

IN THE SUPREME COURT OF THE STATE OF NEVADA

KATHERINE DEE FLETCHER

Appellant,

v.

STATE OF NEVADA

Respondent.

CASE NO. 82047

Appeal from a Judgment of Conviction After Jury Verdict
in Case CR17-0690A
Second Judicial District Court of the State of Nevada, Washoe County
Honorable Egan Walker, District Judge

APPELLANT'S APPENDIX VOLUME 8

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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
7 IN AND FOR THE COUNTY OF WASHOE.

8 * * *

9 THE STATE OF NEVADA,

10 Plaintiff,

Case No. CR17-0690A

11 v.

Dept. No. D07

12 KATHERINE DEE FLETCHER,

13 Defendant.
14
15 _____/

16 VERDICT

17 We, the jury in the above entitled case, find the Defendant
18 KATHERINE DEE FLETCHER, as follows:

19 **MURDER WITH THE USE OF A DEADLY WEAPON**

20 *(please check the appropriate box, select only one)*

- 21 ☒ Guilty of FIRST DEGREE MURDER
22 ☐ Guilty of SECOND DEGREE MURDER
23 ☐ Not Guilty

24 ///

25 ///

26 ///

1 If you find the defendant guilty of either First Degree or
2 Second Degree Murder please proceed to Question 1.

3
4 Question 1. Do you find that a deadly weapon was used in commission
5 of First Degree or Second Degree Murder?

6 **(please check the appropriate box, select only one)**

7 ☒ Yes

8 ☐ No

9
10
11 DATED this 31 day of January, 2020.

12
13 Ashley Warren
14 FOREPERSON

1 4185
2 STEPHANIE KOETTING
3 CCR #207
4 75 COURT STREET
5 RENO, NEVADA
6

7 IN THE SECOND JUDICIAL DISTRICT COURT
8 IN AND FOR THE COUNTY OF WASHOE
9 THE HONORABLE EGAN WALKER, DISTRICT JUDGE

10 --oOo--

11 STATE OF NEVADA,)	
)	
12 Plaintiffs,)	
)	
13 vs.)	Case No. CR17-0690
)	
14 KATHERINE DEE FLETCHER,)	Department 7
)	
15 Defendant.)	
<hr/>)	

16
17
18 TRANSCRIPT OF PROCEEDINGS

19 TRIAL VOLUME V

20 January 31, 2020

21 9:45 a.m.

22 Reno, Nevada
23

24 Reported by: STEPHANIE KOETTING, CCR #207,
Computer-Aided Transcription

1 APPEARANCES:

2 For the State:

3 OFFICE OF THE DISTRICT ATTORNEY
4 By: AMOS STEGE, ESQ.
5 P.O. Box 30083
6 Reno, Nevada

7 For the Defendant:

8 SCOTT EDWARDS, ESQ.
9 Attorney at Law
10 Reno, Nevada
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1 RENO, NEVADA, January 31, 2020, TIME

2
3 --oOo--

4 THE COURT: We're on the record CR17-0690, the
5 State of Nevada versus Katherine Dee Fletcher. Ms. Fletcher
6 is present with her attorney. I show the appearance of
7 Mr. Stege. We're outside the presence of the jury for
8 purposes of settling various matters.

9 First, gentlemen, I have a jury trial exhibit list
10 in front of me. The list is 60 matters in length. There are
11 a number of exhibits that have not been admitted, marked, for
12 example, for refreshing recollection or otherwise.

13 Mr. Stege, are there any exhibits you seek to move into
14 evidence before I instruct the jury?

15 MR. STEGE: No.

16 THE COURT: Mr. Edwards, are there any other
17 exhibits you seek to address or move into evidence before I
18 instruct the jury?

19 MR. EDWARDS: No, thank you.

20 THE COURT: Gentlemen, thank you for meeting with
21 me last afternoon. When we met last afternoon, we settled
22 the packet of instructions 28 pages in length. Mr. Stege, do
23 you object to any of the instructions numbered 1 through 28?

24 MR. STEGE: I do not.

1 THE COURT: Mr. Stege, are there any other
2 instructions that you seek that I give?

3 MR. STEGE: No.

4 THE COURT: Mr. Edwards, do you object on behalf
5 of the defendant to any of the instructions numbered 1
6 through 28?

7 MR. EDWARDS: I do not.

8 THE COURT: Contained therein, Mr. Edwards, at
9 your request is an instruction to the jury as to the right of
10 your client not to testify. It's instruction number 16. It
11 reads: A defendant in a criminal trial has a constitutional
12 right not to be compelled to testify. You must not draw any
13 inference from the fact that a defendant does not testify and
14 you must neither discuss this matter nor permit it to enter
15 into your deliberations in any way. Do you desire
16 specifically that that instruction be given?

17 MR. EDWARDS: I do, your Honor.

18 THE COURT: Are there any other instructions that
19 I haven't considered in this packet that you wish to be
20 given?

21 MR. EDWARDS: No.

22 THE COURT: These will be the instructions I'll
23 give to the jury. Counsel, do you desire that I instruct the
24 jury prior to your argument? Mr. Stege.

1 MR. STEGE: Yes.

2 THE COURT: Any objection to that, Mr. Edwards?

3 MR. EDWARDS: No.

4 MR. STEGE: I had a note from last night to remind
5 your Honor of another matter. If I might consult with
6 Mr. Edwards?

7 THE COURT: Yes.

8 MR. STEGE: Only because the Court asked us to
9 remind you, the question of degrees or lesser included
10 offenses.

11 THE COURT: Yes, thank you very much. I had
12 overlooked that. We agree, correct, Mr. Stege, and,
13 Mr. Edwards, this packet of instructions only offers
14 instructions to the jury as to guilt for first or second
15 degree. There are no other lesser included offenses included
16 in the instruction packet.

17 It is my view after the consideration of the
18 evidence, which has closed, there is no factual basis for any
19 other lesser included instructions, but I wanted to make sure
20 you agree in particular, Mr. Edwards.

21 MR. EDWARDS: That's my assessment of the evidence
22 as well.

23 THE COURT: Thank you for the reminder, Mr. Stege.
24 The one other thing I'll let you folks know is we agreed on a

1 form of verdict last night, which I like. It happened,
2 though, the interrogatory at page two, question number one
3 read, do you find that a deadly weapon used. And I asked
4 that we change that to, was used, and I just missed it last
5 night.

6 Mr. Stege, is there anything else think we need to
7 address before closing arguments?

8 MR. STEGE: No.

9 THE COURT: Mr. Edwards, is there anything else
10 you think we need to address before closing arguments?

11 MR. EDWARDS: No, your Honor.

12 THE COURT: I'll return to the courtroom a couple
13 of minutes before 10:00. We'll then invite the jury in and
14 proceed to instructions and closing arguments. We'll be in
15 recess pending that.

16 (A short break was taken.)

17 (The following proceedings were had in the
18 presence of the jury.)

19 THE COURT: This is case number CR17-0690, the
20 State of Nevada versus Katherine Dee Fletcher. Ms. Fletcher
21 is present together with her attorney. I show the appearance
22 of Mr. Stege. I show the appearance of the jury and the
23 alternates. Good morning, ladies and gentlemen.

24 Ladies and gentlemen, as I indicated to you

1 yesterday, we're going to begin this morning by my
2 instructions to you. I'll then turn to the lawyers for their
3 closing arguments.

4 Again, you have my apologies, I'm going to read a
5 set of instructions to you. I would rather not lecture at
6 you with these instructions, but every word is of such
7 importance and meaning that I must read them to you literally
8 word-for-word and then give you a copy of them for purposes
9 of your deliberation. I invite you, again, to take notes,
10 certainly.

11 I recommend active listening, meaning letting the
12 instructions sort of wash over you as you contemplate the
13 instructions before you then contemplate the evidence.

14 (Instructions read at this time.)

15 THE COURT: Mr. Stege, have I accurately
16 instructed the jury according to our agreed upon
17 instructions?

18 MR. STEGE: Yes.

19 THE COURT: Mr. Edwards, have I accurately
20 instructed the jury according to our agreed upon
21 instructions?

22 MR. EDWARDS: Yes, you have, your Honor.

23 THE COURT: Mr. Stege, would you like to make a
24 closing statement?

1 MR. STEGE: Yes.

2 THE COURT: Please go ahead.

3 MR. STEGE: Three things, in fact, were shown.
4 She did shoot him in the back. She did evidence obscuring
5 the truth and completely leaving the truth out of her
6 interview. And finally the boy, young Max, a witness to
7 this, a witness to the death of his father at the hands of
8 his mother. The evidence is divided loosely into three
9 areas, which we learned.

10 The evidence showed only three people were on that
11 platform, Rob, Max, Kat Fletcher. Not only could it only
12 have been her that's the shooter, but the weight, the weight
13 of the other evidence proves she is the shooter. The scene
14 which details the last steps of a dying man, the day the park
15 turned deadly, all of it at the hand of the defendant.

16 These scenes showing that the shooter,
17 Ms. Fletcher, was close, had to be close, leaving the
18 telltale sign of a single expended nine millimeter shell
19 casing.

20 Last, the evidence shows that that day,
21 Ms. Fletcher among her many missteps was not counting on the
22 presence of Preciado. Because the evidence shows she shot
23 him, she grabs her boy and begins to run, apparently unaware
24 that Mr. Preciado is at his car. And recall the testimony of

1 Dustin Allen, the numerous paths there, right. It may be
2 suggested, well, why would she do this in, it was suggested,
3 broad daylight? Why in broad daylight?

4 Does the evidence suggest she knew Preciado was
5 there? And is this broad daylight? This is a quiet area,
6 very few, if anyone, in the park. And we have a series of
7 photographs from the scene and you can be there virtually
8 looking around. It is dense. It is overhung.

9 The first witness, Preciado, a man torn between
10 his own kids, right. The last thing he ever expects on a day
11 like this, just like Rob, for sure, is a shooting, but torn
12 between -- he has his kids in his car and his kindness to a
13 stranger.

14 Many hiccups follow to this day. We have the
15 second category of evidence or the statements, many
16 statements of the defendant, which I will address shortly.

17 And, finally, we have a whole class of sort of
18 forensic follow-up, searching for evidence type of evidence.
19 Including, and there were a number, there were 28 odd
20 witnesses, but a number of them were talking about looking
21 for evidence, looking at Ms. Fletcher's house, at the scene,
22 scientific search for evidence.

23 But you all over the course of this trial are
24 absorbing the facts, understanding the facts. A good

1 instruction is, the arguments and statements of counsel are
2 not evidence. You all sat there absorbing the evidence. Now
3 I will endeavor to you just heard instructions on the law. I
4 will also not endeavor to lecture at you, but really to
5 reason to apply that, the facts that came out in this trial
6 to the law as it is given.

7 So let us reason together. There are three areas
8 I want talk about in general terms. I'm going to talk about
9 what's murder, I'm going to talk about intent evidence,
10 intent slash motive evidence, and I'll talk about credibility
11 and common sense.

12 So what is murder? Starting out, there will be
13 two options in this case. There are two, first and second
14 degree. I will start off and what I'm about to talk
15 about can be defined as second degree murder, as a conceptual
16 framework or sort of the core of it as I see it is malice.
17 Let's talk about the overall definition before we get there,
18 though.

19 Murder is willfully and unlawfully killing a human
20 being with malice aforethought. Malice. What is malice?
21 There are a few ways to get to malice. There's express
22 malice. This is not expressed, it's not something spoken,
23 but express, sort of obvious malice. That being the
24 deliberate intention to take away the life of a fellow

1 creature, a general sort of definition of malice.

2 Implied malice, this is getting to the core as the
3 State conceptualizes it, that being implied malice. And this
4 is looking at the facts, looking at the facts and the
5 evidence, can you -- is there evidence of an abandoned and
6 malignant heart at the time of the killing?

7 Where do we get malice? This is the core I was
8 talking about. Malice comes from anger, hatred, revenge, ill
9 will, spite, grudge or any unjustifiable or unlawful motive
10 to injure another, including reckless disregard. So acting
11 in a reckless disregard for consequences.

12 Now, malice or intent does not equal motive, but
13 motive can give you -- can give you insight into intent.
14 Like this here, across these instructions is this overlay and
15 a core legal concept, that being there's no timer, there's no
16 minimum time requirement for formation of intent. When we
17 get to first degree murder, we will hear numerous times,
18 intent can be formed in an instant. First degree murder can
19 be formed in an instant.

20 But here we are at the end of a general definition
21 of murder, which equals second degree murder, that is, a
22 willful and unlawful killing with malice, malice, spite,
23 grudge, hatred or any other motive.

24 And this is often the point where jurors begin to,

1 in a legal lecture, sort of lose focus. But here is a
2 shortcut within the law or a shorthand in the law, meaning
3 use of a deadly weapon, you may infer malice from. So any
4 killing across all cases, if a deadly weapon is used may
5 infer malice, may infer ill will, grudge, et cetera.

6 But this is a first degree murder case, the facts
7 show that, so you need to know what first degree murder is.
8 So building upon the idea of a killing with malice, which you
9 may infer from the deadly weapon. Sort of in common terms,
10 we sometimes hear of premeditated killing, premeditated
11 killing as being first degree murder. That is one of the
12 concepts.

13 Another common understanding or belief is it must
14 be planned to be first degree murder. This is not true.
15 Sort of television dramas, et cetera, you see first degree as
16 someone with a real plan, a real long plan making first
17 degree murder.

18 Three things make up first degree murder, three
19 elements, as lawyers say, willfulness, deliberation and
20 premeditation. My shorthand in talking about it is forming
21 an intent to kill, forming. Second being weighing, weighing
22 of consequences, that thoughtfulness, what are the
23 consequences? What are the consequences of these actions?
24 And third being the execution or doing of the act, deciding.

1 Again, big term in these instructions, big
2 concept, no time requirements. You don't have to show a
3 longstanding plan. Although this case, there may have been
4 one and in some cases there are, which I will get to, but
5 let's do this in a little more legal way or legal analysis
6 way. The three concepts willful, deliberate and
7 premeditated. Sort of use legal language from the
8 instructions to talk about each of those in turn.

9 Willfulness, the intent to kill, no appreciable
10 space of time between the formation of an intent to kill and
11 the act of killing, right. Forming of the intent, having an
12 intent to kill in addition to malice, of course.

13 Deliberation, determining upon a course of action
14 to kill as a result of thought, including a weighing of the
15 reasons for and against and considering the consequences of
16 the action. The second portion is this weighing of
17 consequences.

18 This is a quote from the instructions, a
19 deliberate determination may be arrived at in a short period
20 of time. Again, this overall concept of it doesn't need to
21 be for a long time. It can be, to quote the instructions, as
22 I will do shortly. So we're to the second, willfulness,
23 deliberation. Let's move to premeditation.

24 This is the deciding, right, forming an intent to

1 kill, weighing the consequences for and against, this pro,
2 con sort of thing that happens in the mind. And the third
3 thing being this deciding. It may be as instantaneous as
4 successive thoughts of the mind. This may be useful in
5 deliberations if this debate comes up about, well, when was
6 premeditation and deliberation? Where was this? And,
7 frankly, how do we know? How do we know someone's thought
8 process?

9 Before I get there, I believe I've concluded with
10 what is first degree murder, a killing with malice that is
11 premeditated -- willful, deliberate and premeditated, ill
12 will, spite, grudge, plus forming an intent to kill, weighing
13 the pros and cons and determining, deciding.

14 You'll notice on your verdict form, there's a
15 special question about use of a deadly weapon. I mentioned
16 you get an analysis from that, but you also have to decide if
17 one was used. This is the legal definition, proving here,
18 right, gun. You have a shell casing, a bullet through the
19 man's heart, plenty of testimony. So the legal definition is
20 given here.

21 A deadly weapon is a firearm, any device that
22 projects metallic projectile by spring, air, gas or other
23 force. This is exploded gas that exploded this projectile.

24 Where's the gun? That was an opening statement

1 question or suggestion by Mr. Edwards. They don't have the
2 gun. Where is the gun? Well, the law is reasonable and in
3 fact you have instructions, we don't need to bring the gun.
4 We don't need to have to have recovered the gun.

5 That which reads, almost as I've stated, the State
6 is not required to prove that the specific deadly weapon at
7 issue was recovered, nor do we need to produce it at trial.
8 Why?

9 Well, murderers sometimes throw away their guns
10 and we wouldn't suffer as a society the concept that if you
11 get rid of your gun, you can't prove it. That is not
12 reasonable and that is not in fact the case.

13 So where is the gun? Well, one thing, it is in
14 her a hand, right. We know it's in her hand. We know that
15 her dad Bob says she bought a nine millimeter semi-automatic,
16 as described, at the gun show, also corroborate by her mother
17 making a similar statement. She bought a gun at a gun show.
18 This 3- to 4-week time frame before the killing at the same
19 time she lost this custody related appeal.

20 We know another thing, it's in her purse. Not
21 carrying a purse myself, I don't know how careful women are
22 getting in and out of their purse, but this woman, this
23 evidence shows, is very careful and prolonged, 30-ish seconds
24 in her purse, caution, care, a purse that's gone is where the

1 gun is. This, of course, is a Little Caesar's video shortly
2 before the killing.

3 We also know from this gunshot residue portion of
4 the evidence that evidence of two distinct types of residue
5 on Ms. Fletcher's clothing, which got on her as she shot the
6 weapon, both the target shooting being the one source and the
7 murder being the other.

8 And she even -- I'm touching a little bit on this
9 question of her statement, even though during interviews
10 makes untrue statements, denies having a firearm, even she
11 writes about it. Why does she write about it? Why so many
12 months after this does she write about the gun, sort of
13 admitting, if you will, having a gun? Because she knew she
14 had to. She knew she had to write about it, because she knew
15 that the evidence showed she had one.

16 The final issue on murder, that being -- you have
17 an instruction on order of consideration, that being you must
18 under the oath taken as jurors first consider first degree
19 murder. If you are unanimous in finding first degree murder,
20 you are done and sign the verdict. Only if not unanimous,
21 may you move to second degree.

22 I'm to my second section of the three things I
23 wanted to talk about, that being the question of intent.
24 This is the thought bubbles question, if you will, that being

1 none of us thankfully have thought bubbles over our heads and
2 so how do we get to intent? Intent is the core of this first
3 degree, second degree, this whole question of murder.

4 You can infer it from the circumstances, including
5 circumstantial evidence. There's no difference in the law
6 between direct and circumstantial evidence. And so the
7 instruction tells you, intent may be proven by circumstantial
8 evidence. It also tells you, a highlight for me, something I
9 will build on shortly, what the defendant does or fails to do
10 can show intent, are indicative of intent. This makes sense,
11 right. As the creatures we are, we are able to discern
12 people's intent by their actions and words.

13 What did Katherine Fletcher do and/or fail to do?
14 Well, we know there was a long history between the two. We
15 know it was characterized by animosity. We know Bob
16 Jorgenson, sort of not responsive to a question, but his
17 testimony was, I was afraid I was going to be the SOB who did
18 it, because I hate the guy. The follow-up question to that
19 was, well, your daughter did, too, didn't she? Yes.

20 He's a guy who would know. And isn't that as
21 testified by Ms. Williamson the history between the two?
22 What did she do? She lost at every turn in court. The
23 custody slipped away from her. And made false accusations or
24 unsubstantiated allegations repeatedly, right, made them,

1 unsubstantiated, made them, unsubstantiated. What did she
2 do? There are multiple and repeated. She lost that appeal
3 July 1st, 27 days before this, in that time frame of the gun
4 purchase.

5 It slipped away to the point of an extreme remedy
6 in that situation in that visitation for one hour a week.
7 That is a small amount of visitation. Supervised visitation
8 is a very small, controlled situation.

9 She did hate his guts. This intense, right, this
10 may be where the intent comes from where you get to first
11 degree, buying a gun shortly before this, taking a gun to a
12 day in the park, accessorizing her swimwear with a loaded
13 nine millimeter.

14 What did she do after it? Indicative of intent,
15 indicative of this was a premeditated, deliberate killing and
16 willful, hiding the evidence, not calling 911. The
17 compelling, I mean, even Ms. Fletcher's mom, right, she knows
18 it. You didn't call 911. Two blocks away you could have
19 called 911. That is indicative of I believe this part of the
20 question of weighing the pros and cons. It's not the actions
21 of a rash decision.

22 She hid out at her house, either lied to her mom
23 and didn't tell her anything about what happened, or her mom
24 lied to us when she said that Katherine said nothing about

1 it. What did she do or not? She did not ever show remorse
2 or shed a tear for Rob, all indicative of intent.

3 Now, important question, we don't need to show
4 why, right. We may read of a murder in the paper or
5 something like that and say why? Why would someone do that?
6 The question isn't why. The question is, at the time of the
7 killing was there criminal intent, because you may never
8 know. There are plenty of cases where we never know why, why
9 did someone do it?

10 The motive may get you to her criminal intent.
11 This whole narrative of the custody slipping away, and really
12 nothing she did worked until she took matters into her own
13 hands. But the heart, where is the premeditation and
14 deliberation, where is the first degree murder? The heart of
15 it lay on a slab at the Washoe County Medical Examiners
16 Office, that being the body of Robert Trask. You recall the
17 trajectory, nearly horizontal, one inch between the back and
18 front.

19 So what does it take to get to this? Well, here
20 is where the first degree murder probably comes in. So to do
21 a killing, putting aside all of the sort of custody battles,
22 you got to decide, hey, I'm going to take my gun with me on
23 this deal. There will be a gun in my purse. Said gun will
24 be loaded, likely a round in the chamber. You have to wait,

1 find a place to do it. And most compellingly of all,
2 sometimes it seems like there's so much violence, you just
3 sort of take for granted, shooting a gun is nothing. But
4 shooting a gun is a heck of a thing. Shooting a man in the
5 back takes a lot of -- there is deliberation right there,
6 there's pros and cons. Gun, right, it is a thing for killing
7 people.

8 You got to get your purse, you got to manipulate
9 down to it. Pros, cons probably going off. Got to get it
10 out. You got to either know it's loaded or make sure it's
11 loaded. You got to create that distance, right, because what
12 was it, 3 to 4 feet, sort of the close contact. That's also
13 a range of self-defense, right. A bad position to be in, but
14 gun versus an unarmed man that is self-defense range.

15 You got to get behind him. You got to aim, right.
16 That takes an appreciation of the consequences. You got to
17 feel the weight of that gun in your hand. You got to know
18 where the trigger is, so there is something getting up there
19 and aiming in this case. You know you choose where you aim.
20 Right in the heart, right. Defenseless. You got to put
21 those sights on the man.

22 We talk about that sometimes as if it's nothing,
23 but it is a thing. It is a thing that you're the first
24 degree murder when you pull that trigger, that's a lot of

1 steps.

2 And then aim, how do you choose to shoot someone
3 in a fatal spot, because your intent is to shoot them and
4 blast them, blast them in front of their boy. If you will,
5 Dr. Knight, center line. You might call that dead center,
6 boom, through his heart, diaphragm, coming out his chest.

7 Well, let's go to other things she did or failed
8 to do as you deal with her intent for first degree murder.
9 The interview, there's a lot in the interview. So what does
10 she do or fail to do in the interview? With confidence, I
11 would assess that as she failed to do an interview. She gave
12 almost no information. That is indicative of first degree
13 murder, of this highest of transgressions against a fellow
14 creature.

15 She obfuscated, deflected, these physical
16 theatrics, the selective memory, this mind block, this
17 sending a detective down the wrong road, this remembering
18 before and after. Because we know, right, we know that
19 guilty people hide the truth, this playing of the crazy card.

20 It left out everything. This distinction between
21 inside and outside, what she failed to do, huge distinction
22 there. This demeanor change, this cold or easy questions
23 demeanor versus the hot Detective Johnson turning up the
24 heat, Sergeant Chalmers turning up the heat.

1 This question of failing to do, what she failed to
2 do is indicative of intent. I'm sometimes fond of a pregnant
3 pause, but for her the silence in answering these questions
4 is delayed. Right. If you -- she was there, she knows what
5 happened, there's a natural cadence. But at every turn,
6 she's thinking about what to say and trying to figure out,
7 what am I going to tell this detective?

8 This silence with Detective Johnson, Sergeant
9 Chalmers, her mother is full of calculation, full of this
10 consciousness, this knowledge of her own guilt.

11 And what is most compelling of all, what did she
12 fail to do or fail to respond to? The single most compelling
13 rationale for telling the truth. Every parent would do
14 anything for their child, every single one. Parents, as it
15 were, would die for their children. Sergeant Chalmers, do
16 not make us have to interview Max in the room next door,
17 protect your son. Failing to respond to one of the most
18 innate instincts within us. Guilty conscience. Save your
19 boy, Kat.

20 Mind block. There's little truth in any of the
21 statements of Katherine Fletcher, but in a moment, right, the
22 next -- I mean, hours later, this interview went overnight, a
23 phone call between Kat Fletcher and her mother. So much
24 there, a slip of the tongue, right. It was planned. It was

1 premeditated. It was all of these things. I'm just glad
2 that he's somewhere else. That's why she did it.

3 Even Jeannie knows, you can tell. In this
4 interview, right, Jeannie is like overcome by the evidence.
5 Wait a minute, no one else was there. But Kat says, yeah,
6 it's true, but I know it wasn't me. Lying. It's all about
7 Max. And that she's like, what do the police know? What doe
8 the police know? Never once, I feel so bad for Rob.

9 Mom, as we argue here, you could have called two
10 blocks away. Did you really lose your purse and phone? Yes.
11 And that's at 7:07 in that call if you wish to review it. At
12 eight minutes in, speaking of pregnant pauses, the following
13 statement by Ms. Fletcher, I needed to get Max dot, dot, dot,
14 somewhere safe. She needed to get Max.

15 She was never going to call. She was drinking
16 beer by that statement. And you must imagine that if police
17 officers had a nickel for every time they pulled someone over
18 and said, I was just going to call you, they would become
19 rich police officers. She was never going to.

20 Now, this battle between the white purse, blue
21 purse that she knows police are going to search her place.

22 The letter, prosecutors and myself included could
23 have a field day with this. The circumstances of the letter,
24 she has been arrested July 28th or 29th of '16. By the

1 testimony of Dr. Piasecki and by even reading in the letter
2 itself, knew what the discovery was. She knew the case,
3 right. I mean, it is incredible and by that I mean
4 impossible to believe. It is not possible to believe what
5 Kat Fletcher wrote in that letter.

6 It stands out as self-serving, little trivial
7 details, fabrication. She knows the evidence, so she has to
8 deflect from it. She has got to weave her way through it to
9 come to the most inconceivable thing that happened, which is
10 the gun went off. The gun she brought to the park went off,
11 not knowing it, et cetera, et cetera, et cetera.

12 And why, for example, of this being her moment of
13 truth, her statement, how many interviews did it take to get
14 the truth out? Right. She tries to out-fox the truth in
15 that, but the truth is unbeatable and you can't change it.

16 I'm reminded as a younger lawyer being in a
17 courtroom with Judge Joe Bonaventure watching from the
18 gallery. And above the witness stand is a -- I don't know if
19 it's a sort of warning to the parties arguing in front of him
20 or to the witnesses or just a smart meditation on truth,
21 which read the follow: The truth takes few words. How many
22 words did it take to write out, I shot Rob in the back or the
23 gun went off.

24 Here touching on a few just -- well, we got to get

1 back to what happened today. Well, every scenario passed my
2 mind before I remembered. All right. I considered all my
3 options before I decided what to write down on this paper.
4 An angel of God said, get the gun, get the gun now. You know
5 who it was who was telling her, it was her own self. She was
6 telling herself. I'm not going to spend a lot of time on
7 these, because they are not credible.

8 As far as I knew, the gun was jammed. It's a
9 miracle this gun went off. Right. And I got nervous, so I
10 threw a bunch of make-up on it. And then, this is the moment
11 of truth that had to take a few words, I wanted a blank after
12 eating. I put the pizza box under my left arm, held my
13 blank. I filled in. Are there blanks in the truth? No.

14 And then this sort of theatrical, well, then Rob,
15 he was swinging the boy and I had to save the boy and the
16 scariest thing. Same problem was that I thought Rob was
17 going to use Max as a human shield.

18 But, anyway, she doesn't realize the make-up had
19 jammed the gun. Also, I put it in this guy Jesse's truck.
20 And then, then I stopped remembering, right. I didn't
21 remember that I put it in Jesse's truck and -- when the
22 police get there, I feel mind block coming on. Well, she has
23 to say that because she knows she had mind block for the
24 police interview.

1 I left a few things out. Yes, you left out the
2 truth. Probably more, but for now, this is what I remember
3 it now, probably left things out, I'm not sure.

4 The third section, credibility, right. The beauty
5 of the jury system is it's not decided by the cold-hearted
6 lawyers, it's decided by normal people. A core part of your
7 job is determining the credibility and believability of
8 witnesses and the evidence in which you have the following
9 instruction, which tells you, in assessing the evidence, you
10 may use your every day, you must in fact use your every day
11 common sense in coming to a verdict in the case.

12 And what makes common sense, legal sense is in few
13 words, Katherine Fletcher is guilty of first degree murder
14 with a deadly weapon. Thank you.

15 THE COURT: Thank you, Mr. Stege. Mr. Edwards, do
16 you desire a closing statement, sir?

17 MR. EDWARDS: I do, your Honor.

18 THE COURT: Ladies and gentlemen, join me, stand
19 up, move around, stretch a little bit as the transition
20 between arguments occurs.

21 MR. EDWARDS: Thank you for that nice Power Point,
22 Mr. Stege. I'm not going to be presenting you with a Power
23 Point presentation.

24 I heard the song going through my head as I was

1 listening to his presentation there and it pretty up summed
2 up exactly the way he and the State viewed the proof in this
3 case, the evidence that you've been presented with. It's an
4 old Bon Jovi song, shot through the heart and you're to
5 blame, you give love a bad name. I could imagine him
6 pointing to her and saying that very same thing. It didn't
7 occur, but, nonetheless, that's about the theme that he's
8 presented you with in his closing statement here.

9 Now, what we say here, Mr. Stege and I, this isn't
10 the evidence. You're instructed on that. You've heard that
11 already from the judge. We're here to help you make sense of
12 what you've seen, to give some meaning to the evidence, fit
13 it in to the legal framework of the decision making that
14 you're going to do.

15 What I'm going to do in my moments with you here
16 is to mirror what you've done. I've seen every one of you
17 taking good notes during this trial. I'm going to go through
18 the witnesses just like you went through the witnesses and
19 I'll remark upon what my notes reflect about what came from
20 the witness stand.

21 But, first, I want to get to the heart of this
22 case here. When I had an opportunity to address you on
23 Monday, I mentioned that one of the most difficult issues
24 that you will struggle with in this case was divining the

1 state of mind. I wasn't saying it was a given that Katherine
2 Fletcher had committed this offense, had shot Mr. Trask.

3 But I said if, and that's a big if, you get there
4 through the evidence, you're going to have to divine what was
5 in her state of mind. And Mr. Stege has alluded to it and
6 talked to it, he didn't skip over it, but you now have the
7 instruction, you now have the law that distinguishes a
8 killing from first and second degree murder.

9 This is instruction number 12, deliberation, which
10 is an element required of first degree murder, it's not
11 required for second degree murder, but for first degree
12 murder, you have to have evidence beyond a reasonable doubt
13 of a person determining upon a course of action to kill as a
14 result of thought, including weighing the reasons for and
15 against the action and considering the consequences of the
16 action.

17 What evidence do we have of this deliberative
18 process taking place in the mind of Katherine Fletcher? It's
19 not there. There's been no evidence. This is divined from
20 the fact that a body, a life has been extinguished. That
21 doesn't prove what was going on in her head. You're still
22 going to struggle mightily with this.

23 And it can't be formed in passion. That's the
24 other highlighted point there. What passion, we don't know.

1 I wasn't quite sure whether evidence of that would show up.
2 When we heard from the only eyewitnesses at the scene, Mr.
3 Preciado and Max, all seemed normal. All seemed normal.
4 There wasn't any exciting event. It comes out of the blue.

5 They're eating pizza, breaking bread, splashing in
6 the park. So a mere unconsidered and rash impulse is not
7 deliberate, even though it includes the intent to kill.

8 So this is in response to Mr. Stege's pointing out
9 that malice is inferred by the use of a deadly weapon.
10 Obviously, the cause of death in this case was a bullet,
11 beyond a doubt that's what occurred. And a bullet comes from
12 a gun and therefore the use of a gun implies malice.

13 But it doesn't satisfy deliberation or
14 premeditation. A mere unconsidered and rash impulse, which
15 is just as good an explanation for what happened if there is
16 one is not premeditation and deliberation as fix an unlawful
17 killing as murder in the first degree. That is the heart of
18 this case right now.

19 What do you have to go on? There are no
20 statements, I'm going to kill Robert Trask. There's no
21 indication when she shows up at the peace center to get her
22 visitation here hours before the killing that she was
23 hell-bent on killing Robert Trask.

24 I mean, if you recall what happened, she's due for

1 her visitation. It's court ordered. She's allowed to have
2 it. It's supposed to be taking place right next door here.
3 So she shows up and instead Robert and Ms. Fletcher had
4 decided, well, it's a nice day, let's go out on the river.
5 Let's have it out there. They're allowed to modify their
6 agreement. It's for the benefit of Max.

7 It's a much nicer time being on the river, eating
8 Little Caesar's than sitting next to door with a court
9 employee watching your interaction with your child. That was
10 the -- that was the flow. That was how things were going
11 that day. There was no, well, I'm not going to do that. It
12 wasn't. What witness came before you and testified there was
13 any animosity between anybody in day?

14 Let's start at the beginning. The first witness
15 we saw here, Scott Smith, what did he have to provide you?
16 I'm going by my notes here. This is the beginning of the
17 trial. He's a first responder. He's one of the guys you see
18 on the video from the Castle Foods place responding about a
19 minute after receiving the call.

20 He finds Robert Trask laying on his back. They
21 took pictures. They attempted CPR. That's the evidence he
22 provided. He didn't give us an explanation of how this
23 occurred, who did it, anything like that. He's a necessary
24 witness, but he gets nowhere near what was the cause of this

1 or what was going through the mind of the person who did
2 this. Didn't add anything.

3 So that proof doesn't help you. It's necessary.
4 If Mr. Stege hadn't presented these pieces of evidence that
5 you didn't hear much disagreement from me out of, I would
6 have use it against him, frankly. He has to put the building
7 blocks out there. He has to make sense out of the evidence.
8 But when he does and it's not evidence of great consequence,
9 it doesn't help you.

10 Scott Nelson, the next witness, also a police
11 officer, first responder. He gave us the information that we
12 later saw confirmed in photographs. Mr. Trask had abrasions
13 on his knees that looked fresh indicating that he dropped
14 very soon after being shot. There was no time for these
15 wounds to heal. So we know how it looked. We can
16 reconstruct that. We don't know where the gunman was. We
17 haven't had any reenactment. That's all he had to provide to
18 you.

19 Then we heard from Eric Preciado. He, the one
20 almost eyewitness to this event. We don't have video of it.
21 We don't have audio of it. We don't have any DNA evidence
22 proving anything. This is no real forensic case. Though we
23 have Eric Preciado.

24 What did he say? When he approached Mr. Trask

1 after hearing the shot, he might have rolled him over, which
2 is why Scott Smith found him laying on his back. He was
3 obviously upset, distraught about what he had seen there.
4 But he'd seen the interaction between Katherine Fletcher,
5 Robert Trask and Max that day.

6 What did he say? They were in a good mood, seemed
7 normal. There was no arguing. There was no screaming. They
8 didn't see any physical altercations, you know, between them.
9 Obviously, he didn't see a gun. He didn't even see the shell
10 casing, which wasn't his responsibility by any means.

11 He talked about how he had a conversation with
12 Katherine Fletcher and Robert Trask and Max regarding this
13 Pokemon Go game that was apparently going around at the time
14 and how it was posing some dangers to people. They're not
15 paying attention, they walk off the cliff or walk into
16 traffic, things like that.

17 But he didn't find that unusual. He didn't find
18 anything suspicious. He was not alarmed about the way that
19 this group was behaving. He had his own children there. He
20 didn't fear for their safety.

21 He said he looked around the park, but, really, if
22 you listened to the 911 call, he was distraught and
23 understandably so. Robert Trask basically died right before
24 his eyes and that can be just a very traumatic situation.

1 You could hear it in his voice that was his concern, both for
2 his children and Mr. Trask.

3 But he didn't see a shooting. He did not see the
4 shooting. He never saw a gun. Mr. Stege is right, he
5 doesn't have to present the gun, but it would solve
6 everything or most everything.

7 Mr. Trask didn't say anything at least Scott
8 Smith, Scott Nelson or Eric Preciado. He didn't say
9 Katherine Fletcher did it or someone else did it. You don't
10 have that evidence. That's not proof. You can't speculate.

11 He said that Katherine Fletcher, and he identified
12 her appropriately, didn't speed away. And the video that we
13 saw from Castle Foods confirms that. That wasn't a
14 70-mile-an-hour departure from the park on Dickerson Road.

15 He wasn't sure there wasn't another gunman. He
16 kept his kids, get down, get down. I don't know what's going
17 on here. He looked around. He indicated that he knew the
18 park pretty well, because he had been going there for years,
19 but he did not identify another gunman, but he wasn't sure.

20 And then we had the witness Mr. Kevin Osborne. He
21 lives right there on Dickerson Road, as he testified, and he
22 was in the park at the time of the gunshot. That's what I
23 heard. He was running through the park, heard the gunshot.
24 Apparently, according to him, he continued his run and then

1 eventually returned to the park where the shooting took place
2 and was interviewed by police. But he heard the shot, he was
3 in the park, he didn't see who did it and he was eliminated
4 as a person who did it for whatever reason.

5 But we know there were others in the park. We
6 heard about the rafters. We heard about Mr. Preciado's
7 children. It wasn't just Max and mom and Robert. There were
8 others there. But nobody witnessed anything, at least
9 anybody who -- anybody interviewed. They may have heard
10 something, nobody saw what happened.

11 We don't even know what happened, really. We have
12 a poor deceased Mr. Trask on the ground, a shell casing, no
13 guns, no confessions, no videos, no forensics. And from that
14 information, you're supposed to divine what is inside
15 someone's mind? I'm sorry, I informed you, you would
16 struggle mightily with this when we got to this point in
17 time. That's the burden of proof. That's why the evidence
18 has to add up. It has to go beyond a reasonable doubt.

19 Ryan Gott, I had him next, next person we heard,
20 another Reno Police Officer. And this we move away from the
21 scene and he is an undercover detective and he had a picture
22 of Katherine Fletcher and he sat outside her house in a
23 surveillance capacity and watched her inside the house. He
24 didn't see her doing anything wrong or nefarious. And he

1 stayed with her car, so he didn't present you with any
2 evidence other than a little filler about where the chain of
3 events was.

4 I think we can all agree that the killing took
5 place, Katherine Fletcher takes Max with her, returns to her
6 house on War Paint Circle and then she's detained while
7 buying cigarettes at the nearby market and taken down to the
8 station. But those are facts not really in dispute. I
9 didn't dispute any of them.

10 But that evidence is, again, how does that get you
11 inside what's in Katherine Fletcher's mind if indeed you find
12 she was even proof beyond a reasonable doubt to do this? It
13 is process of elimination. You point the finger, look,
14 there's only three on the bridge, one of you is dead, the
15 other is a child, you must have done it. That's the logic at
16 play here. Whether that's proof is another question.

17 Ben Russell, he's the next police officer. He
18 was, again, part of that special team, the crime suppression
19 unit. He was from Sparks Police Department, but he was a
20 member of that.

21 And he describes surveilling Ms. Fletcher when he
22 came upon her at the traffic stop. He described her as
23 cooperative, calm demeanor. Did he provide any other
24 evidence? Maybe that gives you some indication of what was

1 going on in her mind, she was calm and cooperative. But he
2 didn't give you any information about how the killing came
3 about, who did it, anything like that. He's not a wasted
4 witness, but he's not very helpful to you.

5 Mike Mullen, next fellow, again, Reno Police
6 Department. He was the retired guy who let you know he was
7 retired. He stayed inside surveilling Ms. Fletcher's house
8 for about 12 hours. He was the one that told us that Max was
9 there all night long when we know that not to be the case,
10 because he was downtown getting interviewed.

11 And he didn't search or do anything. He just
12 secured the premises and waited for the search warrant to
13 come at about 9:00 the next morning. So he had a long night.
14 He didn't remember much. My impression was he definitely was
15 retired and had put things behind him in his police career.
16 Again, not any information about how the killing came about,
17 what was going on with Katherine Fletcher, nothing.

18 Now, Sue Klino was the next witness. And if you
19 recall, she was the lady who worked for Debbie Lumkes who
20 wrote an order on July 1st and she -- her evidence was that
21 she mailed it out to Katherine Fletcher. There was a little
22 bit of confusion there about the -- how certified mail works.

23 Anyway, she mailed it out. She didn't know much
24 about the proceedings. We've learned more about that

1 evidence when we heard from Ms. Williamson. But the evidence
2 she did introduce was a certificate of mailing. And on that,
3 we later learned that it was signed for not, by Katherine
4 Fletcher, but by her mother, Karen Jorgenson, who came
5 forward a bit later and said, that's my signature on that.

6 So to the extent the State would like to say, oh,
7 this proves that she received that, they haven't made the
8 last connection there. There's no proof that she actually
9 received it. Presumably, her mother would have given it to
10 her. But her mother received it, not Katherine Fletcher.
11 That's what the proof stands at.

12 And even if she did receive it, think about this
13 about this motive evidence, she had the right to appeal. She
14 could go on from that. There's no indication she did. But
15 she took advantage of the visitation within the order. She
16 showed up here.

17 As you see in her writings, it wasn't her idea to
18 expand the visitation. It was Robert Trask being generous,
19 because she wanted to spend sometime between his child and
20 his mother. I don't think generosity like that is suspect or
21 should be, you know, certainly a motive for first degree
22 murder.

23 These things go on frequently in this Courthouse
24 right down the hall here. You know, visitation can be tense

1 in there. And think this, if Katherine Fletcher was so bent
2 on shooting Robert Trask that day that she brought her gun
3 with her. Well, she had to come to the Courthouse first. It
4 didn't make it in here, this gun that we still haven't found.

5 Next witness, Dustin Allen. He, Reno police
6 detective who secured the scene. He was one of the first
7 responders after the first responders and he undertook the
8 task of walking the park. He said he walked the entire park,
9 he brought out the big lights, and it took him very
10 deliberately, you know, at least 45 minutes to an hour to
11 carry out that task and he didn't find anything.

12 He did see the shell casing and the blood drops,
13 but those pieces of evidence were preserved by others. And
14 he saw a Pall Mall cigarette. There was no DNA testing done
15 or otherwise forensic analysis, so we don't know who was
16 smoking at the time Mr. Trask was shot. But, again, no gun,
17 no other evidence of any kind.

18 How do you get from that testimony to inside
19 Katherine Fletcher's head? There's no way there.

20 He brought up the pizza box, which maybe, and this
21 is mixing things, but like a red herring. I mean, the pizza
22 box was dated July 22nd, 2016. So, I mean, what is the
23 evidentiary import of that? I mean, was it a stale pizza?
24 Was it another pizza? It doesn't sound like it was the same

1 pizza that was purchased as you saw in the video by Katherine
2 Fletcher. It was dated six days before of the killing and it
3 was in the garbage can. In her statement to you, she said
4 she vomited in the pizza box upon leaving Oxbow Park. I
5 don't think we saw that in that pizza box.

6 Then we had Katherine Fletcher's mother, Karen
7 Jorgenson, come forward and testify. I think it's probably
8 pretty obvious how reluctant she was to be involved in this.
9 It's her daughter. It's her grandson that we're talking
10 about, Max. I think she gave you a candid statement about
11 what she knew.

12 Katherine came home with Max. Max was upset for a
13 while. She flips on the TV or computer, I think was her
14 testimony, and learns that there had been a shooting at Oxbow
15 Park. Max, I believe, said, my dad was shot. But they
16 didn't talk about it much. Calmed Max down. And before
17 long, the police show up and things start from there.

18 Mr. Stege said to a lesser extent she remembered
19 that Katherine Fletcher had gone target shooting or
20 participated in a gun show at some point in time. It was a
21 bit vague when and where, even what the name of the show was.
22 I mean, he obviously had no records from the gun show showing
23 a purchase of a weapon from Katherine Fletcher, but that was
24 some part of her testimony.

1 And then Katherine Fletcher's father comes
2 forward. Again, what a terrible situation, have to testify
3 in the trial of your daughter accused of first degree murder.
4 Now, in this case, there was no love lost. You know, he had
5 been familiar with the prior interactions between Katherine
6 Fletcher and Robert Trask. He was no fan of his at all.

7 He said from the top of Donner Summit, I think is
8 what he said, I'm going to be the first SOB they're looking
9 for. He hears that, doesn't think Katherine did it. He
10 says, oh, boy, now they're going to come looking for me.
11 Well, I'm on my way into town. He's there within an hour.
12 When he got there, Max was home, he said, and didn't say
13 anything about the shooting.

14 He again said there was a gun show. Obviously,
15 the Jorgensons, Katherine Fletcher, they're no strangers to
16 guns. They had a gun safe. They had those guns inside that
17 you saw pictures of. But what we learned later, those aren't
18 the guns that were -- a gun of any kind used in this crime,
19 not at all, expressly excluded not to be the guns. So that's
20 proving just the opposite.

21 It would be great if Mr. Stege could put that gun
22 in Katherine Fletcher's hand. And, you know, that connection
23 is just not there. It is not proven.

24 Even with the gunshot residue evidence, what did

1 Mrs. -- we'll get there, but she said there's two different
2 kinds of ammunition used to generate the gunshot residue she
3 identified on the clothing, two different kinds, two
4 different bullets, maybe two different guns. Well, that
5 could happen with people who partake in things like target
6 shooting. It's not unreasonable. I mean, it's strange,
7 because if you think about it the other way, what other
8 ammunition is involved in this?

9 Dave Nevills, detective Reno Police Department, he
10 took part in this just intensive search of the park for the
11 gun. He was the individual who had to get permission from
12 the private property owner next to the park. And I think he
13 did it about five days later. But, again, what help is this
14 to you to decide the case? He didn't find any evidence. He
15 didn't introduce any evidence. He didn't find a gun for
16 sure. Nobody can doubt that there were just extensive
17 efforts made to solve this. No doubt about it.

18 We move to the next fellow, Allen Weaver, the K-9
19 police officer. He made sure nobody else was in the park at
20 some point in time. But, you know, time had passed. The
21 events had really occurred by the time Mr. Weaver was on the
22 scene. He didn't mention locating Mr. Osborne, who
23 self-admitted that he had been running through the park when
24 he heard the gunshot.

1 Again, no evidence. I'm not saying they didn't
2 try, but you got to dance with the one who brung ya and this
3 is the state the evidence. You have a circumstantial case.
4 I told you this on Monday. I'm not belittling circumstantial
5 evidence. You can make good inferences from circumstances.
6 But can you get there beyond a reasonable doubt so you feel
7 you know in the truth in your heart that is the case? You
8 infer your way, imply your way there. Three people on a
9 bridge, good Bon Jovi song, point the finger and that's first
10 degree murder. No, I submit not.

11 Mr. Weaver's dog didn't even hit on the pizza box
12 and he told us that my dog is trained to hit on things that
13 people have recently touched. So that's more consistent with
14 the date on that pizza box than that being the pizza box that
15 was purchased at Little Caesar's. Again, no help.

16 Steven Bassett, he provided us a little context
17 here. He, again, was the Reno Police Officer who went to the
18 other side of the river. He showed us how extensive this
19 search was. He went to the other side of the river looking
20 for evidence. Nothing. Not helpful. I mean, it does
21 demonstrate all the effort that was put into this. It wasn't
22 like they were lax in their effort, but they were not
23 fruitful.

24 David Millsap, the next witness, again, a Reno

1 Police Officer. He brought us the video that we saw of the
2 cars and through his -- I wasn't quite sure, he mentioned an
3 algorithm or something, he was able to precisely give us the
4 times and time of day when we saw the images.

5 First, two cars entering the park, a Nissan Altima
6 and a Dodge Neon driven by Ms. Fletcher. She's following
7 Robert Trask, because she's not all that familiar with this
8 place. She didn't know where it is. How is that for
9 planning and premeditation? She's following.

10 And then we see her car leaving. It was almost
11 exactly one hour by his updated calculations. They entered
12 the park or they passed the camera on the way into the park
13 at 6:34 p.m.. Her car exits at 7:36. That's valid,
14 relatively objective evidence.

15 So now we're dealing with a one-hour time frame.
16 In that one-hour time frame, there's been interaction with
17 Eric Preciado, there's been pizza eating and there's been no
18 observation of anything wrong. It's out of the blue.

19 Edwin Cabrera, the next witness, was the Little
20 Caesar's manager and he brought you the videotape. You saw
21 that. So they bought a pizza. It just might not be the one
22 that the box in the park is about. Might not be helpful to
23 deciding what was going on. He didn't see any interaction,
24 obviously, between Max and Robert and Katherine. She was in

1 the store by herself buying the pizza. Doesn't sound like an
2 angry person on the verge of committing first degree murder.

3 Then we heard from Dr. Piasecki. Dr. Piasecki,
4 obviously, was consulted to help understand what was going on
5 here. The part that she presented to you was the interview
6 or at least the writings of Katherine Fletcher. You have
7 them in evidence. You read them.

8 He's picked parts of them. You know, for
9 completeness, I suppose I could stand up here and read the
10 whole thing to you. But, again, how does it get inside her
11 mind? Try. Perhaps that will help.

12 Next witness is the tragic witness at the heart of
13 this case, Max. Max, a little boy. No matter what happens
14 here today, whenever, his life was messed up from this. I
15 looked -- he looked all right. Hopefully, he's doing better,
16 but what did he tell you?

17 Were his parents arguing, screaming, pushing,
18 fighting, anything like that? No. It was a nice day,
19 swimming, eating pizza, all of a sudden, his dad gets shot.
20 Horrified.

21 He didn't see a gun. He didn't see who shot him.
22 His father can, but I tell you, he might just be at key to
23 this case here. At least in terms of them proving that
24 Katherine Fletcher is the one responsible for shooting of

1 Robert Trask. I didn't talk to him very long. He said is I
2 wanted to get the Pokemon Go on my mom's phone inside her
3 purse. Oh, okay, Max, so did you? Yeah, I did. Did you get
4 it yourself? Yeah. I went in my mom's purse and I reached
5 all the way down and it was at the bottom and I found the
6 phone, pulled it out for Pokemon Go. I asked him twice. You
7 looked in your mom's purse? And got the game out? Max, did
8 you see a gun in there? And he described guns to Mr. Stege.
9 He knew the difference between a long gun and a short gun, he
10 called it. No. I mean, he was really certain about that.
11 There was no gun in her purse.

12 He said there was scissors. What kind of
13 scissors? You know, the kind that you cut your hair with.
14 But no gun, Max? No gun. From the mouth of babes they say.
15 Poor little kid, tragic circumstances and he's the one at the
16 heart of the case with the strongest proof.

17 And Mr. Stege wants to come up here and say he's
18 not telling the truth, but you're the ones that got to see it
19 and you're the ones that get to decide that poor child came
20 here and lied to you for what reason? Why? What's his
21 credibility?

22 Because if you believe him, then there was no gun
23 in Katherine Fletcher's purse. This stuff about her going to
24 the pizza place and carefully looking, it looked like she was

1 being careful that she got her money out carefully. That's
2 an equally good explanation for Mr. Cabrera's observation of
3 her conduct. Oh, she looked suspicious to me. You know, oh,
4 like what? She's going to steal a pizza? Were you in fear
5 for your employees and the patrons in your? No. He just
6 wanted to be part of the show here and he wanted to dress it
7 up, his importance in this proceeding.

8 So we took a break after Max for a bit and then we
9 heard from Mr. Masten. He was Washoe County Search and
10 Rescue. Again, what extent could they have done more to look
11 for this weapon? I mean, he's in waders and metal detectors,
12 but what did he present to you other than the fact that they
13 went to such great to such great lengths, not evidence, he
14 didn't bring you evidence, he didn't bring you a gun.

15 Allison Jenkins, again, Reno Police Department
16 detective. She was in the interviews with Karen Jorgenson
17 and she did what I think you would describe as a ride along
18 with Max. Again, the extent that these law enforcement and
19 other personnel went to find this weapon, it was
20 extraordinary.

21 She took Max after he had been interviewed and
22 after he had had a nice sleep and was now in the safety of
23 the Kids's Cottage, she picked him up and drove him around
24 town to see what he could remember. Maybe he could point

1 things out. I think the testimony was from Detective Jenkins
2 based upon the ride along with Max, they had people from the
3 fire department climbing buildings around the area to see if
4 the weapon had been discarded there.

5 Again, no evidence. And in the course of that
6 ride along there was no, oh, Max, blurting out, my mom killed
7 my dad. He didn't change his story.

8 Ryan Williamson, she was the social worker. She
9 came next. And she gave us the overview, you know, yeah,
10 this was a custody case. This wasn't, you know, sign here
11 and walk away. This has been going on for years back and
12 forth. The orders she said were inconsistently followed,
13 which makes sense, about what happened on this date, the day
14 that Robert Trask died. The order wasn't, you get visitation
15 at Oxbow Park on this date, you know, 4:00 to 8:00 or 9:00.
16 It was, you come in and get your visitation in here, but the
17 people want to expand that visitation voluntarily, they can
18 do so.

19 That was the spirit of the day, I would submit to
20 you, that Robert Trask wasn't in a beef with Katherine
21 Fletcher, neither she with him. Nobody provided any of that
22 evidence. She showed up here at the peace center just to
23 make sure she wasn't getting in trouble by going off site to
24 do these visitations. And she did have the right to speak

1 further review of this order. If she wanted to, she could
2 have appealed it. She'd have done that and she would be in
3 the midst of another contentious court proceeding that maybe,
4 you know, that would make a motive a little stronger. She
5 didn't. She took a visitation as it was given to her.

6 Kevin Natzel, he was the next witness. Who was
7 he? He was the roommate of Robert Trask. Max knew him, Max
8 liked him. I think he called him a good friend, something
9 like that. What did he bring to the table? Rob and
10 Katherine Fletcher got along, at least in his interactions
11 whenever Max was there, they got along.

12 When you think about that, too, think about this
13 scenario of this State's theory here, you're so hateful,
14 Katherine Fletcher, that you're going to kill the father of
15 your child. Not only that, you're going to do it right in
16 front of him.

17 What proof of that state of mind stems from any of
18 this evidence? From an order, a piece of paper? Ashlyn
19 Burke, she was very helpful about all of these pictures
20 you've got here. Anything you see in evidence might have her
21 handiwork. So to the extent the physical evidence, the
22 evidence that has been photographed, provided to you, you can
23 owe in large part to her. But I've talked about what that
24 evidence consists of. And how unhelpful it is to you in

1 deciding what was going on.

2 Victor Ruvalcava, he took the pictures of the
3 autopsy. Again, these are important manners of proof, but
4 they're not in dispute. It has to be done. You have to have
5 a dead body for a murder case. You have to have a cause of
6 death. That's why the doctor testified. You have to have
7 the manner of death. That's why the doctor testified. I
8 didn't question of their findings.

9 We had the lead detective on this case, Mr. Scott
10 Johnson. He was the individual you see in the interview of
11 Katherine Fletcher and one thing he did disclose to us, which
12 you may or may have not known is that an interrogation
13 technique employed in this case, especially, used by
14 detectives is a lie. They can lie to you. It's justified
15 because they can lie to you to get at the truth. Figure that
16 logic, but he acknowledged it nonetheless. I asked him, I
17 said, did you tell Katherine Fletcher that Max said that you
18 shot his dad? And he said yes. And I said, was that true?
19 And he said no.

20 So when you're looking at that interview of
21 Katherine Fletcher, keep in mind how these interrogation
22 techniques were employed and they still didn't result in a
23 confession.

24 He, Mr. Johnson, told Katherine Fletcher, we have

1 technology. We have video. We have forensics showing what
2 happened. Okay. This is hours after Robert Trask has
3 expired. They didn't have any video. We still don't have
4 any video.

5 Forensics? He said that too. When the forensics
6 get all done, then what do you have to say for yourself?
7 They didn't have forensics. They had a shell casing, a dead
8 body and three people. That really didn't change much beyond
9 this day.

10 He played the recorded interview. You have it in
11 evidence. I'm not -- not in its entirety it wasn't played to
12 you, but I wouldn't suggest that there was some attempt to
13 limit your insight into what took place in the interview. If
14 you were to sit and watch the entirety, there would be a lot
15 of dead time and it was not attempt to parsing the truth or
16 parse the event. It was just a matter of convenience for all
17 of us here. We don't need to watch Katherine Fletcher
18 sleeping on a couch in a police station for an hour.

19 The guns and bullets in the safe were not used in
20 the killing of Robert Trask. That's been proved. In fact,
21 you haven't been presented with the gun at all. Now, it's
22 kind of -- got to patient here. I mean, you see guns, you
23 think, well, there you have it, the picture of that
24 ammunition, deadly, accurate. It doesn't put it in her hand.

1 You had that exhaustive search in the park.
2 Dustin Allen walked all over it, Mr. Cabrera didn't see a
3 gun, the pizza fellow, Eric Preciado didn't see a gun, and,
4 most importantly, Max rummaged through his mother's purse,
5 moments, minutes, before Robert Trask was shot and
6 affirmatively unequivocally stated, I did not see a gun. He
7 knew guns, at least short ones versus long ones.

8 They haven't proved this deadly weapon beyond a
9 reasonable doubt. All you're inferring that there was a --
10 because there's a gunshot and Robert Trask must have come
11 from somebody. That's not proof beyond a reasonable doubt.
12 That's a failure of proof.

13 They didn't even prove with any absolute certainty
14 or any kind of certainty that Katherine Fletcher even got the
15 notice. Her mom signed for it, the notice of the order, for
16 that to be such a driving force that it would drive you to
17 murder? We don't see that around here. Not much, if ever.
18 Yeah, custody battles can be contentious and awful, mostly
19 for the people involved. When it's all supposed to be about
20 the best interests of what's best for Max, you know, didn't
21 quite work out that way.

22 So a lot of this evidence isn't contested at least
23 by me, because it doesn't prove what you need to know. Give
24 me how it happened? Do it without speculation. Tell me what

1 was going on. What the state of mind was.

2 We got to Mrs. Springer yesterday, she's the
3 gunshot residue expert and that was pretty heady science
4 there, at least for me as a lawyer, I'm not into that. But I
5 managed to ask some kind of basic questions that I thought
6 she gave good answers to. I asked her if she could tell what
7 kind of cartridge the gunshot residue came from, and she said
8 no.

9 And, you know, could she tell from this gunshot
10 residue what caliber bullet, which would give us an
11 indication what kind of a gun? No. Could you tell at what
12 time the gunshot residue was deposited on these items of
13 clothing? No. And she said they could last forever as long
14 as they were never washed. So you could have -- it wasn't
15 very pinpointed into how strong that evidence was.

16 But, most importantly, this case at the end of my
17 talking to her, she said that the gunshot residue on the
18 items of clothing came from two different kinds of
19 ammunition. So two different guns? Two different bullets?
20 Two different -- we've only been dealing with one bullet
21 here. It's in evidence. How does that prove beyond a
22 reasonable doubt?

23 Then we had Mr. Shimnei. He was the person from
24 the lab that did the gun analysis and he said three very

1 interesting things to me. He said that the firearm used to
2 kill Robert Trask was likely fired at a distance greater than
3 4 to 6 feet away. So there's no proof, you know, that he
4 could determine from the evidence that it was fired closer
5 than that, so it was farther away than 4 to 6 feet, you know,
6 it must have been, some distance.

7 But, he said, you know, it could have been is
8 shorter than that if there was something intervening. Like
9 foliage, leaves, not air. So that really doesn't narrow it
10 down how this occurred. But it wasn't so close and personal
11 that you might want to use that in your calculation of the
12 premeditation and deliberation that we talked about here. It
13 was at a distance.

14 The bullet from the body, he wasn't able to
15 determine whether it matched that shell casing. I don't know
16 whether that's possible at all, even most extraordinary of
17 cases, but it certainly wasn't possible in this case.

18 And the guns seized from the War Paint Circle
19 address where Katherine Fletcher was were not the guns that
20 matched the shell casing.

21 So read the instruction on reasonable doubt when
22 you're making your factual determination. This is your job
23 now. You'll set those facts, whatever they may be, and
24 whatever -- whatever consequences that may be, but find the

1 truth, give us some justice here today. Katherine Fletcher
2 appreciates you more than you probably realize. You're going
3 to make the biggest determination in her life right now. But
4 I submit to you, no matter what you find, it wasn't first
5 degree murder, it is not legally proved.

6 Again, thank you all for your service. It's been
7 quite a week.

8 THE COURT: Thank you, ladies and gentlemen.
9 We're going to take a recess at this juncture. During this
10 recess, it is your duty not to converse among yourselves or
11 with anyone else on any subject connected with this trial, or
12 to read, watch or listen to any report of or commentary on
13 the trial by any person connected with the trial or by any
14 medium of information, including, without limitation,
15 newspaper, television, radio, Internet or smart phones.
16 You're not to form or express an opinion on any subject
17 connected with this case until it is finally submitted to you
18 after the presentation of evidence and arguments of counsel
19 are concluded. We'll take a break until 12:30.

20 (A short break was taken.)

21 THE COURT: This is CR17-0690, the State of Nevada
22 versus Katherine Dee Fletcher. Ms. Fletcher is present with
23 her attorney. I show the appearance of Mr. Stege. I show
24 the jurors and the alternates. Mr. Stege.

1 MR. STEGE: I was struck at the reference to a
2 forgettable period in American music, equally forgettable
3 person by the name of Bon Jovi. Because at that time a song
4 by a band of my youth by the name of Ted just admitted it, by
5 a band not named here was playing through my head. But it
6 said, as Detective Johnson was probably going through his
7 head, which is, Kat, just admit it. Ron Chalmers, Kat, just
8 admit it. Mom, if anyone, right, if she could admit it to
9 anyone, Kat, just admit it. Melissa Piasecki, once or twice,
10 Kat, just admit it. Just admit you did it.

11 The boy, young Max who steeled himself, put on his
12 shirt and his voice was so clear in this courtroom, he brings
13 out, mom, just admit it. Don't make me believe a lie. Just
14 admit it.

15 The heart of this case, it was mentioned in
16 opening is the boy. The heart of the case is Kat Fletcher,
17 also another one is Rob Trask. A perfect day to make out of
18 the blue, completely unsuspecting, his last steps, right,
19 falls dead in front of his boy.

20 Now, Mr. Edwards is a long-time colleague of mine
21 and is skilled in argument, but the strategy employed by him
22 sets an impossible standard by saying you have to divine,
23 divine implies that you cannot tell what is in somebody's
24 mind, that you must get in the head of Katherine Fletcher.

1 The instruction is number 20, right. You can't
2 get in people's minds. You're not called upon to get in
3 people's minds. But why? We don't know why. We don't have
4 to prove why. We have to prove that this was a killing and
5 whether there is murder in either the first or second degree.
6 So the entirety of Mr. Edwards' argument is based on that.
7 Get in her head. Get in her head. Divine. What was she
8 thinking? I don't know, but I know, because the evidence
9 shows, this is first degree murder.

10 The other thing was a basic lawyer thing, which is
11 we have facts and it's easy to ask questions about facts that
12 were not shown and in particular was the phrase used was red
13 herring. All right. To ask questions about things that do
14 not matter. Right. Circumstances, look at the
15 circumstances, because none of us can get in her mind.

16 He showed the deliberation instruction. I
17 attempted to distill that and in fact accurately. He infers
18 it's some sort of thoughtless killing. And the difficulty
19 with Mr. Edwards' argument is a few things. He's trying to
20 ride a number of horses all at once. He's drawing
21 distinctions such as this pizza box. That's the wrong pizza
22 box, folks. It doesn't matter, right.

23 Is there a pizza box in your instructions? No.
24 What is the point of the pizza box portion? There was this

1 deliberate, this deliberate search, an exhaustive search for
2 evidence, not just a gun as Mr. Edwards said, but an
3 exhaustive, thoroughness, right. They want to know if
4 there's someone else in the park, even though Dustin Allen
5 left out of the argument, 6 to 8 feet, 5:00 position to where
6 a shell casing goes. Still deliberate.

7 And so we have a number of these sort of rabbit
8 holes gone down by asking, what about Ryan Gott? He didn't
9 really show anything. Or Mike Mullen, well, retired. What
10 is the point of Mike Mullen's testimony? They're at the
11 house making sure no one came or went and making sure if
12 there was evidence it didn't run off. Drawing these sort of
13 distracting or getting away from the heart of the issue.

14 And it's a difficult position for him to concede
15 that the thoroughness of this search, if there was evidence
16 that there had been someone else, cops would have found it.
17 Yet at the same time, there were rafters. Oh, goodness,
18 rafters. There was Kevin Osborne, who in the end, right,
19 it's easy for lawyers to argue about it, but the evidence is
20 what comes from the witnesses. Sir, did you shoot a man in
21 the park when you were on your run? No. That's not the
22 testimony.

23 Dad was a suggestion, Bob. That's riding a couple
24 of more horses. This myth, right, I don't have to show she's

1 a smart murderer. You know what smart murderers, they're in
2 novels. Even there, they get caught. And I don't have to
3 get in why she made this move versus why she made that move.

4 Everything she did is calculated, everything she
5 did from that day, in fact, yesterday, as the weight, the
6 weight of the evidence was on top of Kat Fletcher, she heard
7 her mom say, play the crazy card in court. What does she do
8 here? Play the crazy card. Calculated for sympathy.

9 Every murderer thinks they can outfox the cops,
10 right, but, outfoxing our 28 odd witnesses and all the people
11 they depended on. Didn't count on Preciado. It was pointed
12 to, oh, Officer Smith, he didn't solve the case, didn't see
13 the shell casing. The guy is giving the man CPR and off he
14 goes. They divide responsibilities. But a lot of times sort
15 of summarizing all these witnesses, but never stepping back
16 and being like, well, here's the big picture.

17 A comment was made about the scrapes to Rob
18 Trask's knees, which indicates that he fell not soon after a
19 shot, no. That indicates he fell with no life in him. He
20 grabbed Max and then stagger away, right away from, we can't
21 know this, but either run away from the threat, stagger away
22 from the threat. If your boy has got to see you die, how do
23 you get away? He fell with no life.

24 The argument, well, where is the reenactment? And

1 this whole, the whole thing, Preciado never saw a gun, never
2 saw her shooting, never saw a gun. No gun, Max, right. Do
3 we wish someone saw it? Heck, yes, but I can't -- you can't
4 make a person see it. But those circumstances and the
5 telling, the telling fact from Preciado, turns, sees a puff
6 of smoke or smoke, Fletcher is right behind him and what is
7 she doing with the white purse? He demonstrated from this
8 stand, she's doing this, right, right here, she's putting the
9 gun back.

10 Lots of conversation or argument about, where's
11 the gun? Where's the gun? Right. I showed you the
12 instruction, don't need the gun. What do we need to know?
13 That this man died by gunshot. Die, he did, a bullet through
14 his chest.

15 The reenactment video, no, there's no video.
16 Search, no requirement of video. We wish there was video,
17 yes. No one chose this murder location, but calculating Kat
18 Fletcher.

19 Much hay was made with Preciado said they seemed
20 to be getting along or something to that effect, driving this
21 narrative that, hey, they're getting along. There's no
22 argument. That was carried through with Max. Doesn't no
23 argument make it worse? Argument, a killing in argument
24 leads more towards the idea of a rash sort of impulsive act.

1 No argument, it looks a lot more like that cold calculation
2 of first degree murder.

3 Reenact, wish we could, but the evidence suggests
4 they're at the park, right, about an hour. Seeming like a
5 reasonable amount of time to stay at a park. And there's
6 pizza, swim, what have you, getting close to the parking lot,
7 it's time to go. Kat Fletcher who has lost at every turn,
8 that beautiful July day could not stand to see her boy with
9 Rob, with his dad, having a moment, that was her opportunity.
10 His back is turned and everything, there is plenty of time
11 for calculation if this plan was part of it.

12 Then comes in the other gunman suggested by
13 Mr. Edwards, rafter or shrubbery guy or any of the other
14 people we talked to. Osborne, for example, who went on a run
15 and came up and talked to the police like it was no big deal
16 and came into court, right.

17 And on the question of they seemed to be getting
18 along, can you tell that someone is about to murder someone?
19 Is that a thing that like Preciado, a guy having a day in the
20 park with his kids could like see, premeditation,
21 deliberation? No. That's not a thing. It's this strategy
22 of setting an impossible standard. The standard is the law.

23 There's no confession, this is true. Admitting to
24 murder of any sort is, as you can imagine, a difficult thing,

1 this mightiest of transgressions against a fellow creature.
2 And so Scott Johnson employed after nothing else worked, said
3 I wanted to be nice to her, he was nice to her, as tactics
4 had no effect, the screws were turned to Katherine Fletcher
5 and her calculating the entire thing.

6 No guns, this is true. On the one hand, the
7 argument is, where is the gun? Where is the gun? Even
8 though we don't need it by law. On the other hand, well,
9 there are guns at the house like it's no big deal that she is
10 around guns. Who wants a gun? Who wants there to be a gun
11 found and brought into evidence? I'd say Scott Johnson does,
12 Ally Jenkins, every person who searched War Paint, Detective
13 Allen who searched the cars and the park, Masten search and
14 rescue coordinator, his volunteers probably want there to be
15 a gun, K-9 Officer Weaver, his dog as well, officers
16 searching with him, the gentleman across the way. This trial
17 prosecution wants a gun, but we don't need it.

18 And not important in that question is who wants a
19 gun is who is responsible for there not being a gun? What
20 does it mean that there is no gun? The person responsible is
21 in this courtroom, that's why. And on, without exaggeration,
22 the eve of trial, Sunday night, out comes the writing of
23 Katherine Fletcher, three years, six-ish months, here's where
24 the gun is in this impossible to believe story.

1 The question of, well, she could appeal, it's not
2 a big deal. It's not a big deal. But she didn't appeal. A
3 piece of paper, just a piece of paper. You'll sign a piece
4 of paper at the end of this trial affixing your verdict and
5 if any of us have gotten nothing else from court by being
6 here with Judge Walker is court is serious business. Not
7 just it's not a big deal, it is a big deal.

8 Trask being generous with visitation. That seems
9 to fit, right. That's a reasonable inference from what we
10 have. Again, do we see how that hurts his argument, right.
11 If it's argumentative at the park or combative or whatever
12 the case, high emotions, that's a different story you're
13 talking about murder, but this is calculated. There is no
14 way into her head.

15 The vomiting in the box discussion, how does that
16 prove or disprove murder? She didn't talk about it with mom.
17 That's a normal thing, like a swimming accident, right,
18 there's no way, there is no way. Assuming here a first
19 degree murder, yes, don't tell your mom about it.

20 Remember young Max who in a moment of brilliance,
21 even he knows, right, if it was a short gun, it was close, if
22 it's a long gun, it's far. That moment for him, where did
23 the shot come from? From everywhere. It echoes in the trees
24 still to this day.

1 But then Max, right, oh, the gun wasn't in the
2 purse. That's his testimony. He's not a liar. But Kat
3 Fletcher, right, didn't let her son go in the purse with the
4 gun. There are, I believe, women with more than one purse,
5 women with bags full of junk. And when did she put it in? I
6 don't know when she put it in, but it looks like it was
7 before this. I don't have to prove it.

8 But what is the conversation, and it was rightly
9 pointed out the attentiveness of this jury in taking notes,
10 but on the car ride, something to the effect from Kat
11 Fletcher's mouth to her boy, we'll get through it, the effect
12 or the intent behind that.

13 In her mind now, it's done. Not let's go to the
14 hospital and find your dad, but there's -- there is a hardy
15 piece of evidence there. Calculated, right, gets home,
16 doesn't tell mom, drinks some beers, hopes for the best. Not
17 counting on Preciado, Scott Smith, all the Scotts, Scott
18 Nelson, Scott Johnson, Ron Chalmers, everybody.

19 They looked in the trash, because they were
20 looking for a man in the park and they wanted to see if
21 there's evidence at this park, we are going to find it. So
22 the narrative is or the reenactment is a man with his back
23 turned and a gun to his back and she center lined him, takes
24 him off this earth.

1 I waited, I waited anxiously for discussion of
2 Dr. Piasecki's letter, because so much of the argument avoids
3 the implications and the factual statements. There was no
4 gun. Well, Kat Fletcher writes in there, there is a gun.

5 That was in this sort of a novelization, a dagger,
6 Dr. Piasecki's letter, a dagger going into the defense case,
7 right. It's so calculated. Fill in the blanks in the death
8 of Rob Trask. Apparently not able to bring herself to tell
9 the truth.

10 It was pointed to as to Mr. Natzel, yeah, they got
11 along when they were around the kids. That's a thing people
12 do, get along for the sake of their kids. Why did she do it
13 in front of her kid? Not only do I wish I know, I wish she
14 didn't do it that way. But I don't have to prove why she did
15 it in front of the boy. I suggest the evidence shows,
16 because just as she's calculated and intent, Kat, she's so
17 selfish that the ends justify the means in everything she
18 does and has done. So to convince him, right, her thinking,
19 I'll convince him, a man in the bushes. It's worth it to
20 her. It is really all about her.

21 We are not able to speculate on the state of mind
22 being made by the instructions, which are reasonable
23 inferences from the evidence why people what they do or do
24 not do.

1 Ultimately, going back to the GSR, evidence of two
2 different types of ammunition, not suggesting there were two
3 shooters. That's a hard argument to carry through with all
4 the thoroughness of the police officers.

5 It was going back to my previous argument that the
6 truth takes few words. How many pages does it take to tell
7 the truth? With Kat Fletcher, ostensibly, meaning
8 apparently, in Exhibit 53 takes 26 pages, two interviews with
9 Dr. Piasecki, hours of interviews with Scott Johnson and
10 company, phone calls she never got to look through.

11 But I submit to you in this case, it takes two
12 things. To tell the truth about that day, first page of
13 which the truth says, Katherine Fletcher guilty of first
14 degree murder. The second page which says, was a deadly
15 weapon used? Yes. And a signature upon which the foreperson
16 signals a unanimous verdict of the jury. The case has been
17 proven that she's guilty, find her guilty.

18 THE COURT: Thank you, Mr. Stege. Ladies and
19 gentlemen, I now give the case to you.

20 In a few moments, I'll release you to the care,
21 custody and control of officers responsible for the jury. In
22 case you haven't discerned it, Ms. Hart and Mr. Larson, you
23 are the alternates. You will be released in a few moments.
24 The admonition still applies to the two of you not to discuss

1 the case among yourselves or with anyone else and not to
2 read, watch or listen to anything about this case, not to
3 announce or form or express an opinion about what your
4 verdict is or might have been in the case.

5 You previously provided your numbers to the
6 deputy. Thank you for that. When the jury has reached a
7 verdict, the deputy will contact you and I'll release you
8 from the oath I've been sworn you to. I invite you in a few
9 moments to go about your day, go about your business and
10 certainly enjoy the rest of the Friday of your weekend.

11 I hope you will take no small pride in this: All
12 cases are difficult. Trials are aptly named, are they not?
13 It is a trial. It's difficult. You did your service. You
14 give honor to those who serve. Thank you.

15 To the rest of you, I release you from the
16 admonition. You must now discuss the case. You must now
17 form and express opinions. You must look at the evidence,
18 evaluate the evidence and follow my instructions to reach an
19 unanimous verdict.

20 Ms. Clerk, would you offer the oath of service to
21 both Deputy Vietti and Deputy Martinez.

22 (Deputies sworn at this time.)

23 THE COURT: Please rise for the jury, ladies and
24 gentlemen.

1 (The following proceedings were had outside the
2 presence of the jury.)

3 THE COURT: First, anything else you'd like to
4 place into the record, Mr. Stege?

5 MR. STEGE: No, thank you.

6 THE COURT: Mr. Edwards.

7 MR. EDWARDS: No, thank you, your Honor.

8 THE COURT: I don't know much, the older I get,
9 the less I know, whatever the outcome in this case, this case
10 was well tried by professionals who more than anything else
11 elevated the rule of law and the interests of a young boy
12 over anything else. Thank you.

13 (Jury deliberating.)

14 (The following proceedings were had in the
15 presence of the jury.)

16 THE COURT: This is case number CR17-0690, State
17 of Nevada versus Katherine Dee Fletcher. Ms. Fletcher is
18 present with her attorney. I show the appearance of
19 Mr. Stege on behalf of the State. I show the appearance of
20 the 12 jurors in this case.

21 Ms. Warren, you carry a distinctive folder with
22 you. Can I discern from that that you have been elected the
23 foreperson?

24 A JUROR: I have.

1 THE COURT: Has the jury reached a verdict?

2 A JUROR: We have.

3 THE COURT: Would you please deliver the forms of
4 verdict to the bailiff in this case, please. Deputy Vietti,
5 if you would retrieve the verdict forms?

6 Ms. Oates, while I review those forms, would you
7 please take the roll of the jurors.

8 (Roll of jury taken.)

9 THE COURT: Ms. Clerk, would you please read the
10 verdict of the jury. Ms. Fletcher, would you please stand.

11 (Verdict read.)

12 THE COURT: Thank you. Please be seated. Before
13 the verdict is entered into the minutes of the Court, does
14 either party desire that the jurors be individually polled?
15 Mr. Stege.

16 MR. STEGE: No.

17 THE COURT: Mr. Edwards.

18 MR. EDWARDS: No, your Honor.

19 THE COURT: Ladies and gentlemen, as you know, I
20 began by indicating that the right to jury trial is central
21 to our system of justice. You have given honor to that
22 system of justice by your service and your attention in this
23 case. I firmly believe in the right to a trial by jury.
24 Your collective wisdom, your collective experience and your

1 collective common sense is in my view the most powerful tool
2 we have to discern the truth of facts in the case.

3 This has been a difficult case. It's been a full
4 week for all of you. I'm sure you will not soon forget some
5 of the images and some of the facts with which you were
6 confronted in this case.

7 I join the attorneys and all of the parties in
8 this case when I say thank you for your time. Thank you for
9 your conscientiousness and thank you for your service. You
10 should know it's been my personal privilege to serve with all
11 of you. I promised you we would try the case together and we
12 have.

13 I now release you from the admonitions that have
14 applied in this case. You can discuss this case with anyone
15 you want. More importantly, you can discuss this case with
16 no one that you rather not discuss it with. If anyone
17 persists in questioning you about this case, and if anyone
18 pushes you to discuss deliberations, which are sacrosanct,
19 sacred, they are private, please contact Deputy Vietti and me
20 and I assure I will deal.

21 You're free to go. The attorneys may want to talk
22 with you. They will linger inconspicuously in the hallway.
23 I will remain in the courtroom should any of you want to meet
24 with me and have any questions about this process. But

1 you're now free to go. You have my thanks. You should wear
2 with pride the knowledge that you served and served well in a
3 difficult case.

4 Ladies and gentlemen, so you know, you wouldn't
5 have known, Ms. Fletcher is this custody. Ms. Fletcher will
6 remain in custody. Would you like to announce the date and
7 time for sentencing, please?

8 THE CLERK: Yes, your Honor. Sentencing will be
9 April 1st at 9:00 a.m..

10 THE COURT: Sentencing is a public event. You can
11 come if you want. You don't have to come. That will be the
12 date and time for sentencing and Ms. Fletcher will remain in
13 custody until that date. Again, thank you very much, ladies
14 and gentlemen. Please rise for the jury.

15 We remain on the record outside the presence of
16 the jury. Mr. Stege, anything else you want to place in the
17 record?

18 MR. STEGE: No, your Honor.

19 THE COURT: Mr. Edwards.

20 MR. EDWARDS: No, thank you, your Honor.

21 THE COURT: Ladies and gentlemen, this case is
22 concluded. We are in recess.

23 --oOo--
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1 STATE OF NEVADA)
) ss.
2 County of Washoe)

3 I, STEPHANIE KOETTING, a Certified Court Reporter of the
4 Second Judicial District Court of the State of Nevada, in and
5 for the County of Washoe, do hereby certify;

6 That I was present in Department No. 7 of the
7 above-entitled Court on January 31, 2020, at the hour of 9:00
8 a.m., and took verbatim stenotype notes of the proceedings
9 had upon the trial volume V in the matter of THE STATE OF
10 NEVADA, Plaintiff, vs. KATHERINE DEE FLETCHER, Defendant,
11 Case No. CR17-0690, and thereafter, by means of
12 computer-aided transcription, transcribed them into
13 typewriting as herein appears;

14 That the foregoing transcript, consisting of pages 1
15 through 846, both inclusive, contains a full, true and
16 complete transcript of my said stenotype notes, and is a
17 full, true and correct record of the proceedings had at said
18 time and place.

19
20 DATED: At Reno, Nevada, this 2nd day of February 2021.

21
22 S/s Stephanie Koetting
23 STEPHANIE KOETTING, CCR #207
24

ORIGINAL

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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
7 IN AND FOR THE COUNTY OF WASHOE.

8 * * *

9 THE STATE OF NEVADA,

10 Plaintiff,

11 v.

Case No. CR17-0690A

12 KATHERINE DEE FLETCHER,

Dept. No. D07

13 Defendant.
14 _____/

15 LADIES AND GENTLEMEN OF THE JURY:

16 It is my duty as judge to instruct you in the law that applies
17 to this case, and it is your duty as jurors to follow the law as I shall
18 state it to you, regardless of what you may think the law is or ought
19 to be. On the other hand, it is your exclusive province to determine
20 the facts in the case, and to consider and weigh the evidence for that
21 purpose. The authority thus vested in you is not an arbitrary power,
22 but must be exercised with sincere judgment, sound discretion, and in
23 accordance with the rules of law stated to you.
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26 Instruction No. 1

1 The defendant in this matter, KATHERINE DEE FLETCHER, is being
2 tried upon an Information which was filed on the 4th day of May, 2017,
3 in the Second Judicial District Court, charging the said defendant,
4 KATHERINE DEE FLETCHER, with:

5 MURDER WITH THE USE OF A DEADLY WEAPON, a violation of NRS
6 200.010, NRS 200.030 and NRS 193.165, a category A felony, in the manner
7 following, to wit:

8 That the said defendant on the 28th day of July, 2016, or
9 thereabout and before the filing of this Information, within the County
10 of Washoe, State of Nevada, did willfully, unlawfully, and with malice
11 aforethought, deliberation, and premeditation, kill and murder Robert
12 Jeffery Trask, a human being, by shooting victim in the back, thereby
13 inflicting mortal injuries upon Robert Jeffrey Trask from which he died
14 on or about the 28th day of July, 2016, all of which occurred at or near
15 Oxbow Park, 3100 Dickerson Road, Reno, Nevada.

16 All of which is contrary to the form of the Statute in such
17 case made and provided, and against the peace and dignity of the State
18 of Nevada, to which the Defendant has entered a plea of "NOT GUILTY".
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1 If in these instructions, any rule, direction or idea is stated
2 in varying ways, no emphasis thereon is intended by me and none must be
3 inferred by you. For that reason, you are not to single out any certain
4 sentence, or any individual point or instruction, and ignore the others,
5 but you are to consider all the instructions as a whole and to regard
6 each in the light of all the others.

1 If, during this trial, I have said or done anything which has
2 suggested to you that I am inclined to favor the position of either
3 party, you will not be influenced by any such suggestion.

4 I have not expressed, nor intended to express, nor have I
5 intended to intimate, any opinion as to which witnesses are or are not
6 worthy of belief, what facts are or are not established, or what
7 inference should be drawn from the evidence. If any expression of mine
8 has seemed to indicate an opinion relating to any of these matters, I
9 instruct you to disregard it.

1 Neither the prosecution nor the defense is required to call as
2 witnesses all persons who may appear to have some knowledge of the
3 matters in question in this trial.
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26 Instruction No. 5

1 In every crime there must exist a union or joint operation of
2 act and intent.

3 The burden is always upon the prosecution to prove both act
4 and intent beyond a reasonable doubt.

1 To the jury alone belongs the duty of weighing the evidence
2 and determining the credibility of the witnesses. The degree of credit
3 due a witness should be determined by his or her character, conduct,
4 manner upon the stand, fears, bias, impartiality, reasonableness or
5 unreasonableness of the statements he or she makes, and the strength or
6 weakness of his or her recollections, viewed in the light of all the
7 other facts in evidence.

8 If the jury believes that any witness has willfully sworn
9 falsely, they may disregard the whole of the evidence of any such
10 witness.

1 The elements of the crime of Murder are:

- 2 1. The defendant did willfully and unlawfully;
3 2. kill a human being;
4 3. with malice aforethought, either express or implied.

1 Express malice is that deliberate intention to unlawfully
2 take away the life of a fellow creature, which is manifested by external
3 circumstances capable of proof.

4 Malice may be implied when no considerable provocation
5 appears or when all the circumstances of the killing show an abandoned
6 and malignant heart.

1 Malice aforethought, as used in the definition of murder,
2 means the intentional doing of a wrongful act without legal cause or
3 excuse, or what the law considers adequate provocation. The condition
4 of mind described as malice aforethought may arise, not alone from
5 anger, hatred, revenge or from particular ill will, spite or grudge
6 toward the person killed, but may also result from any unjustifiable or
7 unlawful motive or purpose to injure another, which proceeds from a
8 heart fatally bent on mischief, or with reckless disregard of
9 consequences and social duty.

10 Malice Aforethought may be inferred from the intentional use
11 of a deadly weapon in a deadly and dangerous manner.

12 "Aforethought" does not imply deliberation or the lapse of
13 considerable time. It only means the required mental state must precede
14 rather than follow the act.

1 Murder is divided into two degrees.

2 Murder of the first degree is murder which is willful,
3 deliberate and premeditated.

4 Murder of the second degree is all other kinds of murder.
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1 Murder of the first degree is murder which is perpetrated by
2 means of any kind of willful, deliberate, and premeditated killing.
3 All three elements--willfulness, deliberation, and premeditation--must
4 be proven beyond a reasonable doubt before an accused can be convicted
5 of first-degree murder.

6 Willfulness is the intent to kill. There need be no
7 appreciable space of time between formation of the intent to kill and
8 the act of killing.

9 Deliberation is the process of determining upon a course of
10 action to kill as a result of thought, including weighing the reasons
11 for and against the action and considering the consequences of the
12 action.

13 A deliberate determination may be arrived at in a short period
14 of time. But in all cases the determination must not be formed in
15 passion, or if formed in passion, it must be carried out after there
16 has been time for the passion to subside and deliberation to occur. A
17 mere unconsidered and rash impulse is not deliberate, even though it
18 includes the intent to kill.

19 Premeditation is a design, a determination to kill,
20 distinctly formed in the mind by the time of the killing.

21 Premeditation need not be for a day, an hour, or even a
22 minute. It may be as instantaneous as successive thoughts of the mind.
23 For if the jury believes from the evidence that the act constituting
24 the killing has been preceded by and has been the

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1 result of premeditation, no matter how rapidly the act follows the
2 premeditation, it is premeditated.

3 The law does not undertake to measure in units of time the
4 length of the period during which the thought must be pondered before
5 it can ripen into an intent to kill which is truly deliberate and
6 premeditated. The time will vary with different individuals and under
7 varying circumstances.

8 The true test is not the duration of time, but rather the
9 extent of the reflection. A cold, calculated judgment and decision may
10 be arrived at in a short period of time, but a mere unconsidered and
11 rash impulse, even though it includes an intent to kill, is not
12 deliberation and premeditation as will fix an unlawful killing as murder
13 of the first degree.

1 To constitute the crime of Murder there must be in addition
2 to the death an unlawful act which was a proximate cause of the death.
3 The proximate cause of a death is a cause which, in natural and
4 continuous sequence, produces the death, and without which the death
5 would not have occurred.

6 There may be more than one proximate cause of a death. When
7 the conduct of two or more persons is a substantial factor in bringing
8 about the death of the victim, each person is a proximate cause of the
9 death. A criminal defendant will not be relieved of criminal liability
10 for Murder when her action was a substantial factor in bringing about
11 the death of the victim, even if the actions of another person also
12 contribute to bringing about the death.

1 The Information in this case charges Open Murder which
2 includes the offense of Murder in the First Degree and also necessarily
3 includes the lesser included offense of Murder in the Second Degree.
4 The defendant may only be convicted of one of these offenses.

5 You should first examine the evidence as it applies to Murder
6 in the First degree. If you unanimously agree that the defendant is
7 guilty of Murder in the First Degree, you should sign the appropriate
8 Verdict form and request the bailiff to return you to court.

9 If you cannot agree that the defendant is guilty of Murder in
10 the First Degree, you should then examine the evidence as it applies to
11 Murder in the Second Degree. If you unanimously agree that the
12 defendant is guilty of Murder in the Second Degree, you should sign the
13 appropriate Verdict form and ask the bailiff to return you to court.

14 The defendant, of course, can be found Not Guilty of the
15 offense enumerated.

1 If you find the defendant committed the offense of First
2 Degree Murder or Second Degree Murder, then you must further determine
3 whether a deadly weapon was used during the commission of the offense.
4 You should indicate your finding by checking the appropriate box on the
5 verdict form.

6 The burden is on the State to prove beyond a reasonable doubt
7 that a deadly weapon was used during the commission of the offense.
8 However, the State is not required to prove that the specific deadly
9 weapon at issue was recovered, nor is the State required to produce the
10 subject deadly weapon at trial.

11 A deadly weapon is defined as follows:

12 A firearm, meaning any device from which a metallic
13 projectile, including any ball bearing or pellet, may be
14 expelled by means of spring, gas, air or other force.

1 A defendant in a criminal trial has a constitutional right
2 not to be compelled to testify. You must not draw any inference from
3 the fact that a defendant does not testify, and you must neither discuss
4 this matter nor permit it to enter into your deliberations in any way.
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1 Statements of the defendant made during a police interview
2 have been admitted in evidence. Such statements may be confessions,
3 admissions, or neither. If you determine any statement of the defendant
4 made during the interview to be a confession, you must first determine
5 if the statement was voluntarily made.

6 A confession is not voluntary if it was coerced by physical
7 intimidation or psychological pressure such that that the defendant's
8 capacity for self-determination was critically impaired and her will
9 was overborne at the time he or she confessed. Coercive police activity
10 is a necessary predicate to a finding that a confession is not
11 voluntary, and there must be a link between the coercive conduct and
12 the defendant's confession. A confession is not rendered involuntary by
13 moral or psychological pressures to confess emanating from sources other
14 than official coercion.

15 In making a decision about the voluntariness of a confession, you
16 should consider all of the evidence about the confession, including the
17 circumstances under which the defendant may have made it. Factors to be
18 considered in determining whether a confession was voluntary include
19 the youth of the accused; her lack of education or her low intelligence;
20 the lack of any advice of constitutional rights; the length of
21 detention; the repeated and prolonged nature of questioning; and the
22 use of physical punishment such as the deprivation of food or sleep.

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1 If you determine a confession of the defendant was not
2 voluntary, you may not consider it for any purpose. If you determine a
3 confession of the defendant was voluntary, you may consider it like any
4 other testimony or evidence in the case.
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26 Instruction No. 17

1 The flight of a person after the commission of a crime is not
2 sufficient in itself to establish his guilt. However, if flight is
3 proved, it may be considered by you in the light of all other evidence
4 in deciding the question of guilt or innocence.

5 The essence of flight embodies the idea of deliberately going
6 away with consciousness of guilt and for the purpose of avoiding
7 apprehension or prosecution. The weight to which such circumstance is
8 entitled is a matter for the jury to determine.

1 The penalty provided by law for the offense charged is not to
2 be considered by the jury in arriving at a verdict.
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26 Instruction No. 19

1 Intent may be proved by circumstantial evidence. It rarely
2 can be established by any other means. While witnesses may see and
3 hear and thus be able to give direct evidence of what a defendant does
4 or fails to do, there can be no eyewitness account of a state of mind
5 with which the acts were done or omitted, but what a defendant does or
6 fails to do may indicate intent or lack of intent to commit the offense
7 charged.

8 In determining the issue as to intent, the jury is entitled to
9 consider any statements made and acts done or omitted by the accused,
10 and all facts and circumstances in evidence which may aid determination
11 of state of mind.

1 The burden rests upon the prosecution to establish every
2 element of the crime with which the defendant is charged, and every
3 element of the crime must be established beyond a reasonable doubt.
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26 Instruction No. 21

1 A reasonable doubt is one based on reason. It is not mere
2 possible doubt, but is such a doubt as would govern or control a person
3 in the more weighty affairs of life. If the minds of the jurors, after
4 the entire comparison and consideration of all the evidence, are in
5 such a condition that they can say they feel an abiding conviction of
6 the truth of the charge, there is not a reasonable doubt. Doubt to be
7 reasonable, must be actual, not mere possibility or speculation.

1 Every person charged with the commission of a crime shall be
2 presumed innocent unless the contrary is proved by competent evidence
3 beyond a reasonable doubt.
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26 Instruction No. 23

1 Although you are to consider only the evidence in the case in
2 reaching a verdict, you must bring to the consideration of the evidence
3 your everyday common sense and judgment as reasonable men and women.
4 Thus, you are not limited solely to what you see and hear as the
5 witnesses testify. You may draw reasonable inferences which you feel
6 are justified by the evidence, keeping in mind that such inferences
7 should not be based on speculation or guess.

8 A verdict may never be influenced by sympathy, passion,
9 prejudice, or public opinion. Your decision should be the product of
10 sincere judgment and sound discretion in accordance with these rules of
11 law.

1 The evidence which you are to consider in this case consists
2 of the testimony of the witnesses, the exhibits, and any facts admitted
3 or agreed to by counsel.

4 Statements, arguments and opinions of counsel are not
5 evidence in the case. However, if the attorneys stipulate as to the
6 existence of a fact, you must accept the stipulation as evidence and
7 regard that fact as proved.

8 You must not speculate to be true any insinuations suggested
9 by a question asked a witness. A question is not evidence and may be
10 considered only as it supplies meaning to the answer.

11 You must disregard any evidence to which an objection was
12 sustained by the court and any evidence ordered stricken by the court.

13 Anything you may have seen or heard outside the courtroom is
14 not evidence and must also be disregarded.

1 A witness who has special knowledge, skill, experience,
2 training or education in a particular science, profession or occupation
3 may testify as an expert witness. An expert witness may give an opinion
4 as to any matter in which the witness is skilled.


5 You should consider such expert opinion and weigh the reasons, if any,
6 given for it. You are not bound, however, by such an opinion. Give it
7 the weight to which you deem it entitled, whether that be great or
8 slight, and you may reject it, if, in your judgment, the reasons given
9 for it are unsound.

10 The opinions of experts are to be considered by you in
11 connection with all other evidence in the case. The same rules apply to
12 expert witnesses that apply to other witnesses in determining the weight
13 or value of such testimony.

1 It is your duty as jurors to consult with one another and to
2 deliberate, with a view of reaching an agreement, if you can do so
3 without violence to your individual judgment. You each must decide the
4 case for yourself, but should do so only after a consideration of the
5 case with your fellow jurors, and you should not hesitate to change an
6 opinion when convinced that it is erroneous. However, you should not
7 be influenced to vote in any way on any question submitted to you by
8 the single fact that a majority of the jurors, or any of them, favor
9 such a decision. In other words, you should not surrender your honest
10 convictions concerning the effect or weight of evidence for the mere
11 purpose of returning a verdict or solely because of the opinion of the
12 other jurors.

1 Upon retiring to the jury room you will select one of your
2 number to act as presiding juror, who will preside over your
3 deliberations and who will sign a verdict to which you agree.

4 When all twelve (12) of you have agreed upon a verdict, the
5 presiding juror should sign and date the same and request the Bailiff
6 to return you to court.

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10 _____
DISTRICT JUDGE

1 4185
2 STEPHANIE KOETTING
3 CCR #207
4 75 COURT STREET
5 RENO, NEVADA
6

7 IN THE SECOND JUDICIAL DISTRICT COURT
8 IN AND FOR THE COUNTY OF WASHOE
9 THE HONORABLE EGAN WALKER, DISTRICT JUDGE

10 --oOo--

11 STATE OF NEVADA,)	
)	
12 Plaintiffs,)	
)	
13 vs.)	Case No. CR17-0690
)	
14 KATHERINE DEE FLETCHER,)	Department 7
)	
15 Defendant.)	
_____)	

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18 TRANSCRIPT OF PROCEEDINGS

19 SENTENCING

20 October 29, 2020

21 9:30 a.m.

22 Reno, Nevada

23
24 Reported by: STEPHANIE KOETTING, CCR #207,
Computer-Aided Transcription

1 APPEARANCES:

2 For the State:

3 OFFICE OF THE DISTRICT ATTORNEY
4 By: AMOS STEGE, ESQ.
5 P.O. Box 30083
6 Reno, Nevada

7 For the Defendant:

8 SCOTT EDWARDS, ESQ.
9 Attorney at Law
10 Reno, Nevada
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1 RENO, NEVADA, October 29, 2020, 9:30 a.m.

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4 THE COURT: This is case number CR17-0690A, the
5 State of Nevada versus Katherine Dee Fletcher. Appearances
6 for the record beginning with the State, please.

7 MR. STEGE: Amos Stege, Deputy District Attorney
8 of Washoe County.

9 MR. EDWARDS: Scott Edwards on behalf of
10 Ms. Fletcher, your Honor, who is present.

11 THE COURT: Good morning, Mr. Edwards. Good
12 morning, Ms. Fletcher.

13 THE DEFENDANT: Good morning.

14 THE COURT: From the Division of Parole and
15 Probation?

16 MS. BANES: Julie Banes on behalf of the Division.

17 THE COURT: Welcome to you. As a matter of
18 housekeeping, before we beginning, Mr. Stege, do you intend
19 to call any witnesses today?

20 MR. STEGE: I do. I intend to call two witnesses.

21 THE COURT: Mr. Edwards, do you intend to call any
22 witnesses today, sir?

23 MR. EDWARDS: No, your Honor, other than
24 Ms. Fletcher's allocution.

1 THE COURT: Let's begin with the witness statement
2 and then we'll move into the conversation about the
3 presentence investigation report and your arguments.
4 Mr. Stege.

5 MR. STEGE: Thank you. Ryan Williamson, please.

6 THE COURT: Ms. Williamson, would you please step
7 down to this end of the jury box, stand, raise your right
8 hand and face Ms. Oates.

9 (One witness sworn at this time.)

10 THE COURT: Please go ahead and have a seat in the
11 first juror chair there right on the corner. Go ahead, Mr.
12 Stege.

13 BY MR. STEGE:

14 Q. Please state and spell your name.

15 A. Ryan William, R-y-a-n, W-i-l-l-i-a-m-s-o-n.

16 Q. How are you employed?

17 A. I am a supervisor with Washoe County Human
18 Services Agency Children's Services.

19 Q. How long have you worked for that agency?

20 A. 15 years.

21 Q. Are you familiar with Katherine Fletcher?

22 A. Yes, I am.

23 Q. Did you have an opportunity in your professional
24 capacity to be involved with a series of cases involving

1 Ms. Fletcher?

2 A. Yes.

3 Q. Are you familiar, then, of course, with her son?

4 A. Yes.

5 Q. Max?

6 A. Yes.

7 Q. And as well as her daughter Bay?

8 A. Yes.

9 Q. During what portion of Ms. Fletcher's involvement
10 with your agency were you involved?

11 A. My involvement with Ms. Fletcher and her family
12 began in 2013.

13 Q. And how did that begin?

14 A. I was assigned a report involving Ms. Fletcher and
15 her children.

16 Q. Have you been involved since that time?

17 A. Up until Mr. Trask's death, yes.

18 Q. So you were with Ms. Fletcher, interacting with
19 her in that capacity as well as you went to a number of court
20 proceedings involving her?

21 A. Yes.

22 Q. And you're familiar with Robert Trask?

23 A. Yes, I am.

24 Q. The father of Max?

1 A. Yes.

2 Q. During that time, did you come to understand or
3 form an opinion about Ms. Fletcher's character trait for
4 honesty or the opposite of honesty?

5 A. Yes.

6 Q. What did you observe?

7 A. Throughout the three and a half years that I was
8 consecutively involved with Ms. Fletcher, I observed
9 dishonesty, manipulation, a lack of insight into how her
10 behaviors affected her son and her daughter and their safety.

11 Q. Can you talk a little bit more about that last
12 piece, her lack of insight into how her actions affect her
13 children?

14 A. Ms. Fletcher developed or demonstrated a pattern
15 of behavior that directly influenced her children's negative
16 well-being through her actions, through her lack of
17 follow-through, through her behaviors with our agency and
18 community providers as well as Mr. Trask.

19 Q. Was Ms. Fletcher in fact doing things that were
20 actively harmful to let's talk about Max?

21 A. Yes.

22 Q. Such as what?

23 A. I through our agency actually substantiated
24 Ms. Fletcher for child abuse and neglect on two occasions

1 during the course of time that I had involvement. And that
2 involved particularly Max in taking Max to numerous doctors,
3 physicians, area hospitals with accusations that he was
4 sexually molested.

5 Q. Is that the first or the second of the
6 substantiations?

7 A. Through the course of my involvement or the
8 totality of our involvement?

9 Q. The totality, since you're -- you're familiar with
10 the totality, right?

11 A. Yes, I am.

12 Q. Then please speak of them.

13 A. My substantiation for Ms. Fletcher with child
14 abuse and neglect was actually her third substantiation. She
15 was previously substantiated for child abuse and neglect of
16 Max on two prior occasions, which involved Max coming into
17 our legal and physical custody of our agency.

18 Q. And was that for these unnecessary and repeated
19 physical exams?

20 A. No. That was regarding her child endangerment
21 arrests involving her substance use and creating an unsafe
22 environment for Max.

23 Q. Is that the case where she was involved in a high
24 speed police chase with young Max?

1 A. That was her second substantiation.

2 Q. What's the first one?

3 A. She was arrested, she was grossly intoxicated
4 while caring for Max and arrested for child endangerment and
5 that caused Max to be placed out of her care the first time.

6 Q. The second one was the high speed police chase?

7 A. That was her high speed police chase with Max in
8 the car, claiming that someone was in her trunk and she was
9 grossly intoxicated at that point, too.

10 Q. Was she involved in drugs in that case?

11 A. Yes.

12 Q. What drugs?

13 A. Methamphetamine and Vicodin.

14 Q. And the third one, then, would be the repeated and
15 unnecessary physical exams for a claimed sexual abuse?

16 A. That was a substantiation for mental abuse,
17 emotional abuse as to Max due to her numerous and consistent,
18 repeated attempts to prove that Max was being sexually abused
19 and that involved taking him to ER's. She actually went to
20 four -- three of the four area hospitals consecutively
21 demanding that Max be examined.

22 When that didn't meet her needs, she actually took
23 pictures of his anus when he was sleeping and attempted to
24 get other people to buy into her cause, which led to

1 additional involvement by our agency.

2 Q. That was a third substantiation?

3 A. Yes.

4 Q. Okay. Throughout the course of Ms. Fletcher's
5 time with your agency, did that involve courtroom work as
6 well?

7 A. It involved dependency through our agency, the
8 dependency court, because we had custody of Max on two
9 occasions, but it also involved the custodial court between
10 her and Mr. Trask.

11 Q. Throughout Ms. Fletcher's time that we're talking
12 about, was she given access to or encouraged to participate
13 in drug rehabilitation?

14 A. Voluntarily and court ordered through a case plan,
15 yes.

16 Q. And was she successful in that?

17 A. She went through the motions of trying to go to
18 treatment, however, it did not procure any lasting changes
19 with her behavior.

20 Q. Was there some concern about a mental health issue
21 with Ms. Fletcher?

22 A. Yes.

23 Q. Was she given the opportunity or an order to
24 participate in any such services?

1 A. Yes.

2 Q. And did she participate in those services?

3 A. I would say not to completion and not
4 consistently.

5 Q. And, in fact, wasn't there in the, I guess, that
6 third substantiation case, she was directed to get a mental
7 health evaluation and she did not comply?

8 A. That is correct.

9 Q. Was she given opportunities across this time frame
10 to services that might improve her performance or her ability
11 to parent her children?

12 A. Yes.

13 Q. And what was the effect or results of that?

14 A. It resulted in no lasting change with her actions
15 and behaviors.

16 Q. You're familiar with young Max, right?

17 A. Yes, I am.

18 Q. Did you observe any difference in behavior or
19 anything else when Max was with his mom versus when he was
20 with his father Robert?

21 A. For the three years that I was directly involved
22 with Ms. Fletcher and Mr. Trask, I was able to see Max with
23 both parents. I was able to see Max when he resided with his
24 mother full-time and then the transition into his father's

1 care.

2 So, yes, I was able to see how Max was developing
3 in his mother's care, which I can remember he was absent
4 frequently from school, he was socially awkward, he -- it was
5 claimed to be that he was sick all the time, dark circles,
6 pale. And then I was able to see him transition into his
7 father's custody.

8 Q. What happened when he transitioned?

9 A. Max flourished. He was attending school
10 consistently. His grades were in the honor roll. He was
11 smart. He was actively outside with his dad participating in
12 things. His dad always had him outdoors doing things with
13 him, going places.

14 Q. And going back to the accusations or Ms.
15 Fletcher's desire that Robert Trask be seen as a sexual
16 abuser of Max, those were all investigated, is that correct,
17 both by your agency and by local law enforcement?

18 A. Yes, they were.

19 Q. And isn't it true that those were all found to be
20 false or no evidence of such abuse?

21 A. That's correct.

22 Q. You knew Robert. What can you say about Robert's
23 interactions with Max?

24 A. Rob, Mr. Trask, loved Max. He fought so hard

1 throughout the custody, the custody proceedings with
2 Ms. Fletcher when I was involved. He remained in contact
3 with me, even when sporadically the cases were closed. He
4 made great strides in his own personal development through
5 substance abuse treatment, domestic violence counseling,
6 obtaining employment. And he really took pride in the fact
7 that he made these changes in his life in order to be a safe
8 parent for Max.

9 Q. You said that even after the case was closed, he
10 would check in with you?

11 A. He would, which is not common for people to remain
12 communicating with CPS.

13 Q. That's not a thing that happens?

14 A. No.

15 Q. And what sorts of things would Robert call you
16 about after the case was closed?

17 A. Well, he remained in contact with me primarily
18 when he would have issues with Ms. Fletcher, when she would
19 file ex-parte TPO's on him, when she would try to file for
20 changes of custody, when she would refuse to cooperate with
21 the visitation transitions, when she would make false claims
22 against him.

23 But in between there when things were calm, he
24 would call me and tell me, let's say, when Max would get his

1 report card, how proud he was of his son. When he would
2 teach his son new things, being outdoors, he would call me
3 about those things just to remind me how well Max was doing.

4 Q. And the agency or your agency is still involved in
5 following up with Max?

6 A. Yes. We still have legal custody of Max at this
7 time.

8 Q. Are you yourself familiar or within the records of
9 the agency familiar with how this is crime has affected Max?

10 A. Yes, I am.

11 Q. How has it?

12 A. Max is barely holding on right now. He's been
13 diagnosed with post traumatic stress disorder from being a
14 witness to his father's death. He has aggressive behaviors.
15 He lashes out at the children, his cousins, that he lives
16 with.

17 He's been placed into a psychiatric facility on at
18 least one occasion. He's on psychotropic medications. He
19 still maintains great grades. He seems to be a very smart
20 boy. But his behaviors are jeopardizing the permanency of
21 his adoption at this point because of what he's been through.

22 He makes gains and then he backslides. And most
23 recently, he backslid when Ms. Fletcher sent him a letter
24 from prison.

1 Q. Okay. How did you become aware of that letter?

2 A. I was informed by the assigned social worker and
3 supervisor.

4 Q. And so the agency followed up or kept track of the
5 impact of that letter on Max?

6 A. Definitely.

7 Q. Because Max saw that letter?

8 A. Max saw that letter, yes, he did. It was not
9 intercepted in time.

10 Q. And what was the effect or what happened after
11 that?

12 A. Max took a backslide with his behaviors and his
13 coping mechanisms and his ability to remain calm. He
14 actually was aggressive in the home. He needed to be put in
15 respite care to give a break to his aunt and uncle.

16 THE COURT: Let me interrupt if I could, please,
17 Mr. Stege. Consistent with our pretrial conference, both
18 counsel have submitted documents and/or evidence in support
19 of sentencing in advance, which I appreciate and thank you
20 both for. There are exhibits attached to Mr. Stege's notice
21 of documents, Mr. Edwards, those include what I believe to be
22 the letter being discussed. Is there any objection to the
23 admission for purposes of sentencing of Exhibits 1 through
24 4 -- I'm sorry -- I think it's actually 1 through 6 attached

1 to the State's sentencing memo?

2 MR. EDWARDS: No objection, your Honor, and I have
3 for the record provided them to Ms. Fletcher this morning.

4 THE COURT: All right. Thank you. I'm sorry,
5 Mr. Stege.

6 MR. STEGE: I appreciate that, your Honor.

7 THE COURT: Go ahead.

8 BY MR. STEGE:

9 Q. I think you testified that Ms. Fletcher, you saw
10 her to be manipulative?

11 A. Yes.

12 Q. What do you mean by that?

13 A. Over many years, she has shown, demonstrated
14 through our involvement with her a consistent pattern of
15 manipulating people for her own cause. Repeatedly telling
16 false stories to get attention, to garnish services, to get
17 Max closer to her, interfere with custody, have police
18 involved, medical professionals involved, our agency involved
19 repeatedly and I can't -- I can't repeat that enough. It was
20 constant.

21 Q. And was there, going back to these accusations
22 against Mr. Trask, was there evidence developed that
23 Ms. Fletcher had promised her son the reward of a toy if he
24 would agree with her accusations, go along with her

1 accusations?

2 A. Max was in therapy to deal with a lot of his
3 mother's accusations and his therapist had written a letter
4 and provided it through the dependency action and the custody
5 action that Ms. Fletcher had coached Max. In his only one
6 statement to his therapist that if he said that his father
7 touched him that she would buy him a LEGO set.

8 MR. STEGE: I pass the witness.

9 THE COURT: Any questions for this witness,
10 Ms. Edwards?

11 MR. EDWARDS: I just have a couple.

12 BY MR. EDWARDS:

13 Q. Ms. Williamson, you testified at the trial in this
14 matter, is that right?

15 A. Yes, I did.

16 Q. A lot of this information you provided at that
17 time, perhaps not all of it, certainly not all of it, is that
18 fair to say?

19 A. Yes.

20 Q. What you're saying now is consistent with what you
21 testified to at trial?

22 A. I'm sorry?

23 Q. Is consistent with what you said before?

24 A. Yes.

1 Q. Can you inform us, if you know, the status of
2 Ms. Fletcher's parental rights relative to Max? I know you
3 have legal custody. Has she lost her parental rights?

4 A. Her parental rights are intact at this point. We
5 have filed a petition with the dependency court to terminate
6 those parental rights. She has a hearing in November.

7 THE COURT: The record should reflect that the
8 first judicial officer who adopted a plan to terminate her
9 parental rights in the child welfare case was me. If this is
10 aid of you, I'm very aware of the status, at least of the
11 case as I was responsible to handle the child dependency case
12 involving Max.

13 MR. EDWARDS: Thank you, your Honor. That's all
14 the questions I have. Thank you, Ms. Williamson.

15 THE COURT: Any follow-up, Mr. Stege?

16 MR. STEGE: No, thank you.

17 THE COURT: Thank you. You're welcome to remain
18 in the jury box if you would like to remain for the hearing
19 or you may step down or go about your business.

20 THE WITNESS: Thank you, your Honor.

21 THE COURT: Your next witness, Mr. Stege.

22 MR. STEGE: John Gurriere, please.

23 THE COURT: Mr. Gurriere, if you would again come
24 to the corner of the jury box here, face the clerk, raise

1 your right hand and take the oath.

2 (One witness sworn at this time.)

3 THE COURT: Please go ahead and have a seat,
4 Mr. Gurriere.

5 BY MR. STEGE:

6 Q. Would you state and spell your name, please?

7 A. John Gurriere, G-u-r-r-i-e-r-e.

8 Q. You're an investigator with the Washoe County
9 District Attorney's Office?

10 A. I am.

11 Q. You did a lot of work on this case?

12 A. I did.

13 Q. You're familiar with Ms. Fletcher?

14 A. I am.

15 Q. You've also reviewed Exhibits 4 and 5 of the
16 filing reference by the judge, which is filed on
17 October 21st?

18 A. I have.

19 Q. You became aware of this letter that was sent by
20 Ms. Fletcher or allegedly sent by Ms. Fletcher?

21 A. Yes. I received an email, I believe it was
22 March 13th of this year.

23 Q. And that was not from the prison or who was that
24 from?

1 A. I believe it was -- the email originated with
2 Kathy Powell, the guardian of Max, and it was sent to our
3 office and it was ultimately forwarded to me.

4 Q. And you made efforts through the prison system to
5 cause or to seek an investigation into the origin of that
6 letter?

7 A. Yes. I immediately forwarded on to Darren Baker
8 of the inspector general asking him to initiate an
9 investigation into this letter that we at that time believed
10 was written by the defendant.

11 Q. And did you, even when you first saw it, believe
12 it to be written by the defendant?

13 A. I did.

14 Q. That investigation commenced and led to an
15 interview which was emailed to you by one Philip Gang?

16 A. Yes, that's correct.

17 Q. And Mr. Gang is with the department of
18 corrections?

19 A. He is a criminal investigator with the Office of
20 the Inspector General, yes.

21 Q. And indicating that Ms. Fletcher admitted to
22 writing that letter that is Exhibit Number 4?

23 A. Yes.

24 MR. STEGE: Pass the witness.

1 THE COURT: Any questions, Mr. Edwards?

2 MR. EDWARDS: I don't have any questions, your
3 Honor.

4 THE COURT: May in witness be excused?

5 MR. STEGE: Yes, please.

6 THE COURT: Thank you, sir, you may step down.
7 Any other witnesses or evidence you intend to adduce,
8 Mr. Stege?

9 MR. STEGE: No, your Honor.

10 THE COURT: Mr. Edwards, any witnesses you would
11 like to call?

12 MR. EDWARDS: No, your Honor.

13 THE COURT: Just for the record, I'd like to be
14 clear. All right. Thank you. I should put into the record
15 for the benefit of any readers who may follow what I might
16 better have begun with, but let's put it in the record. We
17 are, of course, in Department Seven in the Courthouse at 75
18 Court Street.

19 The record should reflect that there were
20 numerous, really innumerable efforts attempted to be made by
21 court staff, principally Ms. Oates, but court administration
22 as well to arrange a Zoom meeting for purposes of this
23 sentencing connecting with Ms. Fletcher at the Nevada
24 Department of Corrections. Ultimately, we were successful in

1 that, but Ms. Fletcher through counsel objected to a Zoom
2 sentencing and so we're here in person principally at her
3 request and the record should reflect that as well.

4 So, Mr. Edwards, I'll look to you, then, for your
5 argument as to sentencing. Would you please confirm before
6 you begin, however, the accuracy of the presentence
7 investigation report that was filed on April 23rd, 2020?

8 MR. EDWARDS: Yes, your Honor. Several months
9 ago, I mailed this by U.S. Mail to Ms. Fletcher and I have
10 not heard back with any additions or corrections she wanted
11 made.

12 THE COURT: Ms. Fletcher, you're raising your hand
13 as if to interrupt.

14 THE DEFENDANT: I did send Mr. Edwards --

15 THE COURT: I didn't ask you to speak,
16 Ms. Fletcher. I will give an opportunity to speak, I promise
17 you. The purpose of this hearing is not to continue the
18 argument that you often choose to have with Mr. Edwards.

19 You may disagree with what he's saying. I'll give
20 you an opportunity to speak to that if you really think
21 that's relevant at the time when you can speak in this case.
22 Please don't interrupt again. Mr. Edwards, go ahead.

23 MR. EDWARDS: Your Honor, may I remain seated?

24 THE COURT: Yes. Certainly.

1 MR. EDWARDS: Your Honor, the ultimate issue to be
2 decided today is whether Katherine Fletcher is to be given
3 the opportunity to some day have a chance at parole, some day
4 being 30 or more years from now when she's in her 70s.

5 I know this Court is very familiar with
6 Ms. Fletcher, having addressed as you just mentioned the
7 various aspects of her case, not just the criminal matter,
8 but you're aware of the family court matter as well having
9 presided over aspects of that.

10 THE COURT: Just, and I'm so sorry for
11 interrupting. I apologize.

12 MR. EDWARDS: That's all right.

13 THE COURT: So the record can be clear, I was at
14 one time responsible for the guardianship case over Max and
15 the child welfare case over Bay and at one point the custody
16 case between Mr. Trask and Ms. Fletcher. And so I think any
17 reader is entitled to know the breadth of that contact with
18 her. Please go ahead.

19 MR. EDWARDS: That's fair, your Honor. I would
20 say that your familiarity is perhaps one of the most familiar
21 cases on your docket with Ms. Fletcher over a span of all of
22 those years and various aspects to it. So I think we can be
23 quite comfortable that you're aware of the whole situation
24 here, having been through the trial, having seen the

1 witnesses testify, as well as whatever took place down in the
2 family law court.

3 I would recall that, you know, for the purposes of
4 the record, again, that that was even challenged as to your
5 potential bias, implied bias, let's say.

6 THE COURT: Indeed.

7 MR. EDWARDS: To sit and preside over this instant
8 case.

9 THE COURT: Indeed.

10 MR. EDWARDS: And that was not found to be
11 improper in any way. So with that familiarity, I think
12 there's not a lot of factual things that I need to talk about
13 here for the Court to be aware of. I'm pretty certain that
14 you have a comprehensive command of the factual matters in
15 this case.

16 As her advocate, I've come to understand who she
17 is as well. And I want to bring forward a picture today of
18 Katherine Fletcher that shows her perhaps worthy of the mercy
19 that would be reflected in a judgment of life with the
20 possibility of parole, what the ultimate issue here is.

21 I think that I found that picture in the letter of
22 support from her older sister, Sandra Stokes, that I filed
23 yesterday and I hope the Court has reviewed it.

24 THE COURT: I have reviewed it.

1 MR. EDWARDS: So in that letter, Ms. Stokes
2 describes Ms. Fletcher's childhood from her perspective, her
3 mental status, again, from her perspective as her older
4 sister and the tumultuous relationship that Ms. Fletcher had
5 with Robert Trask the named victim in this case. And then
6 she suggests at the very end of her letter a way that
7 Ms. Fletcher can see her path to a life some day outside of
8 prison walls.

9 Regarding Ms. Fletcher's childhood, Mrs. Stokes
10 relates that she came from a family unit that struggled. And
11 I imagine this probably was reflected in family court
12 proceedings as well with all the detail that goes into the
13 family unit down there.

14 Her father was largely absent in her life, an
15 alcoholic he's been deemed. Her mother, one who suffered
16 from severe depression. And so Ms. Stokes notes that while
17 there was no abuse in the household, her parents had
18 weaknesses that might have contributed or influenced her
19 well-being and especially her mental health, her mental
20 illness.

21 Ms. Stokes discusses that mental illness that she
22 observed in her sister from a very early age. She called the
23 illness Ms. Fletcher's demons who became -- and these demons
24 became progressively more apparent during her lifetime, her

1 childhood to her adulthood. And she didn't have a very good
2 ability to cope and act reasonably in difficult situations.
3 Those were Ms. Stokes' words.

4 These demons became heightened in the relationship
5 when Mrs. Fletcher and Mr. Trask united. And as we say, as
6 Mr. Stege and I both determined, the word tumultuous was a
7 fair and accurate description of that relationship. There
8 have been lots of recriminations that we didn't really get
9 into during the course of the trial and I don't intend to
10 here. I think Ms. Fletcher has made her position very clear
11 on where she stands and what she believes about that.

12 THE COURT: I think, if I may, I think your choice
13 to not follow the path Ms. Fletcher and to some degree her
14 family choose to demonize Mr. Trask was wise, Mr. Edwards.
15 You know as a trial attorney as do I, a jury would have taken
16 a very, very dim view of any attempt to demonize Mr. Trask.
17 And I just feel compelled to place into the record, because I
18 know of the conflicts that exist between you and Ms. Fletcher
19 over this issue, but having witnessed the trial and the
20 witnesses and the evidence, it's quite clear that one of
21 Ms. Fletcher's demons is a complete inability to see how her
22 actions look to the rest of us.

23 I just felt compelled to place it into the record
24 I think it was a wise tactical choice to not follow the path

1 of in any way trying to demonize Mr. Trask.

2 MR. EDWARDS: I would say in response to that,
3 your Honor, that I wasn't completely dismissive of
4 Ms. Fletcher in regards to these activities and I did my own
5 independent investigation and analysis of the matters. But,
6 ultimately, I decided that -- and I don't usually in any case
7 in which there's a victim see much to be gained by demonizing
8 them, vilifying them, anything in that regard unless there's
9 something that, you know, doesn't fit.

10 THE COURT: It was an honorable and a wise choice,
11 which I appreciate that.

12 MR. EDWARDS: Thank you, your Honor, and I
13 appreciate that as well. So I think Mrs. Stokes made the
14 point in her letter that was dated back in May when we were
15 still pending a possible sentencing date in May, she got that
16 to me, and she pointed out why we've come to this point to
17 this place today.

18 She describes these manifestations, these
19 behaviors of her sister as demons. I deem them delusions.
20 And when she acted upon those delusions, that's what brought
21 her here today. When she acted out violently on her
22 delusions regarding her accusations about Mr. Trask, it
23 resulted in his murder.

24 When she acted out violently -- when she acted out

1 with deceit and manipulation, we have that letter to Max
2 Trask that Mr. Stege has provided in his exhibits. When she
3 acted out with defiance and denial on those delusions, she
4 paid what I would call a trial price. That price being a
5 conviction of first degree murder that in all likelihood if
6 she had not been so defiant and dismissive of the advice of
7 her numerous counsel would most likely have avoided that
8 extra solid ten years imprisonment that she is required by
9 law to have administered today.

10 So acting out on her delusions in these type of
11 manners have been nothing but self-destructive to her own
12 position. Perhaps more importantly, they've been destructive
13 to others, those closest to her. And it pains me, frankly,
14 your Honor, to evaluate that damage. It pains me to think
15 and continue to learn of the ongoing difficulties that Max is
16 suffering as a result of her acting out on her delusional
17 thoughts.

18 It hurts to think of the trauma and the anxiety
19 related in the statements of the victims in this case that is
20 still ongoing. My hope is that over the next 30 years or so,
21 that pain and suffering will diminish and the damage to those
22 people will heal. But there's no guarantee. There's only
23 hope.

24 The same is true with Katherine Fletcher. If she

1 can't conquer her demons as her sister called them and stop
2 acting out on her delusions and make a real, and this is
3 quoting Mrs. Stokes, real restitution and heartfelt remorse,
4 she will not have earned the right to parole. Whether she's
5 given that opportunity or not, she will not have earned it
6 and will not be released.

7 All I ask is that you allow her the opportunity to
8 perhaps along the way earn such redemption, give her the hope
9 to make peace with herself and all of those she's wronged and
10 perhaps one day leave her physical and mental prison, some
11 day when I'm probably long gone, 30 years from now. That's
12 all I'll say, your Honor.

13 THE COURT: Thank you, Mr. Edwards. Mr. Stege.

14 MR. STEGE: This is a case where Ms. Fletcher has
15 earned life without parole. She has. I mean, she is cruel
16 enough to shoot a man in the back. It's compounded cruelty
17 to take a boy's father, compounded cruelty to do it in front
18 of the boy, compounded cruelty to lie to the boy to make the
19 boy want to believe that it wasn't his mom, right. To tell
20 him, as we learned, did you see the man in the bushes?

21 Compounded cruelty to, you know, on top of her
22 history with Social Services, CPS is not the right word, but
23 I'm going to continue to call them CPS, but all of that
24 history of CPS, that cruelty, that every resource being

1 thrown at her, every opportunity being given to her to show,
2 right, her sister says she's a good mom, the letter
3 referenced, opportunities to show up at that compounded
4 cruelty on top of that.

5 And then to come through this trial process,
6 pretrial process and the compounded cruelty to make the boy
7 sit right there in front of his mom, she's earned life
8 without parole because she is dangerous.

9 Her false accusations all on Robert Trask, right.
10 Her false accusations in the exhibits she's accusing her
11 former lawyers of sexual harassment, which is ridiculous. A
12 person who is never, ever wrong, that's Katherine Fletcher.
13 Never wrong, never accepting of responsibility, never owning
14 anything. She will, your Honor, never stop believing what
15 she wants to believe, right. She finds comfort in that, but
16 that comfort doesn't make it true.

17 The compounded cruelty of after her boy testifies
18 against her, when she knows, she knows she's guilty, she
19 knows why she shot him. You know, the deception of her
20 writings to Dr. Piasecki, more lies, lies upon lies. The
21 cruelty when she knows that and she knows it had to have
22 affected her boy, if she loves him, knew how much it affected
23 him, to send this letter to him, to a boy, that will never
24 stop. It will never stop. Just as it never stopped in the

1 CPS proceedings and never stopped through trial. Never
2 stopped even after the trial. It will never stop. That is
3 dangerous. It is unspeakable this pain upon the boy.

4 And the family, right, it was pointed out during
5 argument and by the letter provided by the defense, you know,
6 the difficulty of the family. Well, I know, you know, there
7 are multiple members of her family here and it's a tragedy
8 for them, too, because their nephew, their grandson is gone
9 from this, their daughter, their sister is going away to
10 prison for the rest of her life as she ought to.

11 But that was brought upon her by her own actions,
12 this -- the premeditation in this case was overwhelming, the
13 planning, right, the purchasing of the gun. I mean, it's
14 overwhelming, the deception, the lies. You know, I argued to
15 the jury, she couldn't, you know, save her son, right, tell
16 the truth. She could never save her son. What she's doing
17 is worse. It's the act of harming of the boy.

18 Let us not forget Robert Trask, right, a man who
19 was proud to be a dad, shot to death over nothing, over a
20 lie. I don't call that delusional.

21 In a lighthearted moment outside the courtroom,
22 your Honor, one of the hearings I was talking to Dr. Piasecki
23 and she made a reference to Fletcher of sort of being --
24 there's apparently some article, Million Dollar Mike, which

1 is about a guy, a homeless person, they added up, the guy has
2 had every resource, right. That's Katherine Fletcher and all
3 the proceedings up until she was arrested in this case.

4 I've never seen anyone with such a Lakes Crossing
5 history. I went out there to pretrial these people, it's
6 like every doctor out there has seen her. You know what they
7 never found is delusions. And the most compelling, Dr.
8 Hansen sort of led the team, she manipulated the Court to be
9 able to stay there. She was there for no reason.

10 She was there for no reason, and you know what,
11 this claimed mental illness that her sister and her whole
12 family wants to hang their hat on, you know what it is, it's
13 nothing. She has a personality disorder. You know what the
14 treatment is for that? They don't have one, right. It's not
15 delusion in the sense. It's this fetishize, this fixation,
16 this lie that she made up.

17 And so for all of those reasons, your Honor,
18 within the class of murders and within her history, let's not
19 forget she's been convicted of a crime against Max before.
20 She was on probation with that. You know why she didn't get
21 into mental health court? She's not mentally ill. I will
22 say that.

23 If we think about parole as an opportunity to
24 prove herself, she has had lots of opportunities to do that

1 with the probation, with her prior criminal history, with her
2 history with Ms. Williamson. She will never stop believing,
3 she will not never stop wrecking the family. And for those
4 reasons, your Honor, I ask humbly for a life without parole.
5 As recommended by the Division, the 8 to 20 consecutive. I
6 also ask that it be imposed consecutively to her current
7 prison term. Thank you.

8 THE COURT: Thank you, Mr. Stege. From the
9 Division's perspective, anything you'd like to add?

10 MS. BANES: No, nothing further, your Honor.

11 THE COURT: What's her total credit for time
12 served, please?

13 In the back of the room, mother to Ms. Fletcher,
14 you may not speak, ma'am. You have not been called upon as a
15 witness and I may not entertain comments from the gallery.

16 I return to Parole and Probation, total credit
17 time served, please.

18 MS. BANES: 140 days, your Honor.

19 THE COURT: How much?

20 MS. BANES: 140 days.

21 THE COURT: No, it must be much more than that, I
22 would think.

23 MS. BANES: If it is --

24 THE COURT: If it's structured consecutively to

1 the prior case, it's 140 days?

2 MS. BANES: Yes.

3 THE COURT: If it's not structured, just so it's
4 in the record.

5 MS. BANES: I will do some math real quickly.

6 THE COURT: Thank you very much. Ms. Fletcher,
7 the law affords you an opportunity to make a statement before
8 I impose sentence. Is there anything you'd like to say,
9 ma'am?

10 THE DEFENDANT: Yes. That paper right there is
11 from Amber Cummings of Social Services and it says that the
12 report of neglect received on May 19th, 2014 was found to be
13 unsubstantiated, not substantiated as was testified to by
14 Ryan Williamson.

15 And I did send letters to Parole and Probation, as
16 well as my lawyer, regarding the offense synopsis and the
17 errors within it. And I brought a letter to the Court as
18 well about that.

19 I'm highly concerned about the --

20 THE COURT: Ms. Fletcher, if I may interrupt just
21 a moment. I'm going to let you read whatever it is you have
22 chosen to write. I want you to understand a few things about
23 what you've chosen to write and I'm going to contrast it to a
24 piece of evidence that's very negative against you.

1 So when you chose to write a letter to Max Trask,
2 to your son, forging the name of another inmate and including
3 a return envelope so that presumably Max could mail whatever
4 you wanted from him back to you, and you told him, and I
5 quote -- please give me a moment -- I am a very good friend
6 of your mom's. I'm writing you because it is an emergency.
7 Your mom is in a whole lot of trouble right now and she needs
8 your help. You could be her hero. Her sentencing is coming
9 up on May 5th, 2020. Before that happens, Max, you need to
10 come forward with the truth about your dad and everything he
11 put you through. Please do this for your mom. She loves you
12 so much. Not only will this help her get a lighter sentence,
13 but it will help her with appeals to get her case relooked at
14 and help her with other legal procedures that could get
15 things overturned for her.

16 I don't think you have any clue both how negative
17 that is about you, but how it's also an admission of guilt in
18 a way that you don't even recognize, apparently.

19 And so I want you to know that anything you read
20 or say here in this room is being recorded and it will be a
21 part of the permanent record in your case. I'm going to give
22 you a wide open field to make what statement you think will
23 support whatever position you would like about the sentence I
24 impose, but please be aware of how it may not have the affect

1 you hoped for. Go ahead.

2 THE DEFENDANT: Your Honor, I am highly concerned
3 about the PSI report's offense synopsis, which gave only bits
4 and pieces of information that make me guilty as sin. Had
5 all pertinent --

6 THE COURT: Slow down. The court reporter needs
7 to take everything down. So take a deep breath and slow down
8 as you read, please.

9 THE DEFENDANT: Had all pertinent information been
10 offered, it would have greatly clarified matters on my
11 behalf. My attorney is completely nonresponsive to all of my
12 attempts at communication with him. I respectfully request a
13 Young hearing based on the complete breakdown of
14 communication on top of all the past issues, which I have
15 brought new evidence to support my claims of lawyer
16 misconduct.

17 Now, back to the offense synopsis. First, yes,
18 there was a nine millimeter Ruger LC nine which was one
19 bullet shy of a load located at my family's gun safe.

20 THE COURT: Please slow down.

21 THE DEFENDANT: However, this report repeatedly
22 claims, quote, the ammunition in the magazine matched that of
23 the expended nine millimeter round located at the scene, end
24 quote. That was what detectives initially thought. However,

1 at a later date, they realized it was not identical, but
2 merely similar ammunition.

3 The report also fails to mention that the nine
4 millimeter Ruger LC nine was forensically proven not to be
5 the weapon used in the shooting death of Robert Trask.

6 The report also makes mention that I was on the
7 left side of our son Max and Rob was on his right. Yet it
8 does not acknowledge the fact that distance and trajectory
9 would have been absolutely 100 percent physically impossible
10 given the way we were all situated. That's definitely
11 something to think about.

12 At trial, Max testified to the fact that there was
13 no gun or weapon of any sort in my purse at the time of the
14 shooting. And it is known I was wearing only a bikini with
15 no where to possibly conceal a weapon. This speaks very
16 loudly on behalf of my innocence.

17 Max also witnessed me ask Mr. Preciado to get
18 Robert help. Max saw Mr. Preciado call 911 and Max told me
19 so. Plus we saw police on their way. I didn't simply not
20 call 911. I made sure to get help before leaving the
21 shooting scene and I knew help did arrive as I saw the first
22 responders. Then my main focus was Max and in short that is
23 why I didn't call police more promptly.

24 As for my son's thoughts on this case noted in the

1 report, they contradict his testimony at trial that he did
2 not believe I could have done it. And, further, there is a
3 history of the Powells influencing Max when it comes to me
4 and Robert's death. You may confirm the fact that my son has
5 been wrongfully influenced against by reaching out to Karen
6 Jorgenson. Karen can provide emails received from Kathleen
7 Powell that outright state her full intention to influence
8 Max about me in this case.

9 Next, it is true that Mr. Preciado reluctantly
10 stated, I think she shot him. But this was only after being
11 given an extremely leading line of questioning by the police.
12 Records will support this.

13 The report goes on to claim I showed no remorse
14 for the victim, yet I was in tears and kept asking what
15 happened out of my deepest concern for Robert throughout the
16 police interview.

17 And the so-called ongoing custody battle is
18 misinformation. Custody had been established some years
19 prior to Robert's death. I hardly call that ongoing. I was
20 comfortable with visitation and had plans to go rafting out
21 at Lake Tahoe with friends that very weekend, but was
22 arrested on Friday.

23 I was not arrested at my residence as the report
24 states. I was arrested in a police vehicle outside of the

1 Reno Police Department on July 29th, 2016, following the
2 interrogation by police.

3 Additionally, I do not use the aliases Katherine
4 Jorgenson, Kathy Fletcher, nor Catherine Fletcher with a C.
5 This is ridiculous falsified information.

6 One more thing, I received a copy of the PSI
7 report, but not the statements and records, which should have
8 been attached. Now, I have no idea what the Court may have
9 received or not. I suspect my lawyer may have been being
10 frugal with postage. Now, I'll need the courts to take their
11 valuable time to explain to me what they have received. And
12 if you are missing anything, I brought records with me today.

13 Please also take the time to confirm all I've said
14 today. It is the truth, not just bits and pieces designed to
15 make me look guilty. Whoever is responsible for the overly
16 limited materials offered for the compilation of the offense
17 synopsis is lying by omission and should be ashamed of
18 themselves. That is so wrong. I just really felt the Court
19 should know this and would truly appreciate the appropriate
20 changes to the PSI report and recommendations being made,
21 please.

22 I wanted to address also -- that was addressing
23 the PSI report. I also wanted to address Robert's loved ones
24 as well as the Court. So family first, to those who loved

1 Robert Jeffrey Trask, I am so sorry for your loss. Rob was a
2 huge part of my family and my life. He was not just my
3 abuser and our child's abuser, he was a human being, a father
4 and a brother of many and we loved him. Rob and I were best
5 friends. We knew each other back and forth, inside and out.
6 For many years, Rob and I were inseparable.

7 We shared many fond memories riding our bikes out
8 to Niles Canyon to swim. We drove infinite miles on the road
9 together. We loved to play backgammon on the picnic table at
10 the San Leandro Marina. We played countless games of
11 Scrabble, too.

12 We were partners in everything we did, everything
13 from partners in crime to working odd jobs and home
14 improvement. We grew up together and raised kids together
15 and we went on to teach Max how to play Scrabble, too, and
16 taught both Max and Bay to help their grandma and grandpa
17 with yard work. The kids were especially fond of the
18 chickens.

19 Rob and I had excellent coparenting skills. We
20 had so many wonderful times together with the kids as a
21 family, swimming, bowling, going to parks, feeding the
22 horses, jumping on the bed, you name it. We loved to share
23 our stories of old times with our children as they listened
24 wide-eyed. We had an unbreakable bond and unconditional love

1 for each other. Though we had major differences, our souls
2 our souls were still intertwined. When Rob died, it felt
3 like half of my soul was ripped out of me.

4 THE COURT: Can you slow down, please? Ms.
5 Fletcher, so sorry to interrupt. Take a breath. Slow down
6 again.

7 THE DEFENDANT: Yes, sir. Yes, your Honor. I
8 couldn't stop crying for over a year mourning Robert. I
9 still truly miss him. We were best friends for 15 years. He
10 was family. I cannot imagine how his loved ones must feel,
11 especially Max, losing both his father and mother all in a
12 moment, hanging on to hope that his mom would come back just
13 to have that now crushed, too.

14 Then there are Robert's six siblings who have
15 already suffered through the death of their brother Tony when
16 Tony was only seven years old and then the loss of their mom
17 also too young at age 66.

18 Arthur and Rob shared a father who passed away
19 just weeks before Rob past away, so this had to have hit
20 Arthur very hard.

21 Then there is Kathy, a beautiful woman, who Rob
22 credited for taking a big part in raising him while his mom
23 tried drowning away the pain of Tony's death with alcohol.
24 Kathy now cares for Max. I just want to say how appreciative

1 I am that someone like her is caring for my son, who needs to
2 be loved and nurtured the same way she loved and nurtured Rob
3 growing up. Sincerely, I thank you for what you did for Rob
4 and everything you're doing for Max now. Thank you for being
5 dedicated to my son. He needs that.

6 On that note, I want to give the same thanks to
7 Mike and Brandi for everything they are doing for Bay. I
8 love you for it. Though you may hate me, I am still grateful
9 that Bay is being brought up with a family who loves her and
10 wants her and means well.

11 Kathy and Carl, Mike and Brandi, thank you for
12 being there for my children since I cannot. It means the
13 world to me and to those kids. I am so grateful for people
14 like you. And, once again, to all of those who loved Robert
15 Trask, words cannot express how very sorry I am for your
16 loss. In all sincerity, Katherine Fletcher, amen,
17 February 8th, 2020.

18 PS, in situations with abuse in families, it is
19 perfectly natural for the victims to love their abuser. So
20 please don't pass judgment on me for that or take things out
21 of context. Thank you.

22 Now I'd like to address the Court. To the
23 Honorable Judge Egan Walker, your Honor, I respectfully
24 request that a few issues which affected the very outcome at

1 trial now be taken into your deepest consideration. But if
2 possible, you may found grounds for dismissal on this last
3 minute of the eleventh hour. These issues are as follows:

4 The prosecution's entire theory about motive for
5 premeditation was that I was reacting to a CPS
6 substantiation, which I supposedly chose not to appeal, but
7 rather chose to plot Robert's death as a direct result.

8 In reality, this was a simple CPS substantiation
9 that was over two years old and was in the ongoing appeals
10 process. However, the DA grossly misconstrued the
11 substantiation into being a very recent court custody battle
12 which drove me to murder. Those were lies.

13 His whole theory could not be farther from the
14 truth. Records have surfaced, which clearly prove I did
15 appeal, had the matter held in abeyance, and ultimately have
16 the false substantiation overturned. I did things the right
17 way, the legal way.

18 Please take this new evidence into consideration,
19 your Honor, that premeditation was a false accusation,
20 therefore, I am not guilty of first degree murder in the
21 least. Your Honor, I do have extra copies of the CPS
22 records, which completely disprove the premeditation theory
23 just in case you did not receive those yet.

24 Today I have also brought with me police reports

1 and transcripts which undoubtedly prove that the
2 prosecution's star witness, Eric Preciado, gave false
3 recollections at trial, now claiming he saw me put something
4 in my purse, possibly a gun, though originally he had
5 repeatedly stated the complete opposite, that he did not see
6 me as his view was obscured.

7 Also at trial, he claimed I was wearing white
8 clothing but had originally repeatedly stated that I wore
9 only an orange and black bikini. Had Mr. Preciado been
10 properly cross-examined, the absolute truth could have been
11 made clear that Eric Preciado absolutely did not witness me
12 put anything in my purse and that I absolutely was not
13 wearing white at the time of the shooting, but only a bright
14 pink bikini. This in combination with Max's testimony that
15 there was no gun or weapon of any sort my purse speaks
16 volumes in defending my innocence.

17 Plus extenuating circumstances most certainly did
18 revolve around the statement that ended up in Dr. Piasecki's
19 care. I am not a murderer. Please come to my defense, your
20 Honor, I beg you.

21 On top of all of this, my own defense attorney
22 prejudiced the jury against me by making incriminating
23 accusations towards me, and I quote, shot through the heart
24 and you're to blame as he pointed his finger directly at me,

1 mocking the victim's death with Bon Jovi lyrics. And though
2 he made this blatant accusation under the pretense that it
3 must be the prosecutor's thoughts, Scott Edwards only
4 reenforced the DA's thoughts and the DA's case. The jury was
5 poisoned and it was wrong.

6 The prosecution's theory regarding premeditation
7 was wrongful. Eric Preciado's false recollections were
8 wrongful. My own attorney's accusations were wrongful. The
9 very verdict at trial is wrongful. Now, I beg the mercy of
10 this Court to right these wrongs and reverse the judgment.
11 In the name of Jesus, I beg of your mercy, your Honor,
12 please. Sincerely Katherine Fletcher, August 18th, 2020.

13 And this reversal of judgment may be possible
14 through NRS code 34.500, grounds for discharging certain
15 cases, paired with 34.724, post conviction relief. 34.500
16 states when the imprisonment was at first lawful, yet by act,
17 omission or event has taken place afterwards, the petitioner
18 has become entitled to be discharged.

19 34.5003 states, when the process is defective in
20 some matter of substance required by law rendering it void.
21 34.5004 states, when the process, though in proper form, has
22 been issued not law allowed by law. Now, when Dr. Piasecki
23 was allowed to testify as the prosecution's witness, though I
24 did not assert an insanity defense at trial, this law is

1 applicable.

2 34.5009 states, where the Court finds there has
3 been a specific denial of the petitioner's constitutional
4 rights with respect to the petitioner's conviction or
5 sentence in the criminal case. So far I have learned that my
6 Fifth, Sixth and Fourteenth Amendment constitutional rights
7 were violated.

8 34.7242 states, such a petition is not a
9 substitute for and does not affect any remedies which are
10 incident to the proceedings in the trial court or the remedy
11 of direct review of sentence or conviction. So I ask for the
12 remedy of a direct review of my conviction today.

13 Additionally, NRS 34.94 --

14 THE COURT: Ms. Fletcher, please stop. The laws
15 you are citing are not at play today. They may become at
16 play in the future after a judgment of conviction enters. I
17 invite you instead to focus your comments to me on what
18 choice you think I should make as for your sentence and why.

19 THE DEFENDANT: Okay. I also brought with me
20 files because of stuff that might come up and the so-called
21 allegations of sexual abuse did come up, but there are --

22 THE COURT: Don't go there, Ms. Fletcher. It's
23 not relevant to the choice to be made today.

24 THE DEFENDANT: There's evidence.

1 THE COURT: Please don't argue with me. I've
2 given you wide, wide, wide latitude this morning.

3 THE DEFENDANT: Okay.

4 THE COURT: It's time for that latitude now to be
5 more narrowly focused on what is relevant today. What
6 sentence do you think I should impose? I am not going to
7 enter a judgment of acquittal against you. I'm not going to
8 reverse the jury's verdict today. That would be contrary to
9 the overwhelming evidence and illegal. I am going to impose
10 a sentence today. Which do you think it should be?

11 THE DEFENDANT: I think it should be the most
12 lenient. There was a lot of false evidence to go through at
13 trial and I know I'm not here to argue trial, so with my
14 guilt or innocence set aside, I feel that leniency -- I mean,
15 there's records upon records showing that my son and I and
16 even my daughter were abused. They keep getting pushed under
17 the rug and this story of me just making allegations, you
18 know, that's not the case. We were abused.

19 THE COURT: Let me help you.

20 THE DEFENDANT: I'm asking for leniency.

21 THE COURT: Let me help you. In a few moments I'm
22 going to offer my comments. Central to my comments will be a
23 reflection on the conversation you and your mother had at the
24 Reno Police Department on the night you killed Mr. Trask.

1 When at the end of a conversation with you in which your
2 mother tried, I think, to help you see reality, perhaps,
3 realizing you weren't going to change your mind or your
4 posture, your mother said to you, just play the crazy card,
5 Katherine. That's all that's left to you, just play the
6 crazy card. Perhaps you'd like to explain to me how you've
7 done anything but do that this entire case, play the crazy
8 card.

9 THE DEFENDANT: Your Honor, I do suffer from
10 mental disorders. I believe I was mentally injured as a
11 result of being abused. However, I am not crazy to the point
12 that I would make false allegations against the victim.
13 Those allegations were true. I am not trying to demonize
14 him. He was a very sick man. He was ill. It's the system
15 that is corrupt that allowed this to happen to my son.

16 All of my son's medical records, he had injury
17 after injury to his anal area and doctors were inconclusive,
18 but CPS, Ryan Williamson put a stop to him ever getting an
19 evidentiary exam to prove one way or another if abuse
20 occurred. God, I got lost. I'm sorry.

21 THE COURT: I should say so. Anything else you
22 will think I should consider?

23 THE DEFENDANT: That my son made disclosure after
24 disclosure on top of disclosure and still with all the

1 disclosures and all the anal injuries, it was never
2 recommended that he got a CARES exam to give evidence.

3 THE COURT: And that made you angry, didn't it?

4 THE DEFENDANT: It made me very sad.

5 THE COURT: Is there anything else you'd like to
6 say?

7 THE DEFENDANT: I'm just asking you to consider
8 the abuse my family endured as a mitigating factor, because
9 it's in the discovery. The records are there.

10 THE COURT: I'm very aware of your position about
11 that. Is there anything else you would like to say?

12 THE DEFENDANT: I can't think of anything. I'm
13 sorry.

14 THE COURT: It's okay. I don't mean to require
15 that you say anything in any way.

16 THE DEFENDANT: I'm sure there's a lot I'd like to
17 say, but I just want to say I love my family so much and
18 thank you for coming here today. I know that not everyone in
19 my family, you know, sees things the same way I do, but I
20 love you guys all. That's what I want to say.

21 THE COURT: Is there anything else you you'd like
22 to say?

23 THE DEFENDANT: No, your Honor.

24 THE COURT: Please stand, Ms. Fletcher. First, I

1 acknowledge the jury verdict in this case of guilt to murder
2 in the first degree with the use of a deadly weapon. There
3 is no legal reason why judgment should not enter and I
4 adjudicate you guilty of that crime.

5 Let me pause to offer that the evidence in this
6 case was overwhelming. Ms. Fletcher's attempt to pull the
7 wings off of gnats about whether she was in a pink bikini or
8 a gun went into her purse or not or Mr. Preciado made minor
9 inconsistent statements about what he observed in the moments
10 after he saw a mother murder an eight-year-old boy's father
11 are of no moment. They matter very little to the evidence in
12 this case.

13 I have perhaps not seen a stronger case in my
14 career of guilt. I had hoped to hear from Ms. Fletcher today
15 any crumb of insight at all into the reality of this
16 circumstance. I had hoped that she would not continue a
17 cruel and ultimately extraordinarily dangerous game of
18 projection.

19 When I read a letter from a mother to a son before
20 sentencing and after a jury had told that mother, they, the
21 12 of them, unanimously believed she had murdered his father
22 and she invoked God to that boy to convince him to change his
23 story to help her, I realized who I was dealing with. I
24 realized what I was dealing with.

1 So let me review. It is important as I make this
2 decision to show my work. It is my sincere hope that any
3 reviewer of this sentence will actually look at the evidence,
4 and in particular will, as did I and the jury, consider the
5 statements of Ms. Fletcher and her mother during the fateful
6 interview at the Reno Police Department which was recorded in
7 this case.

8 Because, Mr. Stege, you couldn't be more right
9 when you said that I was manipulated into letting her stay at
10 Lakes Crossing. I clearly was. I will reflect on that.
11 When I realized that Ms. Fletcher's mother told her to play
12 the crazy card, many, many pieces fell together.

13 In mitigation, I would consider Ms. Fletcher
14 reports being hazed as a child and I accept that as true.
15 Many of us are hazed or bullied or have unkind statements
16 made about us.

17 Ms. Fletcher is a very intelligent, highly
18 intelligent woman. I don't know what her self-perception of
19 her was in terms of her physical appearance or things, but it
20 is perhaps understandable knowing what I know about her that
21 she would have been bullied or hazed.

22 She claims she was the victim of domestic violence
23 as an adult. I have not seen any credible evidence of that.
24 But I will accept as true that in the weaker moments of her

1 relationship with Mr. Trask or other relationships she may
2 have had, there were unkind words or perhaps unkind or even
3 physical deeds that happens to many of us as human beings in
4 the course of our lives. I will accept as true, at least in
5 her mind, the belief that she was the victim in some way of
6 the domestic violence.

7 She completed the eleventh grade and some college.
8 That is by no means in any way because of her intelligence.
9 It is perhaps in spite of her intelligence. She demonstrated
10 today a clear fund of knowledge, a clear ability to recollect
11 accurately or inaccurately, as she may choose, history and
12 events over time, to organize her thoughts in clear syntax
13 and in a logical order for an illogical means or an illogical
14 way, but she is highly intelligent.

15 She claims she attempted suicide in her 20s. I
16 accept that as true. She has a well-documented substance
17 abuse history to include alcohol, marijuana, methamphetamine
18 and other prescription medications.

19 Her treatment history throughout her criminal
20 history and her life is extensive. She's been evaluated
21 multiple times. Apparently, I drop a footnote to apparently,
22 because the difficulty with mental health diagnoses is that
23 they're subjective in nature and they're dependent
24 necessarily on the accuracy of the person being examined for

1 the quality of the result.

2 And so, for example, Ms. Fletcher has claimed at
3 times that she suffered from Tourette's syndrome. I have not
4 seen credible evidence that that is in fact one of her
5 diagnoses. But my purpose for this aside is she has been
6 evaluated and reevaluated and re-reevaluated, I don't know
7 more than anyone I've seen, but as much as anyone else I've
8 seen.

9 Inherent in that has been treatment at Footprints,
10 Stars, Step Two, in custody substance abuse classes,
11 parenting classes and cooccurring disorder classes. She's
12 had in many ways the full range of treatment options applied
13 to her.

14 Her criminal history consists of the following:
15 She was arrested for assault with a deadly weapon in 2003 in
16 California and ultimately convicted of battery. She was
17 jailed at that time. That's notable, because she is, of
18 course, a woman and for a woman to receive a jail sentence
19 for a violent act is somewhat unusual in my experience. It
20 usually is in reference to a fairly aggravated set of facts.
21 I don't know the facts and I won't assume them to be
22 aggravated, because I don't know them, but I observe the
23 unusual nature of that.

24 She was convicted of possession of a controlled

1 substance in August of '05. She was placed on informal
2 probation. She was arrested five times on bench warrants
3 after the initial adjudication in that case.

4 She was then arrested for possession of a
5 controlled substance, these were both misdemeanors, in June
6 of 2007. She received a suspended jail sentence and I must
7 assume successfully completed the terms of whatever
8 supervision she was placed on.

9 She was then arrested for being drunk in public.
10 Actually, she was arrested for other charges, but convicted
11 of being drunk in public in March of 2010 in California and
12 placed on informal probation.

13 Very notably to me, she was then convicted in
14 March of 2010 for disturbing the peace here in Nevada and
15 received a 180-day jail sentence, all but five of which were
16 suspended. It appears as to both of those dispositions, she
17 successfully complete whatever the terms were associated with
18 them.

19 She was then arrested for DUI or adjudicated for
20 DUI in October of 2013 here and that was the incident in
21 which her child was in the car. That resulted in her
22 conviction for willfully endangering a child for which she
23 received 12 months in jail suspended. She was twice arrested
24 for probation violations in that gross misdemeanor case and

1 was ordered at one point to inmate assistance program to
2 inpatient treatment, which I presume to be Step Two, which
3 then left. She was, nonetheless, honorably discharged from
4 probation.

5 She committed an act of burglary for which she has
6 been convicted based on her plea in this courtroom in July of
7 2019 and she's currently in prison for 38 to 96 months.

8 Unfortunately, for reasons that remain known most
9 particularly to her, on July 18th, 2016, armed with a
10 firearm, a pink bikini and a box of pizza that she purchased
11 minutes before meeting with Mr. Trask, she succeeded in
12 having Mr. Trask agree to meet her at the Oxbow Park for an
13 unauthorized visit.

14 She was, in fact, as was Mr. Trask, not supposed
15 to visit with Max in an uncontrolled setting. For reasons
16 that only he knows, Mr. Trask agreed to meet with her. I
17 don't know if she lured him. I emphasize the pink bikini and
18 the box of pizza that Ms. Fletcher purchased, I suppose to
19 leave in place the question mark of how it was or why it was
20 that Mr. Trask agreed to meet with her.

21 But sitting on an overlook to the Truckee River
22 with her son mere feet away, she shot a man in the back
23 through his heart and killed him nearly instantly. It was an
24 extraordinarily violent act. I always reflected to jurors

1 and now I reflect as a judge that when you're close to
2 somebody when you kill them, closer than she and I are to one
3 another now, you hear their last breaths. You hear their
4 pain as they express it in whatever way they express it. You
5 hear them hit the ground or stumble to the ground or fall to
6 the ground as the case may be. You hear your son say, please
7 don't leave my daddy, as you flee the scene. Quite
8 respectfully, ma'am, without calling 911, without seeking
9 help, without even giving your moment to say good-bye.

10 That was deliberate, premeditated, malicious
11 murder and the evidence of it is overwhelming. There was
12 nobody in the bushes. There was no one else armed with a
13 gun. Poor Mr. Preciado and his children were secondary
14 victims of this horrific set of events. And as I instructed
15 the jury, innocent misrecollection over time of facts is
16 common. So whether he testified that he saw you in a white
17 garment or pink bikini is of almost no moment. And the fact
18 that you seek to twist that inconsistency, if there was one,
19 into something meaningful, is an insight into you, ma'am.

20 Shockingly, this eight-year-old boy was there. To
21 any reviewer of this record, I would offer that my read of
22 young Max's testimony offered mere feet from me to my left
23 from this witness stand was of a tortured soul. I believe
24 Max knows what happened. I believe Max still struggles to

1 understand it and articulate it and relate it by his
2 testimony. What I believe the jury saw was that Max knows
3 completely what happened and completely who did what, but
4 struggles still to give words to that painful reality.

5 It was a cruel twist almost unique in my
6 experience in the criminal justice system to hear these words
7 of a mother thinly disguised as another inmate to say, you
8 are in my thoughts and prayers, but prayers alone, paren,
9 faith without works, end paren, are not enough. Sometimes
10 you have to do something to meet God halfway. So I'm doing
11 my part by writing this letter. Now, it's time for you, Max,
12 to do your part by telling the truth. Max, it is time, you
13 are a hero, sunshine.

14 There are depending on how you count them between
15 four and six traditional basis for imposing sentence. Ma'am
16 and sir, you're welcome to sit down now. There is the idea
17 of retribution. Retribution is an ancient philosophy. It's
18 sometimes encapsulated in the Latin phrase lex talionis,
19 t-a-l-i-o-n-i-s. It is that the punishment resemble the
20 offense. In the Hebrew Bible, it was recounted as blood for
21 blood. In the New Testament, it's the doctrine of an eye for
22 an eye, but is the idea that the punishment and the crime
23 should somehow be symmetrical.

24 And in my view, the doctrine of lex talionis

1 really would result in a world full of blind people if in
2 fact we considered an eye for an eye. And I think the idea
3 of retribution, if it has any weight, is really in the
4 satisfaction of the victim that in some way justice has been
5 done.

6 But I want to emphasize that I am not choosing
7 sentence today out of any sense of retribution. I wish we
8 lived in a place or in a world where somehow magically we
9 could let Ms. Fletcher undue the acts she took and that a
10 father and a son could be reunited. But, in fact,
11 Ms. Fletcher stole Max and Bay Trask's parents from him by
12 her acts.

13 She took from Mr. Trask everything he's ever had
14 and everything he was ever going to have and then she took
15 from her son and her daughter their father and herself.
16 There is no way I could retribute her for that. There's no
17 way I could find a symmetrical punishment. And it wouldn't
18 be appropriate or humane and I choose to skew away from
19 retribution, except to, I hope, provide justice in whatever
20 sense or meaning that word has.

21 Within the concept of retribution and
22 incapacitation and deterrence, which I'll get to, is perhaps
23 this idea that there's some community expectation of justice.
24 When we judges attend the conference just a mile and a half

1 or two miles away at the National Judicial College required
2 by the statute when we become a judge, we're taught about
3 theories of sentencing. We're reminded that in many ways in
4 this circumstance judges speak as the conscience of the
5 community.

6 And so there is this idea that the community has
7 some expectation that there will be, if not parity, some
8 reflection of the gravity of the crime in terms of the
9 gravity of the sentence. That has some value in my choice.

10 There's the idea of restitution. I will impose
11 restitution in this case, the restitution for the death costs
12 of Mr. Trask. I have no confidence they'll be paid. But
13 that's not the kind of restitution I'm not talking about.

14 Restitution is the idea that someone could, as it
15 were, do their time, reform, come out into the community and
16 then contribute positively to the community in a way that
17 would begin to make the community whole for the tear in the
18 fabric of the community caused by the crime. It is not in
19 Ms. Fletcher's ability to do that given the seriousness of
20 this case. She cannot provide restitution.

21 She could certainly change her behavior. I hope
22 she does. She could certainly become better than she is now
23 and I hope she does. But none of that will provide
24 restitution for the loss of her crime.

1 There is the idea of rehabilitation. Ms. Fletcher
2 has suffered traumas in her life. She is a victim of traumas
3 as are we all. I in no way mean to minimize the trauma she
4 suffered by that comment. But she has had every opportunity,
5 to my eye, at multiple times across decades of her adult life
6 to ask for, receive and take the benefit of treatment. I
7 left her in Lakes because she chose better behavior when she
8 was in Lakes and she had all the opportunity in the world for
9 months on end at Lakes to receive treatment and perhaps
10 rehabilitation in some way.

11 And the result of all that treatment, at the end
12 of the day, was a hideous letter written in disguise to her
13 son putting all of the blame on him for her circumstances if
14 he didn't lie for her. That was the sum total result of her
15 treatment. So rehabilitation is apparently not available in
16 the sense that I can understand it given the history of this
17 case.

18 There is the idea of incapacitation, literally
19 removing someone from society and I'll return to that.

20 There's, of course, the broad idea of deterrence,
21 both general deterrence and specific deterrence. General
22 deterrence, the idea that in some way members of the
23 community who would set their mind upon murder would be
24 deterred by knowing the stiff sentences associated with

1 murder. I think that's a bit of fallacious thinking. The
2 idea that people who would in their mind consider homicide
3 would reflect on the results of that homicide is sort of
4 nonsensical. But general deterrence is a well-recognized
5 philosophy for sentencing.

6 Specific deterrence is the idea that this
7 individual, Katherine Fletcher, would be less likely to
8 reoffend for fear of additional sentences that might be
9 imposed on her. Because of the history I've described, while
10 Ms. Fletcher has apparently succeeded in some settings at
11 supervision, she has not succeeded in some settings at
12 supervision and she has succeeded abysmally in the progress
13 of this case at setting aside her projection.

14 It is an obscenity that Ms. Fletcher accused two
15 well-known, well-respected female attorneys who were
16 previously her counsel of sexually harassing her. It is her
17 crazy making, I call it, that she did so. The idea that by
18 this obscene accusation she could deflect scrutiny on her and
19 her acts, deflect the process of the progress of adjudicating
20 her guilt and do it at the cost of the people around her.

21 She then did the same thing with Mr. Picker. She
22 has then done the same thing with Mr. Edwards. Today she
23 wields the word Young as both a sword and a shield as though
24 I would weigh and give effect today to her repeated claim

1 that my attorneys are all out to get me.

2 Mr. Edwards as a human being is many things, but
3 he is a diligent, honest, hard-working defense attorney who
4 was dealt a very, very, very difficult client and set of
5 facts and I am deeply and profoundly thankful for his
6 continued service. And I will deny any baseless request for
7 a Young hearing, as I told Ms. Fletcher repeatedly I likely
8 would in the future, when she repeatedly asked me to replace
9 her attorneys, because I knew then what I know now that it is
10 a tactic. It is crazy making. It is a premeditated,
11 deliberate, conscious attempt to hijack the process which
12 will inevitably lead to the sentence I'm about to impose.

13 So I choose incapacitation and specific deterrence
14 in this case, not because I think Ms. Fletcher will ever
15 change her behavior, but because I can make the community
16 more safe from a very, very dangerous human being.

17 Why do I believe she's dangerous? She does not
18 have an extreme violent history. An advocate said yesterday
19 what I believe is unfortunately true, we who work in the
20 system become jaded. For lack of a better word, there is the
21 possibility that in human weakness, we will say, well, this
22 is just a run-of-the-mill murder. It's just a murder. Or in
23 her case, in 2003, she was just arrested for assault with a
24 deadly weapon and convicted of battery.

1 But, my goodness, that was a violent act that must
2 have had some significance to it for her as a first time
3 offender and a woman to receive jail. That violent act is
4 book-ended by the most violent act a person can undertake in
5 this case. That is aggravating.

6 She has failed to rehabilitate through treatment
7 over time. This was one of the more cold-blooded, brutal
8 murders that I've been an unfortunate witness to. Again, she
9 was close to Mr. Trask and his son and hers when she did it
10 and dressed in a bikini having just shared a box of pizza
11 with her son and his father.

12 The trauma she inflicted on Max I cannot describe.
13 I don't have the words. Unfortunately, in my view, she lived
14 down to her parenting. Goodness knows, I've committed many
15 sins as a parent. May I never commit the sin of telling my
16 adult daughter being investigated for first degree murder to
17 play the crazy card to try to get out of it.

18 She may indeed have some mental health issues. It
19 is becoming less and less clear to me over time as I deal
20 with her. She receives mental health treatment and she
21 receives medication, but Mr. Stege adroitly points out that
22 personality disorder is not, unfortunately, within the
23 ability of the current medical community and psychiatric
24 community to provide effective treatment to. It's one of the

1 most pernicious conditions that affects us as human beings.

2 She attempted to manipulate the jury and contrived
3 an outburst in a way I will never forget. I suspect
4 Mr. Edwards will never forget it either. When Ms. Fletcher
5 played it being crazy in front of the jury, jumped up and
6 said, I love you momma, as though to show her Tourette's
7 fabricated diagnosis and then kissed Mr. Edwards on top of
8 the head, I thought to myself, I had no clue how dangerous
9 she was.

10 She didn't harm Mr. Edwards in the traditional
11 sense of the word. It certainly insulted his sensibilities.
12 It was a battery. But more than that, I realized how out of
13 touch with reality she is, not in the sense of being
14 incompetent to answer these charges or psychotic or
15 schizophrenic in the sense of being broken from reality, but
16 in a sense that she doesn't care what other people think.
17 And because she doesn't care what other people think, she
18 doesn't recognize how her actions come across to other
19 people. That is extraordinarily dangerous.

20 That is representative of a person whose moral
21 compass is not just broken, but doesn't exist. There is no
22 check on the choice of the kind of behavior she'll undertake,
23 cajoling her son, the same son whose father she killed in
24 front of him by gunshot.

1 Her family, pieces of it, in any way are afraid of
2 her. Professionals who work with her comment. And in the
3 words today of Ms. Gustafson, I almost called her Ms. Bourne,
4 I apologize for that, she can't overstate how manipulative
5 Ms. Fletcher has been in her professional contact with her.

6 In the end, I find there is an extraordinary level
7 of guile, dishonesty, manipulation and a lack of insight into
8 the needs and safety of the people around her. I find she is
9 a specific threat to the community at large, to her family in
10 general and to her children in particular.

11 Please stand. Katherine Fletcher, for the first
12 degree murder of Robert Trask with a deadly weapon, I
13 sentence you to life in prison without the possibility of
14 parole.

15 For the use of a deadly weapon, I sentence you to
16 8 to 20 years in the Nevada Department of Corrections
17 consecutive to life in prison without the possibility of
18 parole.

19 Both of those sentences I structure consecutively
20 to CR17-0690B. As a consequence, I give you credit for
21 140 days time served.

22 Please use your time wisely. My hope in the
23 future would be that you could gain some insight into what
24 you have done and how you have done it in such a way that you

1 might begin to change. I wish you good luck.

2 THE CLERK: Your Honor, the fees.

3 THE COURT: The fees I will impose are the
4 following, thank you, \$25 administrative assessment fee, a
5 \$150 DNA fee. Was her DNA collected in the prior felony,
6 from the Division? I assume it must have been.

7 MS. BANES: She was arrested for this case prior
8 to the burglary.

9 THE COURT: So it has not yet been collected?

10 MS. BANES: It has been collected, but it would be
11 associated with this case.

12 THE COURT: Because of the arrest order?

13 MS. BANES: Yes.

14 THE COURT: I will impose a DNA fee of \$150, a DNA
15 administrative assessment of \$3. I will not impose
16 attorney's fees as Ms. Fletcher is indigent. I impose
17 restitution in the amount of \$1,924.18. Thank you for that.

18 THE CLERK: I'll have the findings in the
19 judgment. I just wondered if you wanted to recite the
20 findings.

21 MR. STEGE: I'm overhearing Ms. Oates talk about
22 findings under the statutes.

23 THE COURT: Well, the reason under the statute for
24 the consecutive nature of a deadly weapon enhancement is the

1 nature of the weapon, i.e., it was a firearm, used in a
2 deadly manner with special ammunition, hollow point expanding
3 ammunition designed to do in Mr. Trask's body what it
4 unfortunately did in his body.

5 The firearm, which I can infer was used in this
6 case, was one of the firearms she had stolen previously or
7 purchased, it is unclear to me. She had gone target shooting
8 in advance of the murder with that firearm and/or other
9 firearms. She committed the crime with that deadly weapon in
10 the presence of her eight-year-old child. And all of those
11 reasons aggravate the nature of that use and justify the
12 consecutive imposition of that sentence. Thank you for that
13 clarification. Is there anything else you could think I
14 should include?

15 THE CLERK: No, your Honor.

16 THE COURT: I wish you good luck.

17 MR. EDWARDS: Your Honor, my appointment in this
18 matter terminates now.

19 THE COURT: You are relieved.

20 MR. EDWARDS: Thank you. I think, perhaps, you
21 might want to advise Ms. Fletcher that she has the right to
22 appeal reapply for appointment of counsel.

23 THE COURT: Ms. Fletcher, you do have the right to
24 appeal. The judgment of conviction will likely enter today

1 or tomorrow, but you'll have 30 days from date of that entry
2 of judgment of conviction to appeal. I highly recommend that
3 you make plans to appeal, seek the appointment of counsel or
4 the retention of your own counsel, but that 30 days is a hard
5 date. If you miss it, you lose. So if you intend to appeal,
6 make sure you do something in the next 30 days. Do you have
7 any questions about that?

8 THE DEFENDANT: How do I appeal?

9 THE COURT: I cannot give you that advice. It is
10 not my place or proper for me to give you advise on how to
11 appeal. You can file a notice of appeal fairly easily. I
12 would give you that clue. All right. Good luck to you,
13 ma'am.

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1 STATE OF NEVADA)
) ss.
2 County of Washoe)

3 I, STEPHANIE KOETTING, a Certified Court Reporter of the
4 Second Judicial District Court of the State of Nevada, in and
5 for the County of Washoe, do hereby certify;

6 That I was present in Department No. 7 of the
7 above-entitled Court on October 29, 2020, at the hour of 9:30
8 a.m., and took verbatim stenotype notes of the proceedings
9 had upon the sentencing in the matter of THE STATE OF NEVADA,
10 Plaintiff, vs. KATHERINE DEE FLETCHER, Defendant, Case
11 No. CR17-0690, and thereafter, by means of computer-aided
12 transcription, transcribed them into typewriting as herein
13 appears;

14 That the foregoing transcript, consisting of pages 1
15 through 68, both inclusive, contains a full, true and
16 complete transcript of my said stenotype notes, and is a
17 full, true and correct record of the proceedings had at said
18 time and place.

19
20 DATED: At Reno, Nevada, this 4th day of February 2021.

21
22 S/s Stephanie Koetting
23 STEPHANIE KOETTING, CCR #207
24

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4
5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 **STATE OF NEVADA,**

10 **Plaintiff,**

11 **vs.**

Case No. CR17-0690A

12 **KATHERINE DEE FLETCHER,**

Dept. No. 7

13 **Defendant.**
14 _____/

15 **JUDGMENT OF CONVICTION**

16 The Defendant, having been found Guilty by a Jury, and no sufficient cause
17 being shown by Defendant as to why judgment should not be pronounced against her,
18 the Court rendered judgment as follows:

19 Katherine Dee Fletcher is Guilty of the crime of Murder in the First Degree
20 with the Use of a Deadly Weapon, a violation of NRS 200.010, NRS 200.030 and NRS
21 193.165, a Category A Felony, as charged in Count I of the Information, and that she be
22 punished by imprisonment in the Nevada Department of Corrections for the term of Life
23 Without the Possibility of Parole, with One Hundred and Forty (140) days credit for time
24 served. Further, the Court, having considered Paragraphs (a) through (e) as described in
25 NRS 193.165(1), imposes an additional penalty of a consecutive term of imprisonment in
26 the Nevada Department of Corrections for a minimum term of Ninety-Six (96) months to a
27 maximum term of Two Hundred and Forty (240) months for the Use of a Deadly Weapon
28

1 enhancement, with both sentences to be served consecutively to the sentence previously
2 imposed in Case No. CR17-0690B.

3 It is further ordered that the Defendant shall pay the statutory Twenty-Five
4 Dollar (\$25.00) administrative assessment fee, the Three Dollar (\$3.00) administrative
5 assessment fee for obtaining a biological specimen and conducting a genetic marker
6 analysis, and the One Hundred Fifty Dollar (\$150.00) DNA testing fee, and submit to a
7 DNA analysis to determine the presence of genetic markers, if not previously ordered, to
8 the Clerk of the Second Judicial District Court. Attorney's fees are hereby waived by the
9 Court.

10 The Defendant is ordered to pay restitution in the amount of One Thousand Nine
11 Hundred Twenty-Four Dollars and Eighteen Cents (\$1,924.18) to Victim VC2108500. All
12 monetary payments, money and property collected from the Defendant shall be first
13 applied to pay the amount ordered as restitution to the Victim(s).

14 Any fine, fee administrative assessment or restitution imposed today (as reflected
15 in this Judgment) constitutes a lien, as defined in Nevada Revised Statute NRS 176.275.
16 Should the Defendant not pay these fines, fees, or assessments, collection efforts may
17 be undertaken against Katherine Dee Fletcher.

18 Dated this 29th day of October, 2020.

19
20 

21 _____
DISTRICT JUDGE
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28

FILED

OCT 29 2020

JACQUELINE BRYANT, CLERK

October 27, 2020
By: *[Signature]*
DEPUTY CLERK

To: Whom it may Concern at the Courts

Re: Case No. CR17-0690A

Subject: Request for Appeal

From: Katherine D. Fletcher

By the time this letter reaches you, I, Katherine D. Fletcher, will have been sentenced in case CR17-0690A. This is my official request for appeal in this matter. Please respond as soon as possible so I know this action has been taken. Thank you.

Sincerely,

Katherine Fletcher

IMPORTANT

October 27, 2020

Contact Info: (PLEASE RESPOND TO BOTH ADDRESSES)

Katherine Fletcher
1220599 N.N.C.C.
1721 E. Snyder Ave.
Carson City, NV 89701

&

Katherine Fletcher
1220599 FMWCC
4370 Smiley Road
Las Vegas NV 89115

4/1

FILED

NOV 16 2020

JACQUELINE BRYANT, CLERK

By: [Signature]
DEPUTY CLERK

Katherine Fletcher
1220599 N.N.C.C.
P.O. Box 7000
Carson City NV 89702

In the Second Judicial District Court of the State
of Nevada in and for the County of Washoe

Katherine Fletcher

vs.

Case No.: CR17-0690A
Dept. No.: 7

State of Nevada

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that I, Katherine
Fletcher appeal the Judgement/Order entered on the
29th day of October, 2020 by this court.

Dated this 5th day of November, 2020.

Katherine Fletcher
Katherine Fletcher

CERTIFICATE OF SERVICE BY MAIL

Pursuant to NRCP Rule 5(b), I hereby certify that I am the defendant named herein and that on this 10th day of November, 2020, I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:

Washoe County District Attorney
P.O. Box 11130
Reno NV 89502

Katherine Fletcher
Katherine Fletcher

AFFIRMATION PURSUANT to NRS 239B.030

** I certify that the foregoing document DOES NOT contain the Social Security Number of any persons.

November 10th, 2020

Katherine Fletcher
Katherine Fletcher

FILED

NOV 19 2020

JACQUELINE BRYANT, CLERK

By: [Signature]
DEPUTY CLERK

Katherine Fletcher
1220599 N-N.C.C.
P.O. Box 7000
Carson City NV 89702

In the Second Judicial District Court of the State
of Nevada in and for the County of Washoe

Katherine Fletcher

vs.

Case No.: CR17-0690A
Dept. No.: 7

State of Nevada

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that I, Katherine
Fletcher appeal the Judgement/Order entered on the
29th day of October, 2020, by this court.

Dated this 5th day of November, 2020

Katherine Fletcher
Katherine Fletcher

CERTIFICATE OF SERVICE BY MAIL

Pursuant to NRCp Rule 5(b), I hereby certify that I am the Defendant named herein and that on this 10th day of November, 2020, I mailed a true and correct copy of the foregoing NOTICE OF APPEAL to the following:

Washoe County District Attorney
P.O. Box 11130
Reno NV 89502

Katharine Fletcher
Katherine Fletcher

AFFIRMATION PURSUANT TO NRS 239 B. 030

** I certify that the foregoing document DOES NOT contain the Social Security Number of any persons.

November 10, 2020

Katharine Fletcher
Katherine Fletcher

November 12, 2020

Dear Mom,

I NEED YOUR HELP, PLEASE! The Courts conveniently lost my first request for appeal. Since then, I've put in an official NOTICE OF APPEAL, but am scared they will conveniently lose that too, if they at all can - which they can! I am fighting for my life against the clock! I have a very limited time to get the NOTICE OF APPEAL in.

What I want you to do is:

- make sure it gets in this week
- bring it down to the Old Court House's Filing Office on the first floor and get ~~it~~ it file stamped.
- IF the filing clerk says it's already been filed, ask for a file stamped copy
- make sure it's case number CR17-0690A
- and was dated November 2020.

This will save my life! They are playing dirty, trying to make it impossible for me to appeal, because they know I will win the appeal!

PLEASE HELP

Love, Kathy ^{Katherine Fletcher} Katherine Fletcher