deft's other charges. Additionally, bond company is willing to accept and pay the bond while Deft. makes payments on the remainder balance. Colloquy. Mr. Sullivan stated \$7,500.00 is currently being posted by the bond company for the bond in the amount of \$137,000.00. Deft. advised he put up one of three homes for collateral as well and advised the money is coming from a equity line of credit. Court noted documents have been provided as to the equity line and stated it does not indicate any dates of withdrawal of the money. Mr. Sullivan argued there is plenty of equity in the home. Deft. stated he bought home five years ago and has two equity lines of credit. One from one home and one from another. Further colloquy. Ms. DiGiacomo stated Deft. accepted \$145,000.00 of settlement money on November 17, 2006, which \$70,000.00 was returned two weeks later. However, agreement with Deft. that he would pay back \$75,000.00 in three months to the Metropolitan Police Department (Metro) and the FBI. Ms. DiGiacomo advised Deft. Trevarthen was withdrawing the money from their accounts Friday before source hearing and all

was traced accept for the \$145,000.00 which Deft. Trevarthen stated she gave to Deft. Holmes. Deft. Trevarthen told Metro she attempted to get money back and Deft's Holmes refused to give money back. Further, the State is concerned as to where the \$75,000.00 as counsel is not sure what happened to it at this point. Mr. Sullivan argued Deft. Holmes never admitted to taking the money. Further, equity lines where opened prior to all of this. Mr. Sullivan further argued Deft. was advised all of his homes and property would be seized and counsel advised Deft. to give what ever money had to Metro and the FBI. Additionally, Mr. Sullivan argued Deft. has provided sufficient proof as to where money is coming from. Court stated she is concerned as to where the money will be coming from as to paying payments towards the balance of the bond. Deft. advised he father is also helping to pay the bond company as well. Mr. Sullivan stated Deft. works full time at the Horseshoe and argued he has legitimate means to pay. Court further stated it appears Deft. can post the bond. Further, Deft. can come in and prove the source of the money as to the payments to the bond company. Mr. Sullivan also advised Deft. has ownership of two vehicles. Colloquy. Ms. DiGiacomo advised Deft. also owns a 27 foot cargo truck and a Suburban. COURT ORDERED, Deft. RELEASED ON BOND once posted and matter set for status check for Deft. to provide paper trail of where money is coming from. Colloquy regarding the \$13,000.00 already posted in Justice Court.

BOND

2/8/07 9:30 AM STATUS CHECK: BAIL BOND

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 11, 2007**

06C228752-3

The State of Nevada vs Bryan Ferguson

**January 11, 2007****9:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS (1/11/06);  
DEFTS' MONROE  
& TREVARTHEN  
Court Clerk: April  
Watkins  
Reporter/Recorder:  
Thelma Stapley  
Heard By: Michelle  
Leavitt**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Di Giacomo, Marc P.

Attorney

**JOURNAL ENTRIES****- DEFT. MONROE:**

Ms. Burke CONFIRMED as counsel on behalf of Robert Langford, Esq. DEFT. MONROE  
ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter  
set for trial.

**DEFT. TREVARTHEN:**

CONFERENCE AT BENCH. COURT ORDERED, matter SET for confirmation of counsel.  
CUSTODY (MONROE)...NIC (TREVARTHEN)

1/18/07 9:30 AM CONFIRMATION OF COUNSEL (LORD)(TREVARTHEN)

3/6/07 9:30 AM CALENDAR CALL (MONROE)

3/13/07 1:30 PM JURY TRIAL (MONROE)

CLERK'S NOTE: Ms. Burke appeared on February 13, 2007 advising that she was the attorney appearing for Deft. Monroe on this date and not Ms. Winckler. Minute order corrected to reflect Ms. Burke's appearance./kb 2-13-07

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 18, 2007**

06C228752-3

The State of Nevada vs Bryan Fergason

**January 18, 2007**

**9:30 AM**

**Motion for Confirmation of  
Counsel**

**CONFIRMATION  
OF COUNSEL  
(LORD) Relief Clerk:  
Teri Braegelmann  
Reporter/Recorder:  
Thelma Stapley  
Heard By: Michelle  
Leavitt**

**HEARD BY:**

**COURTROOM:** No Location

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:** Di Giacomo, Marc P.

Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Lord stated deft. is indigent due to all of her assets being frozen as a result of this case. Statements by deft. regarding the reason she moved to Texas was because she has family there. Colloquy regarding deft. residing out of state. Mr. Lord advised deft. was given an O.R. in Justice Court. COURT ORDERED, Mr. Lord APPOINTED.  
NIC



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 08, 2007**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**February 08, 2007****9:30 AM****Status Check****STATUS CHECK:  
BAIL BONDS Court  
Clerk: Teri  
Braegelmann Relief  
Clerk: Tina Hurd/th  
Reporter/Recorder:  
Thelma Stapley  
Heard By: Michelle  
Leavitt****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Krusey, Amanda K.

Attorney

**JOURNAL ENTRIES**

- No appearance by Deft's counsel Sean Sullivan. Court advised they were supposed to have a source hearing today. As Mr. Sullivan is not present, COURT ORDERED, matter OFF CALENDAR.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 13, 2007

06C228752-3

The State of Nevada vs Bryan Ferguson

February 13, 2007

9:30 AM

Motion

DEFT'S MTN FOR  
EXTENSION OF  
TIME TO FILEPTN  
FOR WRIT OF  
HABEAS  
CORPUS/30 Relief  
Clerk: Kristen Brown  
Reporter/Recorder:  
Thelma Stapley  
Heard By: Michelle  
Leavitt

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

**JOURNAL ENTRIES**

- Ms. Burke requested to file the petition within 15 days from today or by February 28, 2007. Ms. DiGiacomo advised the Court that this case will not be ready to proceed to trial on March 6, 2007 and requested to place this matter on for status check along with the co-deft's to address this issue. Colloquy between Court and counsel regarding the trial and petition. Ms. Burke stated that she will be able to come to court on February 20, 2007 to address the trial setting and will be able to advise Ms. DiGiacomo if a petition is going to be filed. COURT ORDERED, Motion GRANTED; Petition to be filed by February 28, 2007 and matter set for argument; FURTHER ORDERED, matter set for status check on February 20, 2007 to address the trial setting and for Ms. Burke to advise if a petition is going to be filed.

CUSTODY

2/20/07 9:30 AM STATUS CHECK: PETITION/TRIAL

3/06/07 9:30 AM ARGUMENT: DEFT'S PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 20, 2007**

06C228752-3

The State of Nevada vs Bryan Fergason

**February 20, 2007****9:30 AM****All Pending Motions****ALL PENDING****MOTIONS 2-20-07****Relief Clerk: Kristen  
Brown****Reporter/Recorder:****Thelma Stapley****Heard By: Michelle  
Leavitt****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Dustin, Cynthia L.

Attorney

**JOURNAL ENTRIES**

- PETITION FOR WRIT OF HABEAS CORPUS (FERGASON & HOLMES)...STATUS CHECK:  
PETITION/TRIAL (MONROE)

Ms. Burke stated that she received a call continuing the motions but based on the last hearing, was supposed to advise the State as to whether or not a writ is going to be filed. Mr. Burke advised the Court that a writ will be filed and is due February 28, 2007 with a hearing date of March 6, 2007 along with the other writs that have been filed. Court noted Ms. Burke's representations regarding filing of the writ and ORDERED, all Writ's will be heard on March 6, 2007 at 11:00 am.

CUSTODY (MONROE)

NIC (FERGASON &amp; HOLMES)

3/06/07 11:00 AM DEFTS PETITION'S FOR WRIT OF HABEAS CORPUS (MONROE, FERGASON & HOLMES)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 06, 2007**

06C228752-3

The State of Nevada vs Bryan Fergason

**March 06, 2007****11:00 AM****Calendar Call**

**CALENDAR CALL**  
**Relief Clerk: Kristen Brown**  
**Reporter/Recorder: Thelma Stapley**  
**Heard By: Michelle Leavitt**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra  
 Dustin, Cynthia L.  
 Fergason, Bryan

Attorney  
 Attorney  
 Defendant

**JOURNAL ENTRIES**

- State's Return to Writ of Habeas Corpus FILED IN OPEN COURT. Ms. DiGiacomo advised the Court that the State's Return has been filed in open court. Colloquy between Court and Deft. Hoyt regarding waiving speedy trial rights and the filing of the Writ. Ms. Burke stated that she had gone over all the prerequisites with the deft. regarding this issue; further, would be ineffective if proceeded to trial next week. Ms. DiGiacomo stated that Deft. Hoyt is looking at the large habitual criminal treatment. Court advised the Deft. that based on those facts, this trial can not proceed next week. Ms. Dustin advised the Court that this has been explained to her client, Deft. Fergason, and the deft. understands. Ms. Sullivan stated that based on the multiple charges, there is no possibility of this case proceeding to trial on this stack. Ms. Burke again stated that she has retained an investigator and this has been explained to her client, Deft. Hoyt, but the deft. is frustrated by being in custody. Ms. DiGiacomo advised the Court that this will be a 3-4 week trial. COURT ORDERED, Trial VACATED and RESET; FURTHER ORDERED, the Writ's filed by the deft's will be RESET by the

Court.

RECALLED: Ms. DiGiacomo, Mr. Lord and Deft. Trevarthen present. Mr. Lord stated this matter is negotiated with regards to his client. Second Amended Indictment and Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: State will have no opposition to probation but have the right to argue the terms of probation. DEFT. TREVARTHEN ARRAIGNED AND PLED GUILTY to COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNT 2 - POSSESSION OF STOLEN PROPERTY (F). Ms. DiGiacomo requested a status check regarding sentencing be set prior to referring this matter to Parole and Probation. COURT ACCEPTED plea and ORDERED, matter set for status check regarding sentencing. Court stated it will allow the deft. to travel back to Texas but deft. will have to remain trouble free.

CUSTODY (MONROE)

NIC (TREVARTHEN, FERGASON & HOLMES)

10/02/07 9:30 AM CALENDAR CALL (MONROE, FERGASON & HOLMES)

10/09/07 1:30 PM JURY TRIAL (MONROE, FERGASON & HOLMES)

11/08/07 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 29, 2007**

06C228752-3

The State of Nevada vs Bryan Ferguson

**May 29, 2007****9:30 AM****Motion to Withdraw as  
Counsel**

**SUSAN D BURKE'S  
MTN TO  
WITHDRAW AS  
ATTORNEY OF  
RECORD /43 Court  
Clerk: April Watkins  
Reporter/Recorder:  
Thelma Stapley  
Heard By: Michelle  
Leavitt**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

**PRESENT:** Krusey, Amanda K. Attorney

**JOURNAL ENTRIES**

- Ms. Burke advised there was no opposition to her motion and stated Mr. Hart has taken over Deft's other case in Department XX and requested that he be appointed in this matter. Statement by Mr. Hart. COURT ORDERED, motion GRANTED and Marty Hart, Esq., APPOINTED. Further, Ms. Burke advised she has provided discovery to Mr. Hart.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****September 25, 2007**

06C228752-3

The State of Nevada vs Bryan Ferguson

**September 25, 2007****9:30 AM****Motion to Continue**

**DEFT'S MTN TO  
CONTINUE  
TRIAL/45 Court  
Clerk: April Watkins  
Relief Clerk: Lorraine  
Williams/lmw  
Reporter/Recorder:  
Thelma Stapley  
Heard By: Leavitt,  
Michelle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra  
Dustin, Cynthia L.

Attorney  
Attorney

**JOURNAL ENTRIES**

- Court advised the matter should be continued to have all Defts. present. Colloquy. Ms. Dustin advised Deft. Ferguson will be joining in with Deft. Holmes's motion. Mr. Lord requested Deft. Trevarthen's sentencing date be set after trial date is set. COURT ORDERED, matter CONTINUED; Petition for Writ of Habeas Corpus VACATED at this time.

**BOND**

10/02/07 9:30 AM STATUS CHECK: TRIAL SETTING (FERGUSON &amp; MONROE)



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 02, 2007

06C228752-3

The State of Nevada vs Bryan Ferguson

October 02, 2007

9:30 AM

All Pending Motions

**ALL PENDING  
MOTIONS 10/02/07**  
**Court Clerk: April  
Watkins Relief  
Clerk: Lorraine  
Williams/lmw  
Reporter/Recorder:  
Thelma Stapley  
Heard By: Michelle  
Leavitt**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra  
 Dustin, Cynthia L.  
 Ferguson, Bryan  
 Luzaich, Elissa  
 Parris, John P.

Attorney  
 Attorney  
 Defendant  
 Attorney  
 Attorney

**JOURNAL ENTRIES**

- DEFT HOLMES' MOTION TO CONTINUE TRIAL...STATUS CHECK: TRIAL SETTING  
 (MONROE & FERGASON)...CALENDAR CALL (MONROE, FERGASON, HOLMES)

All counsel advise they have agreed to continue trial. Ms. DiGiacomo advised counsel has selected March 18, 2008, as new trial date, but noted status check for Deft. Trevarthen will need to be moved until after trial because she is testifying. Court asked counsel if a special setting would be required for writs. Conference at the Bench. COURT ORDERED, trial date VACATED and RE-SET; status check CONTINUED; Writs of Habeas Corpus SET.

11/08/07 11:00 AM WRITS OF HABEAS CORPUS (MONROE, FERGASON, HOLMES)  
03/11/08 9:30 AM CALENDAR CALL (MONROE, FERGASON, HOLMES)  
03/18/08 1:30 PM JURY TRIAL (MONROE, FERGASON, HOLMES)  
04/24/08 9:30 AM STATUS CHECK: SENTENCING (TREVARTHEN)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****November 08, 2007**

06C228752-3

The State of Nevada vs Bryan Fergason

**November 08, 2007****11:00 AM****Petition for Writ of Habeas  
Corpus****PTN FOR WRIT OF  
HABEAS CORPUS****Relief Clerk: Tia****Everett/te****Reporter/Recorder:****Thelma Stapley****Heard By: Michelle  
Leavitt****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Di Giacomo, Marc P.

Attorney

Dustin, Cynthia L.

Attorney

Fergason, Bryan

Defendant

**JOURNAL ENTRIES**

- Mr. Sullivan requested Defendant Holmes presence be waived as he has gainful employment. COURT SO ORDERED. Ms. Dustin, Mr. Hart, and Mr. Sullivan argued the only witness who can substantiate any of the claims is Tonya Trevarthen who is also a co-defendant in this case. Additionally, counsel argued there was insufficient evidence presented to the Grand Jury as there were taped phone conversations presented to the Grand Jury; however, only excerpts were played and not the entire tape; therefore counts 1 and 2, 5 through 14, 16 through 23, 25 and 27 should be dismissed as they are not properly supported. Mr. DiGiacomo opposed by arguing you can not question how a jury deliberates as they were presented the evidence and all exhibits were admitted and sent back with the jury at the time of deliberation to allow them the opportunity to relisten to any of the phone conversations they chose to. COURT FURTHER ORDERED, Petitions DENIED and Trial Date STANDS. Colloquy regarding trial date. FURTHER ORDERED, matter set for status

check.

CUSTODY (MONROE)...CUSTODY (FERGASON)...BOND (HOLMES)

1/17/08 9:30 AM STATUS CHECK: STATUS OF TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 23, 2008**

---

06C228752-3

The State of Nevada vs Bryan Ferguson

---

**January 23, 2008****9:00 AM****Minute Order****MINUTE ORDER  
RE: (RECUSAL)  
Court Clerk: April  
Watkins Heard By:  
Michelle Leavitt****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- The court hereby recuses from the above-entitled case due to the appearance of impropriety. This court has been named as a victim in Justice Court case No.: 08F01002X. Per the Chief Judge, Kathy Hardcastle, this case is hereby reassigned to department 4 for further proceedings consistent with this minute order.

Any dates previously set by this court are VACATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 24, 2008**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**January 24, 2008****9:00 AM****Minute Order****MINUTE ORDER  
RE:  
REASSIGNMENT  
TO DEPT. VII Court  
Clerk: Denise  
Trujillo Heard By:  
Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES  
PRESENT:****JOURNAL ENTRIES**

- Due to previous Court's recusal, and Per Order of the Chief Judge, due to the appearance of impropriety, this case is hereby TRANSFERRED to Dept. 7 for further proceedings.

CLERK'S NOTE: A copy of this minute order to be placed in the attorney folder(s) of Marty Hart, Jonathan Lord, Cynthia Dustin and Sean Sullivan.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 30, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**January 30, 2008****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 1/30/08  
Relief Clerk: Carole  
D'Aloia  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra  
Dustin, Cynthia L.  
Fergason, Bryan

Attorney  
Attorney  
Defendant

**JOURNAL ENTRIES**

- STATUS CHECK: VERIFY TRIAL DATES (MONROE)...STATUS CHECK: VERIFY TRIAL DATES (FERGASON)...STATUS CHECK: VERIFY TRIAL DATES (HOLMES)

Court advised this case was reassigned to this Department because another Judge recused. Court further advised Ms. Dustin informed the current trial date does not work for her. Colloquy between Court and counsel regarding possible trial dates. Mr. Sullivan requested matter be continued one (1) week to allow him time to review the State's file which may give him a better insight as to when the trial should be set. COURT ORDERED, matter CONTINUED. Mr. Sullivan requested Defendant Holmes' presence be waived on the continuance date for employment reasons and, COURT SO ORDERED.

CUSTODY (COC)(MONROE &amp; FERGASON)

BOND (HOLMES)

PRINT DATE:

09/25/2020

Page 26 of 89

Minutes Date:

December 13, 2006

2/5/08 8:30 AM ALL PENDING MOTIONS



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 05, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**February 05, 2008****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 2-5-08  
Court Clerk: Tina  
Hurd  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra  
Dustin, Cynthia L.  
Fergason, Bryan

Attorney  
Attorney  
Defendant

**JOURNAL ENTRIES**

- Deft. Holmes' presence WAIVED. Colloquy regarding the trial date. COURT ORDERED, trial date VACATED AND RESET to May 12.

CUSTODY (COC - MONROE & FERGASON)...BOND (HOLMES)

5-1-08 8:30 AM CALENDAR CALL

5-12-08 9:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 24, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**April 24, 2008****8:30 AM****Status Check**

**STATUS CHECK:  
SENTENCING  
Court Clerk: Tina  
Hurd  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Krusey, Amanda K.

Attorney

**JOURNAL ENTRIES**

- Conference at the bench. COURT ORDERED, matter CONTINUED for status check.  
NIC

7-16-08 8:30 AM STATUS CHECK: SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 01, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**May 01, 2008****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 5-1-08  
Court Clerk: Tina  
Hurd Relief Clerk:  
Sharon  
Coffman/sc..Dana  
Cooper  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra	Attorney
Dustin, Cynthia L.	Attorney
Fergason, Bryan	Defendant
Owens, Christopher J.	Attorney

**JOURNAL ENTRIES**

- STATE'S MOTION TO AMEND INDICTMENT (ALL)...DEFENDANT HOLMES' MOTION TO SEVER...DEFENDANT FERGASON'S MOTION TO SEVER  
COURT ORDERED, State's Motion to Amend Indictment is GRANTED. Amended Indictment FILED IN OPEN COURT.

Ms. Dustin advised her client is joining in all the motions.

COURT ORDERED, Motion to Disqualify the District Attorney is DENIED.

COURT FURTHER ORDERED, Defendant Holmes' Motion to Sever is DENIED; Defendant

Ferguson's Motion to Sever is GRANTED.

Conference at the Bench regarding motions to be filed. Judge noted he will be away and is unable to hear them.

Argument by Ms. Dustin as to the Amended Indictment. Court noted there are the same number of counts and the same number of charges; only property was added.

Argument by Mr. Sullivan as to the large amount of discovery and the short time he has to review it. Ms. DiaGiacomo advised it consists of multiple copies and is all financial. Court noted there should be enough time for review before trial.

Colloquy as to witnesses (80 - 100) and scheduling. COURT ORDERED, TRIAL DATE STANDS; FURTHER ORDERED, the Ferguson trial shall immediately follow this one.

Further discussion as to Motions to be filed. Court noted these will be heard the morning of trial. CUSTODY (COC) (MONROE & FERGASON)

BOND (HOLMES)

5/12/08 9:30 A.M. TRIAL BY JURY (MONROE & HOLMES)

5/20/08 9:30 A.M. TRIAL BY JURY (FERGASON)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 12, 2008

06C228752-3

The State of Nevada vs Bryan Ferguson

May 12, 2008

8:30 AM

All Pending Motions

**ALL PENDING  
MOTIONS 5-12-08**  
**Court Clerk: Tina  
Hurd**  
**Reporter/Recorder:  
Renee Vincent**  
**Heard By: Stewart  
Bell**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES****PRESENT:**

DiGiacomo, Sandra  
 Dustin, Cynthia L.  
 Ferguson, Bryan  
 Small, Shelly L.

Attorney  
 Attorney  
 Defendant  
 Attorney

**JOURNAL ENTRIES**

- 9:50 A.M.--Deft. Holmes not present. Court advised he will hear the motions and, if Deft. Holmes is not present when jury selection starts, he will issue a bench warrant.

DEFT. MONROE'S JOINDER TO MOTIONS...DEFT. HOLMES' MOTION TO JOIN CO-DEFT.

DAIMON MONROE'S MOTIONS...DEFT. HOLMES' MOTION TO JOIN CO-DEFT. BRYAN

FERGASON'S MOTIONS...Ms. Dustin joined in Mr. Hart's motions. COURT ORDERED, the joinders are GRANTED and any rulings on the motions will be as to all Defts.

DEFT. MONROE'S MOTION IN LIMINE RE: ROP DETECTIVES...Court stated he does not see there is much prejudice on this. On the other hand, he does not see any relevance to the flyers and does not see it is necessarily inferable they have prior convictions. Mr. Hart argued it is more than a slight

inference of a history. Ms. Dustin argued Deft. Ferguson never got out of custody so they could not have been following him. Further arguments by counsel. COURT ORDERED, motion to exclude reference to repeat offenders is DENIED; the evidence regarding the flyers is marginally relevant, however, the prejudicial effect outweighs the probative value and the flyers are EXCLUDED.

DEFT. MONROE'S MOTION TO DISQUALIFY DISTRICT ATTORNEY'S OFFICE AND SANDRA DiGIACOMO AS PROSECUTOR...COURT ORDERED, motion DENIED as there is no impropriety.

DEFT. MONROE'S MOTION TO SUPPRESS TELEPHONE RECORDINGS...Court advised he needs to see the transcripts of these phone calls and advised Bruton trumps conspiracy. They would be admissible against the person on the phone but specific content is not admissible regarding past crimes without a Petrocelli Hearing and regarding a third person that is not on the phone. As to the case in Department 5, Court advised the Jury is not going to know they were convicted there.

Arguments by counsel. Court advised the arrest and the burglary are part and parcel of the conspiracy and is material and relevant and that led to the search warrant.

DEFT. MONROE'S MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO SEARCH WARRANTS...Mr. Hart argued it was a very general warrant. Court advised, given the information the police had and observations they made, he believes the search warrant was reasonably specific and does NOT find it was over broad. COURT ORDERED, motion DENIED.

DEFT. MONROE'S MOTION TO SUPPRESS...DEFT. FERGASON'S MOTION TO SUPPRESS... Ms. Dustin argued unreasonable detention. COURT ORDERED, motions DENIED. Court stated he believes it is pretty clear that foul play was afoot and it started with a Terry stop and moved to probable cause.

DEFT. FERGASON'S MOTION TO STRIKE LANGUAGE IN COUNT 1 & COUNT 13 OF AMENDED INDICTMENT...Court stated he believes Ms. Dustin is not correct as to Count 1 but is correct as to Count 13. There is no way to know what items the Jury would be convinced of in Count 13. Ms. Dustin argued the Oncu Crystal Palace language added to Count 1 is substantive and was not brought in before the Grand Jury. Ms. DiGiacomo argued it is a different standard before the Grand Jury and was basic information. COURT ORDERED, as to Count 1, motion DENIED, however, that language is STRICKEN from Count 13; State to amend the Indictment to strike the new language that was added.

DEFT. FERGASON'S MOTION IN LIMINE TO BAR ADMISSION OF EXPERT TESTIMONY OR EVIDENCE OF VALUE FOR THE PROPERTY AT ISSUE...COURT ORDERED, motion GRANTED as to the expert. Court advised the people can clearly value their own property and ORDERED, motion to preclude the owners from testifying as to the value of their own property is DENIED.

DEFT. FERGASON'S MOTION IN LIMINE TO BAR ADMISSION OF EVIDENCE THAT THE DEFT. COMMITTED BURGLARY IN THE INSTANT CASE...Arguments by counsel regarding any burglaries before that time period. COURT ORDERED, motion GRANTED.

DEFT. FERGASON'S MOTION FOR PRODUCTION OF DISCOVERY (set for May 19)...Ms. Dustin advised this issue resolved yesterday. COURT ORDERED, motion WITHDRAWN and hearing date VACATED.

DEFT. FERGASON'S MOTION IN LIMINE TO EXCLUDE/PRECLUDE EVIDENCE OF CO-DEFT'S RESIDENCE (set for May 19)...COURT ORDERED, motion DENIED. Court advised, if the State convinces the Jury of a conspiracy, the act of one is the act of all.

DEFT'S FERGASON'S MOTION TO DISMISS POSSESSION OF STOLEN PROPERTY CHARGES

...DEFT. HOLMES' MOTION TO DISMISS CONSPIRACY TO COMMIT BURGLARY AND/OR POSSESSION OF STOLEN PROPERTY CHARGES...Court advised there really is not a motion to dismiss in this jurisdiction, it is really a Writ of Habeas Corpus and is procedurally barred. Ms. Dustin stated she believes some of the Possession of Stolen Property charges are stale by the statute of limitations. Court advised possession is the date it is recovered by the police. Arguments by counsel. Court FINDS the motions are procedurally barred and FINDS a Jury could convict or acquit. COURT ORDERED, motions DENIED.

DEFT. FERGASON'S MOTION TO BAR RECORDED PHONE CALLS (set for May 19)... DEFT. HOLMES' MOTION IN LIMINE TO BAR THE ADMISSION OF RECORDED TELEPHONE CALLS...COURT ORDERED, the calls may come in if they are in furtherance of a conspiracy. Ms. Dustin argued the conspiracy ended when Deft. Ferguson was taken into custody. Court advised it may or may not have been over, however, the conspiracy could still be going on today. COURT ORDERED, Deft. Ferguson's motion DENIED for both substantive and procedural reasons. COURT FURTHER ORDERED, Deft. Holmes' motion DENIED for the same reasons.

DEFT. HOLMES' MOTION IN LIMINE TO EXCLUDE ANY TESTIMONY REGARDING DEFT. HOLMES' PRIOR ARRESTS AND/OR CRIMINAL HISTORY AS WELL AS ANY CIRCUMSTANCES SURROUNDING THOSE EVENTS...COURT ORDERED, motion GRANTED, however, they may come in if Deft. Holmes testifies; non-Felonies and arrests that did not amount to a conviction may NOT come in.

DEFT. HOLMES' MOTION TO SUPPRESS...COURT ORDERED, motion DENIED. Court advised he sees no problems with these, assuming the Jury believes the officers.

10:36 A.M.--Deft. Holmes still not present. Mr. Sullivan advised Deft's wife indicated they had a fight and he took off. Court stated he believes Deft. Holmes took off but not for that reason. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL, for Deft. Holmes. Court advised, if Deft. Holmes is picked up in the next week, he will be tried with Deft. Ferguson. Mr. Sullivan may file a motion to withdraw. Mr. Sullivan advised he spoke with Deft. Holmes last night and advised Deft. has been compliant with his appearances up to now. Court advised Deft. Holmes has generally not been here at the prior hearings and Mr. Sullivan has represented he had good contact. Hearing concluded.

CUSTODY (COC - MONROE & FERGASON)...B.W. (BOND - HOLMES)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 12, 2008

06C228752-3

The State of Nevada vs Bryan Fergason

May 12, 2008

9:30 AM

Jury Trial

**TRIAL BY JURY**Court Clerk: Tina  
Hurd

Reporter/Recorder:

Renee Vincent

Heard By: Bell,  
Stewart L.**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Small, Shelly L.Attorney  
Attorney**JOURNAL ENTRIES**

- 11:02 A.M.--Colloquy regarding Deft's last name. Court advised he will have to mention both Monroe and Hoyt due to the publicity generated by the other case. Counsel acknowledged. 11:07 a.m.--Jury venire present. Introductions by Court and counsel. Clerk called roll of the venire; voir dire oath administered. Jury selection commenced. 12:24 p.m.--Fourteen (14) jurors selected. Jury was NOT sworn. Court thanked and excused the remaining venire. Court advised the Jury of scheduling and procedure. Court advised the Jury will be given the oath of service tomorrow morning before trial gets started. 12:33 p.m.--Jury admonished and excused for the day due to other matters that need to be resolved to make the trial run smoother, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding what needs to be done regarding exhibits as there are approximately 1000. 12:36 p.m.--Court adjourned.

CUSTODY (COC)



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 13, 2008

06C228752-3

The State of Nevada vs Bryan Ferguson

May 13, 2008

9:30 AM

Jury Trial

**TRIAL BY JURY**Court Clerk: Tina  
Hurd

Reporter/Recorder:

Renee Vincent

Heard By: Bell,  
Stewart L.**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Small, Shelly L.Attorney  
Attorney**JOURNAL ENTRIES**

- 9:41 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Second Amended Indictment FILED IN OPEN COURT. Mr. Hart advised the State has downloaded information from Deft. Monroe's computer that has schematics and such. Court advised the State cannot argue other burglaries but can put in the schematics to show intent. Court advised the Indictment is lengthy and, instead of having the Clerk read it, he will provide the jurors with copies of the Indictment. Court stated he believes that will limit confusion as to the counts as well. Ms. DiGiacomo advised witness Brent Ingle is undergoing radiation treatment for cancer and cannot come to court. As he is unavailable for trial, Ms. DiGiacomo moved to use his prior testimony. Mr. Hart stated he would prefer to have the witness live, however, he understands the circumstances. COURT ORDERED, a reader will be used to read in the prior testimony. 9:44 A.M.--Jury present. Oath of service administered to the Jury. Court read the opening charge to the Jury. Opening statements by Ms. DiGiacomo and Mr. Hart. Testimony and exhibits presented. (See worksheets.) 12:01 p.m.--Jury admonished and excused for lunch, to return at 1:10 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart

objected to the officer identifying his client by the orange socks which indicate he is in jail. Mr. Hart moved for a mistrial. Court stated he does not believe any of these jurors were ever in trouble and the orange socks mean nothing to them. COURT ORDERED, mistrial DENIED. 12:03 p.m.--Court adjourned for lunch.

1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.

4:30 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Monroe regarding his right to not be compelled to testify. Colloquy regarding obtaining toothpaste and shampoo for Deft. 4:37 p.m.--Court adjourned.

CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 14, 2008

06C228752-3

The State of Nevada vs Bryan Ferguson

May 14, 2008

9:45 AM

Jury Trial

**TRIAL BY JURY**Court Clerk: Tina  
Hurd

Reporter/Recorder:

Renee Vincent

Heard By: Bell,  
Stewart L.**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Small, Shelly L.Attorney  
Attorney**JOURNAL ENTRIES**

- 9:56 A.M.--OUTSIDE THE PRESENCE OF THE JURY, upon inquiry by Ms. DiGiacomo, COURT ORDERED, the State may explain what ROP stands for (Repeat Offenders Program). Court further advised he is going to instruct the Jury on the value issue. 9:57 a.m.--Jury present. Court instructed the Jury regarding value. Further testimony and exhibits presented. (See worksheets.) 11:50 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding jury instructions and victim-witnesses. Court adjourned for lunch.

12:58 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart reserved his right to argue his objection regarding the stop and related issues. Court acknowledged. Further testimony and exhibits presented. 3:58 p.m.--There being no further witnesses available, Court admonished the Jury and excused them for the evening, to return at 9:45 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart renewed his motion to suppress and argued one of the officers' testimony has morphed over time. Mr. Hart argued there was no basis for the car stop as there was no indicia

of entry into Just For Kids Dentistry. Ms. DiGiacomo advised this motion has been brought before Judge Wall twice and been denied. Further arguments by counsel. Court advised officers can make a Terry stop if they think something is afoot. Court further advised the Terry stop turned into probable cause in about 5 minutes and officers certainly had a Terry basis for pulling the car over. COURT ORDERED, the defense motion DENIED. Colloquy regarding the jail calls. COURT ORDERED, any reference to Deft. Monroe's prior record and any conversation where Deft. is not present will not come in. Court adjourned for the evening.  
CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 15, 2008**

06C228752-3

The State of Nevada vs Bryan Ferguson

**May 15, 2008****9:15 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Tina  
Hurd****Reporter/Recorder:****Renee Vincent****Heard By: Bell,  
Stewart L.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Small, Shelly L.Attorney  
Attorney**JOURNAL ENTRIES**

- 10:22 A.M.--Deft. not present. Jury present. Court advised Mr. Hart is ill and the trial cannot go forward without him, however, counsel have indicated they will pare down the rest of the case and keep the trial on schedule. 10:24 a.m.--Court admonished the Jury and excused them for the day, to return at 9:15 a.m. tomorrow morning. 10:25 A.M.--Deft. Monroe present. Court advised Mr. Hart is ill and they will be picking up the trial tomorrow. Court advised Juror #6-Mr. Arnold has indicated to the bailiff he recognized a witness yesterday that he worked with 15-18 years ago and has indicated it will not affect him, he just felt it was his duty to inform the Court. Ms. DiGiacomo advised no witnesses indicated they recognized a juror. 10:30 a.m.--Court adjourned for the day.

CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 16, 2008**

06C228752-3

The State of Nevada vs Bryan Ferguson

**May 16, 2008****9:30 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Tina****Hurd Relief Clerk:****Carole D'Aloia (1:05****PM - 5:10 PM)****Reporter/Recorder:****Renee Vincent****Heard By: Bell,****Stewart L.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

Small, Shelly L.

Attorney

**JOURNAL ENTRIES**

- 9:11 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Court stated he understands there has been an agreement regarding the jail calls. Mr. Hart concurred, however, one call he is concerned with is a call regarding 10 "G's" for someone to take a swim and not testify. Ms. Small advised that is regarding the victim Mr. Hung and it is apparent that is who they are talking about. Mr. Hart advised there is another call regarding the media. Ms. DiGiacomo advised the call was regarding what was said on the news and that they stated it was \$2 million worth of stolen property. The call also references Bobby Holmes taking care of one of the storage units. Mr. Hart objected as there is an issue of fact. COURT ORDERED, objection OVERRULED. 9:14 a.m.--Jury present. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:05 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart argued they keep hearing "Repeat Offender Program" and argued further he does not know why

there has to be any mention of the SWAT team coming in to serve the search warrants. Court advised this is how they do business and ORDERED, objection OVERRULED. Colloquy regarding witnesses and scheduling. Mr. Hart argued regarding the stuff the State intends to bring in off of the computers and argued there are no burglaries charged and this backdoors in the other bad acts. Court advised, if there is an issue of stolen property and there is not an issue that Deft. Monroe knew or should have known it was stolen, he will sustain the objection and not let it in. Mr. Hart advised he cannot stipulate to that. COURT ORDERED, objection OVERRULED. 12:07 p.m.--Court adjourned for lunch

1:05 PM Jury Trial Continues (Carole D'Aloia, Relief Clerk)

Witness testimony and exhibits admitted continue (see worksheet). At the hour of 5:10 PM, Court admonished the jury for the weekend, instructed them to return Monday at 9:30 AM and, ORDERED, matter CONTINUED.

CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 19, 2008**

06C228752-3

The State of Nevada vs Bryan Ferguson

**May 19, 2008****9:30 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Tina  
Hurd****Reporter/Recorder:****Renee Vincent****Heard By: Bell,  
Stewart L.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Small, Shelly L.Attorney  
Attorney**JOURNAL ENTRIES**

- 9:44 A.M.--Jury present. Further testimony and exhibits presented. (See worksheets.) 11:46 a.m.--Court stated he understands the State has one long witness, one short witness and two that need to be recalled that will not be here until after lunch. Jury admonished and excused for lunch, to return at 12:45 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Ms. DiGiacomo moved to amend the Indictment to correct a typo in Count 1. COURT ORDERED, GRANTED. Jury Instructions settled on the record. 12:01 p.m.--Court adjourned for lunch.

1:00 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.

2:48 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Hart stated he believes the comment regarding posting bail previously brings in prior bad acts. Court advised it could be for anything or even for someone else and he believes it is innocuous. Mr. Hart stated he believes the next call is whether Deft. Monroe could do it and that it was not as much fun without Ferguson. Ms. DiGiacomo advised the conspiracy is ongoing at this point and it is in furtherance of the conspiracy. COURT ORDERED, objection OVERRULED. 3:00 p.m.--Jury present. Further testimony and exhibits



presented. 5:14 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning.  
CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 20, 2008

06C228752-3

The State of Nevada vs Bryan Fergason

May 20, 2008

9:30 AM

Jury Trial

**TRIAL BY JURY**Court Clerk: Tina  
HurdReporter/Recorder:  
Renee VincentHeard By: Stewart  
Bell**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Small, Shelly L.Attorney  
Attorney**JOURNAL ENTRIES**

- 9:38 A.M.--Court reconvened with all present as before. Court advised the Jury of the day's schedule. Further testimony and exhibits presented. (See worksheets.) State and defense rested. Court instructed the Jury. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected two alternates by random drawing: Alternate #1 - Juror #3-Natalia Salman and Alternate #2 - Juror #6-Thurman Arnold. 11:53 a.m.--Jury retired to deliberate.

1:49 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow: GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM); GUILTY of COUNTS 2-4, 7-11, 13-17, 22-24, 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F); GUILTY of COUNTS 5-6, 12, 18-21, 25, 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Jury polled at request of Mr. Hart; 12 affirmed. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY, COURT ORDERED, matter set for sentencing; Deft. Monroe to REMAIN IN CUSTODY WITHOUT BAIL pending sentencing.

CUSTODY (COC)  
8-26-08 8:30 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 21, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**May 21, 2008**

**9:30 AM**

**Jury Trial**

**TRIAL BY JURY**

**Court Clerk: Tina  
Hurd**

**Reporter/Recorder:**

**Renee Vincent**

**Heard By: Bell,  
Stewart L.**

**HEARD BY:**

**COURTROOM:** No Location

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

DiGiacomo, Sandra

Attorney

Dustin, Cynthia L.

Attorney

Fergason, Bryan

Defendant

Small, Shelly L.

Attorney

**JOURNAL ENTRIES**

- 9:20 A.M.--OUTSIDE THE PRESENCE OF THE JURY VENIRE, colloquy regarding exhibits. Third Amended Indictment FILED IN OPEN COURT. Court advised a copy of the Third Amended Indictment will be provided to the jurors to avoid confusion. 9:43 a.m.--Jury venire present. Introductions by Court and counsel. Clerk called roll of the venire; voir dire oath administered. Jury selection commenced. 11:21 a.m.--Fourteen (14) jurors selected and sworn. Court thanked and excused the remaining venire. Court read the opening charge to the Jury. Opening statements by counsel. 11:50 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Ms. Dustin advised she has lodged an objection to the State offering the transcript of Burt Engle's testimony. It is from a Department 20 case and she did not represent Deft. Fergason in that case. Ms. Dustin stated she believes the State has a wealth of evidence without it. Court advised, in the co-Deft's trial, the State made the Court aware Mr. Engle

has cancer and is under treatment that does not allow him to come to the courthouse. Mr. Engle is unavailable and the rules state his prior testimony is admissible even when the Deft. was represented by a different attorney. COURT ORDERED, the transcript testimony of Burt Engle WILL BE ALLOWED. Colloquy regarding procedure for reading in the testimony. 11:54 a.m.--Court adjourned for lunch.

12:57 P.M.--OUTSIDE THE PRESENCE OF THE JURY, Court ADMONISHED Deft. Fergason regarding his right to not be compelled to testify. Ms. Dustin advised the Anku Crystal Palace was originally charged in the Dept. 20 case and was subsequently dismissed and added to this case. Court inquired when jeopardy attached. Ms. Dustin stated she does not believe it is a jeopardy issue in this case. 1:05 p.m.--Jury present. Testimony and exhibits presented. (See worksheets.) 4:47 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning.

CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 22, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**May 22, 2008****9:15 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Tina  
Hurd****Reporter/Recorder:****Renee Vincent****Heard By: Bell,  
Stewart L.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

Dustin, Cynthia L.

Attorney

Fergason, Bryan

Defendant

Small, Shelly L.

Attorney

**JOURNAL ENTRIES**

- 9:32 A.M.--Court reconvened with all present as before. Further testimony and exhibits presented. (See worksheets.) 11:56 a.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon.

1:00 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.

4:52 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:15 a.m. tomorrow morning.

CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 23, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**May 23, 2008****10:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Tina  
Hurd****Reporter/Recorder:****Renee Vincent****Heard By: Bell,  
Stewart L.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

Dustin, Cynthia L.

Attorney

Fergason, Bryan

Defendant

Small, Shelly L.

Attorney

**JOURNAL ENTRIES**

- 9:15 A.M.--Court reconvened with all present as before. Further Testimony and exhibits presented. (See worksheets.) 11:51 a.m.--Jury admonished and excused for lunch, to return at 12:50 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding NRS 205.275.

12:53 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.

3:22 p.m.--There being no further witnesses available for the day, Court admonished the Jury and excused them for the weekend, to return on Tuesday morning at 10:00 a.m. OUTSIDE THE PRESENCE OF THE JURY, Court showed counsel two questions submitted by jurors which were not actually for witnesses. Said questions marked as Court's exhibits. 3:25 p.m.--Off the record.

CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 27, 2008

06C228752-3

The State of Nevada vs Bryan Fergason

May 27, 2008

9:30 AM

Jury Trial

**TRIAL BY JURY**Court Clerk: Tina  
Hurd

Reporter/Recorder:

Renee Vincent

Heard By: Bell,  
Stewart L.**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

Dustin, Cynthia L.

Attorney

Ferguson, Bryan

Defendant

Small, Shelly L.

Attorney

**JOURNAL ENTRIES**

- 10:05 A.M.--Court reconvened with all present as before. Further testimony and exhibits presented. (See worksheets.) 12:03 p.m.--Jury admonished and excused for lunch, to return at 1:00 p.m. this afternoon.

12:57 P.M.--OUTSIDE THE PRESENCE OF THE JURY, arguments regarding Touch of Vegas. Bailiff advised Juror #12-Mr. Smith knows witness Amanda Terry. Colloquy between Court and Juror Smith. Upon Court's inquiry, Mr. Smith advised his objectivity would not be affected. 1:11 p.m.--Jury present. Further testimony and exhibits presented. 3:09 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Ms. Dustin advised Ms. Trevarthan testified to conversations between Defts. Monroe and Holmes. Court advised counsel must object at the time and he will rule. Colloquy. 3:15 p.m.--Jury present. Further testimony by Ms. Trevarthan. Ms. Dustin requested a cautionary instruction regarding some of the testimony by this witness regarding other uncharged acts. Court gave a



cautionary instruction to the Jury regarding Deft. Fergason not being charged with Burglary and to consider the testimony only as it relates to whether Deft. knew these items were stolen. Further testimony and exhibits presented. 4:58 p.m.--Court admonished the Jury and excused them for the evening, to return at 9:30 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, Juror #9-Anthony Indurante present. Court advised someone noticed Detective Churches acknowledged this juror outside and believes they took some Karate classes together. Upon Court's inquiry, Mr. Indurante advised he will not give the detective's testimony any more weight than anyone else. Juror excused for the evening. Colloquy regarding the remaining witnesses, scheduling and Jury Instructions. Colloquy regarding value and corresponding Jury Instructions. Ms. Dustin advised she objected at the bench regarding some of the testimony by Detective Nickell regarding this long process he did, going back into Anku Crystal Place and Just for Kids Dentistry and argued that, coupled with some testimony by Tonya Trevarthan, slides them into uncharged bad acts. Court stated he does not know how they could testify any other way. Ms. Dustin advised, as to the phone call between Engle and Monroe, Deft. Monroe says they had 2 or 3 pieces of Anku and "he" had to have them. He basically makes an admission including Deft. Fergason. Ms. DiGiacomo argued they will speak about it again in other calls and Deft. Monroe says "we" and "he" but nothing specific. COURT ORDERED, the third phone call STRICKEN and will admonish the jurors to disregard. Court stated he does not believe this is a big issue. Colloquy regarding the phone calls. COURT ORDERED, counsel to review the phone calls and make sure there is nothing else that is Bruton inculpatory evidence. Court adjourned.

CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 28, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**May 28, 2008****10:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk: Tina  
Hurd****Reporter/Recorder:****Renee Vincent****Heard By: Bell,  
Stewart L.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

Dustin, Cynthia L.

Attorney

Ferguson, Bryan

Defendant

Small, Shelly L.

Attorney

**JOURNAL ENTRIES**

- 9:28 A.M.--OUTSIDE THE PRESENCE OF THE JURY, State's Bench Memorandum FILED IN OPEN COURT. Ms. DiGiacomo argued the phone call was not a Bruton issue under the reading of the Bruton case. It was not a confession to a police officer, it was a statement from one co-conspirator to another. It was a statement in furtherance of this conspiracy; it was not testimonial. Court stated he believes it could have been redacted but he is not going to play it again with it out as it would just highlight it and it is a meaningless piece of the puzzle. Ms. Dustin argued that, coupled with the testimony of Tonya Trevarthan, has sufficiently rung the bell and moved for a mistrial. Ms. Dustin argued it shifts the burden too much and she does not believe it can be fixed with an instruction. Court stated he does not believe it is that serious and he believes it could be fixed. Court advised the Jury will be admonished to disregard phone call #3. 9:34 a.m.--Jury present. Court ADMONISHED the Jury to disregard call #3 and advised the DVD has been redacted. COURT FURTHER ORDERED,

State's exhibits 1189 and 1189A WITHDRAWN. Further testimony and exhibits presented. (See worksheets.) Ms. DiGiacomo advised counsel have stipulated, if Detective Julie Hall was recalled, that on October 12, Bobby Holmes was arrested for Possession of Stolen Property based on items removed from his home. 11:54 a.m.--Jury admonished and excused for lunch, to return at 1:15 p.m. this afternoon. OUTSIDE THE PRESENCE OF THE JURY, Jury Instructions settled on the record. 12:20 p.m.--Court adjourned for lunch.

1:15 P.M.--Court reconvened with all present as before. Further testimony and exhibits presented.

3:32 p.m.--Court admonished the Jury and excused them for the evening, to return at 10:00 a.m. tomorrow morning. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding the verdict form and Jury Instruction #10. Court stated he believes Instruction #10 is correct but the verdict form needs to be corrected. Ms. Dustin requested the defense proposed instructions be marked and put in the record so the record is complete. Court instructed counsel to provide clean copies and the Clerk will make the whole package part of the record. 3:37 p.m.--Court adjourned.

CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 29, 2008

06C228752-3

The State of Nevada vs Bryan Ferguson

May 29, 2008

10:00 AM

Jury Trial

**TRIAL BY JURY**Court Clerk: Tina  
HurdReporter/Recorder:  
Renee VincentHeard By: Stewart  
Bell**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

Dustin, Cynthia L.

Attorney

Ferguson, Bryan

Defendant

Small, Shelly L.

Attorney

**JOURNAL ENTRIES**

- 10:05 A.M.--Court reconvened with all present as before. Closing arguments by counsel. Bailiff sworn to take charge of the Jury. Clerk selected the alternates by random drawing: Juror #2-Yvette Scurlock and Juror #3-James Buell. 11:54 a.m.--Jury retired to deliberate. OUTSIDE THE PRESENCE OF THE JURY, upon Court's inquiry, Deft. Ferguson agreed he approved the way Ms. Dustin approached and handled his case. Off the record.

2:04 P.M.--Court reconvened with all present as before. Jury returned with VERDICTS as follow: GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM). GUILTY of COUNTS 2, 5-6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY, VALUE \$250.00 OR MORE (F). GUILTY of COUNTS 4, 7-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY, VALUE \$2,500.00 OR MORE (F). Count 3 - NOT guilty. Jury was not polled. Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY,

COURT ORDERED, matter set for sentencing; Deft. Fergason to REMAIN IN CUSTODY WITHOUT BAIL pending sentencing.  
CUSTODY (COC-NDC)  
8-26-08 8:30 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 16, 2008**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**June 16, 2008****8:30 AM****Motion to Withdraw as  
Counsel****SULLIVAN'S MTN  
TO WITHDRAW AS  
COUNSEL Court  
Clerk: Tina Hurd  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Small, Shelly L.

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, motion GRANTED. Order signed in open court.  
B.W. (BOND)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 15, 2008**

06C228752-3

The State of Nevada vs Bryan Ferguson

**July 15, 2008****8:30 AM****Motion to Quash Bench  
Warrant**

**DEFT'S MTN TO  
QUASH BENCH  
WARRANT/123  
Court Clerk: Tina  
Hurd  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** DiGiacomo, Sandra

Attorney

**JOURNAL ENTRIES**

- Mr. Kennedy CONFIRMED as counsel. Motion argued and submitted. COURT ORDERED, motion DENIED; DEFT. HOLMES REMANDED TO CUSTODY, TO BE HELD WITHOUT BAIL pending trial. Colloquy regarding a trial date. COURT ORDERED, matter set for trial on November 17 and will be first up. Court advised, if for some reason Mr. Kennedy cannot try the case, he must make the decision whether to withdraw by the end of this month.

CUSTODY

11-13-08 8:30 AM CALENDAR CALL

11-17-08 9:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 16, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**July 16, 2008****8:30 AM****Status Check****STATUS CHECK:****SENTENCING****Court Clerk: Tina  
Hurd****Reporter/Recorder:****Renee Vincent****Heard By: Stewart  
Bell****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

**JOURNAL ENTRIES**

- No appearance by Deft. Trevarthen or her counsel Jonathan Lord. Court stated he is not sure why he should not just go ahead and sentence this Deft. Colloquy. COURT ORDERED, matter CONTINUED for sentencing.

NIC

8-13-08 8:30 AM SENTENCING



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 07, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**August 07, 2008****8:30 AM****Motion****STATE'S MTN FOR  
RELEASE OF  
EVIDENCE TO  
VICTIMS AND/OR  
AUCTION BY  
LVMPD Relief  
Clerk: Carole D'Aloia  
Reporter/Recorder:  
Cheryl Carpenter  
Heard By: Stewart  
Bell****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Dustin, Cynthia L.Attorney  
Attorney**JOURNAL ENTRIES**

- Following arguments by counsel, COURT ORDERED, motion GRANTED to the extent that property belonging to the named victims in the Indictment who testified as the trials of Defendants Monroe and Fergason be released to said victims. Court advised it received notice from the Division of Parole and Probation (P&P) indicating it needs additional time to complete the Presentence Investigation Reports for Defendants Monroe and Fergason and, ORDERED, sentencing dates CONTINUED.

CUSTODY (MONROE)

NIC (TREVARTHEN)

CUSTODY (COC-NDC)(FERGASON)

CUSTODY (HOLMES

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 13, 2008**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**August 13, 2008****8:30 AM****Sentencing****SENTENCING****Court Clerk: Tina  
Hurd****Reporter/Recorder:****Renee Vincent****Heard By: Bell,  
Stewart L.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Krusey, Amanda K.

Attorney

**JOURNAL ENTRIES**

- No appearance by Deft. Trevarthen or her counsel Jonathan Lord. Ms. Krusey advised counsel are requesting a continuance to September 22 as Mr. Lord cannot be here today and the other case is set for hearing that day. COURT ORDERED, matter CONTINUED to tomorrow to reset the sentencing and the Miller Hearing in case C237052. Law clerk will notify counsel in both cases.

NIC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 14, 2008**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**August 14, 2008****8:30 AM****Sentencing****SENTENCING****Relief Clerk: Carole  
D'Aloia****Reporter/Recorder:  
Renee Vincent****Heard By: Bell,  
Stewart L.****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Luzaich, Elissa

Attorney

**JOURNAL ENTRIES**

- Court noted the absence of the Defendant and Mr. Lord and, ORDERED, Defendant's presence WAIVED this date. Based on the re-setting of the Miller Hearing in case C235232, COURT ORDERED, sentencing CONTINUED to 9/26/08.

NIC

CLERK'S NOTE: A COPY OF THIS MINUTE ORDER PLACED IN THE ATTORNEY FILE OF JOHNATHAN J. LORD, ESQ. ON 8/15/08. cd

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 21, 2008**

06C228752-3

The State of Nevada vs Bryan Ferguson

**August 21, 2008****8:30 AM****Motion****STATES MTN FOR  
RELEASE OF  
PROPERTY/128  
Relief Clerk: Carole  
D'Aloia  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Dustin, Cynthia L.  
Ferguson, BryanAttorney  
Attorney  
Defendant**JOURNAL ENTRIES**

- Mr. Kennedy advised he has no objection to the State's motion. Court noted the objections of Mr. Hart and Ms. Dustin and, ORDERED, motion GRANTED, Ms. DiGiacomo to prepare and submit appropriate Order.

CUSTODY (MONROE AND HOLMES)

NIC (TREVARTHEN)

CUSTODY (COC-NDC)(FERGASON)

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****September 26, 2008**

06C228752-3

The State of Nevada vs Bryan Ferguson

**September 26, 2008****8:30 AM****Sentencing****SENTENCING****Court Clerk: Tina****Hurd Relief Clerk:****Susan Jovanovich/sj****Reporter/Recorder:****Angela Lee Heard****By: David Wall****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

**JOURNAL ENTRIES**

- DEFT. TREVARTHEN ADJUDGED GUILTY of COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM). Colloquy regarding recommendation of informal probation. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Deft. SENTENCED to Clark County Detention Center (CCDC) for SIX (6) MONTHS, SUSPENDED; placed on INFORMAL PROBATION for SIX (6) MONTHS. CONDITIONS:

1. Deft. not be arrested for any new offenses other than traffic offenses. 2. Maintain full time employment.

Count 2 HELD IN ABEYANCE. FURTHER, matter SET for status check on compliance. Court advised Deft. he will waive her presence at next hearing if proof of employment is provided. BOND, if any, EXONERATED.

NIC

03-31-09 8:30 A.M. STATUS CHECK - COMPLIANCE

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 01, 2008**

06C228752-3

The State of Nevada vs Bryan Ferguson

**October 01, 2008****8:30 AM****All Pending Motions****ALL PENDING  
MOTIONS 10-1-08  
Court Clerk: Tina  
Hurd  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Dustin, Cynthia L.  
Ferguson, BryanAttorney  
Attorney  
Defendant**JOURNAL ENTRIES**

- DEFT. MONROE ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2-4, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$2,500.00 (F) and COUNTS 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE OVER \$250.00 (F). Certified copies of three prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Monroe to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center; Count 2 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 3 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 4 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada

Department of Corrections (NDC); Count 5 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 6 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 7 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 8 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 9 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 10 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 11 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 12 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 13 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 14 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC). Counts 1-14 to be served CONCURRENTLY with each other. Count 15 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 16 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 17 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 18 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 19 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 20 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 21 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 22 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 23 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 24 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 25 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 26 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC); Count 27 - to LIFE WITHOUT THE POSSIBILITY OF PAROLE in the Nevada Department of Corrections (NDC). Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1-14. Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

DEFT. FERGASON ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM), COUNTS 2, 5, 6, 12, 18-21, 25 & 27 - POSSESSION OF STOLEN PROPERTY VALUE \$250.00 OR MORE (F) and COUNTS 4, 7, 8-11, 13-17, 22-24 & 26 - POSSESSION OF STOLEN PROPERTY VALUE \$2,500.00 OR MORE. Certified copies of five prior convictions marked and admitted. Matter argued and submitted. Court FINDS Deft. Ferguson to be an HABITUAL CRIMINAL. COURT ORDERED, in addition to the \$25.00

Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center; Count 2 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 4 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 5 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 6 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada



Department of Corrections (NDC); Count 7 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 8 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 9 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 10 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 11 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 12 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 13 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 14 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC). Counts 1, 2 and 4-14 to be served CONCURRENTLY with each other. Count 15 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 16 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 17 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 18 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 19 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 20 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 21 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 22 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 23 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 24 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 25 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 26 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC); Count 27 - to LIFE with a MINIMUM parole eligibility of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC). Counts 15-27 to be served CONCURRENTLY with each other but CONSECUTIVELY to Counts 1, 2 and 4-14. Said sentence to be served CONSECUTIVELY to case C227874 with ZERO DAYS credit for time served. BOND, if any, EXONERATED.

At request of counsel, COURT ORDERED, Mr. Hart and Ms. Dustin APPOINTED on appeal.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****November 10, 2008**

06C228752-3

The State of Nevada vs Bryan Fergason

**November 10, 2008****8:30 AM****Entry of Plea**

**ENTRY OF PLEA**  
**Court Clerk: Sandra**  
**Jeter**  
**Reporter/Recorder:**  
**Rachelle Hamilton**  
**Heard By: Jackie**  
**Glass**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

**JOURNAL ENTRIES**

- Judge Glass stated this is an add to the calendar and she agreed to hear the matter for Judge Bell. Counsel advised the matter has negotiated and NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. HOLMES EXAMINED and PLED GUILTY to the FIFTH AMENDED INDICTMENT FILED IN OPEN COURT CHARGING COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR COMMIT BURGLARY (GM) and COUNTS 2 and 3 - POSSESSION OF STOLEN PROPERTY (F). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing.

CUSTODY (HOLMES)

12/30/08 8:30 AM SENTENCING - DEPT. VII

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 01, 2008**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**December 01, 2008****8:30 AM****Bench Warrant Return****BENCH WARRANT  
RETURN Relief  
Clerk: Nora Pena  
Reporter/Recorder:  
Cheryl Carpenter  
Heard By: Stewart  
Bell****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Watson, Michael J.

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, Sentence date STANDS and BOND, if any, EXONERATED.  
CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 05, 2008**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**December 05, 2008****9:05 AM****Show Cause Hearing****SHOW CAUSE  
HEARING Court  
Clerk: Denise  
Trujillo/dt Relief  
Clerk: Janet Deaver  
Reporter/Recorder:  
Jjill Jacoby Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Van De Pol, Karen L.

Attorney

**JOURNAL ENTRIES**

- As Deft. was picked up and bond exonerated, COURT ORDERED, matter OFF CALENDAR.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****December 18, 2008**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**December 18, 2008****8:30 AM****Motion****STATES MTN FOR  
RELEASE OF  
EVIDENCE/136  
Court Clerk: Tina  
Hurd  
Reporter/Recorder:  
Renee Vincent  
Heard By: Stewart  
Bell****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Dustin, Cynthia L.  
Kephart, William D.Attorney  
Attorney**JOURNAL ENTRIES**

- Ms. Dustin advised this case is before the Supreme Court on appeal so she does not believe the Court has jurisdiction and the proper venue would be through the forfeiture case and not here where it is on appeal. Court stated he believes, as a general proposition, Ms. Dustin is right. Mr. Kephart advised he will accept those representations. COURT ORDERED, motion OFF CALENDAR. CUSTODY (COC - MONROE & HOLMES)...NIC (TREVARTHEN)...NDC (FERGUSON)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 30, 2008

06C228752-3

The State of Nevada vs Bryan Fergason

December 30, 2008

8:30 AM

Sentencing

**SENTENCING**Court Clerk: Tina  
HurdReporter/Recorder:  
Renee VincentHeard By: Stewart  
Bell**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

**JOURNAL ENTRIES**

- DEFT. HOLMES ADJUDGED GUILTY OF COUNT 1 - CONSPIRACY TO POSSESS STOLEN PROPERTY AND/OR TO COMMIT BURGLARY (GM) and COUNTS 2 & 3 - POSSESSION OF STOLEN PROPERTY (F). Matter argued and submitted. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee and \$150.00 DNA Analysis fee including testing to determine genetic markers, Deft. SENTENCED as follows: Count 1 - to TWELVE (12) MONTHS in the Clark County Detention Center (CCDC); Count 2 - to a MINIMUM of FORTY EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 1; Count 3 - to a MINIMUM of TWENTY FOUR (24) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC), CONSECUTIVE to Count 2. 169 DAYS credit for time served. Deft. to PAY \$4,892.45 RESTITUTION. BOND, if any, EXONERATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 03, 2009**

06C228752-3

The State of Nevada vs Bryan Fergason

**March 03, 2009****9:00 AM****All Pending Motions****ALL PENDING  
MOTIONS (3-03-09)  
Relief Clerk: Phyllis  
Irby/pi  
Reporter/Recorder:  
Debra Winn Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Dustin, Cynthia L.Attorney  
Attorney**JOURNAL ENTRIES**

- DEFT'S PRO PER MOTION FOR RETURN OF SEIZED PROPERTY...STATE'S REQUEST STATUS  
CHECK: CORRECTED JUDGMENT OF CONVICTION  
MATTER TRAILED. MATTER RECALLED. Deft not present. COURT NOTED, Deft is in NDC,  
presence WAIVED. Ms. Digiacomo advised the JOC was incorrect. There was a clerical error on the  
JOC. COURT ORDERED, State to prepare an Amended JOC. As to Deft's Pro Per Motion, COURT  
ORDERED, DENIED WITHOUT PREJUDICE.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 31, 2009**

06C228752-3

The State of Nevada vs Bryan Fergason

**March 31, 2009****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 3/31/09  
Court Clerk: Denise  
Trujillo  
Reporter/Recorder:  
Cheryl Carpenter  
Heard By: Kathy  
Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra  
Pesci, Giancarlo

Attorney  
Attorney

**JOURNAL ENTRIES**

- STATUS CHECK: COMPLIANCE (TREVARTHEN)...DEFT'S MOTION TO WITHDRAW GUILTY PLEA

Mr. Lord advised Deft. TREVARTHEN has complied with all conditions and pursuant to negotiations requested she be allowed to withdraw plea as to CT II and that it be DISMISSED, and that case be closed as to CT I. State CONCURRED. COURT ORDERED, COUNT II DISMISSED and CASE CLOSED.

Court advised it did not receive Deft's reply and ORDERED, matter CONTINUED.  
CUSTODY (COC - HOLMES)

4/2/09 9:00 AM DEFT'S MOTION TO WITHDRAW GUILTY PLEA (HOLMES)



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****April 02, 2009**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**April 02, 2009****9:00 AM****Motion****DEFT'S MTN TO  
WITHDRAW  
GUILTY PLEA /140  
Court Clerk: Denise  
Trujillo  
Reporter/Recorder:  
Lara Corcoran Heard  
By: Kathy Hardcastle****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

DiGiacomo, Sandra

Attorney

**JOURNAL ENTRIES**

- Arguments by counsel. COURT stated findings and ORDERED, motion DENIED.  
CUSTODY (COC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 04, 2009**

---

06C228752-3

The State of Nevada vs Bryan Ferguson

---

**August 04, 2009****9:00 AM****Request of Court****AT THE REQUEST  
OF THE  
COURT:CONFIRMA  
TIONOF APPELANT  
COUNSEL Court  
Clerk: Denise  
Trujillo  
Reporter/Recorder:  
Lara Corcoran Heard  
By: Hardcastle, Kathy****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Albritton, Alicia A.

Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED.  
CUSTODY (NDC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 12, 2009**

06C228752-3

The State of Nevada vs Bryan Fergason

**August 12, 2009****9:00 AM****Request of Court**

**AT THE REQUEST  
OF THE  
COURT:CONFIRMA  
TIONOF APPELANT  
COUNSEL Court  
Clerk: Denise  
Trujillo  
Reporter/Recorder:  
Lara Corcoran Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Mr. Ruggeroli advised he believes he can confirm, but has not received file. COURT ORDERED, Mr. Ruggeroli is CONFIRMED, and if he finds out later there is a problem, then can place matter BACK on calendar. FURTHER, once he reviews the file, he can determine if there are any appealable issues and place matter on calendar.  
CUSTODY (NDC)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 08, 2010**

06C228752-3

The State of Nevada vs Bryan Fergason

**April 08, 2010****9:30 AM****Further Proceedings**

**FURTHER  
PROCEEDINGS  
COMPENCY (DEPT  
V) Court Clerk:  
Sandra Jeter  
Reporter/Recorder:  
Rachelle Hamilton  
Heard By: Jackie  
Glass**

**HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Pandukht, Taleen R.

Attorney

**JOURNAL ENTRIES**

- APPEARANCES CONTINUED: Christy Craig, Chief Deputy Public Defender, present representing defendant in Case No. C237052. Christina Greene of the Specialty Courts present. Defendant HOYT present in custody.

Competency is at issue in Case nos. C237052, C241570 and C227874, however, this case was just opened to appoint appellate counsel; therefore, COURT ORDERED, matter OFF CALENDAR.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 16, 2011**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**August 16, 2011****8:30 AM****All Pending Motions****HEARD BY:** Tao, Jerome T.**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Tia Everett**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**Nyikos, Noreen C.  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- PETITION FOR WRIT OF HABEAS CORPUS ... MOTION FOR 90 DAY CONTINUANCE TO  
REPLY TO STATE'S ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS (POST-  
CONVICTION)

Court noted motion to withdraw was never filed, therefore, Cynthia Dustin is still the attorney of  
record and these motions must be filed by the attorney of record. COURT ORDERED, Motions  
CONTINUED and a copy to be provided to Ms. Dustin.

NDC

CONTINUED TO: 8/25/2011 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 25, 2011**

---

06C228752-3

The State of Nevada vs Bryan Ferguson

---

**August 25, 2011****8:30 AM****All Pending Motions****HEARD BY:** Tao, Jerome T.**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Tia Everett**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**DiGiacomo, Sandra  
Dustin, Cynthia L.  
State of NevadaAttorney  
Attorney  
Plaintiff**JOURNAL ENTRIES**

- Ms. Dustin advised these are Defendant's Pro Per motions and moved to withdraw as counsel.  
COURT ORDERED, Oral Motion GRANTED.

**AS TO DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS:**

Court FINDS, claims to be without merit, fail to meet the standard of Strickland, and are belied by the record; therefore, COURT ORDERED, Petition DENIED. Court notes there are approximately 20 claims and State will prepare the Findings of Fact and Conclusions of Law and identify which claims specifically are belied by the record and/or fail to meet standards of Strickland.

**AS TO DEFENDANT'S MOTION FOR 90 DAY CONTINUANCE TO REPLY TO STATE'S ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION):**

COURT ORDERED, Motion DENIED as MOOT.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 11, 2011**

06C228752-3

The State of Nevada vs Bryan Fergason

**October 11, 2011**

**8:30 AM**

**Motion**

**HEARD BY:** Tao, Jerome T.

**COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Tia Everett

**RECORDER:** Sara Richardson

**REPORTER:**

**PARTIES**

**PRESENT:**

Demonte, Noreen C.  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Upon Court's inquiry, Ms. Demonte advised the property requested was returned to the victim already and is not in the possession of Metro and/or the District Attorney. COURT ORDERED, Motion DENIED as MOOT.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 15, 2012**

---

06C228752-3

The State of Nevada vs Bryan Fergason

---

**May 15, 2012****8:30 AM****Appointment of Counsel****HEARD BY:** Tao, Jerome T.**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Tia Everett**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**

Engler, Alissa

Attorney

State of Nevada

Plaintiff

Zadrowski, Bernard B.

Attorney

**JOURNAL ENTRIES**

- Ms. Engler confirmed as counsel on behalf of Matthew Carling Esq. and requested matter be set for a status check in thirty days to confirm he has received the Defendant's filed. COURT SO ORDERED.

NDC

6/12/2012 8:30 AM STATUS CHECK: DEFENDANT'S FILE



**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****June 12, 2012**

---

06C228752-3

The State of Nevada vs Bryan Ferguson

---

**June 12, 2012****8:30 AM****Status Check****HEARD BY:** Tao, Jerome T.**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Roshonda Mayfield**RECORDER:** Sara Richardson**REPORTER:****PARTIES****PRESENT:**Graham, Nickolas  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court noted the lack of appearance by the parties. Therefore, COURT ORDERED, matter CONTINUED for the presence of counsel and/or relevant parties.

NDC

6/19/12 8:30 A.M. STATUS CHECK: DEFT'S FILE

Clerk's note: A copy of this minute order has been emailed to Attorney Carling at: cedarlegal@gmail.com. (rm 6/18/12)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 19, 2012**

06C228752-3

The State of Nevada vs Bryan Ferguson

**June 19, 2012**

**8:30 AM**

**Status Check**

**HEARD BY:** Tao, Jerome T.

**COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Roshonda Mayfield

**RECORDER:** Sara Richardson

**REPORTER:**

**PARTIES**

**PRESENT:**

Bluth, Jacqueline

Attorney

Carling, Matthew D.

Attorney

State of Nevada

Plaintiff

**JOURNAL ENTRIES**

- Following representations by counsel, COURT ORDERED, matter OFF CALENDAR.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 29, 2016**

---

06C228752-3

The State of Nevada vs Bryan Ferguson

---

**March 29, 2016****8:30 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Amber McClane**PARTIES****PRESENT:**Carling, Matthew D.  
DiGiacomo, Sandra  
State of NevadaAttorney  
Attorney  
Plaintiff**JOURNAL ENTRIES**

- Arguments by Mr. Carling and Ms. DiGiacomo in support of their respective positions. Following, Court stated its findings and advised there would be a limited Evidentiary Hearing as to C & D but not as to A & B. COURT ORDERED, matter SET for a limited Evidentiary Hearing. Upon inquiry, counsel feel the hearing will take approximately 2 hours.

NDC

5/6/16 1:30 PM EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 06, 2016**

---

06C228752-3

The State of Nevada vs Bryan Ferguson

---

**May 06, 2016****1:30 PM****Evidentiary Hearing****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 10D**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:** Leah Armendariz**PARTIES****PRESENT:**Carling, Matthew D.  
DiGiacomo, Sandra  
Ferguson, Bryan  
State of NevadaAttorney  
Attorney  
Defendant  
Plaintiff**JOURNAL ENTRIES**

- Mr. Carling advised Defendant has waived the attorney/client privilege. Court so noted. Ms. DiGiacomo objected to defense calling the attorney first as there has been no showing of ineffectiveness of counsel. HEARING COMMENCED. Witnesses sworn and testified. Closing arguments by Mr. Carling and Ms. DiGiacomo. Court stated its FINDINGS:

As to Grounds 1 & 2 - Court finds no basis to grant;

As to Grounds 3 - From testimony, it is clear that Ms. Cruz did not say that Defendant would receive a life sentence and that a small habitual enhancement was discussed with him;

As to Grounds 4 - From testimony, Ms. Cruz did not remember guilty on Defendant's picture in the opening statement and would have objected, but did remember it in the closing.

Therefore, COURT ORDERED, Petition DENIED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****October 03, 2017**

---

06C228752-3

The State of Nevada vs Bryan Ferguson

---

**October 03, 2017****8:30 AM****Motion to Amend****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

Carling, Matthew D.

Attorney

State of Nevada

Plaintiff

Stephens, Robert

Attorney

**JOURNAL ENTRIES**

- Mr. Carling advised Defendant is in prison and not present today. Court noted the State is recommending to combine the findings filed on 11/9/2011 with 8/16/2016 into one final Order. Mr. Carling advised that would work for him. Following, Court directed Mr. Stephens prepare the document combining both of the findings of facts and ORDERED, matter RESOLVED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 25, 2020**

06C228752-3

The State of Nevada vs Bryan Fergason

**August 25, 2020**

**1:45 PM**

**Motion to Withdraw as  
Counsel**

**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Samantha Albrecht

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**

Merback, William J.  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Court noted the State had filed an opposition to Defendant's Motion. Court stated its findings and ORDERED, Motion DENIED. State to prepare the Order.

NDC

Clerk's Note: A copy of the foregoing minutes were mailed to:

Bryan Fergason #96803  
HDSP  
P.O. Box 650  
Indian Springs, NV 89070 (8/26/20 sa)

**Exhibits:**

1. **Proposed Indictment**
2. **Photo**
3. **Photo**
4. **Photo**
5. **Photo**
6. **Photo**
7. **Photo**
8. **Photo**
9. **Photo**
10. **Photo**
11. **Photo**
12. **Photo**
13. **Photo**
14. **Photo**
15. **Photo**
16. **Photo**
17. **Photo**
18. **Photo**
19. **Photo**
20. **Photo**
21. **Photo**
22. **Photo**
23. **Photo**
24. **Photo**
25. **Photo**
26. **Photo**
27. **Photo**
28. **Photo**
29. **Photo**
30. **Photo**
31. **Photo**
32. **Photo**
33. **Photo**
34. **Photo**
35. **Photo**
36. **Photo**
37. **Copy of Photo**
38. **Copy of Photo**
39. **Photo**
40. **Photo**
41. **Photo**
42. **Photo**
43. **Photo**
44. **Photo**

- 45. Photo
- 46. Photo
- 47. Photo
- 48. Photo
- 49. Photo
- 50. Photo
- 51. Photo
- 52. Copy of Photo
- 53. Copy of Photo
- 54. Copy of Photo
- 55. Photo
- 56. Photo
- 57. Photo
- 58. Photo
- 59. Photo
- 60. Photo
- 61. Photo
- 62. Photo
- 63. Photo
- 64. Photo
- 65. Photo
- 66. Photo
- 67. Photo
- 68. Photo
- 69. Copy of Photo
- 70. Copy of Photo
- 71. Photo
- 72. Copy of Photo
- 73. Copy of Photo
- 74. Copy of Photo
- 75. Copy of Photo
- 76. Copy of Photo
- 77. Copy of Photo
- 78. Photo
- 79. Photo
- 80. Photo
- 81. Photo
- 82. Photo
- 83. Photo
- 84. Photo
- 85. Photo
- 86. Photo
- 87. Photo
- 88. Photo
- 89. Photo
- 90. Photo
- 91. Photo



92. Copy of Photo
93. Copy of Photo
94. Copy of Photo
95. Copy of Photo
96. Photo
97. Photo
98. Photo
99. Photo
100. Photo
101. Photo
102. Photo
103. Photo
104. Copy of Photo
105. Copy of Photo
106. Copy of Photo
107. Copy of Photo
108. Photo
109. Photo
110. Photo
111. Photo
112. Photo
113. Photo
114. Photo
115. Photo
116. Photo
117. Photo
118. Photo
119. Photo
120. Photo
121. Photo
122. Photo
123. Photo
124. Photo
125. Photo
126. Photo
127. Photo
128. Photo
129. Photo
130. Photo
131. Photo
132. Photo
133. Photo
134. Photo
135. Photo
136. Photo
137. Photo
138. Photo

139. Yellow Manilla Envelope - Sealed
140. Photo
141. Photo – Back of NV  
Driver's License ID
142. Transcript of Prior Proceedings
143. Transcript of Prior Proceedings
144. Storage West Rental Documents
145. Smoke Ranch Self-Storage Documents – Contract
146. Storage Facilities – Documents – Contract
147. Photo
148. Contract for Storage Unit & Related Documents
149. Copy of Photo ID
150. Photo
151. Photo
152. Photo
153. Photo
154. Photo
155. Photo
156. Photo
157. Photo
158. Photo
159. Photo
160. Photo
161. Photo
162. Photo
163. Photo
164. Photo
165. Photo
166. Photo
167. Photo
168. Photo
169. Photo
170. Photo
171. Photo
172. Photo
173. Photo
174. Photo
175. Photo
176. Photo
177. Photo
178. Photo
179. Photo
180. Photo
181. Photo
182. Photo
183. Photo
184. Photo

185. Photo

186. Audio CD – Phone Calls

---

## STATE'S EXHIBITS

CASE NO. C228752

		Date Offered	Objection	Date Admitted
1 - LARGE COLOR PHOTOGRAPH - <i>Aerial</i>		<i>5/14</i>	<i>no obj</i>	MAY 14 2008
2 - " " "	<i>11</i>	<i>5/16</i>	<i>no obj</i>	MAY 16 2008
3 - " " "	<i>11</i>	<i>5/13</i>	<i>no obj</i>	MAY 13 2008
4 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
5 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
6 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
7 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
8 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
9 - " " "		<i>5/13</i>	<i>no obj</i>	MAY 13 2008
10 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
11 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
12 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
13 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
14 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
15 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
16 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
17 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
18 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
19 - " " "		<i>11</i>	<i>11</i>	<i>11</i>
20 - " " "		<i>5/19</i>	<i>no obj</i>	MAY 19 2008
21 - " " "		<i>5/13</i>	<i>no obj</i>	MAY 13 2008
22 - " " "		<i>5/19</i>	<i>no obj</i>	MAY 19 2008
23 - " " "		<i>5/13</i>	<i>no obj</i>	MAY 13 2008
24 - " " "		<i>5/19</i>	<i>no obj</i>	MAY 19 2008
25 - " " "		<i>5/13</i>	<i>no obj</i>	MAY 13 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
26 - LARGE COLOR PHOTOGRAPH	5/19	no obj	MAY 19 2008
27 - " " "	5/13	no obj	MAY 13 2008
28 - " " "	5/19	no obj	MAY 19 2008
29 - " " "	5/13	no obj	MAY 13 2008
30 - " " "	5/19	no obj	MAY 19 2008
31 - " " "	5/13	no obj	MAY 13 2008
32 - " " "	5/14	no obj	MAY 14 2008
33 - " " "	11	11	11
34 - " " "	11	11	11
35 - " " "	11	11	11
36 - " " "	5/16	obj	MAY 16 2008
37 - " " "	5/16	no obj	MAY 16 2008
38 - " " "	11	11	11
39 - " " "	11	11	11
40 - " " "	11	11	11
41 - " " "	5/13	no obj	MAY 13 2008
42 - " " "	11	11	11
43 - " " "	11	11	11
44 - " " "	11	11	11
45 - " " "	11	11	11
46 - " " "	11	11	11
47 - " " "	11	11	11
48 - " " "	5/13	no obj	MAY 13 2008
49 - " " "	11	11	11
50 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
51 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
52 - " " "	"	"	"
53 - " " "	5/19	no obj	MAY 19 2008
54 - " " "	"	"	"
55 - " " "	5/19	obj	MAY 19 2008
56 - " " "	5/19	no obj	MAY 19 2008
57 - " " "	5/13	no obj	MAY 13 2008
58 - " " "	5/19	no obj	MAY 19 2008
59 - " " "	"	"	"
60 - " " "	"	"	"
61 - " " "	"	"	"
62 - " " "	5/13	no obj	MAY 13 2008
63 - " " "	"	"	"
64 - " " "	"	"	"
65 - " " "	"	"	"
66 - " " "	"	"	"
67 - " " "	"	"	"
68 - " " "	5/14	no obj	MAY 14 2008
69 - " " "	"	"	"
70 - " " "	"	"	"
71 - " " "	"	"	"
72 - " " "	"	"	"
73 - " " "	"	"	"
74 - " " "	"	"	"
75 - " " "	5/19	no obj	MAY 19 2008

## STATE'S EXHIBITS

CASE NO. C228752

		Date Offered	Objection	Date Admitted
76 -	LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
77 -	" " "	5/19	no obj	MAY 19 2008
78 -	" " "	5/14	no obj	MAY 14 2008
79 -	" " "	5/14	no obj	MAY 14 2008
80 -	" " "	11	11	11
81 -	" " "	11	11	11
82 -	" " "	11	11	11
83 -	" " "	11	11	11
84 -	" " "	11	11	11
85 -	" " "	11	11	11
86 -	" " "	11	11	11
87 -	" " "	11	11	11
88 -	" " "	11	11	11
89 -	" " "	11	11	11
90 -	" " "	11	11	11
91 -	" " "	5/13	no obj	MAY 13 2008
92 -	" " "	11	11	11
93 -	" " "	11	11	11
94 -	" " "	11	11	11
95 -	" " "	11	11	11
96 -	" " "	11	11	11
97 -	" " "	11	11	11
98 -	" " "	11	11	11
99 -	" " "	11	11	11
100 -	" " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
101 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
102 - " " "	//	//	//
103 - " " "	//	//	//
104 - " " "	//	//	//
105 - " " "	//	//	//
106 - " " "	//	//	//
107 - " " "	//	//	//
108 - " " "	//	//	//
109 - " " "	//	//	//
110 - " " "	//	//	//
111 - " " "	//	//	//
112 - " " "	//	//	//
113 - " " "	//	//	//
114 - " " "	//	//	//
115 - " " "	//	//	//
116 - " " "	//	//	//
117 - " " "	//	//	//
118 - " " "	//	//	//
119 - " " "	//	//	//
120 - " " "	//	//	//
121 - " " "	//	//	//
122 - " " "	//	//	//
123 - " " "	//	//	//
124 - " " "	//	//	//
125 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
126 - LARGE COLOR PHOTOGRAPH	5/13	no	MAY 13 2008
127 - " " "	//	//	//
128 - " " "	//	//	//
129 - " " "	//	//	//
130 - " " "	//	//	//
131 - " " "	//	//	//
132 - " " "	//	//	//
133 - " " "	//	//	//
134 - " " "	//	//	//
135 - " " "	//	//	//
136 - " " "	//	//	//
137 - " " "	//	//	//
138 - " " "	//	//	//
139 - " " "	//	//	//
140 - " " "	//	//	//
141 - " " "	//	//	//
142 - " " "	//	//	//
143 - " " "	//	//	//
144 - " " "	//	//	//
145 - " " "	//	//	//
146 - " " "	//	//	//
147 - " " "	//	//	//
148 - " " "	//	//	//
149 - " " "	//	//	//
150 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
151 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
152 - " " "	//	//	//
153 - " " "	//	//	//
154 - " " "	//	//	//
155 - " " "	//	//	//
156 - " " "	//	//	//
157 - " " "	//	//	//
158 - " " "	//	//	//
159 - " " "	//	//	//
160 - " " "	//	//	//
161 - " " "	//	//	//
162 - " " "	//	//	//
163 - " " "	//	//	//
164 - " " "	//	//	//
165 - " " "	//	//	//
166 - " " "	//	//	//
167 - " " "	//	//	//
168 - " " "	//	//	//
169 - " " "	//	//	//
170 - " " "	//	//	//
171 - " " "	//	//	//
172 - " " "	5/14	no obj	MAY 14 2008
173 - " " "	//	//	//
174 - " " "	//	//	//
175 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
176 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
177 - " " "	11	11	11
178 - " " "	11	11	11
179 - " " "	5/19	no obj	MAY 19 2008
180 - " " "	5/14	obj	MAY 14 2008
181 - " " "	11	11	11
182 - " " "	11	11	11
183 - " " "	11	11	11
184 - " " "	11	11	11
185 - " " "	11	11	11
186 - " " "	11	11	11
187 - " " "	11	11	11
188 - " " "	11	11	11
189 - " " "	11	11	11
190 - " " "	11	11	11
191 - " " "	11	11	11
192 - " " "	11	11	11
193 - " " "	11	11	11
194 - " " "	11	11	11
195 - " " "	11	11	11
196 - " " "	11	11	11
197 - " " "	11	11	11
198 - " " "	11	11	11
199 - " " "	11	11	11
200 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
201 - LARGE COLOR PHOTOGRAPH	5/14	obj	MAY 14 2008
202 - " " "	//	//	//
203 - " " "	//	//	//
204 - " " "	//	//	//
205 - " " "	//	//	//
206 - " " "	//	//	//
207 - " " "	//	//	//
208 - " " "	//	//	//
209 - " " "	//	//	//
210 - " " "	//	//	//
211 - " " "	5/19	obj	MAY 19 2008
212 - " " "	5/14	obj	MAY 14 2008
213 - " " "	5/19	obj	MAY 19 2008
214 - 4 Small Color Photographs	5/14	obj	MAY 14 2008
215 - LARGE COLOR PHOTOGRAPH	//	//	//
216 - " " "	//	//	//
217 - " " "	//	//	//
218 - " " "	//	//	//
219 - " " "	5/19	obj	MAY 19 2008
220 - " " "	5/14	obj	MAY 14 2008
221 - " " "	//	//	//
222 - " " "	5/19	obj	MAY 19 2008
223 - " " "	5/14	obj	MAY 14 2008
224 - " " "	//	//	//
225 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
226 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
227 - " " "	11	11	11
228 - " " "	11	11	11
229 - " " "	11	11	11
230 - " " "	5/19	no obj	MAY 19 2008
231 - " " "	5/14	no obj	MAY 14 2008
232 - " " "	11	11	11
233 - " " "	11	11	11
234 - " " "	5/19	no obj	MAY 19 2008
235 - " " "	5/14	no obj	MAY 14 2008
236 - " " "	5/13	no obj	MAY 13 2008
237 - " " "	11	11	11
238 - " " "	11	11	11
239 - " " "	11	11	11
240 - " " "	11	11	11
241 - " " "	11	11	11
242 - " " "	11	11	11
243 - " " "	11	11	11
244 - " " "	5/14	no obj	MAY 14 2008
245 - " " "	5/13	no obj	MAY 13 2008
246 - " " "	11	11	11
247 - " " "	11	11	11
248 - " " "	11	11	11
249 - " " "	11	11	11
250 - " " "	5/19	no obj	MAY 19 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
251 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
252 - " " "	5/19	no obj	MAY 19 2008
253 - " " "	5/13	no obj	MAY 13 2008
254 - " " "	5/19	no obj	MAY 19 2008
255 - " " "	5/14	no obj	MAY 14 2008
256 - " " "	5/19	no obj	MAY 19 2008
257 - " " "	5/13	no obj	MAY 13 2008
258 - " " "	5/19	no obj	MAY 19 2008
259 - " " "	5/13	no obj	MAY 13 2008
260 - " " "	5/19	no obj	MAY 19 2008
261 - " " "	5/13	no obj	MAY 13 2008
262 - " " "	5/19	no obj	MAY 19 2008
263 - " " "	5/13	no obj	MAY 13 2008
264 - " " "	5/19	no obj	MAY 19 2008
265 - " " "	5/13	no obj	MAY 13 2008
266 - " " "	11	11	11
267 - " " "	5/19	no obj	MAY 19 2008
268 - " " "	5/13	no obj	MAY 13 2008
269 - " " "	5/19	no obj	MAY 19 2008
270 - " " "	5/13	no obj	MAY 13 2008
271 - " " "	5/19	no obj	MAY 19 2008
272 - " " "	5/13	no obj	MAY 13 2008
273 - " " "	5/19	no obj	MAY 19 2008
274 - " " "	5/13	no obj	MAY 13 2008
275 - " " "	5/19	no obj	MAY 19 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
276 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
277 - " " "	5/19	no obj	MAY 19 2008
278 - " " "	5/13	no obj	MAY 13 2008
279 - " " "	5/19	no obj	MAY 19 2008
280 - " " "	5/13	no obj	MAY 13 2008
281 - " " "	5/19	no obj	MAY 19 2008
282 - " " "	5/13	no obj	MAY 13 2008
283 - " " "	5/19	no obj	MAY 19 2008
284 - " " "	5/13	no obj	MAY 13 2008
285 - " " "	5/19	no obj	MAY 19 2008
286 - " " "	5/13	no obj	MAY 13 2008
287 - " " "	11	11	11
288 - " " "	5/19	no obj	MAY 19 2008
289 - " " "	5/13	no obj	MAY 13 2008
290 - " " "	5/19	no obj	MAY 19 2008
291 - " " "	5/13	no obj	MAY 13 2008
292 - " " "	5/19	no obj	MAY 19 2008
293 - " " "	5/13	no obj	MAY 13 2008
294 - " " "	5/19	no obj	MAY 19 2008
295 - " " "	5/13	no obj	MAY 13 2008
296 - " " "	5/19	no obj	MAY 19 2008
297 - " " "	5/13	no obj	MAY 13 2008
298 - " " "	11	11	11
299 - " " "	11	11	11
300 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
301 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
302 - " " "	//	//	//
303 - " " "	//	//	//
304 - " " "	//	//	//
305 - " " "	//	//	//
306 - " " "	//	//	//
307 - " " "	//	//	//
308 - " " "	//	//	//
309 - " " "	//	//	//
310 - " " "	//	//	//
311 - " " "	//	//	//
312 - " " "	//	//	//
312A-312D			
313 - " " "	//	//	//
314 - " " "	//	//	//
315 - " " "	5/14	no obj	MAY 14 2008
316 - " " "	//	//	//
317 - " " "	//	//	//
318 - " " "	//	//	//
319 - " " "	//	//	//
320 - " " "	//	//	//
321 - " " "	//	//	//
322 - " " "	//	//	//
323 - " " "	//	//	//
324 - " " "	//	//	//
325 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
326 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
327 - " " "	5/14	no obj	MAY 14 2008
328 - " " "	//	//	//
329 - " " "	//	//	//
330 - " " "	//	//	//
331 - " " "	//	//	//
332 - " " "	//	//	//
333 - " " "	//	//	//
334 - " " "	//	//	//
335 - " " "	//	//	//
336 - " " "	//	//	//
337 - " " "	//	//	//
338 - " " "	//	//	//
339 - " " "	//	//	//
340 - " " "	//	//	//
341 - " " "	5/20	no obj	MAY 20 2008
342 - " " "	5/14	no obj	MAY 14 2008
343 - " " "	//	//	//
344 - " " "	//	//	//
345 - " " "	//	//	//
346 - " " "	//	//	//
347 - " " "	5/19	no obj	MAY 19 2008
348 - " " "	5/14	no obj	MAY 14 2008
349 - " " "	//	//	//
350 - " " "	5/19	no obj	MAY 19 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
351 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
352 - " " "	5/19	no obj	MAY 19 2008
353 - " " "	5/14	no obj	MAY 14 2008
354 - " " "	//	//	//
355 - " " "	//	//	//
356 - " " "	//	//	//
357 - " " "	5/13	no obj	MAY 13 2008
358 - " " "	//	//	//
359 - " " "	//	//	//
360 - " " "	//	//	//
361 - " " "	//	//	//
362 - " " "	//	//	//
363 - " " "	//	//	//
364 - " " "	//	//	//
365 - " " "	//	//	//
366 - " " "	//	//	//
367 - " " "	//	//	//
368 - " " "	//	//	//
369 - " " "	//	//	//
370 - " " "	//	//	//
371 - " " "	//	//	//
372 - " " "	//	//	//
373 - " " "	//	//	//
374 - " " "	//	//	//
375 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
376 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
377 - " " "	//	//	//
378 - " " "	//	//	//
379 - " " "	//	//	//
380 - " " "	//	//	//
381 - " " "	//	//	//
382 - " " "	//	//	//
383 - " " "	//	//	//
384 - " " "	//	//	//
385 - " " "	//	//	//
386 - " " "	//	//	//
387 - " " "	//	//	//
388 - " " "	//	//	//
389 - " " "	//	//	//
390 - " " "	//	//	//
391 - " " "	//	//	//
392 - " " "	//	//	//
393 - " " "	5/14	no obj	MAY 16 2008
394 - " " "	//	//	//
395 - " " "	//	//	//
396 - " " "	//	//	//
397 - " " "	5/14	no obj	MAY 14 2008
398 - " " "	//	//	//
399 - " " "	//	//	//
400 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
401 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
402 - " " "	11	11	11
403 - " " "	11	11	11
404 - " " "	11	11	11
405 - " " "	11	11	11
406 - " " "	11	11	11
407 - " " "	11	11	11
408 - " " "	11	11	11
409 - " " "	11	11	11
410 - " " "	11	11	11
411 - " " "	11	11	11
412 - " " "	11	11	11
413 - " " "	11	11	11
414 - " " "	11	11	11
415 - " " "	5/19	no obj	MAY 19 2008
416 - " " "	5/14	no obj	MAY 14 2008
417 - " " "	11	11	11
418 - " " "	11	11	11
419 - " " "	5/19	no obj	MAY 19 2008
420 - " " "	5/14	no obj	MAY 14 2008
421 - " " "	11	11	11
422 - " " "	5/19	no obj	MAY 19 2008
423 - " " "	5/14	no obj	MAY 14 2008
424 - " " "	5/19	no obj	MAY 19 2008
425 - " " "	5/14	no obj	MAY 14 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
426 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
427 - " " "	5/19	no obj	MAY 19 2008
428 - " " "	5/14	no obj	MAY 14 2008
429 - " " "	11	11	11
430 - " " "	5/19	no obj	MAY 19 2008
431 - " " "	5/14	no obj	MAY 14 2008
432 - " " "	11	11	11
433 - " " "	5/19	no obj	MAY 19 2008
434 - " " "	5/14	no obj	MAY 14 2008
435 - " " "	11	11	11
436 - " " "	5/19	no obj	MAY 19 2008
437 - " " "	5/14	no obj	MAY 14 2008
438 - " " "	11	11	11
439 - " " "	5/19	no obj	MAY 19 2008
440 - " " "	5/14	no obj	MAY 14 2008
441 - " " "	11	11	11
442 - " " "	5/19	no obj	MAY 19 2008
443 - " " "	5/14	no obj	MAY 14 2008
444 - " " "	11	11	11
445 - " " "	5/19	no obj	MAY 19 2008
446 - " " "	5/14	no obj	MAY 14 2008
447 - " " "	5/19	no obj	MAY 19 2008
448 - " " "	5/14	no obj	MAY 14 2008
449 - " " "	11	11	11
450 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
451 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
452 - " " "	5/19	no obj	MAY 19 2008
453 - " " "	5/14	no obj	MAY 14 2008
454 - " " "	"	"	"
455 - " " "	5/19	no obj	MAY 19 2008
456 - " " "	5/14	no obj	MAY 14 2008
457 - " " "	5/19	no obj	MAY 19 2008
458 - " " "	5/14	no obj	MAY 14 2008
459 - " " "	5/14	no obj	MAY 14 2008
460 - " " "	"	"	"
461 - " " "	"	"	"
462 - " " "	"	"	"
463 - " " "	5/19	no obj	MAY 19 2008
464 - " " "	5/13	no obj	MAY 13 2008
465 - " " "	5/14	no obj	MAY 14 2008
466 - " " "	"	"	"
467 - " " "	5/19	no obj	MAY 19 2008
468 - " " "	"	"	"
469 - " " "	"	"	"
470 - " " "	5/19	no obj	MAY 19 2008
471 - " " "	5/19	no obj	MAY 19 2008
472 - " " "	5/19	no obj	MAY 19 2008
473 - " " "	5/19	no obj	MAY 19 2008
474 - " " "	"	"	"
475 - " " "	"	"	"

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
476 - LARGE COLOR PHOTOGRAPH	5/19	no obj	MAY 19 2008
477 - " " "	5/19	no obj	MAY 19 2008
478 - " " "	11	11	11
479 - " " "	5/19	no obj	MAY 19 2008
480 - " " "	5/19	no obj	MAY 19 2008
481 - " " "	11	11	11
482 - " " "	5/19	no obj	MAY 19 2008
483 - " " "	5/19	no obj	MAY 19 2008
484 - " " "	5/19	no obj	MAY 19 2008
485 - " " "	5/19	no obj	MAY 19 2008
486 - " " "	5/19	no obj	MAY 19 2008
487 - " " "	5/19	no obj	MAY 19 2008
488 - " " "	5/19	no obj	MAY 19 2008
489 - " " "	5/19	no obj	MAY 19 2008
490 - " " "	5/16	no obj	MAY 16 2008
491 - " " "	11	11	11
492 - " " "	11	11	11
493 - " " "	11	11	11
494 - " " "	5/14	no obj	MAY 14 2008
495 - " " "	11	11	11
496 - " " "	11	11	11
497 - " " "	11	11	11
498 - " " "	11	11	11
499 - " " "	11	11	11
500 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
501 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
502 - " " "	//	//	//
503 - " " "	//	//	//
504 - " " "	//	//	//
505 - " " "	//	//	//
506 - " " "	//	//	//
507 - " " "	//	//	//
508 - " " "	//	//	//
509 - " " "	//	//	//
510 - " " "	//	//	//
511 - " " "	//	//	//
512 - " " "	//	//	//
513 - " " "	//	//	//
514 - " " "	//	//	//
515 - " " "	//	//	//
516 - " " "	//	//	//
517 - " " "	//	//	//
518 - " " "	//	//	//
519 - " " "	//	//	//
520 - " " "	//	//	//
521 - " " "	//	//	//
522 - " " "	//	//	//
523 - " " "	//	//	//
524 - " " "	//	//	//
525 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
526 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
527 - " " "	//	//	//
528 - " " "	//	//	//
529 - " " "	//	//	//
530 - " " "	//	//	//
531 - " " "	//	//	//
532 - " " "	//	//	//
533 - " " "	//	//	//
534 - " " "	//	//	//
535 - " " "	//	//	//
536 - " " "	//	//	//
537 - " " "	//	//	//
538 - " " "	//	//	//
539 - " " "	//	//	//
540 - " " "	//	//	//
541 - " " "	//	//	//
542 - " " "	//	//	//
543 - " " "	//	//	//
544 - " " "	//	//	//
545 - " " "	//	//	//
546 - " " "	//	//	//
547 - " " "	//	//	//
548 - " " "	//	//	//
549 - " " "	//	//	//
550 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
551 - LARGE COLOR PHOTOGRAPH	5/13	no obj	MAY 13 2008
552 - " " "	//	//	//
553 - " " "	//	//	//
554 - " " "	//	//	//
555 - " " "	//	//	//
556 - " " "	//	//	//
557 - " " "	//	//	//
558 - " " "	//	//	//
559 - " " "	//	//	//
560 - " " "	//	//	//
561 - " " "	5/19	no obj	MAY 19 2008
562 - " " "	//	//	//
563 - " " "	//	//	//
564 - " " "	//	//	//
565 - " " "	//	//	//
566 - " " "	//	//	//
567 - " " "	//	//	//
568 - " " "	//	//	//
569 - " " "	//	//	//
570 - " " "	//	//	//
571 - " " "	//	//	//
572 - " " "	//	//	//
573 - " " "	//	//	//
574 - " " "	//	//	//
575 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
576 - Event History Report (Anhe Crystal Palace)	5/13	no obj	MAY 13 2008
577 - " " " (Just for Kids Dentistry)	//	//	//
578 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
579 - " " "	//	//	MAY 14 2008
580 - " " "	//	//	//
581 - " " "	//	//	//
582 - " " "	//	//	//
583 - " " "	//	//	//
584 - " " "	//	//	//
585 - " " "	//	//	//
586 - " " "	//	//	//
587 - " " "	//	//	//
588 - " " "	//	//	//
589 - " " "	//	//	//
590 - " " "	//	//	//
591 - " " "	//	//	//
592 - " " "	//	//	//
593 - " " "	//	//	//
594 - " " "	//	//	//
595 - " " "	//	//	//
596 - " " "	//	//	//
597 - " " "	//	//	//
598 - " " "	//	//	//
599 - " " "	//	//	//
600 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
601 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
602 - " " "	11	11	11
603 - " " "	11	11	11
604 - " " "	11	11	11
605 - " " "	11	11	11
606 - " " "	11	11	11
607 - " " "	11	11	11
608 - " " "	11	11	11
609 - " " "	11	11	11
610 - " " "	5/16	OBJ: 2	MAY 16 2008
611 - " " "	5/16	NO OBJ: 0	MAY 16 2008
612 - " " "	5/16	NO OBJ: 3	MAY 16 2008
613 - " " "	11	11	11
614 - " " "	5/16	NO OBJ: 3	MAY 16 2008
615 - " " "	11	11	11
616 - " " "	5/14	no obj	MAY 14 2008
617 - " " "	11	11	11
618 - " " "	11	11	11
619 - " " "	11	11	11
620 - " " "	11	11	11
621 - " " "	11	11	11
622 - " " "	11	11	11
623 - " " "	11	11	11
624 - " " "	11	11	11
625 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
626 - LARGE COLOR PHOTOGRAPH	5/14	no	MAY 14 2008
627 - " " "	"	"	"
628 - " " "	"	"	"
629 - " " "	"	"	"
630 - " " "	"	"	"
631 - " " "	"	"	"
632 - " " "	"	"	"
633 - " " "	"	"	"
634 - " " "	"	"	"
635 - " " "	"	"	"
636 - " " "	"	"	"
637 - " " "	"	"	"
638 - " " "	"	"	"
639 - " " "	"	"	"
640 - " " "	5/16	OBJ'D	MAY 16 2008
641 - " " "	5/14	no	MAY 14 2008
642 - " " "	"	"	"
643 - " " "	"	"	"
644 - " " "	"	"	"
645 - " " "	"	"	"
646 - " " "	"	"	"
647 - " " "	"	"	"
648 - " " "	"	"	"
649 - " " "	"	"	"
650 - " " "	"	"	"

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
651 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 14 2008
652 - " " "	5/16	OBJ	MAY 16 2008
653 - " " "	"	"	"
654 - " " "	5/14	no obj	MAY 14 2008
655 - " " "	"	"	"
656 - " " "	"	"	"
657 - " " "	"	"	"
658 - " " "	5/16	OBJ	MAY 16 2008
659 - " " "			
660 - " " "			
661 - " " "			
662 - " " "			
663 - " " "			
664 - " " "			
665 - " " "	5/14	no obj	MAY 14 2008
666 - " " "	"	"	"
667 - " " "	"	"	"
668 - " " "	"	"	"
669 - " " "	"	"	"
670 - " " "	"	"	"
671 - " " "	"	"	"
672 - " " "	"	"	"
673 - " " "	"	"	"
674 - " " "	"	"	"
675 - " " "	"	"	"

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
676 - LARGE COLOR PHOTOGRAPH	5/14	obj	MAY 14 2008
677 - " " "	11	11	11
678 - " " "	11	11	11
679 - " " "	11	11	11
680 - " " "	11	11	11
681 - " " "	11	11	11
682 - " " "	11	11	11
683 - " " "	11	11	11
684 - " " "	5/16	obj'd	MAY 16 2008
685 - " " "	11	11	11
686 - " " "	11	11	11
687 - " " "	11	11	11
688 - " " "	5/14	obj	MAY 14 2008
689 - " " "	5/16	obj'd	MAY 16 2008
690 - " " "	11	11	11
691 - " " "	11	11	11
692 - " " "	11	11	11
693 - " " "	11	11	11
694 - " " "	11	11	11
695 - " " "	11	11	11
696 - " " "	11	11	11
697 - " " "	11	11	11
698 - " " "	5/16	obj	MAY 16 2008
699 - " " "	11	11	11
700 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
701 - LARGE COLOR PHOTOGRAPH	5/16	no obj.	MAY 16 2008
702 - " " "	"	"	"
703 - " " "	"	"	"
704 - " " "	"	"	"
705 - " " "	5/16	no OBJ	MAY 16 2008
706 - " " "	5/19	obj	MAY 19 2008
707 - " " "	5/16	no OBJ	MAY 16 2008
708 - " " "	5/16	no OBJ	MAY 16 2008
709 - " " "	"	"	"
710 - " " "	"	"	"
711 - " " "	5/14	no obj	MAY 14 2008
712 - " " "	"	"	"
713 - " " "	"	"	"
714 - " " "	"	"	"
715 - " " "	"	"	"
716 - " " "	"	"	"
717 - " " "	"	"	"
718 - " " "	"	"	"
719 - " " "	"	"	"
720 - " " "	"	"	"
721 - " " "	"	"	"
722 - " " "	"	"	"
723 - " " "	"	"	"
724 - " " "	"	"	"
725 - " " "	"	"	"



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
726 - LARGE COLOR PHOTOGRAPH	5/14	obj	MAY 14 2008
727 - " " "	11	11	11
728 - " " "	11	11	11
729 - " " "	11	11	11
730 - " " "	11	11	11
731 - " " "	11	11	11
732 - " " "	11	11	11
733 - " " "	11	11	11
734 - " " "	11	11	11
735 - " " "	11	11	11
736 - " " "	11	11	11
737 - " " "	11	11	11
738 - " " "	5/19	obj	MAY 19 2008
739 - " " "	5/16	OBJ	MAY 16 2008
740 - " " "	5/19	obj	MAY 19 2008
741 - " " "	5/16	OBJ	MAY 16 2008
742 - " " "	5/16	OBJ	MAY 16 2008
743 - " " "	11	11	11
744 - " " "	5/16	No OBJ	MAY 16 2008
745 - " " "	11	11	11
746 - " " "	11	11	11
747 - " " "	11	11	11
748 - " " "	11	11	11
749 - " " "	11	11	11
750 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
751 - LARGE COLOR PHOTOGRAPH	5/16	no OBJ	MAY 16 2008
752 - " " "	"	"	"
753 - " " "	"	"	"
754 - " " "	"	"	"
755 - " " "	"	"	"
756 - " " "	"	"	"
757 - " " "	"	"	"
758 - " " "	"	"	"
759 - " " "	"	"	"
760 - " " "	"	"	"
761 - " " "	"	"	"
762 - " " "	5/16	no OBJ	MAY 16 2008
763 - " " "	5/16	OBJ'D	MAY 16 2008
764 - " " "	"	"	"
765 - " " "	"	"	"
766 - " " "	5/16	no OBJ	MAY 16 2008
767 - " " "	"	"	"
768 - " " "	"	"	"
769 - " " "	5/16	no OBJ	MAY 16 2008
770 - " " "	5/16	no OBJ	MAY 16 2008
771 - " " "	5/16	no OBJ	MAY 16 2008
772 - " " "	5/16	no OBJ	MAY 16 2008
773 - " " "	"	"	"
774 - " " "	"	"	"
775 - " " "	"	"	"

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
776 - LARGE COLOR PHOTOGRAPH	5/19	obj	MAY 19 2008
777 - " " "	11	11	11
778 - " " "	5/16	OBJ 3	MAY 16 2008
779 - " " "	11	11	11
780 - " " "	11	11	11
781 - " " "	11	11	11
782 - " " "	5/16	no OBJ 3	MAY 16 2008
783 - " " "	5/16	OBJ 3'D	MAY 16 2008
784 - " " "	5/16	OBJ 3	MAY 16 2008
785 - " " "	11	11	11
786 - " " "	11	11	11
787 - " " "	5/16	no OBJ 3	MAY 16 2008
788 - " " "	5/16	no OBJ 3	MAY 16 2008
789 - " " "	11	11	11
790 - " " "	5/16	OBJ 3'D	MAY 16 2008
791 - " " "	11	11	11
792 - " " "	11	11	11
793 - " " "	11	11	11
794 - " " "	11	11	11
795 - " " "	5/16	no OBJ 3	MAY 16 2008
796 - " " "	5/16	OBJ 3'D	MAY 16 2008
797 - " " "	11	11	11
798 - " " "	11	11	11
799 - " " "	5/16	no OBJ 3	MAY 16 2008
800 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
801 - LARGE COLOR PHOTOGRAPH	5/16	no obj	MAY 16 2008
802 - " " "	5/16	obj	MAY 16 2008
803 - " " "	5/16	no obj	MAY 16 2008
804 - " " "	5/16	no obj	MAY 16 2008
805 - " " "	"	"	"
806 - " " "	"	"	"
807 - " " "	"	"	"
808 - " " "	"	"	"
809 - " " "	"	"	"
810 - " " "	"	"	"
811 - " " "	"	"	"
812 - " " "	"	"	"
813 - " " "	"	"	"
814 - " " "	"	"	"
815 - " " "	"	"	"
816 - " " "	5/16	No	MAY 16 2008
817 - " " "	"	"	"
818 - " " "	"	"	"
819 - " " "	"	"	"
820 - " " "	"	"	"
821 - " " "	5/16	no obj	MAY 16 2008
822 - " " "	5/16	No obj	MAY 16 2008
823 - " " "	"	"	"
824 - " " "	"	"	"
825 - " " "	"	"	"

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
826 - LARGE COLOR PHOTOGRAPH	5/16	No obj	MAY 16 2008
827 - " " "	"	"	"
828 - " " "	5/20	no obj	MAY 20 2008
829 - " " "	"	"	"
830 - " " "	"	"	"
831 - " " "	"	"	"
832 - " " "	"	"	"
833 - " " "	"	"	"
834 - " " "	"	"	"
835 - " " "	"	"	"
836 - " " "	"	"	"
837 - " " "	"	"	"
838 - " " "	"	"	"
839 - " " "	"	"	"
840 - " " "	"	"	"
841 - " " "	"	"	"
842 - " " "	"	"	"
843 - " " "	"	"	"
844 - " " "	"	"	"
845 - " " "	"	"	"
846 - " " "	"	"	"
847 - " " "	"	"	"
848 - " " "	"	"	"
849 - " " "	"	"	"
850 - " " "	"	"	"

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
851 - LARGE COLOR PHOTOGRAPH	5/20	no obj	MAY 20 2008
852 - " " "	11	11	11
853 - " " "	11	11	11
854 - " " "	11	11	11
855 - " " "	11	11	11
856 - " " "	11	11	11
857 - " " "	11	11	11
858 - " " "	11	11	11
859 - " " "	11	11	11
860 - " " "	11	11	11
861 - " " "	11	11	11
862 - " " "	11	11	11
863 - " " "	11	11	11
864 - " " "	11	11	11
865 - " " "	11	11	11
866 - " " "	11	11	11
867 - " " "	11	11	11
868 - " " "	11	11	11
869 - " " "	11	11	11
870 - " " "	11	11	11
871 - " " "	11	11	11
872 - Self Storage Rental Agreement (Duplicate)			
873 - Copy of NV Driver's License of Tonya Weather			
874 - Self Storage Rental Agreement	5/14	no obj	MAY 14 2008
875 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 16 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
876 - LARGE COLOR PHOTOGRAPH	5/16	obj	MAY 16 2008
877 - " " "	//	//	//
878 - " " "	//	//	//
879 - " " "	//	//	//
880 - " " "	//	//	//
881 - " " "	//	//	//
882 - " " "	//	//	//
883 - " " "	//	//	//
884 - " " "	//	//	//
885 - " " "	//	//	//
886 - " " "	//	//	//
887 - " " "	//	//	//
888 - " " "	//	//	//
889 - " " "	//	//	//
890 - " " "	//	//	//
891 - " " "	//	//	//
892 - " " "	//	//	//
893 - " " "	//	//	//
894 - " " "	//	//	//
895 - " " "	//	//	//
896 - " " "	//	//	//
897 - " " "	//	//	//
898 - " " "	//	//	//
899 - " " "	//	//	//
900 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
901 - LARGE COLOR PHOTOGRAPH	5/16	no	MAY 16 2008
902 - " " "	//	//	//
903 - " " "	//	//	//
904 - " " "	//	//	//
905 - " " "	//	//	//
906 - " " "	//	//	//
907 - " " "	//	//	//
908 - " " "	//	//	//
909 - " " "	//	//	//
910 - " " "	//	//	//
911 - " " "	//	//	//
912 - " " "	//	//	//
913 - " " "	//	//	//
914 - " " "	//	//	//
915 - " " "	//	//	//
916 - " " "	//	//	//
917 - " " "	//	//	//
918 - " " "	//	//	//
919 - " " "	//	//	//
920 - " " "	//	//	//
921 - " " "	//	//	//
922 - " " "	//	//	//
923 - " " "	//	//	//
924 - " " "	//	//	//
925 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
926 - LARGE COLOR PHOTOGRAPH	5/16	obj	MAY 16 2008
927 - " " "	//	//	//
928 - " " "	//	//	//
929 - " " "	//	//	//
930 - " " "	//	//	//
931 - " " "	//	//	//
932 - " " "	//	//	//
933 - " " "	//	//	//
934 - " " "	//	//	//
935 - " " "	//	//	//
936 - " " "	//	//	//
937 - " " "	//	//	//
938 - " " "	//	//	//
939 - " " "	//	//	//
940 - " " "	//	//	//
941 - " " "	//	//	//
942 - " " "	//	//	//
943 - " " "	//	//	//
944 - " " "	//	//	//
945 - " " "	//	//	//
946 - " " "	//	//	//
947 - " " "	//	//	//
948 - " " "	//	//	//
949 - " " "	//	//	//
950 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
951 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 16 2008
952 - " " "	//	//	//
953 - " " "	//	//	//
954 - " " "	//	//	//
955 - " " "	//	//	//
956 - " " "	//	//	//
957 - " " "	//	//	//
958 - " " "	//	//	//
959 - " " "	//	//	//
960 - " " "	//	//	//
961 - " " "	//	//	//
962 - " " "	//	//	//
963 - " " "	//	//	//
964 - " " "	//	//	//
965 - " " "	//	//	//
966 - " " "	//	//	//
967 - " " "	//	//	//
968 - " " "	//	//	//
969 - " " "	//	//	//
970 - " " "	//	//	//
971 - " " "	//	//	//
972 - " " "	//	//	//
973 - " " "	//	//	//
974 - <i>Smithland Jones Rental Agreement</i>	5/14	no obj	MAY 14 2008
975 - <i>LARGE COLOR PHOTOGRAPH</i>	5/14	no obj	MAY 16 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
976 - LARGE COLOR PHOTOGRAPH	5/14	no obj	MAY 16 2008
977 - " " "	11	11	11
978 - " " "	5/19	no obj	MAY 19 2008
979 - " " "	5/14	no obj	MAY 16 2008
980 - " " "	5/19	no obj	MAY 19 2008
981 - " " "	11	11	11
982 - " " "	11	11	11
983 - " " "	11	11	11
984 - " " "	5/14	no obj	MAY 16 2008
985 - " " "			
986 - " " "			
987 - " " "			
988 - " " "			
989 - " " "	5/14	no obj	MAY 16 2008
990 - " " "	11	11	11
991 - " " "	5/13	no obj	MAY 13 2008
992 - " " "	5/16	no obj	MAY 16 2008
993 - " " "	5/13	no obj	MAY 13 2008
994 - " " "	5/14	no obj	MAY 19 2008
995 - " " "	5/20	no obj	MAY 20 2008
996 - " " "	11	11	11
997 - " " "	11	11	11
998 - " " "	5/14	no obj	MAY 16 2008
999 - " " "	11	11	11
1000 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1001 - LARGE COLOR PHOTOGRAPH	5/16	obj	MAY 16 2008
1002 - " " "	11	11	11
1003 - " " "	11	11	11
1004 - " " "	11	11	11
1005 - " " "	11	11	11
1006 - " " "	11	11	11
1007 - " " "			
1008 - " " "	5/16	obj	MAY 16 2008
1009 - " " "	11	11	11
1010 - " " "	11	11	11
1011 - " " "	11	11	11
1012 - " " "	5/19	obj	MAY 19 2008
1013 - " " "	11	11	11
1014 - " " "	11	11	11
1015 - " " "	11	11	11
1016 - " " "	11	11	11
1017 - " " "	11	11	11
1018 - " " "	11	11	11
1019 - " " "	11	11	11
1020 - " " "	11	11	11
1021 - " " "	11	11	11
1022 - " " "	11	11	11
1023 - " " "	11	11	11
1024 - " " "	11	11	11
1025 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1026 - LARGE COLOR PHOTOGRAPH	5/19	obj	MAY 19 2008
1027 - " " "	"	"	"
1028 - " " "	"	"	"
1029 - " " "	"	"	"
1030 - " " "	"	"	"
1031 - " " "	5/16	obj	MAY 16 2008
1032 - " " "	5/19	obj	MAY 19 2008
1033 - " " "	"	"	"
1034 - Red Rock Self Storage - Receipt (N. Buffalo)	5/16	obj	MAY 16 2008
1035 - " " " " " (Pirates Cove)	5/16	obj	MAY 16 2008
1036 - LARGE COLOR PHOTOGRAPH	5/16	obj	MAY 16 2008
1037 - " " "	"	"	"
1038 - " " "	"	"	"
1039 - " " "	"	"	"
1040 - " " "	"	"	"
1041 - " " "	"	"	"
1042 - " " "	"	"	"
1043 - " " "	"	"	"
1044 - " " "	"	"	"
1045 - " " "	"	"	"
1046 - " " "	"	"	"
1047 - " " "	"	"	"
1048 - " " "	"	"	"
1049 - " " "	"	"	"
1050 - " " "	"	"	"

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1051 - LARGE COLOR PHOTOGRAPH	5/16	obj	MAY 16 2008
1052 - " " "	//	//	//
1053 - " " "	//	//	//
1054 - " " "	//	//	//
1055 - " " "	//	//	//
1056 - " " "	//	//	//
1057 - " " "	//	//	//
1058 - " " "	//	//	//
1059 - " " "	//	//	//
1060 - " " "	//	//	//
1061 - " " "	//	//	//
1062 - " " "	//	//	//
1063 - " " "	//	//	//
1064 - " " "	//	//	//
1065 - " " "	//	//	//
1066 - " " "	//	//	//
1067 - " " "	//	//	//
1068 - " " "	//	//	//
1069 - " " "	//	//	//
1070 - " " "	//	//	//
1071 - " " "	//	//	//
1072 - " " "	//	//	//
1073 - " " "	//	//	//
1074 - " " "	//	//	//
1075 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1076 - LARGE COLOR PHOTOGRAPH	5/16	no obj	MAY 16 2008
1077 - " " "	//	//	//
1078 - " " "	//	//	//
1079 - " " "	//	//	//
1080 - " " "	//	//	//
1081 - " " "	//	//	//
1082 - " " "	//	//	//
1083 - " " "	//	//	//
1084 - " " "	//	//	//
1085 - " " "	//	//	//
1086 - " " "	//	//	//
1087 - " " "	//	//	//
1088 - " " "	//	//	//
1089 - Storage Unit Rental Agreement	5/14	no obj	MAY 14 2008
1090 - LARGE BW PHOTOS of Rental Paperwork	5/14	no obj	MAY 14 2008
1091 - LARGE COLOR PHOTOGRAPH	5/16	no obj	MAY 16 2008
1092 - " " "	//	//	//
1093 - " " "	//	//	//
1094 - " " "	//	//	//
1095 - " " "	//	//	//
1096 - " " "	//	//	//
1097 - " " "	//	//	//
1098 - " " "	//	//	//
1099 - " " "	//	//	//
1100 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1101 - LARGE COLOR PHOTOGRAPH	5/16	obj	MAY 16 2008
1102 - " " "	//	//	//
1103 - " " "	//	//	//
1104 - " " "	//	//	//
1105 - " " "	//	//	//
1106 - " " "	//	//	//
1107 - " " "	//	//	//
1108 - " " "	//	//	//
1109 - " " "	//	//	//
1110 - " " "	//	//	//
1111 - " " "	//	//	//
1112 - " " "	//	//	//
1113 - " " "	//	//	//
1114 - " " "	//	//	//
1115 - " " "	//	//	//
1116 - " " "	//	//	//
1117 - " " "	//	//	//
1118 - " " "	//	//	//
1119 - " " "	//	//	//
1120 - " " "	//	//	//
1121 - " " "	//	//	//
1122 - " " "	//	//	//
1123 - " " "	//	//	//
1124 - " " "	//	//	//
1125 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1126 - LARGE COLOR PHOTOGRAPH	5/16	no obj	MAY 16 2008
1127 - " " "	11	11	11
1128 - " " "	11	11	11
1129 - <i>Binder</i>	5/16	OBJE	MAY 16 2008
1130 - <i>Large Color Photograph</i>	5/16	OBJ	MAY 16 2008
1131 - " " "	11	11	11
1132 - " " "	11	11	11
1133 - " " "	11	11	11
1134 - " " "	11	11	11
1135 - " " "	11	11	11
1136 - " " "	11	11	11
1137 - " " "	11	11	11
1138 - " " "	11	11	11
1139 - " " "	11	11	11
1140 - " " "	11	11	11
1141 - " " "	11	11	11
1142 - " " "	11	11	11
1143 - " " "	11	11	11
1144 - " " "	11	11	11
1145 - " " "	11	11	11
1146 - " " "	11	11	11
1147 - " " "	11	11	11
1148 - " " "	11	11	11
1149 - " " "	11	11	11
1150 - " " "	5/16	no OBJ	MAY 16 2008

Folder #6

Folder #6

## STATE'S EXHIBITS

## CASE NO.

	Date Offered	Objection	Date Admitted
1151 - LARGE COLOR PHOTOGRAPH	5/19	obj	MAY 19 2008
1152 - Large Color Photograph	11	11	11
1153 - " " "	5/16	NO OBJ	MAY 16 2008
1154 - " " "	11	11	11
1155 - " " "	11	11	11
1156 - " " "			
1157 - " " "			
1158 - " " "			
1159 - " " "			
1160 - " " "			
1161 - " " "			
1162 - " " "			
1163 - " " "			
1164 - " " "			
1165 - " " "			
1166 - " " "			
1167 - " " "			
1168 - " " "			
1169 - " " "			
1170 - " " "			
1171 - " " "			
1172 - " " "			
1173 - " " "			
1174 - " " "			
1175 - " " "			

Folder # 67

**CASE NO.**

U:\Dept 7\trial forms\Exhibit Lists\Pre-numbered Exhibit List.doc5/16/2008

## Court's Exhibits

CASE NO. C228752

[illegible]

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1 - AERIAL COLOR PHOTOGRAPH	5/21	no obj	MAY 21 2008
2 - " " "	5/22	no obj	MAY 22 2008
3 - " " "	5/27	no obj	MAY 27 2008
4 - LARGE COLOR PHOTOGRAPH	5/22	no obj	MAY 22 2008
5 - " " "	11	11	11
6 - " " "	11	11	11
7 - " " "	11	11	11
8 - " " "	11	11	11
9 - " " "	5/23	no obj	MAY 23 2008
10 - " " "	11	11	11
11 - " " "	11	11	11
12 - " " "	11	11	11
13 - " " "	5/22	no obj	MAY 22 2008
14 - " " "	11	11	11
15 - " " "	11	11	11
16 - " " "	11	11	11
17 - " " "	11	11	11
18 - " " "	11	11	11
19 - " " "			
20 - " " "			
21 - " " "			
22 - " " "			
23 - " " "			
24 - " " "			
25 - " " "			

## STATE'S EXHIBITS

CASE NO. *Cd28752*

	Date Offered	Objection	Date Admitted
26 - LARGE COLOR PHOTOGRAPH			
27 - " " "		<i>1</i>	
28 - " " "			
29 - " " "			
30 - " " "			
31 - " " "			
32 - " " "	<i>5/21</i>	<i>no obj</i>	MAY 22 2008
33 - " " "	<i>11</i>	<i>obj</i>	<i>11</i>
34 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
35 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
36 - " " "	<i>11</i>	<i>stop</i>	<i>11</i>
37 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
38 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
39 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
40 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
41 - " " "	<i>5/21</i>	<i>no obj</i>	MAY 21 2008
42 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
43 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
44 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
45 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
46 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
47 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
48 - " " "	<i>5/21</i>	<i>obj</i>	MAY 21 2008
49 - " " "	<i>11</i>	<i>11</i>	<i>11</i>
50 - " " "	<i>11</i>	<i>11</i>	<i>11</i>

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
51 - LARGE COLOR PHOTOGRAPH	5/21	obj	MAY 21 2008
52 - " " "	11	11	11
53 - " " "	5/21	no obj	MAY 21 2008
54 - " " "	11	11	11
55 - " " "	11	11	11
56 - " " "	11	11	11
57 - " " "	11	11	11
58 - " " "	5/23	no obj	MAY 23 2008
59 - " " "	11	11	11
60 - " " "	11	11	11
61 - " " "	11	11	11
62 - " " "	5/21	no obj	MAY 21 2008
63 - " " "	11	11	11
64 - " " "	11	11	11
65 - " " "	11	11	11
66 - " " "	11	11	11
67 - " " "	11	11	11
68 - " " "	5/21	no obj	MAY 21 2008
69 - " " "	11	11	11
70 - " " "	11	11	11
71 - " " "	11	11	11
72 - " " "	11	11	11
73 - " " "	11	11	11
74 - " " "	11	11	11
75 - " " "	5/28	no obj	MAY 28 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
76 - LARGE COLOR PHOTOGRAPH	5/21	obj	MAY 21 2008
77 - " " "	5/28	obj	MAY 28 2008
78 - " " "	5/21	obj	MAY 21 2008
79 - " " "	5/22	obj	MAY 22 2008
80 - " " "	//	//	//
81 - " " "	//	//	//
82 - " " "	//	//	//
83 - " " "	//	//	//
84 - " " "	//	//	//
85 - " " "	//	//	//
86 - " " "	//	//	//
87 - " " "	//	//	//
88 - " " "	//	//	//
89 - " " "	//	//	//
90 - " " "	//	//	//
91 - " " "	5/23	obj	MAY 23 2008
92 - " " "	//	//	//
93 - " " "	//	//	//
94 - " " "	//	//	//
95 - " " "	//	//	//
96 - " " "	//	//	//
97 - " " "	//	//	//
98 - " " "	//	//	//
99 - " " "	//	//	//
100 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
101 - LARGE COLOR PHOTOGRAPH	5/23	<i>no</i>	MAY 23 2008
102 - " " "	//	//	//
103 - " " "	//	//	//
104 - " " "	//	//	//
105 - " " "	//	//	//
106 - " " "	//	//	//
107 - " " "	//	//	//
108 - " " "	//	//	//
109 - " " "	5/23	<i>no</i>	MAY 23 2008
110 - " " "	//	//	//
111 - " " "	//	//	//
112 - " " "	//	//	//
113 - " " "	//	//	//
114 - " " "	//	//	//
115 - " " "	//	//	//
116 - " " "	//	//	//
117 - " " "	//	//	//
118 - " " "	//	//	//
119 - " " "	//	//	//
120 - " " "	//	//	//
121 - " " "	//	//	//
122 - " " "	//	//	//
123 - " " "	//	//	//
124 - " " "	//	//	//
125 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
126 - LARGE COLOR PHOTOGRAPH	5/23	no	MAY 23 2008
127 - " " "	5/22	off	MAY 22 2008
128 - " " "	//	//	//
129 - " " "	//	//	//
130 - " " "	//	//	//
131 - " " "	//	//	//
132 - " " "	//	//	//
133 - " " "	//	//	//
134 - " " "	//	//	//
135 - " " "	//	//	//
136 - " " "	//	//	//
137 - " " "	//	//	//
138 - " " "	//	//	//
139 - " " "	//	//	//
140 - " " "	//	//	//
141 - " " "	//	//	//
142 - " " "	//	//	//
143 - " " "	//	//	//
144 - " " "	//	//	//
145 - " " "	//	//	//
146 - " " "	//	//	//
147 - " " "	//	//	//
148 - " " "	//	//	//
149 - " " "	//	//	//
150 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
151 - LARGE COLOR PHOTOGRAPH	5/22	obj	MAY 22 2008
152 - " " "	11	11	11
153 - " " "	11	11	11
154 - " " "	11	11	11
155 - " " "	11	11	11
156 - " " "	11	11	11
157 - " " "	11	11	11
158 - " " "	11	11	11
159 - " " "	11	11	11
160 - " " "	11	11	11
161 - " " "	11	11	11
162 - " " "	11	11	11
163 - " " "	11	11	11
164 - " " "	11	11	11
165 - " " "	11	11	11
166 - " " "	5/27	no obj	MAY 27 2008
167 - " " "	11	11	11
168 - " " "	11	11	11
169 - " " "	5/22	no obj	MAY 22 2008
170 - " " "	11	11	11
171 - " " "	11	11	11
172 - " " "	5/23	no obj	MAY 23 2008
173 - " " "	11	11	11
174 - " " "	11	11	11
175 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
176 - LARGE COLOR PHOTOGRAPH	5/23	no	MAY 23 2008
177 - " " "	11	11	11
178 - " " "	5/27	no	MAY 27 2008
179 - " " "	11	11	11
180 - " " "	11	11	11
181 - " " "	11	11	11
182 - " " "	11	11	11
183 - " " "	11	11	11
184 - " " "	11	11	✓
185 - " " "	11	11	11
186 - " " "	11	11	11
187 - " " "	11	11	11
188 - " " "	11	11	11
189 - " " "	11	11	11
190 - " " "	11	11	11
191 - " " "	11	11	11
192 - " " "	11	11	11
193 - " " "	11	11	11
194 - " " "	11	11	11
195 - " " "	11	11	11
196 - " " "	11	11	11
197 - " " "	11	11	11
198 - " " "	11	11	11
199 - " " "	11	11	11
200 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
201 - LARGE COLOR PHOTOGRAPH	5/27	no obj	MAY 27 2008
202- " " "	11	11	11
203 - " " "	11	11	11
204 - " " "	11	11	11
205 - " " "	11	11	11
206 - " " "	11	11	11
207 - " " "	11	11	11
208 - " " "	11	11	11
209 - " " "	11	11	11
210 - " " "	5/22	no obj	MAY 22 2008
211 - " " "	5/23	no obj	MAY 23 2008
212 - " " "	5/22	obj	MAY 22 2008
213 - " " "	5/23	no obj	MAY 23 2008
214 - 4 SMALL COLOR PHOTOGRAPHS	5/22	obj	MAY 22 2008
215 - LARGE COLOR PHOTOGRAPH	5/22	no obj	MAY 22 2008
216 - " " "	11	11	11
217 - " " "	11	11	11
218 - " " "	11	11	11
219 - " " "	11	11	11
220 - " " "	11	11	11
221 - " " "	11	11	11
222 - " " "	11	11	11
223 - " " "	11	11	11
224 - " " "	11	11	11
225 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
226 - LARGE COLOR PHOTOGRAPH	5/22	<i>no</i>	MAY 22 2008
227 - " " "	//	//	//
228 - " " "	//	//	//
229 - " " "	//	//	//
230 - " " "	//	//	//
231 - " " "	//	//	//
232 - " " "	//	//	//
233 - " " "	//	//	//
234 - " " "	//	//	//
235 - " " "	//	//	//
236 - " " "	5/22	<i>no</i>	MAY 22 2008
237 - " " "	//	//	//
238 - " " "	//	//	//
239 - " " "	//	//	//
240 - " " "	//	//	//
241 - " " "	//	//	//
242 - " " "	//	//	//
243 - " " "	//	//	//
244 - " " "	//	//	//
245 - " " "	//	//	//
246 - " " "	//	//	//
247 - " " "	//	//	//
248 - " " "	//	//	//
249 - " " "	//	//	//
250 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
251 - LARGE COLOR PHOTOGRAPH	5/22	<i>no obj</i>	MAY 22 2008
252 - " " "	11	11	11
253 - " " "	11	11	11
254 - " " "	11	11	11
255 - " " "	11	11	11
256 - " " "	11	11	11
257 - " " "	11	11	11
258 - " " "	11	11	11
259 - " " "	11	11	11
260 - " " "	11	11	11
261 - " " "	11	11	11
262 - " " "	11	11	11
263 - " " "	11	11	11
264 - " " "	11	11	11
265 - " " "	11	11	11
266 - " " "	11	11	11
267 - " " "	11	11	11
268 - " " "	11	11	11
269 - " " "	11	11	11
270 - " " "	11	11	11
271 - " " "	11	11	11
272 - " " "	11	11	11
273 - " " "	11	11	11
274 - " " "	11	11	11
275 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
276 - LARGE COLOR PHOTOGRAPH	5/22	no obj	MAY 22 2008
277 - " " "	11	11	11
278 - " " "	11	11	11
279 - " " "	11	11	11
280 - " " "	11	11	11
281 - " " "	11	11	11
282 - " " "	11	11	11
283 - " " "	11	11	11
284 - " " "	11	11	11
285 - " " "	11	11	11
286 - " " "	11	11	11
287 - " " "	11	11	11
288 - " " "	11	11	11
289 - " " "	11	11	11
290 - " " "	11	11	11
291 - " " "	11	11	11
292 - " " "	11	11	11
293 - " " "	11	11	11
294 - " " "	11	11	11
295 - " " "	11	11	11
296 - " " "	11	11	11
297 - " " "	11	11	11
298 - " " "	5/23	no obj	MAY 23 2008
299 - " " "	11	11	11
300 - " " "	11	11	11



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
301 - LARGE COLOR PHOTOGRAPH	5/23	no obj	MAY 23 2008
302 - " " "	11	11	11
303 - " " "	11	11	11
304 - " " "	11	11	11
305 - " " "	11	11	11
306 - " " "	11	11	11
307 - " " "	11	11	11
308 - " " "	11	11	11
309 - " " "	11	11	11
310 - " " "	11	11	11
311 - " " "	11	11	11
312 - " " "	11	11	11
312A - 312D			
313 - " " "	5/22	no obj	MAY 22 2008
314 - " " "	11	11	11
315 - " " "	5/21	no obj	MAY 21 2008
316 - " " "	5/27	no obj	MAY 27 2008
317 - " " "	11	11	11
318 - " " "	11	11	11
319 - " " "	11	11	11
320 - " " "	5/23	no obj	MAY 23 2008
321 - " " "	11	11	11
322 - " " "	11	11	11
323 - " " "	11	11	11
324 - " " "	11	11	11
325 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
326 - LARGE COLOR PHOTOGRAPH	5/23	no obj	MAY 23 2008
327 - " " "	5/22	obj	MAY 22 2008
328 - " " "	11	11	11
329 - " " "	5/22	no obj	MAY 22 2008
330 - " " "	11	11	11
331 - " " "	11	11	11
332 - " " "	11	11	11
333 - " " "	11	11	11
334 - " " "	5/27	no obj	MAY 27 2008
335 - " " "	11	11	11
336 - " " "	11	11	11
337 - " " "	11	11	11
338 - " " "	11	11	11
339 - " " "	11	11	11
340 - " " "	5/21	no obj	MAY 21 2008
341 - " " "	11	11	11
342 - " " "	11	11	11
343 - " " "	11	11	11
344 - " " "	11	11	11
345 - " " "	11	11	11
346 - " " "	11	11	11
347 - " " "	5/28	no obj	MAY 28 2008
348 - " " "	5/21	no obj	MAY 21 2008
349 - " " "	11	11	11
350 - " " "	5/28	no obj	MAY 28 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
351 - LARGE COLOR PHOTOGRAPH	5/21	no obj	MAY 21 2008
352 - " " "	5/28	no obj	MAY 28 2008
353 - " " "	5/21	no obj	MAY 21 2008
354 - " " "	11	11	11
355 - " " "	11	11	11
356 - " " "	11	11	11
357 - " " "	5/23	no obj	MAY 23 2008
358 - " " "	11	11	11
359 - " " "	5/22	obj	MAY 22 2008
360 - " " "	11	11	11
361 - " " "	5/23	no obj	MAY 23 2008
362 - " " "	11	11	11
363 - " " "	11	11	11
364 - " " "	11	11	11
365 - " " "	11	11	11
366 - " " "	11	11	11
367 - " " "	11	11	11
368 - " " "	11	11	11
369 - " " "	11	11	11
370 - " " "	11	11	11
371 - " " "	11	11	11
372 - " " "	11	11	11
373 - " " "	11	11	11
374 - " " "	11	11	11
375 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
376 - LARGE COLOR PHOTOGRAPH	5/23	no	MAY 23 2008
377 - " " "	//	//	//
378 - " " "	//	//	//
379 - " " "	//	//	//
380 - " " "	//	//	//
381 - " " "	//	//	//
382 - " " "	//	//	//
383 - " " "	//	//	//
384 - " " "	//	//	//
385 - " " "	//	//	//
386 - " " "	//	//	//
387 - " " "	//	//	//
388 - " " "	//	//	//
389 - " " "	//	//	//
390 - " " "	//	//	//
391 - " " "	//	//	//
392 - " " "	//	//	//
393 - " " "	5/21	no	MAY 21 2008
394 - " " "	//	//	//
395 - " " "	//	//	//
396 - " " "	//	//	//
397 - " " "	5/21	no	MAY 21 2008
398 - " " "	//	//	//
399 - " " "	//	//	//
400 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
401 - LARGE COLOR PHOTOGRAPH	5/21	<sup>no</sup> obj	MAY 21 2008
402 - " " "	"	"	"
403 - " " "	"	"	"
404 - " " "	"	"	"
405 - " " "	"	"	"
406 - " " "	"	"	"
407 - " " "	"	"	"
408 - " " "	"	"	"
409 - " " "	"	"	"
410 - " " "	"	"	"
411 - " " "	"	"	"
412 - " " "	"	"	"
413 - " " "	"	"	"
414 - " " "	"	"	"
415 - " " "	5/28	<sup>no</sup> obj	MAY 28 2008
416 - " " "	5/21	<sup>no</sup> obj	MAY 21 2008
417 - " " "	"	"	"
418 - " " "	"	"	"
419 - " " "	5/28	<sup>no</sup> obj	MAY 28 2008
420 - " " "	5/21	<sup>no</sup> obj	MAY 21 2008
421 - " " "	"	"	"
422 - " " "	5/28	<sup>no</sup> obj	MAY 28 2008
423 - " " "	5/21	<sup>no</sup> obj	MAY 21 2008
424 - " " "	5/28	<sup>no</sup> obj	MAY 28 2008
425 - " " "	5/21	<sup>no</sup> obj	MAY 21 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
426 - LARGE COLOR PHOTOGRAPH	5/21	no obj	MAY 21 2008
427 - " " "	5/28	no obj	MAY 28 2008
428 - " " "	5/21	no obj	MAY 21 2008
429 - " " "	"	"	"
430 - " " "	5/28	no obj	MAY 28 2008
431 - " " "	5/21	no obj	MAY 21 2008
432 - " " "	"	"	"
433 - " " "	5/28	no obj	MAY 28 2008
434 - " " "	5/21	no obj	MAY 21 2008
435 - " " "	"	"	"
436 - " " "	5/28	no obj	MAY 28 2008
437 - " " "	5/21	no obj	MAY 21 2008
438 - " " "	"	"	"
439 - " " "	5/28	no obj	MAY 28 2008
440 - " " "	5/21	no obj	MAY 21 2008
441 - " " "	"	"	"
442 - " " "	5/28	no obj	MAY 28 2008
443 - " " "	5/21	no obj	MAY 21 2008
444 - " " "	"	"	"
445 - " " "	5/28	no obj	MAY 28 2008
446 - " " "	5/21	no obj	MAY 21 2008
447 - " " "	5/28	no obj	MAY 28 2008
448 - " " "	5/21	no obj	MAY 21 2008
449 - " " "	"	"	"
450 - " " "	"	"	"

## STATE'S EXHIBITS

CASE NO. 0228752

	Date Offered	Objection	Date Admitted
451 - LARGE COLOR PHOTOGRAPH	5/21	no obj	MAY 21 2008
452 - " " "	5/28	no obj	MAY 28 2008
453 - " " "	5/21	no obj	MAY 21 2008
454 - " " "	11	11	11
455 - " " "	5/28	no obj	MAY 28 2008
456 - " " "	5/21	no obj	MAY 21 2008
457 - " " "	5/28	no obj	MAY 28 2008
458 - " " "	5/21	no obj	MAY 21 2008
459 - " " "	11	11	11
460 - " " "	11	11	11
461 - " " "	11	11	11
462 - " " "	11	11	11
463 - " " "	11	11	11
464 - " " "	11	11	11
465 - " " "	11	11	11
466 - " " "	11	11	11
467 - " " "	11	11	11
468 - " " "	11	11	11
469 - " " "	11	11	11
470 - " " "	5/28	no obj	MAY 28 2008
471 - " " "	5/21	no obj	MAY 21 2008
472 - " " "	5/28	no obj	MAY 28 2008
473 - " " "	5/21	no obj	MAY 21 2008
474 - " " "	11	11	11
475 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
476 - LARGE COLOR PHOTOGRAPH	5/28	no obj	MAY 28 2008
477 - " " "	5/21	no obj	MAY 21 2008
478 - " " "	"	"	"
479 - " " "	5/28	no obj	MAY 28 2008
480 - " " "	5/21	no obj	MAY 21 2008
481 - " " "	"	"	"
482 - " " "	5/28	no obj	MAY 28 2008
483 - " " "	5/21	no obj	MAY 21 2008
484 - " " "	5/28	no obj	MAY 28 2008
485 - " " "	5/21	no obj	MAY 21 2008
486 - " " "	5/28	no obj	MAY 28 2008
487 - " " "	5/21	no obj	MAY 21 2008
488 - " " "	5/28	no obj	MAY 28 2008
489 - " " "	5/21	no obj	MAY 21 2008
490 - " " "	5/23	no obj	MAY 23 2008
491 - " " "	"	"	"
492 - " " "	"	"	"
493 - " " "	"	"	"
494 - " " "	5/22	obj	MAY 22 2008
495 - " " "	"	"	"
496 - " " "	"	"	"
497 - " " "	5/21	no obj	MAY 21 2008
498 - " " "	"	"	"
499 - " " "	"	"	"
500 - " " "	"	"	"



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
501 - LARGE COLOR PHOTOGRAPH	5/23	obj	MAY 23 2008
502 - " " "	//	//	//
503 - " " "	//	//	//
504 - " " "	//	//	//
505 - " " "	//	//	//
506 - " " "	//	//	//
507 - " " "	//	//	//
508 - " " "	//	//	//
509 - " " "	//	//	//
510 - " " "	//	//	//
511 - " " "	//	//	//
512 - " " "	//	//	//
513 - " " "	//	//	//
514 - " " "	//	//	//
515 - " " "	//	//	//
516 - " " "	//	//	//
517 - " " "	//	//	//
518 - " " "	//	//	//
519 - " " "	//	//	//
520 - " " "	//	//	//
521 - " " "	//	//	//
522 - " " "	//	//	//
523 - " " "	//	//	//
524 - " " "	//	//	//
525 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
526 - LARGE COLOR PHOTOGRAPH	5/23	no	MAY 23 2008
527 - " " "	11	11	11
528 - " " "	11	11	11
529 - " " "	11	11	11
530 - " " "	11	11	11
531 - " " "	11	11	11
532 - " " "	11	11	11
533 - " " "	11	11	11
534 - " " "	11	11	11
535 - " " "	11	11	11
536 - " " "	11	11	11
537 - " " "	11	11	11
538 - " " "	11	11	11
539 - " " "	11	11	11
540 - " " "	11	11	11
541 - " " "	11	11	11
542 - " " "	11	11	11
543 - " " "	11	11	11
544 - " " "	11	11	11
545 - " " "	11	11	11
546 - " " "	11	11	11
547 - " " "	11	11	11
548 - " " "	5/23	no	MAY 23 2008
549 - " " "	11	11	11
550 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
551 - LARGE COLOR PHOTOGRAPH	5/23	no obj	MAY 23 2008
552 - " " "	//	//	//
553 - " " "	//	//	//
554 - " " "	//	//	//
555 - " " "	//	//	//
556 - " " "	//	//	//
557 - " " "	//	//	//
558 - " " "	//	//	//
559 - " " "	//	//	//
560 - " " "	//	//	//
561 - " " "	5/27	no obj	MAY 27 2008
562 - " " "	5/27	obj	MAY 27 2008
563 - " " "	//	//	//
564 - " " "	//	//	//
565 - " " "	//	//	//
566 - " " "	//	//	//
567 - " " "	//	//	//
568 - " " "	//	//	//
569 - " " "	//	//	//
570 - " " "	//	//	//
571 - " " "	//	//	//
572 - " " "	//	//	//
573 - " " "	//	//	//
574 - " " "	//	//	//
575 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
576 - EVENT HISTORY REPORT	5/21	<i>no</i>	MAY 21 2008
577 - " " "	11	11	11
578 - LARGE COLOR PHOTOGRAPH	5/21	<i>no</i>	MAY 21 2008
579 - " " "	5/21	<i>no</i>	MAY 21 2008
580 - " " "	11	11	11
581 - " " "	11	11	11
582 - " " "	11	11	11
583 - " " "	11	11	11
584 - " " "	11	11	11
585 - " " "	11	11	11
586 - " " "	11	11	11
587 - " " "	11	11	11
588 - " " "	11	11	11
589 - " " "	11	11	11
590 - " " "	11	11	11
591 - " " "	11	11	11
592 - " " "	11	11	11
593 - " " "	11	11	11
594 - " " "	11	11	11
595 - " " "	11	11	11
596 - " " "	11	11	11
597 - " " "	11	11	11
598 - " " "	11	11	11
599 - " " "	11	11	11
600 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
601 - LARGE COLOR PHOTOGRAPH	5/21	<i>obj</i>	MAY 21 2008
602 - " " "	//	//	//
603 - " " "	//	//	//
604 - " " "	//	//	//
605 - " " "	//	//	//
606 - " " "	//	//	//
607 - " " "	//	//	//
608 - " " "	//	//	//
609 - " " "	//	//	//
610 - " " "	5/22	<i>obj</i>	MAY 22 2008
611 - " " "	//	//	//
612 - " " "	//	//	//
613 - " " "	//	//	//
614 - " " "	//	//	//
615 - " " "	//	//	//
616 - " " "	5/22	<i>obj</i>	MAY 22 2008
617 - " " "	//	//	//
618 - " " "	//	//	//
619 - " " "	//	//	//
620 - " " "	//	//	//
621 - " " "	//	//	//
622 - " " "	//	//	//
623 - " " "	//	//	//
624 - " " "	//	//	//
625 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
626 - LARGE COLOR PHOTOGRAPH	5/22	my obj	MAY 22 2008
627 - " " "	11	11	11
628 - " " "	11	11	11
629 - " " "	11	11	11
630 - " " "	11	11	11
631 - " " "	11	11	11
632 - " " "	11	11	11
633 - " " "	11	11	11
634 - " " "	11	11	11
635 - " " "	11	11	11
636 - " " "	11	11	11
637 - " " "	11	11	11
638 - " " "	11	11	11
639 - " " "	11	11	11
640 - " " "	5/22	no obj	MAY 22 2008
641 - " " "	11	11	11
642 - " " "	11	11	11
643 - " " "	11	11	11
644 - " " "	5/22	11	11
645 - " " "	11	11	11
646 - " " "	11	11	11
647 - " " "	11	11	11
648 - " " "	11	11	11
649 - " " "	11	11	11
650 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
651 - LARGE COLOR PHOTOGRAPH	5/22	obj	MAY 22 2008
652 - " " "	//	//	//
653 - " " "	//	//	//
654 - " " "	//	//	//
655 - " " "	//	//	//
656 - " " "	//	//	//
657 - " " "	//	//	//
658 - " " "	//	//	//
659 - " " "	//	//	//
660 - " " "	//	//	//
661 - " " "	//	//	//
662 - " " "	//	//	//
663 - " " "	//	//	//
664 - " " "	//	//	//
665 - " " "	5/22	obj	MAY 22 2008
666 - " " "	//	//	//
667 - " " "	//	//	//
668 - " " "	//	//	//
669 - " " "	//	//	//
670 - " " "	//	//	//
671 - " " "	//	//	//
672 - " " "	//	//	//
673 - " " "	//	//	//
674 - " " "	//	//	//
675 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
676 - LARGE COLOR PHOTOGRAPH	5/22	off	MAY 22 2008
677 - " " "	//	//	//
678 - " " "	//	//	//
679 - " " "	//	//	//
680 - " " "	//	//	//
681 - " " "	//	//	//
682 - " " "	//	//	//
683 - " " "	//	//	//
684 - " " "	//	//	//
685 - " " "	//	//	//
686 - " " "	//	//	//
687 - " " "	//	//	//
688 - " " "	//	//	//
689 - " " "	//	//	//
690 - " " "	//	//	//
691 - " " "	//	//	//
692 - " " "	//	//	//
693 - " " "	//	//	//
694 - " " "	//	//	//
695 - " " "	//	//	//
696 - " " "	//	//	//
697 - " " "	//	//	//
698 - " " "	5/22	no off	MAY 22 2008
699 - " " "	//	//	//
700 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
701 - LARGE COLOR PHOTOGRAPH	5/22	no obj	MAY 22 2008
702 - " " "	//	//	//
703 - " " "	//	//	//
704 - " " "	//	//	//
705 - " " "	//	//	//
706 - " " "	//	//	//
707 - " " "	//	//	//
708 - " " "	//	//	//
709 - " " "	//	//	//
710 - " " "	//	//	//
711 - " " "	//	//	//
712 - " " "	//	//	//
713 - " " "	//	//	//
714 - " " "	//	//	//
715 - " " "	//	//	//
716 - " " "	//	//	//
717 - " " "	//	//	//
718 - " " "	//	//	//
719 - " " "	//	//	//
720 - " " "	//	//	//
721 - " " "	//	//	//
722 - " " "	//	//	//
723 - " " "	//	//	//
724 - " " "	//	//	//
725 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
726 - LARGE COLOR PHOTOGRAPH	5/22	obj	MAY 22 2008
727 - " " "	//	//	//
728 - " " "	//	//	//
729 - " " "	//	//	//
730 - " " "	//	//	//
731 - " " "	//	//	//
732 - " " "	//	//	//
733 - " " "	//	//	//
734 - " " "	//	//	//
735 - " " "	//	//	//
736 - " " "	//	//	//
737 - " " "	//	//	//
738 - " " "	//	//	//
739 - " " "	//	//	//
740 - " " "	//	//	//
741 - " " "	//	//	//
742 - " " "	//	//	//
743 - " " "	//	//	//
744 - " " "	5/22	obj	MAY 22 2008
745 - " " "	//	//	//
746 - " " "	//	//	//
747 - " " "	//	//	//
748 - " " "	//	//	//
749 - " " "	//	//	//
750 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
751 - LARGE COLOR PHOTOGRAPH	5/22	no	MAY 22 2008
752 - " " "	11	11	11
753 - " " "	11	11	11
754 - " " "	11	11	11
755 - " " "	11	11	11
756 - " " "	11	11	11
757 - " " "	11	11	11
758 - " " "	11	11	11
759 - " " "	11	11	11
760 - " " "	11	11	11
761 - " " "	11	11	11
762 - " " "	11	11	11
763 - " " "	11	11	11
764 - " " "	11	11	11
765 - " " "	11	11	11
766 - " " "	5/22	no	MAY 22 2008
767 - " " "	11	11	11
768 - " " "	11	11	11
769 - " " "	11	11	11
770 - " " "	5/22	no	MAY 22 2008
771 - " " "	11	11	11
772 - " " "	11	11	11
773 - " " "	11	11	11
774 - " " "	11	11	11
775 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
776 - LARGE COLOR PHOTOGRAPH	5/22	no	MAY 22 2008
777 - " " "	11	11	11
778 - " " "	11	11	11
779 - " " "	11	11	11
780 - " " "	11	11	11
781 - " " "	11	11	11
782 - " " "	5/22	no	MAY 22 2008
783 - " " "	11	11	11
784 - " " "	11	11	11
785 - " " "	11	11	11
786 - " " "	11	11	11
787 - " " "	11	11	11
788 - " " "	5/22	no	MAY 22 2008
789 - " " "	11	11	11
790 - " " "	11	11	11
791 - " " "	11	11	11
792 - " " "	11	11	11
793 - " " "	11	11	11
794 - " " "	11	11	11
795 - " " "	5/22	no	MAY 22 2008
796 - " " "	11	11	11
797 - " " "	11	11	11
798 - " " "	11	11	11
799 - " " "	5/22	no	MAY 22 2008
800 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
801 - LARGE COLOR PHOTOGRAPH	5/22	no obj	MAY 22 2008
802 - " " "	11	11	11
803 - " " "	5/22	no obj	MAY 22 2008
804 - " " "	11	11	11
805 - " " "	11	11	11
806 - " " "	11	11	11
807 - " " "	11	11	11
808 - " " "	11	11	11
809 - " " "	11	11	11
810 - " " "	11	11	11
811 - " " "	11	11	11
812 - " " "	11	11	11
813 - " " "	11	11	11
814 - " " "	11	11	11
815 - " " "	11	11	11
816 - " " "	5/22	no obj	MAY 22 2008
817 - " " "	11	11	11
818 - " " "	11	11	11
819 - " " "	11	11	11
820 - " " "	11	11	11
821 - " " "	5/22	obj	MAY 22 2008
822 - " " "	11	11	11
823 - " " "	11	11	11
824 - " " "	11	11	11
825 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
826 - LARGE COLOR PHOTOGRAPH	5/22	no	MAY 22 2008
827 - " " "	11	11	11
828 - " " "	5/23	no	MAY 23 2008
829 - " " "	11	11	11
830 - " " "	11	11	11
831 - " " "	11	11	11
832 - " " "	11	11	11
833 - " " "	11	11	11
834 - " " "	11	11	11
835 - " " "	11	11	11
836 - " " "	11	11	11
837 - " " "	11	11	11
838 - " " "	11	11	11
839 - " " "	11	11	11
840 - " " "	11	11	11
841 - " " "	11	11	11
842 - " " "	11	11	11
843 - " " "	11	11	11
844 - " " "	11	11	11
845 - " " "	11	11	11
846 - " " "	11	11	11
847 - " " "	11	11	11
848 - " " "	11	11	11
849 - " " "	11	11	11
850 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
851 - LARGE COLOR PHOTOGRAPH	5/23	no obj	MAY 23 2008
852 - " " "	//	//	//
853 - " " "	//	//	//
854 - " " "	//	//	//
855 - " " "	//	//	//
856 - " " "	//	//	//
857 - " " "	//	//	//
858 - " " "	//	//	//
859 - " " "	//	//	//
860 - " " "	//	//	//
861 - " " "	//	//	//
862 - " " "	//	//	//
863 - " " "	//	//	//
864 - " " "	//	//	//
865 - " " "	//	//	//
866 - " " "	//	//	//
867 - " " "	//	//	//
868 - " " "	//	//	//
869 - " " "	//	//	//
870 - " " "	//	//	//
871 - " " "	//	//	//
872 - SELF STORAGE RENTAL AGREEMENT			
873 - COPY OF NV DRIVER'S LICENSE			
874 - SELF STORAGE RENTAL AGREEMENT	5/22	no obj	MAY 22 2008
875 - LARGE COLOR PHOTOGRAPH	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
876 - LARGE COLOR PHOTOGRAPH	5/27	<i>obj</i>	MAY 27 2008
877 - " " "	//	//	//
878 - " " "	//	//	//
879 - " " "	//	//	//
880 - " " "	//	//	//
881 - " " "	//	//	//
882 - " " "	//	//	//
883 - " " "	//	//	//
884 - " " "	//	//	//
885 - " " "	//	//	//
886 - " " "	//	//	//
887 - " " "	//	//	//
888 - " " "	//	//	//
889 - " " "	//	//	//
890 - " " "	//	//	//
891 - " " "	//	//	//
892 - " " "	//	//	//
893 - " " "	//	//	//
894 - " " "	//	//	//
895 - " " "	//	//	//
896 - " " "	//	//	//
897 - " " "	//	//	//
898 - " " "	//	//	//
899 - " " "	//	//	//
900 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
901 - LARGE COLOR PHOTOGRAPH	5/27	obj	MAY 27 2008
902 - " " "	//	//	//
903 - " " "	//	//	//
904 - " " "	//	//	//
905 - " " "	//	//	//
906 - " " "	//	//	//
907 - " " "	//	//	//
908 - " " "	//	//	//
909 - " " "	//	//	//
910 - " " "	//	//	//
911 - " " "	//	//	//
912 - " " "	//	//	//
913 - " " "	//	//	//
914 - " " "	//	//	//
915 - " " "	//	//	//
916 - " " "	//	//	//
917 - " " "	//	//	//
918 - " " "	//	//	//
919 - " " "	//	//	//
920 - " " "	//	//	//
921 - " " "	//	//	//
922 - " " "	//	//	//
923 - " " "	//	//	//
924 - " " "	//	//	//
925 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
926 - LARGE COLOR PHOTOGRAPH	5/27	obj	MAY 27 2008
927 - " " "	ff	ff	ff
928 - " " "	ff	ff	ff
929 - " " "	ff	ff	ff
930 - " " "	ff	ff	ff
931 - " " "	ff	ff	ff
932 - " " "	ff	ff	ff
933 - " " "	ff	ff	ff
934 - " " "	ff	ff	ff
935 - " " "	ff	ff	ff
936 - " " "	ff	ff	ff
937 - " " "	ff	ff	ff
938 - " " "	ff	ff	ff
939 - " " "	ff	ff	ff
940 - " " "	ff	ff	ff
941 - " " "	ff	ff	ff
942 - " " "	ff	ff	ff
943 - " " "	ff	ff	ff
944 - " " "	ff	ff	ff
945 - " " "	ff	ff	ff
946 - " " "	ff	ff	ff
947 - " " "	ff	ff	ff
948 - " " "	ff	ff	ff
949 - " " "	ff	ff	ff
950 - " " "	ff	ff	ff

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
951 - LARGE COLOR PHOTOGRAPH	5/27	no obj	MAY 27 2008
952 - " " "	//	//	//
953 - " " "	//	//	//
954 - " " "	//	//	//
955 - " " "	//	//	//
956 - " " "	//	//	//
957 - " " "	//	//	//
958 - " " "	//	//	//
959 - " " "	//	//	//
960 - " " "	//	//	//
961 - " " "	//	//	//
962 - " " "	//	//	//
963 - " " "	//	//	//
964 - " " "	//	//	//
965 - " " "	//	//	//
966 - " " "	//	//	//
967 - " " "	//	//	//
968 - " " "	//	//	//
969 - " " "	//	//	//
970 - " " "	//	//	//
971 - " " "	//	//	//
972 - " " "	//	//	//
973 - " " "	//	//	//
974 - SMOKE RANCH JONES RENTAL AGREEMENT	5/21	no obj	MAY 21 2008
975 - LARGE COLOR PHOTOGRAPH	5/27	no obj	MAY 27 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
976 - LARGE COLOR PHOTOGRAPH	5/27	no obj	MAY 27 2008
977 - " " "	11	11	11
978 - " " "	11	11	11
979 - " " "	11	4	11
980 - " " "	11	11	11
981 - " " "	11	11	11
982 - " " "	11	11	11
983 - " " "	11	11	11
984 - " " "	11	11	11
985 - " " "	11	11	11
986 - " " "	11	11	11
987 - " " "	11	11	11
988 - " " "	11	11	11
989 - " " "	11	11	11
990 - " " "	11	11	11
991 - " " "	5/22	no obj	MAY 22 2008
992 - " " "	11	11	11
993 - " " "	5/27	no obj	MAY 27 2008
994 - " " "	5/23	no obj	MAY 23 2008
995 - " " "	11	11	11
996 - " " "	11	11	11
997 - " " "	11	11	11
998 - " " "	5/27	no obj	MAY 27 2008
999 - " " "	11	11	11
1000 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1001 - LARGE COLOR PHOTOGRAPH	5/27	obj	MAY 27 2008
1002 - " " "	//	//	//
1003 - " " "	//	//	//
1004 - " " "	//	//	//
1005 - " " "	//	//	//
1006 - " " "	//	//	//
1007 - " " "	//	//	//
1008 - " " "	//	//	//
1009 - " " "	//	//	//
1010 - " " "	//	//	//
1011 - " " "	//	//	//
1012 - " " "	//	//	//
1013 - " " "	//	//	//
1014 - " " "	//	//	//
1015 - " " "	//	//	//
1016 - " " "	//	//	//
1017 - " " "	//	//	//
1018 - " " "	//	//	//
1019 - " " "	//	//	//
1020 - " " "	//	//	//
1021 - " " "	//	//	//
1022 - " " "	//	//	//
1023 - " " "	//	//	//
1024 - " " "	//	//	//
1025 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1026 - LARGE COLOR PHOTOGRAPH	5/21	no obj	MAY 27 2008
1027 - " " "	11	11	11
1028 - " " "	11	11	11
1029 - " " "	11	11	11
1030 - " " "	11	11	11
1031 - " " "	11	11	11
1032 - " " "	11	11	11
1033 - " " "	11	11	11
1034 - RED ROCK SELF STORAGE RECEIPT	5/22	no obj	MAY 22 2008
1035 - " " "	11	11	11
1036 - LARGE COLOR PHOTOGRAPH	11	11	11
1037 - " " "	11	11	11
1038 - " " "	11	11	11
1039 - " " "	11	11	11
1040 - " " "	11	11	11
1041 - " " "	11	11	11
1042 - " " "	11	11	11
1043 - " " "	11	11	11
1044 - " " "	11	11	11
1045 - " " "	11	11	11
1046 - " " "	11	11	11
1047 - " " "	11	11	11
1048 - " " "	11	11	11
1049 - " " "	11	11	11
1050 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1051 - LARGE COLOR PHOTOGRAPH	5/22	<del>no</del> obj	MAY 22 2008
1052 - " " "	//	//	//
1053 - " " "	//	//	//
1054 - " " "	//	//	//
1055 - " " "	//	//	//
1056 - " " "	//	//	//
1057 - " " "	//	//	//
1058 - " " "	//	//	//
1059 - " " "	//	//	//
1060 - " " "	//	//	//
1061 - " " "	//	//	//
1062 - " " "	//	//	//
1063 - " " "	//	//	//
1064 - " " "	//	//	//
1065 - " " "	//	//	//
1066 - " " "	//	//	H
1067 - " " "	//	//	//
1068 - " " "	//	//	//
1069 - " " "	//	//	//
1070 - " " "	//	//	//
1071 - " " "	//	//	//
1072 - " " "	//	//	//
1073 - " " "	//	//	//
1074 - " " "	//	//	//
1075 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1076 - LARGE COLOR PHOTOGRAPH	5/22	<i>no obj</i>	MAY 22 2008
1077 - " " "	//	//	//
1078 - " " "	//	//	//
1079 - " " "	//	//	//
1080 - " " "	//	//	//
1081 - " " "	//	//	//
1082 - " " "	//	//	//
1083 - " " "	//	//	//
1084 - " " "	//	//	//
1085 - " " "	//	//	//
1086 - " " "	//	//	//
1087 - " " "	//	//	//
1088 - " " "	//	//	//
1089 - STORAGE WEST RENTAL AGREEMENT	5/22	<i>no obj</i>	MAY 22 2008
1090 - LARGE B&W PHOTOS-RENTAL PAPERWORK	//	//	//
1091 - LARGE COLOR PHOTOGRAPH	5/22	<i>no obj</i>	MAY 22 2008
1092 - " " "	//	//	//
1093 - " " "	//	//	//
1094 - " " "	//	//	//
1095 - " " "	//	//	//
1096 - " " "	//	//	//
1097 - " " "	//	//	//
1098 - " " "	//	//	//
1099 - " " "	//	//	//
1100 - " " "	//	//	//



## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1101 - LARGE COLOR PHOTOGRAPH	5/22	<i>no</i>	MAY 22 2008
1102 - " " "	//	//	//
1103 - " " "	//	//	//
1104 - " " "	//	//	//
1105 - " " "	//	//	//
1106 - " " "	//	//	//
1107 - " " "	//	//	//
1108 - " " "	//	//	//
1109 - " " "	//	//	//
1110 - " " "	//	//	//
1111 - " " "	//	//	//
1112 - " " "	//	//	//
1113 - " " "	//	//	//
1114 - " " "	//	//	//
1115 - " " "	//	//	//
1116 - " " "	//	//	//
1117 - " " "	//	//	//
1118 - " " "	//	//	//
1119 - " " "	//	//	//
1120 - " " "	//	//	//
1121 - " " "	//	//	//
1122 - " " "	//	//	//
1123 - " " "	//	//	//
1124 - " " "	//	//	//
1125 - " " "	//	//	//

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1126 - LARGE COLOR PHOTOGRAPH	5/22	no obj	MAY 22 2008
1127 - " " "	//	//	//
1128 - " " "	//	//	//
1129 - <u>Binder</u>			
1130 - <u>Large Color Photograph</u>	5/22	no obj	MAY 22 2008
1131 - " " "	//	//	//
1132 - " " "	//	//	//
1133 - " " "	//	//	//
1134 - " " "	//	//	//
1135 - " " "	//	//	//
1136 - " " "	//	//	//
1137 - " " "	//	//	//
1138 - " " "	//	//	//
1139 - " " "	//	//	//
1140 - " " "	//	//	//
1141 - " " "	//	//	//
1142 - " " "	//	//	//
1143 - " " "	//	//	//
1144 - " " "	//	//	//
1145 - " " "	//	//	//
1146 - " " "	//	//	//
1147 - " " "	//	//	//
1148 - " " "	//	//	//
1149 - " " "	//	//	//
1150 - " " "	5/27	no obj	MAY 27 2008

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1151 - LARGE COLOR PHOTOGRAPH	5/21	no	MAY 27 2008
1152 - " " "	11	11	11
1153 - " " "	11	11	11
1154 - " " "	11	11	11
1155 - " " "	11	11	11
1156 - " " "	5/22	no	MAY 22 2008
1157 - " " "	11	11	11
1158 - " " "	11	11	11
1159 - " " "	11	11	11
1160 - " " "	11	11	11
1161 - " " "	11	11	11
1162 - " " "	11	11	11
1163 - " " "	11	11	11
1164 - " " "	11	11	11
1165 - " " "	11	11	11
1166 - " " "	11	11	11
1167 - " " "	11	11	11
1168 - " " "	11	11	11
1169 - " " "	11	11	11
1170 - " " "	11	11	11
1171 - " " "	11	11	11
1172 - " " "	11	11	11
1173 - " " "	11	11	11
1174 - " " "	11	11	11
1175 - " " "	11	11	11

## STATE'S EXHIBITS

CASE NO. C228752

	Date Offered	Objection	Date Admitted
1176 - LARGE COLOR PHOTOGRAPH	5/22	no obj	MAY 22 2008
1177 - " " "	//	//	//
1178 - " " "	//	//	//
1179 - " " "	//	//	//
1180 - " " "	//	//	//
1181 - CALL LOG			
1181A - CD (calls 1-12)			
1181B - CD (calls 12a-19)			
1181C - CD (calls 20-25)			
1182 - LARGE COLOR PHOTOGRAPH	5/27	no obj	MAY 27 2008
1183 - " " "	//	//	//
1184 - " " "	//	//	//
1185 - " " "	//	//	//
1186 - " " "	//	//	//
1187 - " " "	//	//	//
1188 - " " "	//	//	//
1189 - CALL LOG			
1189A - CD (calls 1-10)			
1189B - CD (calls 11-19)			
1189C - CD (calls 20-24)			
1189D - CD (calls 25-32)			
1189E - CD (calls 1-2, 4-10)	5/28	no obj	MAY 28 2008
1189F - CALL LOG	//	//	//

DEFT'S EXHIBITS

CASE NO. Cd28752

[illegible]

CASE NO. C 228752

U:\Dept 7\trial forms\Exhibit Lists\Exhibit List.doc8/24/2006

**VAULT EXHIBIT FORM**

CASE NO:	C228752	HEARING DATE::	OCT 01 2008
DEPT. NO.	VII	JUDGE :	STEWART L. BELL
		CLERK :	TINA HURD
THE STATE OF NEVADA		REPORTER	RONALD VINCENT
PLAINTIFF		JURY FEES:	N/A
DAIMON MONROE AKA HOYT;			SANDRA DIGIACOMO
BRYAN FERGASON		COUNSEL FOR PLAINTIFF	
DEFENDANTS			MARTY HART; CYNTHIA DUSTIN
		COUNSEL FOR DEFENDANT	

Date Offered	Objection	Date Admitted
--------------	-----------	---------------

[illegible]



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

**BRYAN FERGASON #96803**  
**P.O. BOX 650**  
**INDIAN SPRINGS, NV 89070**

**DATE: September 25, 2020**  
**CASE: 06C228752-3**

**RE CASE:** STATE OF NEVADA vs. BRYAN FERGASON aka BRYAN M. FERGASON

NOTICE OF APPEAL FILED: September 24, 2020

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

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

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

---

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

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

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



# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S NOTICE OF MOTION AND MOTION TO WITHDRAW COUNSEL, RE-SENTENCE PURSUANT TO AB 236 AND APPOINTMENT OF COUNSEL; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

BRYAN FERGASON  
aka BRYAN M. FERGASON,

Defendant(s).

Case No: 06C228752-3

Dept No: XX

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 25 day of September 2020.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk