

No. 82602

IN THE NEVADA SUPREME COURT

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Elizabeth A. Brown
Clerk of Supreme Court

Rickie Slaughter,

Petitioner-Appellant,

v.

Charles Daniels, et al.,

Respondents-Appellees.

On Appeal from the Order Denying Petition
For Writ of Habeas Corpus (Post-Conviction)
Eighth Judicial District, Clark County
(A-20-812949-W | 04C204957)
Honorable Tierra Jones, District Court Judge

**Petitioner-Appellant's Appendix to the Opening Brief
Volume XV of XXII**

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ALPHABETICAL INDEX

1.	Additional Exhibits Attached to Deposition of Detective Jesus Prieto 2199 02/22/2018
2.	Amended Criminal Complaint 0057 09/01/2004
3.	Amended Information..... 0083 09/28/2004
4.	Appellant's Opening Brief 3911 11/08/2019
5.	Appellant's Reply Brief..... 4320 02/20/2020
6.	Application and Affidavit for Search Warrant 0650 11/05/2009
7.	Attorney General's Response to Nevada Supreme Court's July 24, 2007, Order 0337 11/09/2007
8.	Criminal Complaint..... 0051 07/01/2004
9.	Declaration of Jennifer Springer 2442 11/13/2018
10.	Declaration of Maribel Yanez..... 2441 11/01/2018
11.	Declaration of Maribel Yanez..... 3907 10/24/2019
12.	Declaration of Osvaldo Fumo 3894 10/16/2019
13.	Defendant's Motion for a Continuance 0155 04/01/2005
14.	Defendant's Motion for Disclosure of all Brady and Giglio Material and Request for An In Camera SCOPE Review ... 1179 07/22/2011
15.	Defendant's Motion to Withdraw a Guilty Plea 0230 08/08/2005

16.	Defendant's Motions Transcript0667 12/01/2009
17.	Defendant's Reply to the State's Opposition to Defendant's Motion to Reveal Confidential Informant.....0131 03/18/2005
18.	Defendant's Request for Amended Plea Agreement0207 06/27/2005
19.	Deposition Transcript of Marc DiGiacomo2789 07/26/2019
20.	District Court Minutes on Writ of Habeas Corpus4504 06/11/2020
21.	Evidentiary Hearing Transcript0407 06/19/2008
22.	Exhibits Attached to Deposition of Detective Jesus Prieto .1881 02/22/2018
23.	Exhibits to Deposition of Marc DiGiacomo Part 1 of 63028 07/26/2019
24.	Exhibits to Deposition of Marc DiGiacomo Part 2 of 63224 07/26/2019
25.	Exhibits to Deposition of Marc DiGiacomo Part 3 of 63335 07/26/2019
26.	Exhibits to Deposition of Marc DiGiacomo Part 4 of 63529 07/26/2019
27.	Exhibits to Deposition of Marc DiGiacomo Part 5 of 63643 07/26/2019
28.	Exhibits to Deposition of Marc DiGiacomo Part 6 of 63852 07/26/2019
29.	Guilty Plea Agreement0162 04/04/2005
30.	Guilty Plea Transcript.....0171 04/04/2005
31.	Index of Exhibits in Support of Motion for the Court to Stay Entry of It's Written Order and for Leave to Request Reconsideration.....2744 04/04/2019

32.	Index of Exhibits in Support of Opposition to the State's Motion to Dismiss 2702 01/03/2019
33.	Index of Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) 4439 03/27/2020
34.	Index of Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) Part 1 of 2 2515 11/20/2018
35.	Index of Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) Part 2 of 2 2519 11/20/2018
36.	Information 0074 09/28/2004
37.	Jail Call Transcript..... 0040 06/29/2004
38.	Judgment of Conviction (Jury Trial) 1264 10/22/2012
39.	Judgment of Conviction (Plea of Guilty)..... 0234 08/31/2005
40.	Jury Trial Transcript at 1:30 p.m. 0843 05/13/2011
41.	Jury Trial Transcript at 11:00 a.m. 1102 05/20/2011
42.	Jury Trial Transcript at 5:15 p.m. 1165 05/20/2011
43.	Jury Trial Transcript at 9:00 a.m. 0770 05/13/2011
44.	Jury Trial Transcript..... 0869 05/16/2011
45.	Jury Trial Transcript..... 0935 05/17/2011
46.	Jury Trial Transcript..... 1006 05/18/2011
47.	Jury Trial Transcript..... 1043 05/19/2011

48.	Las Vegas Metropolitan Police Department (LVMPD) Communication Center Event Search 0001 06/03/2004
49.	MANUALLY FILED EXHIBIT 4533
50.	MANUALLY FILED EXHIBIT 4534
51.	MANUALLY FILED EXHIBIT 4535
52.	Motion for Leave to Conduct Discovery and for Court Order to Obtain Documents and Depositions 1620 08/02/2017
53.	Motion for the Court to Stay Entry of Its Written Order and For Leave to Request Reconsideration 2739 04/04/2019
54.	Motion for the Court to Take Judicial Notice of the Filings in Mr. Slaughter's Criminal Case Number 2708 01/04/2019
55.	Motion for the Court to Take Judicial Notice of the Filings in Mr. Slaughter's Prior Cases 4364 03/27/2020
56.	Motion to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence 0578 10/27/2009
57.	Motion to Expand the Record of Appeal and/or to Remand 4053 02/20/2020
58.	Motion to Preserve Evidence and Request to Inspect Original Photo Lineups 0101 02/28/2005
59.	Motion to Reveal Confidential Informant 0110 02/28/2005
60.	North Las Vegas Detention Center/Corrections Mugshot Profile for Rickie Lamont Slaughter 0047 06/29/2004

61.	North Las Vegas Police Department Police Report0008 06/26/2004
62.	North Las Vegas Police Department Police Report0019 06/26/2004
63.	North Las Vegas Police Department Police Report0021 06/26/2004
64.	North Las Vegas Police Department Police Report0033 06/29/2004
65.	North Las Vegas Police Department Police Report0048 06/30/2004
66.	North Las Vegas Police Department Police Report0053 07/29/2004
67.	North Las Vegas Police Department Police Report (Ivan Young).....0003 06/26/2004
68.	North LVMPD Incident Description (Jennifer Dennis).....0002 06/26/2004
69.	Notice of Appeal0319 01/11/2007
70.	Notice of Appeal2785 05/06/2019
71.	Notice of Appeal4530 03/05/2021
72.	Notice of Entry of Decision and Order.....0321 01/30/2007
73.	Notice of Entry of Decision and Order.....0565 08/12/2008
74.	Notice of Entry of Findings of Fact, Conclusions of Law and Order4520 02/12/2021
75.	Notice of Entry of Findings of Fact, Conclusions of Law and Order1504 07/24/2015
76.	Notice of Entry of Findings of Fact, Conclusions of Law and Order1597 06/13/2016

77.	Notice of Entry of Findings of Fact, Conclusions of Law and Order 2754 04/15/2019
78.	Notice of Motion for the Court's to Take Judicial Notice of the Filings in Mr. Slaughter's Criminal Case Number 2705 01/04/2019
79.	Opposition to Defendant's Motion to Reveal the Confidential Informant 0123 03/01/2005
80.	Opposition to Petitioner's Motion for Withdrawal of Guilty Plea 0376 04/18/2008
81.	Opposition to the State's Motion to Dismiss 2670 01/03/2019
82.	Opposition to the State's Motion to Dismiss 4475 05/07/2020
83.	Order Affirming In Part, Vacating in Part and Remanding 0328 07/24/2007
84.	Order Denying Motion 4362 03/11/2020
85.	Order of Affirmance 1269 03/12/2014
86.	Order of Affirmance 1612 07/13/2016
87.	Order of Affirmance 1615 04/19/2017
88.	Order of Affirmance 4505 10/15/2020
89.	Order of Reversal and Remand 0569 03/27/2009
90.	Order 1633 11/20/2017
91.	Order 2729 03/29/2019

92.	Petition for Writ of Habeas Corpus (Post-Conviction Relief) Transcript.....	1460
	06/22/2015	
93.	Petition for Writ of Habeas Corpus (Post-Conviction)	0236
	08/07/2006	
94.	Petition for Writ of Habeas Corpus (Post-Conviction)	1275
	03/25/2015	
95.	Petition for Writ of Habeas Corpus (Post-Conviction)	1516
	02/12/2016	
96.	Petition for Writ of Habeas Corpus (Post-Conviction)	2443
	11/20/2018	
97.	Petition for Writ of Habeas Corpus (Post-Conviction)	4369
	03/27/2020	
98.	Petition for Writ of Habeas Corpus Transcript (Post-Conviction).....	2713
	03/07/2019	
99.	Petitioner's Exhibits for Petition for Writ of Habeas Corpus (Post-Conviction)	1358
	03/25/2015	
100.	Petitioner's Exhibits for Petition for Writ of Habeas Corpus (Post-Conviction)	1555
	02/12/2016	
101.	Petitioner's Opening Brief in Support of His Request to Withdraw his Guilty Plea.....	0350
	03/28/2008	
102.	Petitioner's Reply to State's Response to Pro Per Petition for Writ of Habeas Corpus	1475
	07/15/2015	
103.	Petitioner's Reply to the State's Opposition to Withdrawal of Guilty Plea	0392
	05/12/2008	
104.	Petitioner's Response to the State's Opposition to Petitioner's Petition for Writ of Habeas Corpus/Request for Evidentiary Hearing/Exhibits.....	0262
	12/13/2006	

105.	Remittitur 0336 08/28/2007
106.	Remittitur 4514 11/09/2020
107.	Reply in Support of Motion for the Court to Stay Entry of It's Written Order and for Leave to Request Reconsideration .. 2780 04/15/2019
108.	Reply to State's Opposition to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence..... 0662 11/17/2009
109.	Reporter's Transcript..... 0709 05/12/2011
110.	Respondents' Answering Brief 3993 12/20/2019
111.	Response to Defendant's Motion to Preserve Evidence and Inspect Original Photo Line-Ups 0120 03/01/2005
112.	Second Amended Criminal Complaint 0065 09/20/2004
113.	Second Amended Information 0092 12/13/2004
114.	Sentencing Transcript 0211 08/08/2005
115.	Sentencing Transcript 1199 10/16/2012
116.	State's Opposition to Defendant's Motion for Leave to Supplement Petition for Writ of Habeas Corpus (Post-Conviction); Appointment of Counsel and Motion for Court Minutes and Transcripts At State Expense..... 0254 09/11/2006
117.	State's Opposition to Defendant's Motion to Stay..... 2747 04/08/2019

118.	State's Opposition to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence 0659 11/09/2009
119.	State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction) 2523 12/19/2018
120.	State's Response to Defendant's Pro Per Petition for Writ of Habeas Corpus 1444 06/02/2015
121.	State's Response to Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Dismiss Petition Pursuant to NRS 34.800 4442 04/29/2020
122.	Subpoena Duces Tecum to Clark County Detention Center 0692 02/01/2010
123.	Supplemental Index of Manually Filed Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) 4472 04/30/2020
124.	Surveillance Still Shots at 7-Eleven 0027 06/26/2004
125.	Third Amended Information 0147 03/21/2005
126.	Transcript of Deposition of Detective Jesus Prieto 1635 02/22/2018
127.	Transcript Re: Hearing 4516 11/16/2020
128.	Unsigned Declaration of Rickie Slaughter 2788 (undated)
129.	Verdict 1175 05/20/2011
130.	Writ of Habeas Corpus Transcript 0300 12/18/2006

CHRONOLOGICAL INDEX

VOLUME I

1.	Las Vegas Metropolitan Police Department (LVMPD) Communication Center Event Search 0001 06/03/2004
2.	North LVMPD Incident Description (Jennifer Dennis)..... 0002 06/26/2004
3.	North Las Vegas Police Department Police Report (Ivan Young)..... 0003 06/26/2004
4.	North Las Vegas Police Department Police Report 0008 06/26/2004
5.	North Las Vegas Police Department Police Report 0019 06/26/2004
6.	North Las Vegas Police Department Police Report 0021 06/26/2004
7.	Surveillance Still Shots at 7-Eleven 0027 06/26/2004
8.	North Las Vegas Police Department Police Report 0033 06/29/2004
9.	Jail Call Transcript..... 0040 06/29/2004
10.	North Las Vegas Detention Center/Corrections Mugshot Profile for Rickie Lamont Slaughter..... 0047 06/29/2004
11.	North Las Vegas Police Department Police Report 0048 06/30/2004
12.	Criminal Complaint..... 0051 07/01/2004
13.	North Las Vegas Police Department Police Report 0053 07/29/2004
14.	Amended Criminal Complaint 0057 09/01/2004
15.	Second Amended Criminal Complaint 0065 09/20/2004

16.	Information 0074 09/28/2004
17.	Amended Information..... 0083 09/28/2004
18.	Second Amended Information 0092 12/13/2004
19.	Motion to Preserve Evidence and Request to Inspect Original Photo Lineups 0101 02/28/2005
20.	Motion to Reveal Confidential Informant..... 0110 02/28/2005
21.	Response to Defendant's Motion to Preserve Evidence and Inspect Original Photo Line-Ups 0120 03/01/2005
22.	Opposition to Defendant's Motion to Reveal the Confidential Informant 0123 03/01/2005
23.	Defendant's Reply to the State's Opposition to Defendant's Motion to Reveal Confidential Informant..... 0131 03/18/2005
24.	Third Amended Information 0147 03/21/2005
25.	Defendant's Motion for a Continuance 0155 04/01/2005
26.	Guilty Plea Agreement 0162 04/04/2005
27.	Guilty Plea Transcript..... 0171 04/04/2005
28.	Defendant's Request for Amended Plea Agreement 0207 06/27/2005
29.	Sentencing Transcript 0211 08/08/2005
30.	Defendant's Motion to Withdraw a Guilty Plea 0230 08/08/2005
31.	Judgment of Conviction (Plea of Guilty)..... 0234 08/31/2005

VOLUME II	
32.	Petition for Writ of Habeas Corpus (Post-Conviction)..... 0236 08/07/2006
33.	State’s Opposition to Defendant’s Motion for Leave to Supplement Petition for Writ of Habeas Corpus (Post-Conviction); Appointment of Counsel and Motion for Court Minutes and Transcripts At State Expense..... 0254 09/11/2006
34.	Petitioner’s Response to the State’s Opposition to Petitioner’s Petition for Writ of Habeas Corpus/Request for Evidentiary Hearing/Exhibits..... 0262 12/13/2006
35.	Writ of Habeas Corpus Transcript..... 0300 12/18/2006
36.	Notice of Appeal 0319 01/11/2007
37.	Notice of Entry of Decision and Order..... 0321 01/30/2007
38.	Order Affirming In Part, Vacating in Part and Remanding 0328 07/24/2007
39.	Remittitur 0336 08/28/2007
40.	Attorney General’s Response to Nevada Supreme Court’s July 24, 2007, Order 0337 11/09/2007
41.	Petitioner’s Opening Brief in Support of His Request to Withdraw his Guilty Plea..... 0350 03/28/2008
42.	Opposition to Petitioner’s Motion for Withdrawal of Guilty Plea 0376 04/18/2008
43.	Petitioner’s Reply to the State’s Opposition to Withdrawal of Guilty Plea 0392 05/12/2008

VOLUME III	
44.	Evidentiary Hearing Transcript 0407 06/19/2008
45.	Notice of Entry of Decision and Order..... 0565 08/12/2008
46.	Order of Reversal and Remand..... 0569 03/27/2009
47.	Motion to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence 0578 10/27/2009
48.	Application and Affidavit for Search Warrant 0650 11/05/2009
VOLUME IV	
49.	State’s Opposition to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence 0659 11/09/2009
50.	Reply to State’s Opposition to Dismiss Case for Failure to Preserve or Destruction of Exculpatory Photo Lineup Identification Evidence..... 0662 11/17/2009
51.	Defendant’s Motions Transcript 0667 12/01/2009
52.	Subpoena Duces Tecum to Clark County Detention Center 0692 02/01/2010
53.	Reporter’s Transcript..... 0709 05/12/2011
54.	Jury Trial Transcript at 9:00 a.m. 0770 05/13/2011
55.	Jury Trial Transcript at 1:30 p.m. 0843 05/13/2011

VOLUME V	
56.	Jury Trial Transcript..... 0869 05/16/2011
57.	Jury Trial Transcript..... 0935 05/17/2011
58.	Jury Trial Transcript..... 1006 05/18/2011
59.	Jury Trial Transcript..... 1043 05/19/2011
VOLUME VI	
60.	Jury Trial Transcript at 11:00 a.m. 1102 05/20/2011
61.	Jury Trial Transcript at 5:15 p.m. 1165 05/20/2011
62.	Verdict 1175 05/20/2011
63.	Defendant’s Motion for Disclosure of all Brady and Giglio Material and Request for An In Camera SCOPE Review ... 1179 07/22/2011
64.	Sentencing Transcript 1199 10/16/2012
65.	Judgment of Conviction (Jury Trial) 1264 10/22/2012
66.	Order of Affirmance 1269 03/12/2014
VOLUME VII	
67.	Petition for Writ of Habeas Corpus (Post-Conviction) 1275 03/25/2015
68.	Petitioner’s Exhibits for Petition for Writ of Habeas Corpus (Post-Conviction) 1358 03/25/2015
69.	State’s Response to Defendant’s Pro Per Petition for Writ of Habeas Corpus 1444 06/02/2015

70.	Petition for Writ of Habeas Corpus (Post-Conviction Relief) Transcript..... 1460 06/22/2015
71.	Petitioner's Reply to State's Response to Pro Per Petition for Writ of Habeas Corpus 1475 07/15/2015
72.	Notice of Entry of Findings of Fact, Conclusions of Law and Order 1504 07/24/2015
VOLUME VIII	
73.	Petition for Writ of Habeas Corpus (Post-Conviction)..... 1516 02/12/2016
74.	Petitioner's Exhibits for Petition for Writ of Habeas Corpus (Post-Conviction)..... 1555 02/12/2016
75.	Notice of Entry of Findings of Fact, Conclusions of Law and Order 1597 06/13/2016
76.	Order of Affirmance 1612 07/13/2016
77.	Order of Affirmance 1615 04/19/2017
78.	Motion for Leave to Conduct Discovery and for Court Order to Obtain Documents and Depositions 1620 08/02/2017
79.	Order 1633 11/20/2017
VOLUME IX	
80.	Transcript of Deposition of Detective Jesus Prieto..... 1635 02/22/2018
VOLUME X	
81.	Exhibits Attached to Deposition of Detective Jesus Prieto . 1881 02/22/2018

VOLUME XI	
82.	Additional Exhibits Attached to Deposition of Detective Jesus Prieto 2199 02/22/2018
83.	Declaration of Maribel Yanez..... 2441 11/01/2018
84.	Declaration of Jennifer Springer 2442 11/13/2018
VOLUME XII	
85.	Petition for Writ of Habeas Corpus (Post-Conviction) 2443 11/20/2018
86.	Index of Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) Part 1 of 2 2515 11/20/2018
87.	Index of Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) Part 2 of 2 2519 11/20/2018
88.	State’s Response to Defendant’s Petition for Writ of Habeas Corpus (Post-Conviction) 2523 12/19/2018
VOLUME XIII	
89.	Opposition to the State’s Motion to Dismiss 2670 01/03/2019
90.	Index of Exhibits in Support of Opposition to the State’s Motion to Dismiss 2702 01/03/2019
91.	Notice of Motion for the Court’s to Take Judicial Notice of the Filings in Mr. Slaughter’s Criminal Case Number 2705 01/04/2019
92.	Motion for the Court to Take Judicial Notice of the Filings in Mr. Slaughter’s Criminal Case Number 2708 01/04/2019

93.	Petition for Writ of Habeas Corpus Transcript (Post-Conviction).....	2713 03/07/2019
94.	Order	2729 03/29/2019
95.	Motion for the Court to Stay Entry of Its Written Order and For Leave to Request Reconsideration	2739 04/04/2019
96.	Index of Exhibits in Support of Motion for the Court to Stay Entry of It's Written Order and for Leave to Request Reconsideration.....	2744 04/04/2019
97.	State's Opposition to Defendant's Motion to Stay.....	2747 04/08/2019
98.	Notice of Entry of Findings of Fact, Conclusions of Law and Order	2754 04/15/2019
99.	Reply in Support of Motion for the Court to Stay Entry of It's Written Order and for Leave to Request Reconsideration ..	2780 04/15/2019
100.	Notice of Appeal	2785 05/06/2019
VOLUME XIV		
101.	Unsigned Declaration of Rickie Slaughter	2788 (undated)
102.	Deposition Transcript of Marc DiGiacomo	2789 07/26/2019
VOLUME XV		
103.	Exhibits to Deposition of Marc DiGiacomo Part 1 of 6	3028 07/26/2019
VOLUME XVI		
104.	Exhibits to Deposition of Marc DiGiacomo Part 2 of 6	3224 07/26/2019

VOLUME XVII	
105.	Exhibits to Deposition of Marc DiGiacomo Part 3 of 6 3335 07/26/2019
VOLUME XVIII	
106.	Exhibits to Deposition of Marc DiGiacomo Part 4 of 6 3529 07/26/2019
VOLUME XIX	
107.	Exhibits to Deposition of Marc DiGiacomo Part 5 of 6 3643 07/26/2019
VOLUME XX	
108.	Exhibits to Deposition of Marc DiGiacomo Part 6 of 6 3852 07/26/2019
109.	Declaration of Osvaldo Fumo 3894 10/16/2019
110.	Declaration of Maribel Yanez..... 3907 10/24/2019
111.	Appellant's Opening Brief 3911 11/08/2019
112.	Respondents' Answering Brief 3993 12/20/2019
VOLUME XXI	
113.	Motion to Expand the Record of Appeal and/or to Remand 4053 02/20/2020
VOLUME XXII	
114.	Appellant's Reply Brief..... 4320 02/20/2020
115.	Order Denying Motion..... 4362 03/11/2020

116.	Motion for the Court to Take Judicial Notice of the Filings in Mr. Slaughter's Prior Cases 4364 03/27/2020
117.	Petition for Writ of Habeas Corpus (Post-Conviction) 4369 03/27/2020
118.	Index of Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) 4439 03/27/2020
119.	State's Response to Petition for Writ of Habeas Corpus (Post-Conviction) and Motion to Dismiss Petition Pursuant to NRS 34.800 4442 04/29/2020
120.	Supplemental Index of Manually Filed Exhibits in Support of Petition for Writ of Habeas Corpus (Post-Conviction) 4472 04/30/2020
121.	Opposition to the State's Motion to Dismiss 4475 05/07/2020
122.	District Court Minutes on Writ of Habeas Corpus 4504 06/11/2020
123.	Order of Affirmance 4505 10/15/2020
124.	Remittitur 4514 11/09/2020
125.	Transcript Re: Hearing 4516 11/16/2020
126.	Notice of Entry of Findings of Fact, Conclusions of Law and Order 4520 02/12/2021
127.	Notice of Appeal 4530 03/05/2021
128.	MANUALLY FILED EXHIBIT 4533
129.	MANUALLY FILED EXHIBIT 4534
130.	MANUALLY FILED EXHIBIT 4535

Dated July 21, 2021.

Respectfully submitted,

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Federal Public Defender

/s/ *Jeremy C. Baron*
Jeremy C. Baron
Assistant Federal Public Defender

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2021, I electronically filed the foregoing with the Clerk of the Nevada Supreme Court by using the appellate electronic filing system.

Participants in the case who are registered users in the appellate electronic filing system will be served by the system and include: Alexander Chen.

I further certify that some of the participants in the case are not registered appellate electronic filing system users. I have mailed the foregoing document by First-Class Mail, postage pre-paid, or have dispatched it to a third party commercial carrier for delivery within three calendar days, to the following person:

Rickie Slaughter NDOC #85902 High Desert State Prison P.O. Box 650 Indian Springs, NV 89070	Erica Berrett Deputy Attorney General Office of the Attorney General 555 E. Washington Ave. Suite 3900 Las Vegas, NV 89101
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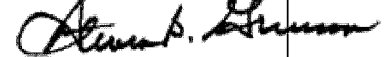
/s/ Richard D. Chavez

An Employee of the
Federal Public Defender

TABLE OF EXHIBITS TO MARC DIGIACOMO'S DEPOSITION

Exhibit 1	XV.App.3032-34
Exhibit 2	XV.App.3035-40
Exhibit 3	XV.App.3041-42
Exhibit 4	XV.App.3043
Exhibit 5	XV.App.3044-60
Exhibit 6	XV.App.3061-67
Exhibit 7	XV.App.3068-69
Exhibit 8	XV.App.3070-71
Exhibit 9	XV.App.3072-73
Exhibit 10	XV.App.3074-75
Exhibit 12	XV.App.3076-81
Exhibit 12	XV.App.3082-86
Exhibit 13	XV.App.3087-94
Exhibit 14	XV.App.3095-158
Exhibit 15	XV.App.3159
Exhibit 16	XV.App.3160-61
Exhibit 17	XV.App.3162-XVII.App.3385
Exhibit 18	XVII.App.3386-401
Exhibit 19	XVII.App.3402-18
Exhibit 20	XVII.App.3419-26
Exhibit 21	XVII.App.3427-76
Exhibit 22	XVII.App.3477-527
Exhibit 23	XVII.App.3528-XVIII.App.3559
Exhibit 24	XVIII.App.3560-98
Exhibit 25	XVIII.App.3599-614
Exhibit 26	XVIII.App.3615-XIX.App.3659

Exhibit 27	XIX.App.3660-62
Exhibit 28	XIX.App.3663-88
Exhibit 29	XIX.App.3689-92
Exhibit 30	XIX.App.3693-94
Exhibit 31	XIX.App.3695-96
Exhibit 32	XIX.App.3697-733
Exhibit 33	XIX.App.3734-38
Exhibit 34	XIX.App.3739-41
Exhibit 35	XIX.App.3742-43
Exhibit 36	Audio file – subject to motion to transfer
Exhibit 37	XIX.App.3746-57
Exhibit 38	XIX.App.3758-61
Exhibit 39	XIX.App.3762-70
Exhibit 40	XIX.App.3773-81
Exhibit 41	XIX.App.3784-92
Exhibit 42	XIX.App.3795-96
Exhibit 43	XIX.App.3797-804
Exhibit 44	XIX.App.3805-15
Exhibit 45	XIX.App.3816-35
Exhibit 46	XIX.App.3836-XX.App.3856
Exhibit 47	XX.App.3857-93



CASE NO: A-20-812949-W
Department 14

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EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY

RICKIE SLAUGHTER,

Petitioner,

v.

CHARLES DANIELS, Director, Nevada
Department of Corrections; MARTIN L.
FRINK, Warden, Saguaro Correctional
Center; RENEE BAKER, ex-Warden, Ely
State Prison; and AARON FORD,
Attorney General of the State of Nevada,

Respondents.

Case No. _____
Dept. No. III

(Not a Death Penalty Case)

INDEX OF EXHIBITS IN SUPPORT OF
PETITION FOR WRIT OF HABEAS CORPUS
(POST-CONVICTION)

No.	DATE	DOCUMENT	COURT	CASE #
23.	07/26/2019	Deposition Transcript of Marc DiGiacomo	United States District Court	3:16-CV-00721-RCJ-WGC
24.	07/26/2019	Exhibits to Deposition of Marc DiGiacomo	N/A	N/A
25.	10/16/2019	Declaration of Osvaldo Fumo	N/A	N/A
26.	10/24/2019	Declaration of Maribel Yanez	N/A	N/A
27.	(undated)	Unsigned Declaration of Rickie Slaughter ¹	N/A	N/A

DATED March 27, 2020.

Respectfully Submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ Jeremy C. Baron
JEREMY C. BARON
Assistant Federal Public Defender

¹ Mr. Slaughter has stated this declaration is entirely truthful and that he intends to sign it. However, undersigned counsel has not been able to get a signed version of this declaration in time for this filing. Undersigned counsel will file a signed version promptly.

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CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2020, I electronically filed the foregoing with the Clerk of the Eighth Judicial District by using the Court’s electronic filing system.

Participants in the case who are registered users in the electronic filing system will be served by the system and include: Steven Wolfson, Steven.Wolfson@clark-countyda.com, Motions@clarkcountyda.com

I further certify that some of the participants in the case are not registered electronic filing system users. I will mail a copy of the foregoing document to the following people:

Michael Bongard
Office of the Attorney General
1539 Ave. F Suite 2
Ely, NV 89301

Rickie Slaughter
No. 85902
Saguaro Correctional Center
1252 E. Arica Road
Eloy, AZ 85131

/s/ Richard Chavez
An Employee of the Federal Public
Defender, District of Nevada

EXHIBIT 24

Part 1 of 6

EXHIBIT 24

EXHIBIT 31

EXHIBIT 31



Shirley Blumquist
CLERK

001
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
SUSAN R. KRISKO
Deputy District Attorney
Nevada Bar #006955
200 South Third Street
Las Vegas, Nevada 89155-2211
(702) 455-4711
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

RICKIE LAMONT SLAUGHTER,
#1896569

Defendant.

CASE NO: C204957

DEPT NO: XVI

NOTICE OF REBUTTAL ALIBI

Pursuant to NRS 174.087(2) the State of Nevada through DAVID ROGER, Clark County District Attorney, by and through Deputy District Attorney, SUSAN R. KRISKO, and notifies the Defendant of a Rebuttal Alibi witness. The witness that may be called by the State of Nevada is as follows:

JESSIE PRIETO, NLVPD

TOD WILLIAMS, NLV DETENTION CENTER

JEFF ARBUCKLE, 715 N. NELLIS, LV, NV

//

//

KENNY MARKS, [REDACTED] NLV, NV
SGT. KELSO, CLARK COUNTY DETENTION CENTER
DATED this ____ day of December, 2004.

DAVID ROGER
DISTRICT ATTORNEY
Nevada Bar #002781

BY /s/SUSAN R. KRISKO
SUSAN R. KRISKO
Deputy District Attorney
Nevada Bar #006955

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that service of Notice of Rebuttal Alibi, was made this 9th day of
DECEMBER, 2004, by facsimile transmission to:

PAUL WOMMER, ESQ.
FAX # 388-8819

/s/L. GUDEMAN
Secretary for the District Attorney's Office

04FN0980X/GCU:lg

EXHIBIT 106

EXHIBIT 106



TRAN
CASE NO. C-204957
DEPT. NO. 3

FILED

2009 AUG 26 A 9 55

ORIGINAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Ed Stewart
CLERK OF THE COURT

* * * * *

THE STATE OF NEVADA,

Plaintiff,

vs.

RICKIE SLAUGHTER,

Defendant.

REPORTER'S TRANSCRIPT
OF
MTN FOR REASONABLE BAIL

BEFORE THE HONORABLE STEWART BELL
DISTRICT COURT JUDGE

DATED: TUESDAY, JULY 28, 2009

REPORTED BY: SHARON HOWARD, C.C.R. NO. 745

RECORDED
7 31 26 2009

1 APPEARANCES:

2 For the State: MARC DIGIACOMO, ESQ.

3

4 For the Defendant: SUSAN BUSH, ESQ.

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1 LAS VEGAS, NEVADA; TUESDAY, JULY 28, 2009

2 P R O C E E D I N G S

3 * * * * *

4
5 THE COURT: State of Nevada versus Rickie
6 Slaughter, C-204957. Mr. Slaughter is present in custody.
7 Mr. DiGiacomo for the State.

8 This is Defendant's motion for bail. I've read it.
9 I understand it.

10 Anything to add that's not in the motion.

11 MS. BUSH: Yes, a couple of things, your
12 Honor. Mr. Slaughter's family is here supporting him. If
13 he's released, he does have substantial family.

14 THE COURT: He's not getting released. I
15 pulled his scope and accidentally dropped it on my foot
16 and it broke my toe. He's got multiple convictions for
17 the same kind of stuff. If you look at the bail that was
18 set by Judge Herndon on a count-by-count basis, none of
19 them are unreasonable. They just add up to a lot.

20 MS. BUSH: I think my concern is that it
21 was 255,000.00 in 2004. Nothing has changed. And that it
22 was set 10 times that amount when he came back to court.
23 We would asked that that be reduced back down to the
24 original charge amounts.

25 THE COURT: Motion is denied.

1 MR. DIGIACOMO: There's one issue I raised
2 with Ms. Bush the last time we were here in court. We've
3 talked to Molly. We need to move the trial date. The
4 detective is out of town the date we set it. We talked
5 about --

6 THE COURT: Whatever date is convenient
7 for you and Ms. Bush and your detective is good for us.

8 MR. DIGIACOMO: December 7th is what we --

9 THE COURT: Does that work for you, Ms.
10 Bush?

11 MS. BUSH: That's correct.

12 THE COURT: You waived the 60 days no
13 problem?

14 MR. DIGIACOMO: He has, Judge.

15 THE COURT: December 7th, is that calendar
16 call? Trial date will be the --

17 THE CLERK: The 3rd.

18 THE COURT: Okay.

19 MR. DIGIACOMO: Thank you, Judge.

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CERTIFICATE
OF
CERTIFIED COURT REPORTER
* * * * *

I, the undersigned certified court reporter in and for the
State of Nevada, do hereby certify:

That the foregoing proceedings were taken before me at the
time and place therein set forth; that the testimony and
all objections made at the time of the proceedings were
recorded stenographically by me and were thereafter
transcribed under my direction; that the foregoing is a
true record of the testimony and of all objections made at
the time of the proceedings.



Sharon Howard
C.C.R. #745

EXHIBIT 9

EXHIBIT 9



NORTH LAS VEGAS POLICE

WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160**TO WITNESS:**

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1



#2



#3



#4



#5



#6

RJ

ADDITIONAL WITNESS COMMENTS:

This is the guy that I think that called me
over to Evans House and tied me up and shot Ivan

[Signature] 674
 Signature of Officer

[Signature]
 Signature of Witness

6-29-04 1400
 Date & Time

Signature of Officer

Witness Name Printed

Las Vegas Metropolitan Police Department

SLAUGHTER, RICKIE LAMONG



1896569 04-20-2004

EXHIBIT

4

FOR LAW ENFORCEMENT USE ONLY

App. 3043

1 CCO3
2 SUSAN KAYE BUSH, ESQ.
3 Nevada Bar No. 8007
4 BUSH & LEVY, LLC.
5 528 So. Casino Center Blvd., Suite 202
6 Las Vegas, Nevada 89101
7 (702) 868-4411
8 Attorney for Defendant
9 RICKIE SLAUGHTER

DISTRICT COURT
CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,)
11)
12 Plaintiff,)
13 vs.)
14 RICKIE SLAUGHTER,)
15 Defendant.)

CASE NO.: C204957-C
DEPT NO.: III

SUBPOENA-CRIMINAL

☐ REGULAR ☒ DUCES TECUM

16 THE STATE OF NEVADA SENDS GREETINGS TO:

17 Custodian of Records
18 Clark County Detention Center
19 330 S, Casino Center
20 Las Vegas, Nevada 89101

21 YOU ARE HEREBY COMMANDED that all and singular, business and excuses set
22 aside, you appear and attend on the 19th day of February, 2010, at the hour of 3:00 PM, at the law
23 offices of BUSH & LEVY, LLC. The address where you are required to appear is 528 South
24 Casino Center, Suite 202, Las Vegas, Nevada 89101. Your attendance is required to give
25 testimony and/or to produce and permit inspection of copying of designated books, documents or
26 tangible things in your possession, custody or control, or to permit inspection and copying of
27 designated books, documents or tangible things in your possession, custody or control, or to
28 permit inspection of premises.

You will be required to bring with you at the time of your appearance the items set forth

EXHIBIT

5

ORIGINAL

1 **CC03**
2 **SUSAN KAYE BUSH, ESQ.**
3 Nevada Bar No. 8007
4 **BUSH & LEVY, LLC.**
5 528 So. Casino Center Blvd., Suite 202
6 Las Vegas, Nevada 89101
7 (702) 868-4411
8 Attorney for Defendant
9 **RICKIE SLAUGHTER**

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

12 **THE STATE OF NEVADA,**)

13 Plaintiff,)

14 vs.)

15 **RICKIE SLAUGHTER,**)

16 Defendant.)

CASE NO.: C204957-C
DEPT NO.: III

SUBPOENA-CRIMINAL

☐ REGULAR ☒ DUCES TECUM

17 **THE STATE OF NEVADA SENDS GREETINGS TO:**

18 Custodian of Records
19 Clark County Detention Center
20 330 S. Casino Center
21 Las Vegas, Nevada 89101

22 **YOU ARE HEREBY COMMANDED** that all and singular, business and excuses set
23 aside, you appear and attend on the 19th day of February, 2010, at the hour of 3:00 PM, at the law
24 offices of BUSH & LEVY, LLC. The address where you are required to appear is 528 South
25 Casino Center, Suite 202, Las Vegas, Nevada 89101. Your attendance is required to give
26 testimony and/or to produce and permit inspection of copying of designated books, documents or
27 tangible things in your possession, custody or control, or to permit inspection and copying of
28 designated books, documents or tangible things in your possession, custody or control, or to
permit inspection of premises.

You will be required to bring with you at the time of your appearance the items set forth

1 below. If you fail to attend, you will be deemed guilty of contempt of Court and liable to pay all
2 losses and damages sustained thereby to the parties aggrieved and forfeit One Hundred Dollars
3 (\$100.00) in addition thereto.

4 BUSH & LEVY, LLC.

5
6
7 By: Sus Bush 2-1-10
8 SUSAN KAYE BUSH, ESQ. Date
9 Nevada Bar No. 8007
10 528 South Casino Center, #202
11 Las Vegas, Nevada 89101
12 (702) 868-4411
13 Attorneys for Defendant
14 RICKIE SLAUGHTER
15
16
17

12 ITEMS TO BE PRODUCED

14 Certified copies of all booking photographs prior to June 26, 2004, for Errick E.
15 Hawkins, ID # 1906848, SSN [REDACTED]-6948, DOB [REDACTED]-1984; Rickie L. Slaughter, ID #
16 1896569, SSN [REDACTED]-7827, DOB [REDACTED]-1984; Marvin Robinson, a.k.a. Marvin A. Taylor, ID
17 \$ 1582692, DOB [REDACTED] 1985, and Jacquan L. Richard, ID # 1211173, SSN [REDACTED]-8071, DOB
18 [REDACTED]-1978.

18 ****IF REQUESTED DOCUMENTS/RECORDS ARE PRODUCED TO THE LAW OFFICE
19 OF BUSH & LEVY, LLC, ON OR BEFORE February 12, 2010, NO APPEARANCE WILL BE
20 REQUIRED.
21
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23
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BUSH & LEVY, LLC.

Attorneys at Law

Susan Kaye Bush
Monti Jordana Levy
Abira Anwar

528 South Casino Center Blvd., Suite 202
Las Vegas, Nevada 89101
Telephone: 702-868-4411
Facsimile: 702-868-0248

February 1, 2010

Custodian of Records
Clark County Detention Center
330 S. Casino Center Blvd.
Las Vegas, Nevada 89101

Re: The State of Nevada vs. Rickie Slaughter
Case No.: C204957-C

To Whom It May Concern:

Please be advised that you have been served with a Subpoena Duces Tecum requesting certified copies of any and all booking photographs prior to June 26, 2004, for Errick E. Hawkins, Jacquan L. Richard, Marvin Robinson, a.k.a. Marvin A. Taylor and Defendant, Rickie L. Slaughter. Please be advised that if you provide our office with the requested documents at your earliest convenience and before the appearance date, and you complete the Certificate of Custodian of Records before a Notary Public enclosed herewith and return it to our office with the requested documents, you will not need to appear on the date and time stated in the Subpoena Duces Tecum.

If you have any questions regarding the subpoena or need any additional information, please do not hesitate to contact me.

Sincerely,


Susan Kaye Bush

SKB/mdf
Encl.: As stated

CERTIFICATE OF CUSTODIAN OF RECORDS

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

_____, who, after first being duly sworn, deposes and
says

1. I am the authorized Custodian of Records for the Clark County Detention Center.
2. The Clark County Detention Center is duly established in the State of Nevada.
3. That on the ____ day of _____, 2010, I was served with a Subpoena Duces Tecum in connection with the case entitled THE STATE OF NEVADA vs. RICKIE SLAUGHTER, calling for the production of the following:

a. Certified copies of all booking photographs prior to June 26, 2004, for Errick E. Hawkins, ID # 1906848, SSN [REDACTED]-6948, DOB [REDACTED]-1984; Rickie L. Slaughter, ID # 1896569, SSN [REDACTED]-7827, DOB [REDACTED]-1984; Marvin Robinson, a.k.a. Marvin A. Taylor, ID # 1582692, DOB [REDACTED]-1985, and Jacquan L. Richard, ID # 1211173, SSN [REDACTED]-8071, DOB [REDACTED]-1978.

4. The accompanying documents are a true and exact copy of the originals from the Clark County Detention Center, and responsive to the subpoena Duces Tecum which requires me to appear on February 19, 2010, at 3:00 PM at the Law Office of BUSH & LEVY, 528 S. Casino Center Blvd., Suite 202, Las Vegas, Nevada.

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1 5. That copies of the requested documents were made by me near the time of the acts,
2 events, conditions or opinions recited therein.

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Signature

(Print Name)

STATE OF NEVADA

COUNTY OF CLARK

This instrument was acknowledged before
me on this ____ day of _____, 2010, by

(Signature of Notarial Officer)

My commission expires:

(date)



LAS VEGAS METROPOLITAN
POLICE DEPARTMENT

DOUGLAS C. GILLESPIE, Sheriff

February 4, 2010

Partners with the Community

Susan Kaye Bush, Esq
Bush & Levy, LLC.
528 S. Casino Center Blvd., Suite 202
Las Vegas, NV 89101

Re: Case : C204957 Rickie Slaughter
ID # 1896569

Dear Ms. Bush,

The Clark County Detention Center ("CCDC") is in receipt of your subpoena requesting all booking photographs prior to June 26, 2004 relating to Errick E. Hawkins, ID# 1906848, SSN [REDACTED]-6948, DOB [REDACTED]-1984; Marvin Robinson, a.k.a. Marvin A. Taylor, ID# 1582692, DOB [REDACTED]-1985; and Jacquan L. Richard, ID# 1211173, SSN [REDACTED]-8071, DOB [REDACTED]-1978, who are not your clients.

Records maintained by the CCDC contain privileged criminal history, medical and personal information which cannot be disclosed to you in the absence of an authorized notarized release from each of the subjects of the inquiry, which must also include a provision that the signer releases the CCDC and the Las Vegas Metropolitan Police Department ("LVMPD") from any and all liability which may arise from response to the subpoena.

Therefore, I am unable to produce the records requested. Additionally, there is a \$26 fee for the production of each of the records you are requesting. Please forward a check made out to The Clark County Detention Center for \$26 and a signed authorized notarized release from Mr. Errick Hawkins, Mr. Marvin Robinson, and Mr. Jacquan L. Richard. The records will be gathered and forwarded within five (5) days of the receipt of those documents.

If you have any further questions, please feel free to contact me at (702) 671-3918.

Sincerely,

DOUGLAS C. GILLESPIE, SHERIFF

BY: CAROL DALY, SR LEST
CUSTODIAN OF RECORDS
DSD RECORDS BUREAU

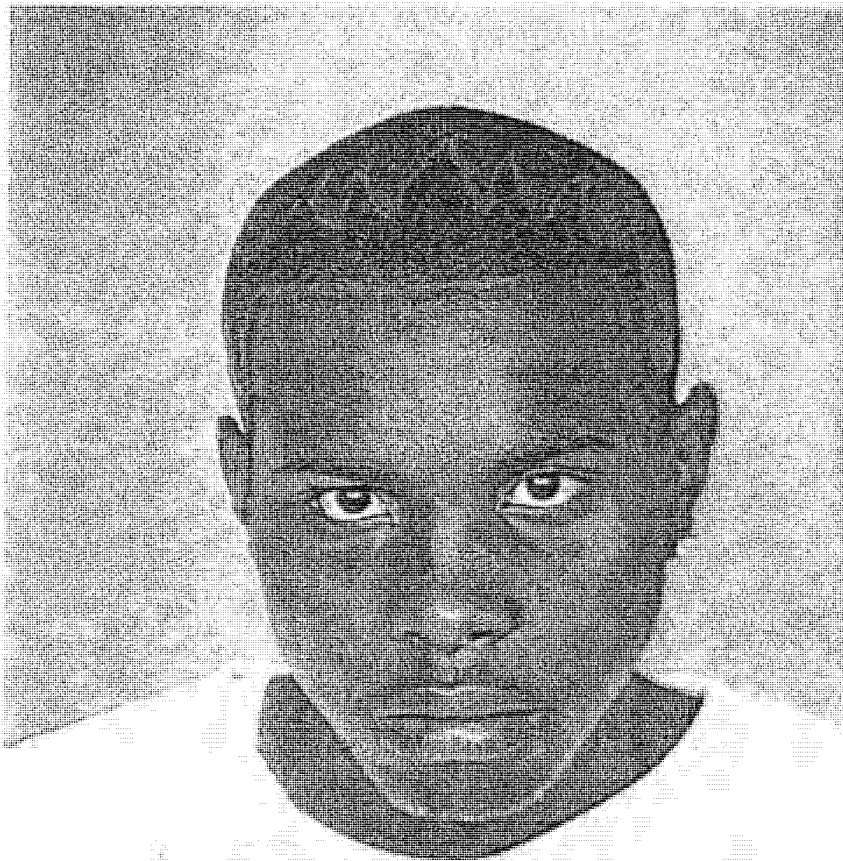
cc: DA Marc Digiacomo





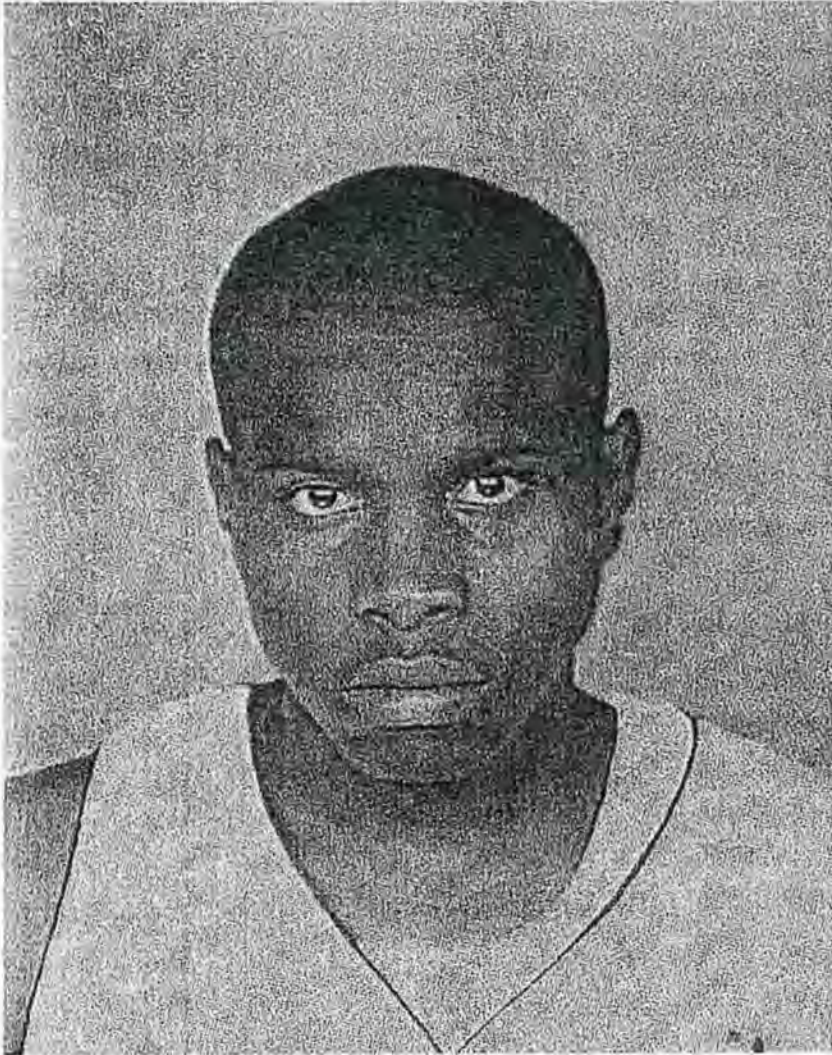
1-29-04

<http://crimeweb.lvmnd.int/crimeweb/readimage?asn?Image=\\MITC-D02\\Images\\I\\C\\Crim-7/4/0010>



10-4-03

<http://crimeweb.lvmopd.int/crimeweb/readimage2.asp?Image=\\MITC-D03\\Images\\V\\Crim1> 7/1/2010

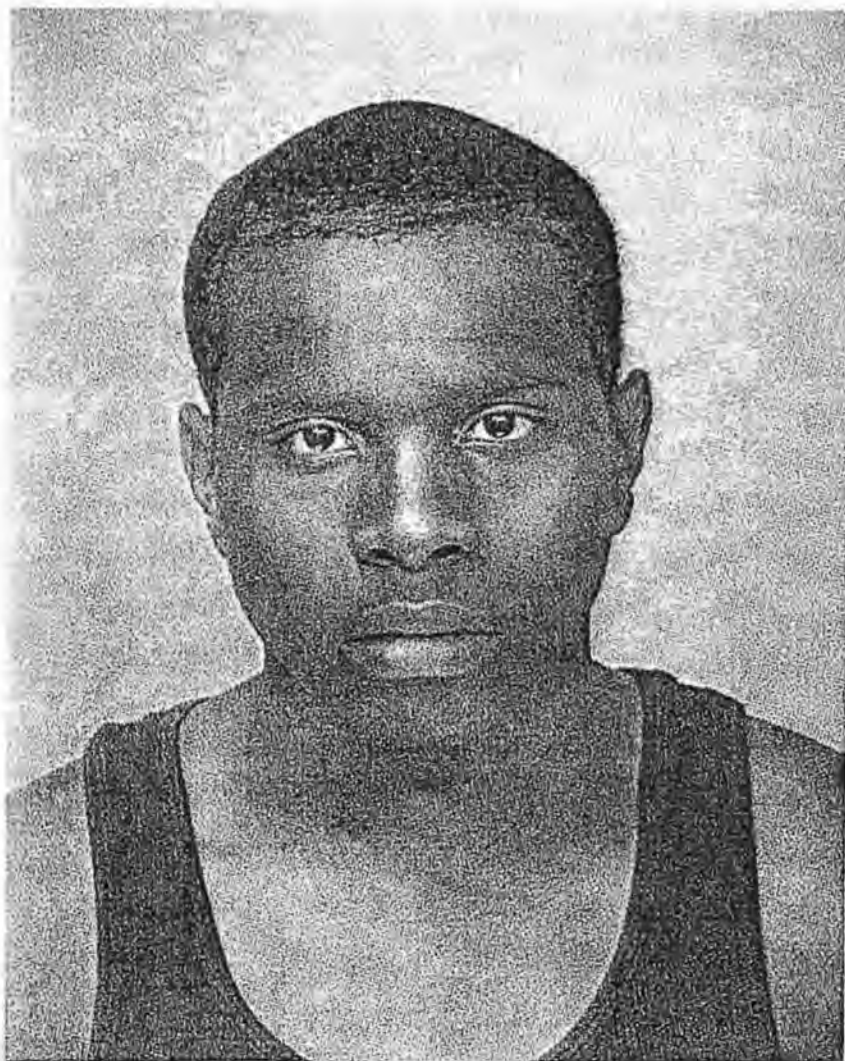


9-5-03

<http://crimeweb.lvmnd.int/crimeweb/readimage?asn?Image=\\MTC-D03\Images\1\Crini: 2/4/2010>



7403
<http://crimeweb.lvmnd.int/crimeweb/readimage?asn?Image=\\MITC-D03\\Images\\FV\\Crim:> 2/1/2010

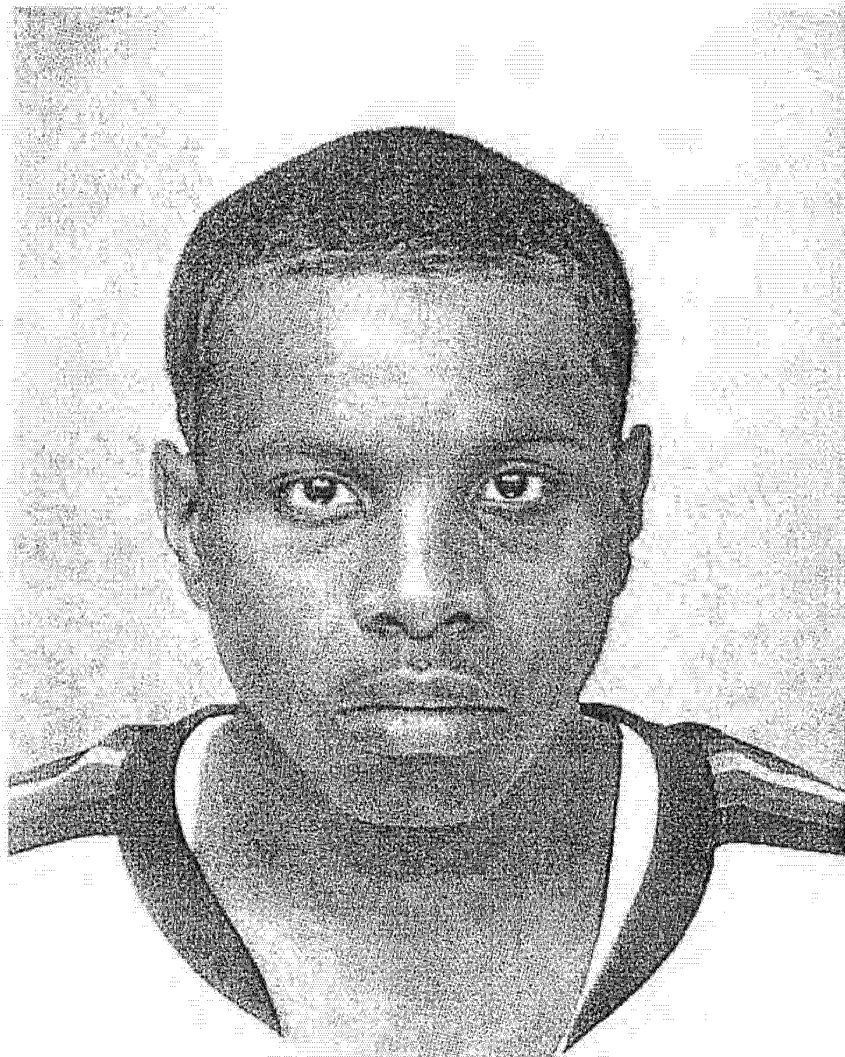


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3-13-03

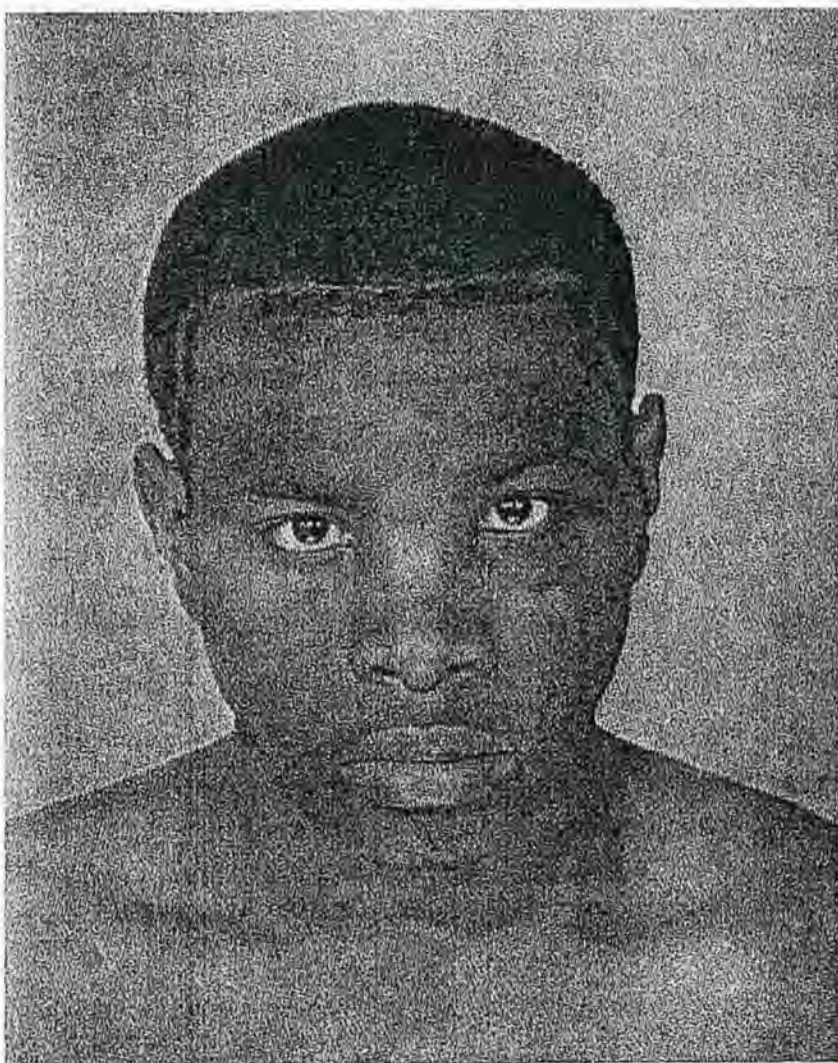
<http://crimeweb.lvmnd.int/crimeweb/readimage?asn?Image=\\MITC-D03\Images\I\VCrim> 3/13/03



2-403

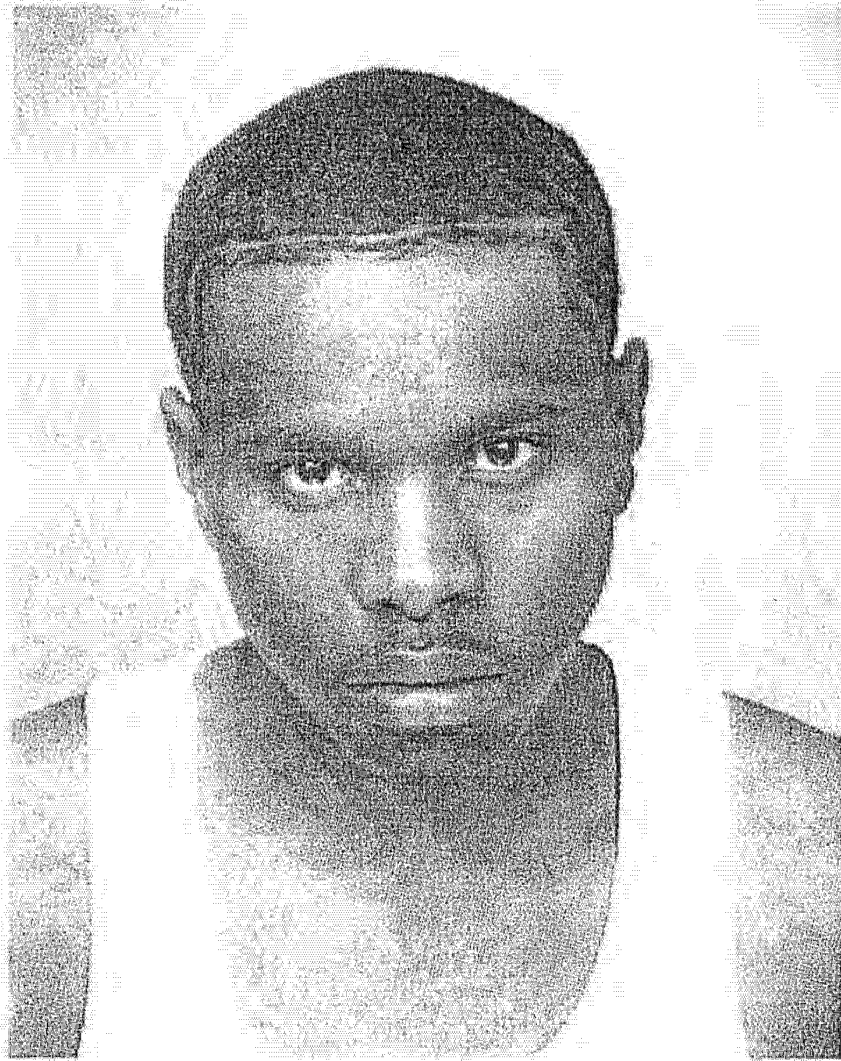
<http://crimeweb.lvmpd.int/crimeweb/readimage2.asp?Image=\\MITC-D03\\Images\\VCrimi> 2/4/2010

App. 3057

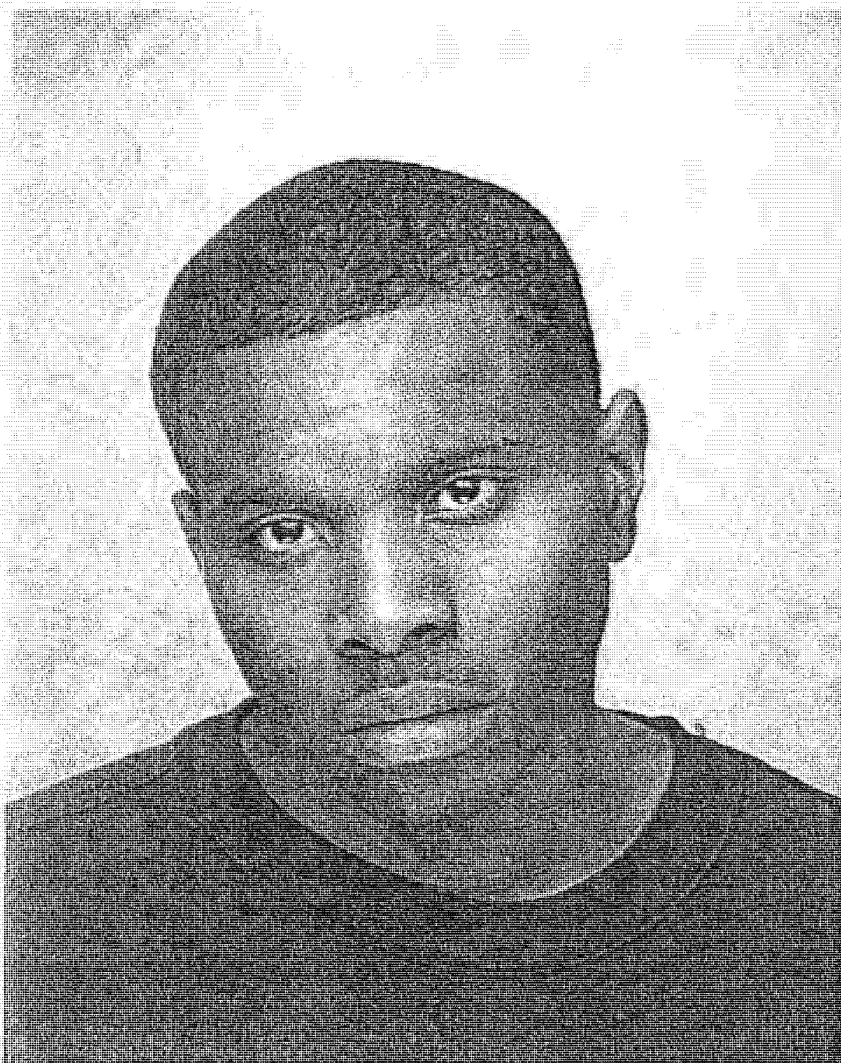


2-1-03

<http://crimeweb.lymod.int/crimeweb/readimage2.asp?Image=\\MITC-D03\Images\I.VCrimi> 2/4/2010



128.03
<http://crimeweb.lvmopd.int/crimeweb/readimage2.asp?Image=\\MTC-D03\Images\VCrimi> 2/1/2010



1-17-03
<http://crimeweb.lympd.int/crimeweb/readimage2.asp?Image=\\MITC-D03\\Images\\V\\Crimi> 2/4/2010

NM-SLAUGHTER RICKIE LAMONT JR SID-03421720 000 SS- 7827
CS-1896569 BD- 1984 RC-B SX-M HT-509 WT-180 HR-BLK EY-BRO
AK-MITCHELL RICK SID-03421720 003

SPC

BP-LVN FB-783122DC6 SI-NV04086823 01-CON REG 02-F/A NO
A1-2201 SUN AVE #D NLVN 89030 042004
CP254 MPD FELONY ATT POSS CS #196399 04 NV 042004 REGISTERED
CP255 MPD FELONY BURGLARY #190662 03 NV 042004 REGISTERED
WC254 MPD 060304 TRES 715 N NELLIS P# 6539 040603-2698
PP255 EJC 040104 DRUG COURT PARTICIPANT, IF COTNACTED CALL 393-9704, 24HRS
PI254 040903 NLV-TAT RF ARM "RICC"/SC ABDOM 6"/SC R SIDE STAB WOUND
PI253 012803 MPD**TAT LR ARM-"RICE"**
PI255 050200 NLV-**RUNAWAY INFO: HAIR DYED YELLOW**
MP255 NLV 050200 RUNAWAY JUVENILE - NOTIFY NLVPD 00-8207 *CANCEL* 050200
DR255 MPD 020803 T/C LAMB/CHARLESTON 030208-1441
DR254 MPD 011397 T/C OWENS/PATRICK (PEDALCYCLIST) 970113-1406
CN254 JCS-J349101
CN255 JCS-J750399 NLV-MF-89534
AR211 NLV 053 062804 FLSE IMPRIS W/DEAD WEAP 04-15160 NLV
AR212 NLV 052 062804 BURG W/DEAD WEAP 04-15160 NLV
AR213 NLV 051 062804 ROBB W/DEAD WEAP 04-15160 NLV

DISPLAY CONTINUED ON NEXT PAGE

EXHIBIT

6

SID-03421720

AR214 NLV 050 062804 ATT	MURDER W/DEAD WEAP	04-15160	NLV
AR215 NLV 022 021304	NO PROOF OF INSURANCE	03-7754	NLV
		NLV BW-CR2193-03	
AR216 NLV 021 021304	DRIV REVOKED LIC	03-7754	NI
		NLV BW-CR2193-03	
AR217 NLV 023 021304	VEH REG VIOL	03-7754	NLV
		NLV BW-CR2193-03	
AR218 NLV 049 021304	FL APP FTA	04-3500	NLV
		NLV BW-CR778-03	
AR219 NLV 048 021304	VIOL INSTRUCT PERMIT	04-3500	NLV
		NLV BW-CR778-03	
AR220 NLV 047 021304	NO PROOF OF INSURANCE	04-3500	NLV
		NLV BW-TR287-03	
AR221 NLV 046 021304	OPERATE UNREGISTERED VEH	04-3500	NLV
		NLV BW-TR287-03	
AR222 LVJ 045 012904 FTA	TRESPASS		MPD
		LVC BW-C-566489-A	
AR223 LVJ 044 012904 FTA	PED FL OBEY TRF CONT		MPD
		LVC BW-1-3101541-A	
AR224 LVJ 043 012904 FTA	PED FL OBEY TRF CONT		MPD
		LVC BW-1-3157831-A	

DISPLAY CONTINUED ON NEXT PAGE

SID-03421720

AR225 NPP 005 100503	PROB VIOL-BURG	030103-1625	MPD
AD225 MPD 005 100503	BURG	RBK MPD DKT-C190662	
C190662	CON 0000		
AR226 MPD 042 100403	POSS CONT SUB W/I SELL	031004-2843	MPD
AD226 MPD 042 100403	POSS CONT SUB W/I SELL		
03F17490X	CON PCN 20865317		
AR227 MPD 032 091903	CIT TRESPASS	030919-0019F	MPD
AR228 MPD 031 090503	PED FL OBEY TRF CONT	030905-2152	MPD
AD228 MPD 031 090503	PED FL OBEY TRF CONT		
C-564509-A	CON 0000		
AR230 LVJ 029 070303	FTA NO PROOF OF INSURANCE		MPD
AD230 MPD 029 070303	NO PROOF OF INSURANCE	LVC BW1-2948520A	
1-2948520A	CON 00		
AR231 MPD 005 052803	RMD BURG	030103-1625	MPD
AD231 MPD 005 052803	BURG	RBK MPD DKT-C190662X	
C190662X	CON 0000		
AR232 MPD 028 051903	FTA IMPROP TURN		MPD
AD232 MPD 028 051903	IMPROP TURN	MPD BW-1-3021319-A	
1-3021319-A	CON 0000		
AR233 MPD 027 051903	FTA VIOL INSTRUCT PERMIT		MPD
AD233 MPD 027 051903	VIOL INSTRUCT PERMIT	MPD BW-1-3021319-B	
1-3021319-B	CON 0000		

DISPLAY CONTINUED ON NEXT PAGE

SID-03421720

AR234	MPD	026	051903	FTA	OPERATE UNREGISTERED VEH		MPD
AD234	MPD	026	051903		OPERATE UNREGISTERED VEH	MPD BW-1-2964089-B	
		1-2964089-B		CON 0000			
AR235	MPD	025	051903	FTA	VIOL INSTRUCT PERMIT		MPD
AD235	MPD	025	051903		VIOL INSTRUCT PERMIT	MPD BW-1-2964089-A	
		1-2964089-A		CON 0000			
AR236	MPD	024	051903		CCW	030519-2857	MPD
AD236	MPD	024	051903		CCW		
		03F08469X		CON PCN	20496205		
AR229	NLV	030	041503	FTA	VIOL INSTRUCT PERMIT	03-8182	NLV
						NLV WA-A417075	
AR237	NLV	023	040903		VEH REG VIOL	03-7754	NLV
AR238	NLV	022	040903		NO PROOF OF INSURANCE	03-7754	NLV
AR239	NLV	021	040903		DRIV SUSP LIC	03-7754	NLV
AR240	LVJ	020	031303	FTA	VIOL INSTRUCT PERMIT		MPD
AD240	MPD	020	031303		VIOL INSTRUCT PERMIT	LVC BW-1-2992163-B	
		1-2992163-B		CON 0000			
AR241	LVJ	019	031303	FTA	OPERATE UNREGISTERED VEH		MPD
AD241	MPD	019	031303		OPERATE UNREGISTERED VEH	LVC BW-1-2992163-A	
		1-2992163-A		CON 0000			

DISPLAY CONTINUED ON NEXT PAGE

SID-03421720				
AR242 ZSD 018 031303	NO PROOF OF INSURANCE	030313-2287		MPD
AD242 MPD 018 031303	NO PROOF OF INSURANCE			
C-548433-B	CON 000			
R243 ZSD 017 031303	TRESPASS	030313-2287		MPD
AD243 MPD 017 031303	TRESPASS			
C-548433-A	CON 000			
AR244 ZSD 016 020403	OPR VEH W/O SEC/INSURANCE	030203-0921		MPD
AD244 MPD 016 020403	OPR VEH W/O SEC/INSURANCE			
03M02449X	CON PCN 20226780 // ROR			
AR245 ZSD 015 020403	VIOL INSTRUCT PERMIT	030203-0921		MPD
AD245 MPD 015 020403	VIOL INSTRUCT PERMIT			
03M02449X	CON PCN 20226780 // ROR			
AR246 ZSD 014 020403	LOITER ABOUT SCHOOL	030203-0921		MPD
AD246 MPD 014 020403	LOITER ABOUT SCHOOL			
03M02449X	CON PCN 20226780 // ROR			
AR247 ZSD 013 012803	DIST SCHOOL			MPD
AD247 MPD 013 020203	DIST SCHOOL			
0000	CON ROR			
AR248 ZSD 012 012803	DIST SCHOOL	030128-0636		MPD
AD248 MPD 012 020203	DIST SCHOOL			
0000	CON ROR			

DISPLAY CONTINUED ON NEXT PAGE

SID-03421720				
AR249	ZSD	011 012803	LOITER ABOUT SCHOOL	030128-0636 MPD
AD249	MPD	011 020203	LOITER ABOUT SCHOOL	
0000		CON ROR		
AR250	ZSD	010 012803	LOITER ABOUT SCHOOL	030128-0636 MPD
AD250	MPD	010 020203	LOITER ABOUT SCHOOL	
0000		CON ROR		
AR251	ZSD	009 012803	PROHIBIT DANG WEAP-SCHOOL	030128-0636 MPD
AD251	MPD	009 013103	PROHIBIT DANG WEAP-SCHOOL	
03F01671X		CON PCN	20210016 // APPROVED BY DA // OOB	
AR252	ZSD	008 012803	PROHIBIT DANG WEAP-SCHOOL	030128-0636 MPD
AD252	MPD	008 013103	PROHIBIT DANG WEAP-SCHOOL	
03F01671X		CON PCN	20210016 // APPROVED BY DA // OOB	
AR253	MPD	007 011603	CON GL	030103-1625 MPD
AD253	MPD	007 012103	CON GL	
03F00921X		CON PCN	20181396 // COR	
AR254	MPD	006 011603	GL	030103-1625 MPD
AD254	MPD	006 012103	GL	
03F00921X		CON PCN	20181396 // COR	
AR255	MPD	005 011603	BURG	030103-1625 MPD
AD255	MPD	005 012103	BURG	
03F00921X		CON PCN	20181396 // COR	

DISPLAY CONTINUED ON NEXT PAGE

SID-03421720

*****MPD AGC REC TYPE NOT AUTH FOR THIS TERM
***** MPD AGC REC TYPE NOT AUTH FOR THIS TERM
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NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS:

The face just stand out to me.

[Signature] 6/7/1

Signature of Officer

[Signature] 6/7/1 1230

Signature of Witness

Date & Time

Signature of Officer

Witness Name Printed

EXHIBIT

7

STATE'S
EXHIBIT
109-A
0004857

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

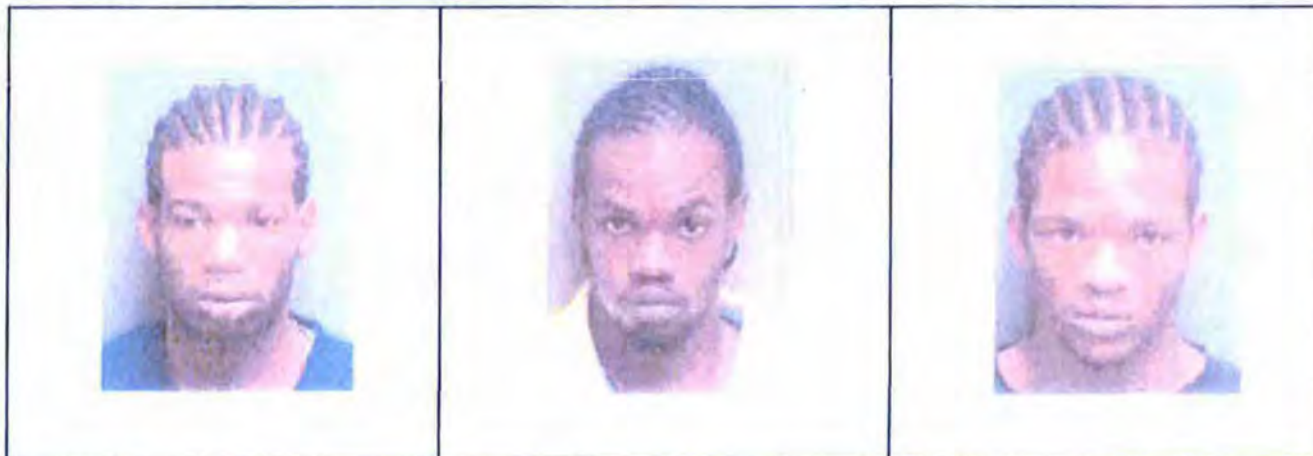
1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS: _____

[Signature] 674
Signature of Officer

[Signature] 6 28 04
Signature of Witness Date & Time

Signature of Officer

Witness Name Printed

EXHIBIT

8

Notes: 1. 10-10-03 T.O. of the suspect was to provide identification. He is only able to identify.



NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS: This is THEORY that I think that called me
over to Evans House and tied me up and shot Ivan

[Signature] 6/24
Signature of Officer

[Signature] 6-29-04 1900
Signature of Witness Date & Time

Signature of Officer

Witness Name Printed

EXHIBIT
9



IDENTIFICATION

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS:

I saw him next to my
uncle. This man had a gun.

[Signature]
Signature of Officer

[Signature]
Signature of Officer

[Signature] 7-1-04 0925
Signature of Witness Date & Time

Witness Name Printed

EXHIBIT

10



IFICATION

**NORTH LAS VEGAS DETENTION/CORRECTIONS
MUGSHOT PROFILE**

BOOKING NAME: SLAUGHTER RICKIE
TRUE NAME:

AKA #1: SLAUGHTER/RICKIE LAMONT AKA #2:
AKA #3: AKA #4:

SEX: Male RACE: Black PHOTO DATE: 06 / 29 / 2004
HAIR: Black EYES: Brown PHOTO TIME: 02 : 47
HEIGHT: 5'09" WEIGHT: 180 PHOTO NUMBER: 3065732
BLD: Medium CMP: Dark



SCARS, MARKS, TATTOOS:
SCARS, MARKS, TATTOOS:

DATE OF BIRTH: [REDACTED] / 1984 AGE:
PLACE OF BIRTH:
SOCIAL SECURITY NUMBER: [REDACTED] 7827
DRIVERS LICENSE/STATE:
EMPLOYER:
OCCUPATION:

MF NUMBER: 89534
BOOK NUMBER: 253034
FED ID NUMBER:
CS NUMBER: 1896569
SID NUMBER:
FBI NUMBER:

ADDRESS: TELEPHONE:

EMERGENCY CONTACT: RELATION:
ADDRESS: TELEPHONE:

PLACE OF ARREST: DATE/TIME OF ARREST: / /
ARRESTING OFFICER: TRANSPORTING OFFICER:
VEHICLE: IMPOUND:

BKG DATE:	06 / 29 / 2004	BKG TIME:	01 : 33	BKG OFF#:	BKG OFFICER:			
NO	ORIG	OC	PCN	WARRANTS/NRS	CTS	FGM	BAIL	CASE NUMBER
1	PC P			200.030	01	F	100000	04015160
	ATT MURD WDW							
2	PC P			200.380	01	F	040000	04015160
	ROBB WDW							
3	PC P			205.060	01	F	040000	04015160
	BURG WDW							
4	PC P			200.460	01	F	010000	04015160
	FALSE IMPRISON WDW							

The undersigned, Legal Keeper of Records, North Las Vegas Police Department, does hereby certify that the foregoing copy has been compared by me with the original and that it is a true and correct transcript thereof and of the whole or of a specified part of said original as the same appears on file in my official care and custody.
In testimony whereof, I have affixed my signature.
Date 7-13-09 [Signature]
North Las Vegas Police Dept.

EXHIBIT
11

BOOKING NAME SLAUGHTER RICKIE

TRUE NAME:

AKA #1: SLAUGHTER/RICKIE LAMONT

AKA #2

AKA #3:

AKA #4:

SEX:	Male	RACE:	Black	PHOTO DATE:	06 / 29 / 2004
HAIR:	Black	EYES:	Brown	PHOTO TIME:	02 : 47
HEIGHT:	5'09"	WEIGHT:	180	PHOTO NUMBER:	3065732
BLD:	Medium	CMP:	Dark		



PHOTO SPREAD

WITNESS: PLEASE READ THESE INSTRUCTIONS CAREFULLY

Positions of persons in this photo spread are numbered left to right, beginning with Number One (1) on your left.

1. If previously you have seen one or more of the persons in this photo spread, write your initials in the "INITIALS" space(s) beside the photo(s) of the person(s) you have seen.

OFFENSE/INCIDENT No. _____

2. In "NOTES" space, tell briefly how/where/when you saw or met person(s) you identified.

3. If you never have seen any person in this line-up, write your initials in the "NONE OF THE ABOVE" space.

4. Sign your name in the "VIEWED BY" space, and fill in the time and date spaces.

5. Then hand this photo spread to the officer in charge.



#1 PERSON

DATE _____

INITIALS _____

NOTES _____



#2 PERSON

DATE _____

INITIALS _____

NOTES _____



#3 PERSON

DATE _____

INITIALS _____

NOTES _____



#4 PERSON

DATE _____

INITIALS _____

NOTES _____



#5 PERSON

DATE _____

INITIALS _____

NOTES _____



#6 PERSON

DATE _____

INITIALS _____

NOTES _____

TIME PHOTO SPREAD SHOWN _____

NONE OF THE ABOVE _____

AGENCY _____

DATE PHOTO SPREAD SHOWN _____

VIEWED BY _____

OFFICER _____

Signature of witness to this viewing: _____

DATE OF OFFENSE _____

WITNESS _____

DATE _____

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1



#2



#3



#4



#5



#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer _____

Signature of Witness _____

Date & Time _____

Signature of Officer _____

Witness Name Printed _____

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.

2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS:

Signature of Officer

Signature of Witness

Date & Time

Signature of Officer

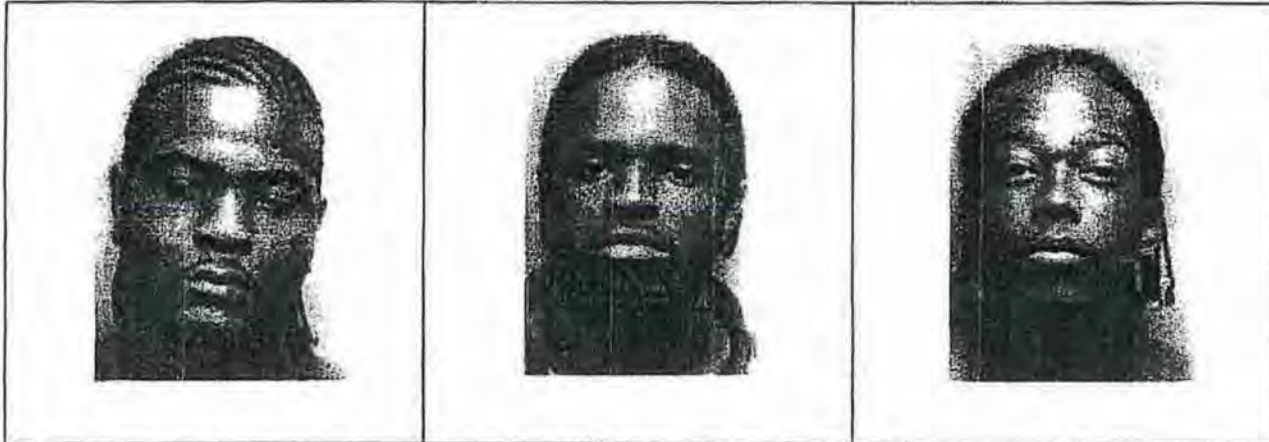
Witness Name Printed

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

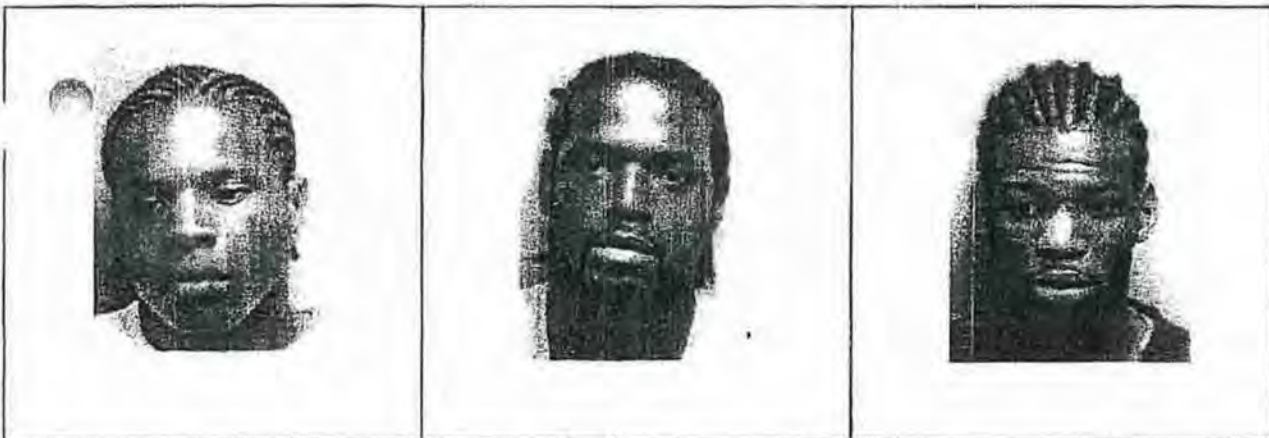
1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your Initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer

Signature of Witness

Date & Time

Signature of Officer

Witness Name Printed


```

*****
CASE: 04015160      ----NORTH LAS VEGAS POLICE DEPARTMENT---- REF: 250183
DATE: 9/24/04      -----POLICE REPORT----- PAGE: 1
TIME: 10:18      -----INVESTIGATIVE PORTION----- OF: 5
*****
-----INCIDENT FOLLOWUP-----
classification/additional information:
AMURDWDW/BURG/ROBB/FALSE IMPRISONMENT
-----
invest bureaus/units notified:
-----
location of occurrence:      | rpt dist: A1      neighborhood: APT
2612 GLORY VIEW              | ADAM 1          AIRPORT
-----
from:      date / time | to:      date / time | report:      date / time
        6/26/04 / 19:11 |      6/26/04 / 19:11 |      9/21/04 / 7:29
-----
hate crime? NO      | gang related? NO      | fingerprints? NO
-----
routing? | prosecute? | prop report? | vehl report? | arrest rpt? | attach?
OTHER | YES | YES | NO | NO |
*****
-----METHOD OF OPERATION-----
residential---type:      target:      security:
-----
non-residtl---type:      target:      security:
-----
entry---location:      method:
exit---location:      method:
-----
suspect actions:
A.      B.      C.
D.      E.      F.
G.      H.      I.
*****DISPOSITIONS*****
[ ] -UNFOUNDED/NO CRIME--0 [ ] -SUBMITTED D.A.-----5 [ ] -RECLASSIFY-----10
[ ] -JUVENILE-----1 [ ] -ADMIN. CLEARED-----6 [ ] -VIC REFUSED PROS.--11
[ ] -NON DETECTIVE CLR---2 [ ] -EXCEPTIONALLY CLR---7 [ ] -AFFIDAVIT-----12
[ ] -DETECTIVE ARREST---3 [ ] -SCREEN CLEARED-----8 [ ] -CA/DA DENIAL-----13
[ ] -SUBMITTED CITY ATTY-4 [ ] -NO CHGS FILED(NCF)--9 [ ] -OTHER-----14
[ ] -SUBMITTED US ATTNY-15
*****
-----RECORDS-----
class code---ucr | aid number | date ser no | date ser no
                  | enter      | cleared
                  | scope     | scope
                  |
*****
records bureau processed      ser no | detective bureau processed      ser no
                  |
-----
supervisor approving      ser no | officer reporting      ser no
HANKS/ROBERT EDWARD JR      0998 | PRIETO/JESUS      0674
-----

```



CASE: 04015160 NORTH LAS VEGAS POLICE DEPARTMENT REF: 250183
 DATE: 9/24/04 POLICE REPORT PAGE: 2
 TIME: 10:18 PERSONS PORTION OF: 5

name of person (001): type: W occupation: susp id?
 RICHARD/JACQUAN WITNESS DRIVER YES

sex | race: B | hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | /1978 | 26 | 509 | 206 | BLK | BRO |

alias-aka: birthplace:
 alias-aka: ssn: 8071 mf no:

addr: |
 business: |

descriptors:
 descriptors:

name of person (002): type: S occupation: susp id?
 ROBINSON/MARVIN SUSPECT

sex | race: B | hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | 1985 | 19 | 602 | 182 | BLK | BRO |

alias-aka: birthplace:
 alias-aka: ssn: mf no:

addr: 1115 EVANS NLV NV 89030 |
 business: |

descriptors:
 descriptors:

records bureau processed ser no | detective bureau processed ser no

supervisor approving ser no | officer reporting ser no
 HANKS/ROBERT EDWARD JR 0998 | PRIETO/JESUS 0674

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: 250183
DATE: 9/24/04 -----POLICE REPORT----- PAGE: 3
TIME: 10:18 -----PROPERTY PORTION----- OF: 5

no. artcds	type--descriptive information on property-----	stolen	recover
additional	descriptive information-----	value	value

```

001 MISC      E      brd:                               size:
-----
mod:                               cal:
ser:
coll:          col2:          dt last seen:
own#:

```

NLV PHOTO LINE UP CONTAINING MARVIN ROBINSON/VIEWED BY IVAN YOUNG

+++++ totals----->

type: E-evidence; F-found; I-impounded; L-lost;
O-other; R-recovered; S-stolen; T-released; X-safekeeping

records bureau processed	ser no 1	detective bureau processed	ser no
supervisor approving	ser no 1	officer reporting	ser no
HANKS/ROBERT EDWARD JR	0998 1	PRIETO/JESUS	0674

CASE: 04015160
DATE: 9/24/04
TIME: 10:18

-----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: 250183
-----POLICE REPORT----- PAGE: 4
-----NARRATIVE PORTION----- OF: 5

DURING MY INVESTIGATION I LEARNED THAT RICKIE SLAUGHTER WAS MAKING SEVERAL PHONE CALLS TO A SUBJECT LATER IDENTIFIED AS JACQUAN RICHARD, ALSO KNOWN AS MACK. DURING THESE CALLS SLAUGHTER AND RICHARD TALKED ABOUT THE ROBBERY, HOW SLAUGHTER COULD CREATE AN ALIBI AND VARIOUS ASPECTS OF THE INCIDENT. I MADE SEVERAL ATTEMPTS TO CONTACT RICHARD DURING THE INVESTIGATION, BUT I WAS NOT ABLE TO DO SO.

PHOTO LINE UPS OF RICHARD WERE MADE AND SHOWN TO ALL OF THE VICTIMS. NONE OF THE VICTIMS WERE ABLE TO IDENTIFY RICHARD AS A SUSPECT.

I LEARNED THAT RICHARD HAD A WARRANT THROUGH PAROLE AND PROBATION. I CONTACTED PAROLE AND PROBATION AND ASKED THAT I BE NOTIFIED IF RICHARD WAS ARRESTED FOR THE WARRANT.

ON SEPTEMBER 17, 2004, I WAS CONTACTED BY THE CLARK COUNTY DETENTION CENTER (CCDC), THEY TOLD ME THAT RICHARD HAD BEEN ARRESTED FOR THE ABOVE LISTED WARRANT.

I WENT TO CCDC AND CONTACTED RICHARD FOR AN INTERVIEW. HE WAS ADVISED OF HIS MIRANDA RIGHTS AND DURING A TAPED INTERVIEW TOLD ME WHAT HE KNEW ABOUT THE ROBBERY. RICHARD SAID THAT SLAUGHTER TOLD HIM THAT HE COMMITTED THE ROBBERY. RICHARD SAID THAT HE WENT OVER TO SLAUGHTER'S RESIDENCE ON THE NIGHT OF THE ROBBERY. RICHARD SAID THAT HE GOT TO HIS RESIDENCE AFTER 7 THAT NIGHT, BUT HE DOESN'T KNOW THE EXACT TIME.

RICHARD WENT ON TO TELL ME VARIOUS DETAILS OF THE CRIME. DETAILS NOT RELEASED TO THE PUBLIC. RICHARD SAID THAT SLAUGHTER TOLD HIM THE ROBBERY WENT BAD AND SLAUGHTER HAD TO SHOOT SOMEONE. SLAUGHTER TOLD HIM ABOUT ROBBING TWO PERSONS THAT CAME OVER TO THE RESIDENCE DURING THE ROBBERY. RICHARD SAID THAT HE WAS TOLD ABOUT SLAUGHTER GETTING THE CREDIT CARD AND ABOUT GETTING SOME MONEY FROM A VICTIM WHO WAS COMING IN AS THEY ATTEMPTED TO LEAVE. DURING THE INTERVIEW I HAD TO STOP DURING INMATE DINNER SERVING. THIS WAS ABOUT 4:30. I RETURNED A COUPLE OF HOURS LATER AND CONTINUED THE INTERVIEW GETTING VARIOUS DETAILS. DURING THE INTERVIEW RICHARD IDENTIFIED SLAUGHTER'S ACCOMPLICE. RICHARD SAID THAT SLAUGHTER TOLD HIM IT WAS LITTLE MARV A DONNA GANG MEMBER. TO CONFIRM SLAUGHTER'S IDENTITY I SHOWED RICHARD A PHOTO LINE UP THAT CONTAINED SLAUGHTER. HE POINTED TO SLAUGHTER. I DID NOT ASK HIM TO INITIAL THE LINE UP. SEE INTERVIEW FOR DETAILS.

THROUGH FURTHER INVESTIGATION LITTLE MARV WAS IDENTIFIED AS MARVIN ROBINSON A DONNA STREET GANG MEMBER. I OBTAINED A PHOTO OF ROBINSON FROM A PREVIOUS NORTH LAS VEGAS JAIL BOOKING. I THEN CREATED A PHOTO LINE UP WHICH CONTAINED ROBINSON AND FIVE OTHER BLACK MALES SIMILAR IN APPEARANCE.

ON SEPTEMBER 21, 2004 I WENT TO THE PRELIMINARY HEARING FOR RICKIE SLAUGHTER, AT THE NORTH LAS VEGAS JUSTICE COURT. THERE I CONTACTED IVAN YOUNG, JENNIFER DENNIS, ARRON DENNIS, JOEY PASADA AND RYAN JOHN.

AFTER THE HEARING I SHOWED EACH OF THE VICTIMS THE PHOTO LINE UPS THAT I HAD PREPARED. YOUNG LOOKED AT THE LINE UP AND SAID HE WAS UNSURE, HE DEBATED

records bureau processed

ser no 1 detective bureau processed

ser no

supervisor approving
HANKS/ROBERT EDWARD JR

ser no 1 officer reporting
0998 1 PRIETO/JESUS

ser no
0674

CASE: 04015160 ----NORTH LAS VEGAS POLICE DEPARTMENT---- REF: 250183
 DATE: 9/24/04 -----POLICE REPORT----- PAGE: 5
 TIME: 10:18 -----NARRATIVE PORTION----- OF: 5

*Picked
* Robinson*

BETWEEN THE SUBJECT IN POSITION ONE AND MARVIN ROBINSON IN POSITION THREE. HE ULTIMATELY PICKED ROBINSON.

ON SEPTEMBER 22, 2004, I DISCOVERED THAT ROBINSON WAS IN CUSTODY AT CCDC ON UNRELATED CHARGES.

ON SEPTEMBER 23, 2004 I WENT AND CONTACTED ROBINSON AT CCDC AND SPOKE WITH HIM ABOUT THE ROBBERY. AFTER BEING ADVISED OF HIS MIRANDA RIGHTS HE DENIED ANY INVOLVEMENT. ROBINSON DENIED EVEN KNOWING SLAUGHTER. NO APREST WERE MADE AT THIS TIME PENDING FURTHER INVESTIGATION.

I AGAIN CONTACTED RICHARD FOR FURTHER QUESTIONING. HE WAS FIRST ADVISED OF HIS MIRANDA RIGHTS. DURING FURTHER QUESTIONING RICHARD CONFIRMED ALL OF THE INFORMATION GIVEN. HE AGAIN CONFIRMED THAT SLAUGHTER COMMITTED THE ROBBERY AND HAD TO SHOOT THE VICTIM. RICHARD SAID THAT HE CONTACTED SLAUGHTER THAT NIGHT AFTER SEVEN AND THEY LATER LEFT TOGETHER. RICHARD WENT ON TO TELL ME THAT SLAUGHTER WENT TO A STORE AND USED THE CREDIT CARD TO GET MONEY.

I AM FOREWARDING THIS INFORMATION TO THE DISTRICT ATTORNEY'S OFFICE.

records bureau processed	ser no ! detective bureau processed	ser no
supervisor approving	ser no ! officer reporting	ser no
HANKS/ROBERT EDWARD JR	0998 ! PRIETO/JESUS	0674

PHOTO SPREAD

WITNESS: PLEASE READ THESE INSTRUCTIONS CAREFULLY

Positions of persons in this photo spread are numbered left to right, beginning with Number One (1) on your left.

1. If previously you have seen one or more of the persons in this photo spread, write your initials in the "INITIALS" space(s) beside the photo(s) of the person(s) you have seen.

OFFENSE/INCIDENT No. _____

2. In "NOTES" space, tell briefly how/where/when you saw or met person(s) you identified.

3. If you never have seen any person in this line-up, write your initials in the "NONE OF THE ABOVE" space.

4. Sign your name in the "VIEWED BY" space, and fill in the time and date spaces.

5. Then hand this photo spread to the officer in charge.



#1 PERSON

DATE _____

INITIALS _____

NOTES _____



#2 PERSON

DATE _____

INITIALS _____

NOTES _____



#3 PERSON

DATE _____

INITIALS _____

NOTES _____



#4 PERSON

DATE _____

INITIALS _____

NOTES _____



#5 PERSON

DATE _____

INITIALS _____

NOTES _____



#6 PERSON

DATE _____

INITIALS _____

NOTES _____

TIME PHOTO SPREAD SHOWN _____

NONE OF THE ABOVE _____

AGENCY _____

DATE PHOTO SPREAD SHOWN _____

VIEWED BY _____

OFFICER _____

Signature of witness to this viewing: _____

DATE OF OFFENSE _____

WITNESS _____

DATE _____

13

EXHIBIT

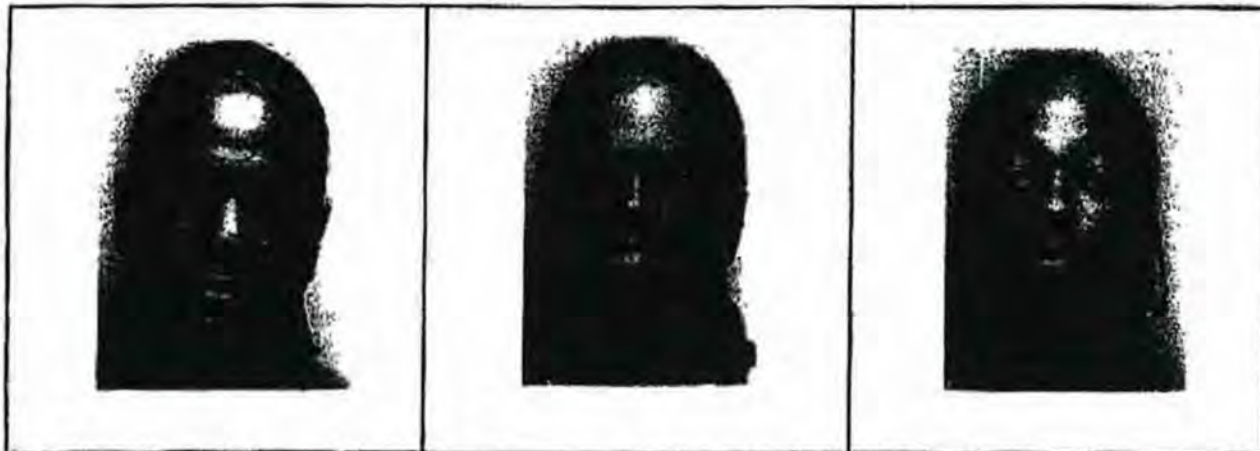
Count
21
209957
11-2-5

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer

Signature of Witness

Date & Time

Signature of Officer

Witness Name Printed

Counts
GAB
#22
120957
11-8-15

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

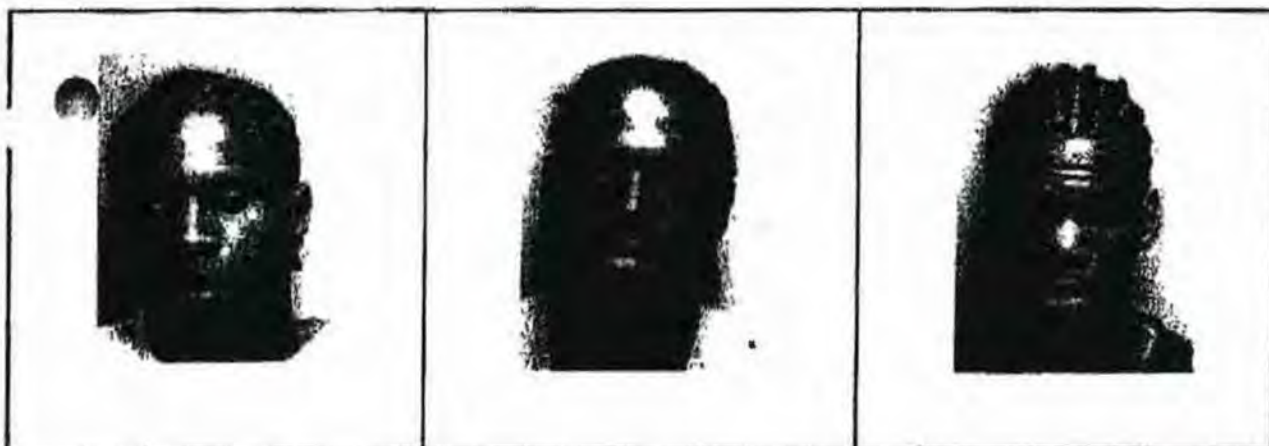
1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer

Signature of Witness

Date & Time

Signature of Officer

Witness Name Printed

1-2-1
#23
1209157

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1



#2



#3



#4



#5



#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer

Signature of Witness

Date & Time

Signature of Officer

Witness Name Printed

Counts
18x6
#24
204957
11-11-11

EXHIBIT 113

EXHIBIT 113



0001

ORIGINAL

64

1 MTN
2 SUSAN K. BUSH, Esq.
3 Bar No. 8007
4 BUSH & LEVY, LLC.
5 528 S. Casino Center Blvd., Suite 202
6 Las Vegas, Nevada 89101
7 (702) 868-4411
8 Attorney for Petitioner,
9 RICKIE L. SLAUGHTER

FILED

OCT 27 2009

John J. Sullivan
CLERK OF COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

RICKIE L. SLAUGHTER,

Defendant.

Case No.: C204957
Dept. No.: III

**MOTION TO DISMISS CASE FOR FAILURE TO PRESERVE OR DESTRUCTION OF
EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE**

COMES NOW, the Defendant, RICKIE L. SLAUGHTER by and through his attorney,
SUSAN K. BUSH, of the law office of BUSH & LEVY, LLC., and hereby requests this
Honorable Court to dismiss the instant criminal case with prejudice or in the alternative to
prohibit identification testimony from eyewitnesses from being presented.

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RECEIVED


OCT 27 2009

CLERK OF THE COURT

0002

1 This Motion is made and based upon the Memorandum of Points and Authorities
2 attached hereto and any oral argument adduced at the time of hearing on this matter.

3 DATED this 23rd ay of October, 2009

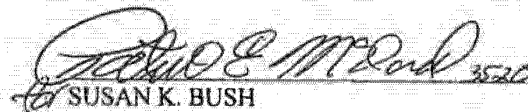
4 
5 SUSAN K. BUSH 35-26
6 Nevada Bar No. 8007
7 BUSH & LEVY, LLC.
8 528 S. Casino Center Blvd., Suite 202
9 Las Vegas, Nevada 89101
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11 Attorney for Petitioner,
12 RICKIE L. SLAUGHTER
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NOTICE OF MOTION

TO: THE STATE OF NEVADA, Plaintiff:

PLEASE TAKE NOTICE that the undersigned will bring the foregoing MOTION TO DISMISS CASE FOR FAILURE TO PRESERVE EXCULPATORY PHOTO LINEUP IDENTIFICATION EVIDENCE on for hearing before the above-entitled Court on the 10 day of November October, 2009, at the hour of 9 a.m./p.m., or as soon thereafter as counsel may be heard on this matter.

DATED this 23rd day of October, 2009.


SUSAN K. BUSH

Nevada Bar No. 8007
BUSH & LEVY, LLC.
528 S. Casino Center Blvd., Suite 202
Las Vegas, Nevada 89101
(702) 868-4411
Attorney for Petitioner,
RICKIE L. SLAUGHTER

STATEMENT OF FACTS

On June 26, 2004, victims Ivan Young ("Young"), Ryan John ("John"), Jermaun Means ("Means"), Jose Posada ("Posada"), Jennifer Dennis, and Arron Denis, were bound and robbed by two (2) perpetrators, while at Yong's residence located at 2612 Glory View, North Las Vegas, NV. During the robbery, Young was reportedly shot. John reported being robbed of a Well's Fargo ATM card, and Means reported being robbed of over \$1,300.00 in cash and a silver wireless phone.

The victims and witness descriptions of the perpetrators varied in large part. Young described the robbers and being two (2) black males "one was bald and was wearing shorts and a blue shirt. The second had dreadlocks and a Jamaican accent." (Exhibit 1, 6/29/04 NLVPD Police Report by Officer Anthony Bailey, at pg. 2). John described only one of the robbers and said he was "unsure how many" perpetrator's were present during the crimes. (Exhibit 2, 6/29/04 NLVPD Police Report by Officer Mark Hoyt, at pg. 10). John was only able to describe the perpetrator as a black male.

Means described the robbers as two (2) black males and recalled one of the perpetrators wearing a beige suit jacket and that the other had dread locks. Posada described the robbers and two (2) black males. Posada stated that one had "braids" and the other had a dark afro. Additionally, Posada described one of the perpetrators as wearing a "tuxedo shirt".

Jennifer Dennis only described the perpetrators as being two black males and stated that both were 5'10" and one wore a red shirt and blue jeans and the other wore a blue shirt and jean shorts. Aaron Dennis was only able to provide vague description of the robbers as being two (2) black males, one of whom wore a black jacket. (See Exhibit 2, NLVPD Police Report by Officer Mark Hoyt).

Crime Scene Investigators ("C.S.I.") for the NLVPD reported no forensic evidence present at the crime scene from which the perpetrators could be identified.

1 Based upon information from a confidential informant ("C.I."), Detective Jesse Prieto
2 ("Prieto") of the North Las Vegas Police Department constructed a set of photographic lineups on
3 June 28, 2004. This lineup contained the image of Petitioner, Rickie Slaughter, along with the
4 images of five (5) other individuals. (Exhibit 3, 1st set of photo lineups). On this same date,
5 Detective Prieto administered this photo lineup to Young. Mr. Young selected Mr. Slaughter as a
6 potential suspect to the June 26, 2004 robbery.
7

8 With this information, Detective Prieto obtained and executed a search warrant authorizing
9 the search of both a residence where Mr. Slaughter was believed to stay, and a vehicle owned by
10 Tiffany Johnson ("Johnson"), who was believed to be Mr. Slaughter's girlfriend at the time. The
11 search of the residence and the vehicle revealed no relevant evidence to the instant offense. However,
12 two (2) firearms were located in the trunk of Ms. Johnson's vehicle, but these guns were determined
13 by the Las Vegas Metropolitan Police Department's ("LVMPD") forensic laboratory not to be the
14 weapons used to shoot Mr. Young.
15

16 On June 29, 2004, Mr. Slaughter was arrested and booked, a booking photo of Mr. Slaughter
17 was taken at the NLVPD Detention Center (Exhibit 4, NLVPD Booking photo of Rickie Slaughter
18 dated 6/29/04). That same day, the previously constructed photographic lineup arrays (see Exhibit
19 3, 1st set of photo line up) of Mr. Slaughter were shown to victims Means and John. Both Means and
20 John selected Mr. Slaughter as a possible suspect. Means noted "the face just stands out", and John
21 wrote, "this is the guy that I think". On July 1, 2004, Detective Prieto again administered the same
22 photographic array to Posada. Posada selected Mr. Slaughter's photo from the array (Exhibit 3, 1st
23 set of photo lineup). No other victims or witnesses selected Mr. Slaughter as an alleged suspect.
24 Detective Prieto preserved these identifications by having the witnesses sign and indicate the date
25 and time that they viewed the photographic arrays. Due to Young's medical condition, Detective
26 Prieto preserved Young's selection identified by Prieto's signature and a notation.
27
28

1 On an unknown date, another group of photographic lineup arrays was made by an unknown
2 state official (Exhibit 5, 2nd set of photo lineups). This new group of photo lineup arrays contained
3 Mr. Slaughter's June 29, 2004 NLVPD "mug shot" and a photograph of a former suspect in this case,
4 Jaquan Richard ("Richard") in lineup positions 4 & 1, 3 & 5, 3 & 4, 4 & 2, and 4 & 3 (See Exhibits
5 5a, 5b, 5c, 5d and 5e).

6 According to Detective Prieto's police reports this new group of photos containing Mr.
7 Slaughter's and Mr. Richard's photographs was shown to all of the victims on an unknown date and
8 by an unknown state official. (Exhibit 6, NLVPD report 12/10/04). However, no identifications or
9 selections of Mr. Slaughter are noted as being made from the new set of photographic lineups. None
10 of the State officials who administered this new group of photos to the victims preserved the names,
11 signatures, dates, or times when these photographs were viewed. (Exhibit 5, 2nd set of photographs).

12 On September 21, 2004, the preliminary hearing took place in the instant case. Justice of the
13 Peace Natalie Tyrrell found that sufficient evidence existed to hold Mr. Slaughter over for trial. At
14 the preliminary hearing, the State's case focused entirely on the identifications of Mr. Slaughter as
15 the alleged perpetrator.

16 POINTS AND AUTHORITIES

17 "Eyewitness misidentification is the single greatest cause of wrongful convictions
18 nationwide, playing a role in more than 75% of convictions overturned through DNA testing." This
19 is a case where identification of Mr. Slaughter is based exclusively upon eyewitness testimony. The
20 State's failure to properly preserve establishing proof (i.e. officer's names, viewing witnesses names,
21 signatures, etc.) of the State's eyewitness viewings of the second group of photographic arrays from

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27 Innocence Project (<http://www.innocenceproject.org/understand/Eyewitness-Misidentification.php>)
28

1 which Mr. Slaughter was not selected as a suspect by any of the State's eyewitnesses violates his due
2 process and prevents Mr. Slaughter from confronting and cross-examining these eyewitnesses at trial
3 with this exculpatory and material evidence.

4 **Loss Or Destruction of Evidence- Bad Faith Present**

5 Due process requires that the prosecution disclose exculpatory evidence within its possession.
6 Brady v. Maryland, 373 U.S. 83, 87, 83 S. Ct. 1194 (1963). The failure to preserve evidence violates
7 a defendant's right to due process only, however, if that evidence possessed "exculpatory value that
8 was apparent before the evidence was destroyed, and [is] of such a nature that the defendant would
9 be unable to obtain comparable evidence by other reasonably available means." California v.
10 Trombetta, 467 U.S. 479, 489 (1984).
11

12 A defendant must also demonstrate that the police acted in bad faith in failing to preserve
13 potentially useful evidence. Arizona v. Youngblood, 488 U.S. 51, 58, 109 S. Ct. 333, 102 L. Ed. 2d
14 281 (1988); see also Guam v. Muna, 999 F.2d 397, 400 (9th Cir. 1993).
15

16 The presence or absence of bad faith turns on the government's knowledge of the apparent
17 exculpatory value of the evidence at the time it was lost or destroyed. Youngblood, 488 U.S. at 56-
18 57; see also United States v. Cooper, 983 F.2d 928, 931 (9th Cir. 1993), Sheriff, Clark County v.
19 Warner, 112 Nev. 1234 (Nev. 1996), State v. Hall, 105 Nev. 7 (Nev. 1989), and Howard v. State,
20 95 Nev. 580 (Nev. 1979).
21

22 In United States v. Cooper, (relying on California v. Trombetta and Arizona v. Youngblood)
23 the court began,

24 "[b]ecause of the government's bad faith actions, the laboratory equipment seized
25 from Apotheosis Research lies broken and buried in a toxic waste dump. This
26 equipment cannot be introduced at trial. It can neither support nor undermine Wayne
27 Cooper and Vincent Gammill's repeated assertion that their lab lacked the physical
28 capability to manufacture methamphetamine."

1 United States v. Cooper, 983 F.2d 928, 929 (9th Cir. 1993). Bad faith was based on information
2 repeatedly provided to the government that the equipment was not capable of manufacturing
3 methamphetamines. Id. The government argued that defendants had “other means to establish the
4 physical capabilities of the destroyed lab equipment.” Id. at 932. They argued defendants could
5 question experts familiar with the properties of lab equipment and they could question the designer
6 of the 125-gallon reaction vessel. Id. Ultimately, the court disagreed stating, “[g]eneral testimony
7 about the possible nature of the destroyed equipment would be an inadequate substitute for testimony
8 informed by its examination.” Id.

9
10 In this case, Mr. Slaughter can demonstrate bad faith. Consistent with Youngblood, bad faith
11 is present in this case based on the *apparent exculpatory value* of witnesses interviewed by the police
12 who failed to identify Mr. Slaughter as a suspect. It cannot be argued that this apparent exculpatory
13 value was not known to the government at the time it was lost or destroyed. Here, like Cooper,
14 general testimony about the possible nature of the destroyed [evidence] in Mr. Slaughter’s case
15 would be an inadequate substitute for testimony informed by its examination, the examination of
16 notes regarding officers who conducted the photo lineup in question, and names of witnesses who
17 did not identify Mr. Slaughter as a suspect. More importantly, general testimony is not an option in
18 Mr. Slaughter’s case because unlike the defendants in Cooper, Mr. Slaughter was never aware of the
19 information to begin with; That is, Mr. Slaughter does not know the names of the officers who
20 conducted the exculpatory photo lineup identifications in question, and he does not know the names
21 of the witnesses who did not identify him as a suspect. Therefore, apart from any desire, Mr.
22 Slaughter, unlike defendants in Cooper, does not have the option of questioning experts in order to
23 demonstrate the exculpatory value of witnesses who did not identify him as a suspect, particularly
24 in a case hinging entirely upon eye witness identification testimony. In short, Mr. Slaughter is
25 wholly precluded from meaningful cross-examination on the exculpatory identification results.
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1 In conclusion, consistent with the reasoning in Youngblood, Mr. Slaughter's due process was
 2 violated by the bad faith failure to preserve apparently exculpatory evidence. The appropriate remedy
 3 is dismissal.

4 **Loss Or Destruction of Evidence- Bad Faith Absent**

5 In the alternative, if this Court does not find bad faith present, Mr. Slaughter's motion to
 6 dismiss should still be granted. Where there is no bad faith, the defendant has the burden of showing
 7 prejudice. Buchanan v. State, 119 Nev. 201, 220 (Nev. 2003). The defendant must show that "it
 8 could be reasonably anticipated that the evidence sought would be exculpatory and material to [the]
 9 defense." Id., see also Cook v. State, 114 Nev. 120, 125 (Nev. 1998). Further, the "materiality and
 10 potentially exculpatory character of lost or destroyed evidence must be determined on an ad hoc
 11 basis on the facts of each particular case". Deere v. State, 100 Nev. 565, 566-67 (Nev. 1984).

12 In Cook, defendant was charged with three counts of sexual assault for the alleged rape of
 13 his former domestic partner. Cook, 114 Nev. 120. At the conclusion of his fourth trial, a jury found
 14 Cook guilty of one count of sexual assault. Cook, 114 Nev. 120. Following the investigation, the
 15 police subsequently lost the photos, reports, and sweater. Cook, 114 Nev. at 124-25.

16 Cook alleged that lost photographs of blood on the carpet would have proven that he did not
 17 violently attack the victim and drag her several feet across the carpeted floor; that the lost photos of
 18 the bruise on his arm deprived him of the opportunity to rebut or impeach the victim's testimony that
 19 the bruise on his arm was caused by her act of slamming a door on his arm during her purported
 20 escape attempt; that his lost initial statement to police, given by Cook before he was aware of any
 21 of the victim's specific allegations, could have been used to corroborate Cook's trial testimony; the
 22 victim's lost initial statement to the police; Cook argues that the victim's initial statement may have
 23 been inconsistent with portions of her trial testimony as evidenced by the fact that her initial
 24 statement led police to charge Cook with only one count of fellatio, and not two; and Cook argues

1 that the sweater was both material and exculpatory evidence because it would have supported his
2 testimony because no blood was on it and it would have demonstrated she was not wearing the
3 sweater when she says she was, when her nose got bloody. Cook, 114 Nev. 124-25.

4 The court ruled that Cook has made the requisite showing of prejudice by demonstrating that
5 the lost items of evidentiary value could have been reasonably anticipated to be both material and
6 exculpatory. Cook, 114 Nev. at 126. Due to the State's negligent loss of evidence, Cook's ability to
7 defend himself was severely undermined. Cook, 114 Nev. at 126. Accordingly, the State's failure to
8 preserve such evidence violated Cook's right of due process and mandates reversal of his conviction
9 and sentence. Cook, 114 Nev. at 126.

11 In footnote number 6, the Cook Court noted, "[w]e do not suggest the Sparks Police
12 Department had a duty to collect evidence. Rather, we base our holding that Cook's defense was
13 unduly prejudiced solely on the evidence that was gathered and then subsequently lost by the Sparks
14 Police Department." Cook, 114 Nev. at 126. The court then concluded that Cook has established
15 prejudice by showing that the lost items of evidentiary value could have been reasonably anticipated
16 to be both exculpatory and material. Cook, 114 Nev. at 127.

18 In Buchanan defendant was convicted of three counts of first-degree murder in the deaths of
19 her three infant sons. Buchanan, 119 Nev. at 202. On Appeal, defendant claimed that she was
20 "irretrievably crippled and a fair trial became impossible" because the State discarded, consumed or
21 failed to gather various tissues of the three infants, thus, impermissibly shifting the burden of proof
22 to the defense. Buchanan, 119 Nev. at 219. In denying her appeal, the court noted that there was no
23 evidence of bad faith on the part of law enforcement. Buchanan, 119 Nev. at 220. The murder
24 investigation did not start until the third death, so any exculpatory value from any tissue from the
25 first two victims would not have been apparent to law enforcement. Buchanan, 119 Nev. at 220.

1 Also, medical experts testified that because of the small size of infants, frequently the tissues are
2 consumed in the testing. Buchanan, 119 Nev. at 220.

3 In Deere, the defendant appealed his conviction for first degree kidnapping, battery and
4 sexual assault upon a Las Vegas prostitute. Id. The primary issue on appeal was the denial of
5 defendant's pretrial motion to dismiss based on the "state's allegedly negligent failure to impound
6 and preserve material and potentially exculpatory evidence, namely the blouse and undergarment of
7 the victim." Id. The appeal was denied because defendant was unable to "demonstrate that it was
8 reasonably likely that the lost evidence would have exculpated him; he thus cannot make the
9 requisite showing of prejudice." Id.

11 In this case, the facts of Mr. Slaughter's case are analogous to those in Cook; That is, the lost
12 evidence was both exculpatory and material. Like Cook, the exculpatory photo lineup evidence in
13 Mr. Slaughter's case was collected by investigators. Next, like the evidence in Cook, the photo
14 lineup evidence is *apparently* exculpatory (witnesses to the second photo lineup did not identify Mr.
15 Slaughter), and material because Mr. Slaughter's case turns exclusively on identity as no other
16 evidence ties Mr. Slaughter to the crime. More importantly, the first photo lineup was conducted
17 using an older (out of date) photo of Mr. Slaughter, whereas the second photo lineup conducted used
18 his booking photo from June 29, 2004. Thus, witnesses viewing a current (more accurate) photo of
19 Mr. Slaughter at the second photo lineup failed to identify him as a suspect. Based on the foregoing,
20 it is more than "reasonably anticipated that the evidence sought would be exculpatory and material
21 to [the] defense." In this case, one which turns exclusively on witness identification testimony, any
22 reasonable person would *highly* anticipated that the photo lineup evidence sought would be
23 exculpatory and material to the defense.

24 The facts of Mr. Slaughter's case are unlike those of Buchanan and Deere. In Buchanan, the
25 court noted the murder investigation did not start until the third death, so any exculpatory value from
26

1 any tissue from the first two victims would not have been apparent to law enforcement, where as in
2 Mr. Slaughter's case, the evidence was 1) in fact gathered; 2) during an investigation, and 3) this
3 Court can fairly infer that such evidence was reasonably anticipated to be exculpatory and material
4 to the defense as analyzed above.

5
6 Moreover, the second group of photographic lineup arrays contains Mr. Slaughter's June 29,
7 2004 booking photo taken only two (2) days after the crime. According to police reports, this second
8 set of photographs "was shown to all of the victims" and Mr. Slaughter was not positively identified
9 as a potential perpetrator by any of the State's eyewitnesses. Much to Mr. Slaughter's detriment,
10 neither the names, signatures, dates, or times that the eyewitnesses viewed these arrays were
11 preserved on the second set of photographs. More troubling and problematic is the fact that the State
12 agent or agents who administered this group of photographic lineup arrays to the eyewitnesses cannot
13 be ascertained because they did not preserve their name on the lineups. Based on the foregoing, Mr.
14 Slaughter's dismissal should be granted even if this Court does not find bad faith. The above
15 demonstrates that it was more than reasonably anticipated that the lost or destroyed information
16 relating to the second photo lineup would be exculpatory and material to the defense.

17
18 As a result of the State's failure, Mr. Slaughter's defense is emasculated. Identity is the
19 defense, arguably Mr. Slaughter's sole defense. The State was arguably aware of this at the time of
20 the investigation, or at least, as is the standard set in Buchanan, reasonably anticipated that the
21 evidence sought would be exculpatory and material to [the] defense. As such, Mr. Slaughter is left
22 without a means to reconstruct, authenticate, or establish the eyewitness' viewings of the second
23 group of photographs. This inability to authenticate the facts and circumstances where Mr. Slaughter
24 was not identified by the eyewitnesses prevents him from introducing and exploring this exculpatory
25 evidence. Mr. Slaughter's defense against the instant charges is that he was mistakenly identified as
26 a perpetrator by the State's eyewitnesses. The fact that the State case relies heavily upon the
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28

1 eyewitness identifications of Mr. Slaughter—coupled with the fact that there is no physical evidence
2 that directly links Mr. Slaughter to the crimes for which he is accused—provides the materiality and
3 potentially exculpatory nature of the second set of photographic lineup arrays.

4 Finally, the state cannot be permitted to benefit from its own failure to preserve evidence
5 favorable to the defendant. Sanborn v. State, 107 Nev. 399, 408 (Nev. 1991). In Sanborn, defendant
6 sought reversal on appeal of his conviction because the state failed properly to collect and preserve
7 the firearm which was used to inflict his wounds. Id. at 407. He asserted that the state's mishandling
8 of the gun prejudiced him because analysis of fingerprints and blood from the gun was crucial to his
9 theory that he acted in self-defense. Id. Overturning his conviction on other grounds, the court
10 announced the following presumption that would apply in a retrial by the state: "the trial court shall
11 instruct the jury that because the state failed to test the firearm that was used to inflict wounds on
12 Sanborn for blood and fingerprints, the weapon is irrebuttably presumed to have been held and fired
13 by the victim, Papili." Id. at 408.

16 In this case, State's case against Mr. Slaughter is buttressed by the absence of the second
17 photographic lineup array evidence. Therefore, the State cannot be allowed to benefit from its own
18 failure to preserve.

19 / / /

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CONCLUSION

1
2 Based upon the fact that all of the State's witnesses failed to identify Mr. Slaughter in the
3 second photographic lineup and the circumstances under which these potentially exculpatory
4 failures were not preserved by the State, Mr. Slaughter respectfully urges this court to enter an order
5 dismissing the instant case with prejudice. In the alternative, Mr. Slaughter prays that this Court enter
6 an order prohibiting the State from using the first photographic selections of Mr.
7 Slaughter and the in-court identifications made at Mr. Slaughter's preliminary hearing and prohibit
8 the State from eliciting any in-court identifications of Mr. Slaughter at trial.
9

10 Respectfully Submitted:

11
12
13  3526
14 SUSAN K. BUSH

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17 528 S. Casino Center Blvd., Suite 202
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19 (702) 868-4411
20 Attorney for Petitioner,
21 RICKIE L. SLAUGHTER
22
23
24
25
26
27
28

EXHIBIT "1"

0016

App. 3110

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: 246198
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 1
 TIME: 7:46 ---INVESTIGATIVE PORTION--- OF: 2

 -----INCIDENT FOLLOWUP-----

classification/additional information:
 AMURD

invest bureaus/units notified: I.D. BUREAU

location of occurrence: rpt dist: A1 neighborhood: APT
 2612 GLORY VIEW ADAM 1 AIRPORT

from: date / time : to: date / time : report: date / time
 6/26/04 / 19:11 : 6/26/04 / 19:11 : 6/26/04 / 19:11

hate crime? NO ! gang related? NO ! fingerprints? NO

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
 DETECTIVE ! YES ! NO ! NO ! NO !

 -----METHOD OF OPERATION-----

residential---type: 111 target: 169 security:
 SINGLE FAMILY TARGET-OTHER

non-residtl---type: target: security:

entry----location: 318 DOOR method: 312 FRONT
 exit----location: 362 NO FORCE-UNLOCKED method: 362 NO FORCE-UNLOCKED

suspect actions:

A. 601 MULTI SUSPECTS B. 603 VEHICLE NEEDED C. 606 SUSPECT ARMED
 D. 607 DISCHARGED WEAPON E. 801 INFLICTED INJURY F. 803 FORCED VIC TO FLO
 G. 811 TOOK HOSTAGE H. 813 COVERED VICTIM FA I. 815 DEMANDED SPC ITEM

 -----DISPOSITIONS-----

[]-UNFOUNDED/NO CRIME--0 []-SUBMITTED D.A.-----5 []-RECLASSIFY-----10
 []-JUVENILE-----1 []-ADMIN. CLEARED-----6 []-VIC REFUSED PROS.--11
 []-NON DETECTIVE CLR--2 []-EXCEPTIONALLY CLR--7 []-AFFIDAVIT-----12
 []-DETECTIVE ARREST---3 []-SCREEN CLEARED-----8 []-CA/OA DENIAL-----13
 []-SUBMITTED CITY ATTY-4 []-NO CHGS FILED(NCF)--9 []-OTHER-----14
 []-SUBMITTED US ATTNY-15

 -----RECORDS-----

class code---ucr	sid number	date	ser no	date	ser no
		enter		cleared	
		scope		scope	

records bureau processed ser no : detective bureau processed ser no
 SCARFF/DENISE 1259 :

supervisor approving ser no : officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 : BAILEY/ANTHONY 1366

0017

App. 3111

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: 246198
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 2
 TIME: 7:46 ---NARRATIVE PORTION--- CF: 2

ON SATURDAY 06/26/04 AT ABOUT 1911 HOURS OFFICER M. HOYT 1334 AND SEVERAL OTHER OFFICERS WERE DISPATCHED TO 2612 GLORY VIEW REFERENCE A SHOOTING VICTIM. I RESPONDED AS WELL TO ASSIST.

WHEN I ARRIVED, I ASSISTED IN SECURING WITNESSES AND THE SCENE. ONCE EVERYTHING WAS UNDER CONTROL I WAS ASKED BY SERGEANT D. NOWAKOWSKI TO FOLLOW THE SOUTHWEST AMBULANCE THAT WAS TRANSPORTING OUR VICTIM (IDENTIFIED AS IVAN YOUNG) TO UNIVERSITY MEDICAL CENTER'S TRAUMA RESUS DEPARTMENT FOR TREATMENT TO HIS FACIAL INJURIES AS A RESULT OF A GUN SHOT. AND REPORT BACK YOUNG'S CONDITION AS SOON AS POSSIBLE.

ONCE ARRIVED AT THE HOSPITAL, SOUTHWEST AMBULANCE MEDIC JOSHUA KINNUNEN FROM UNIT 524 HANDED ME A SMALL PIECE OF METAL HE HAD RECOVERED FROM YOUNG'S SHIRT. IT APPEARED TO BE THE COPPER JACKETING TO A PROJECTILE AND HELD EVIDENTIARY VALUE SO I TOOK CUSTODY OF IT.

AFTER GOING INSIDE AND WAITING FOR THE DOCTORS AND NURSES TO FINISH THEIR TREATMENT OF YOUNG, I WAS ABLE TO QUESTION HIM ABOUT THE INCIDENT. ONE OF THE TRAUMA PERSONNEL HANDED ME A PLASTIC CONTAINER HOLDING A SMALL PIECE OF COPPER METAL THAT ALSO APPEARED TO BE THE JACKETING FROM A PROJECTILE, SO I TOOK CUSTODY OF IT. THEY TOLD ME IT WAS RECOVERED FROM HIS FACE. YOUNG WAS VERY COHERANT AND REMEMBERED THE INCIDENT VERY WELL. HE TOLD ME THAT HE WAS OUTSIDE IN HIS GARAGE WORKING ON A CAR WHEN HE WAS APPROACHED BY TWO BLACK MALES (BM(S)). ONE WAS BALD AND WAS WEARING SHORTS AND A BLUE SHIRT. THE SECOND HAD DREADLOCKS AND SPOKE WITH A JAMAICAN ACCENT. THEY STARTED TALKING TO YOUNG.

ABOUT WORKING ON CARS. AFTER TALKING FOR A FEW MINUTES THEY BRANDISHED FIRE ARMS AND ORDERED YOUNG TO GO INSIDE. ONCE INSIDE THEY PUT EVERYONE IN THE HOUSE DOWN ON THE FLOOR AND STARTED ASKING FOR MONEY FROM EVERYONE. YOUNG SAID THEY PLACED SOMETHING OVER HIS HEAD AND FACE SO HE COULD NOT SEE AT ALL. DURING THIS TIME TWO OF YOUNG'S FRIENDS ARRIVED AND WERE PULLED INTO THE HOUSE AS WELL. YOUNG DID NOT KNOW WHAT HAPPENED TO THEM. YOUNG TOLD ME HE THOUGHT THE SUSPECTS GOT A CHECKCARD BUT UNKNOWN IF ANYTHING ELSE WAS TAKEN. YOUNG THEN TOLD ME THAT THE BM WITH DREADLOCKS CAME OVER TO HIM AND PLACED A GUN TO HIS FACE. THE BLACK MALE THEN SAID "HAVE YOU EVER SEEN ONE OF THESE BEFORE?" AFTER SAYING THAT, THE BM FIRED 1 SHOT STRIKING HIM IN THE FACE NEAR HIS CHIN. BOTH BMS THEN FLED AND GOT INTO A VEHICLE LEAVING THE SCENE.

YOUNG TOLD ME THAT HE KNOWS FOR A FACT THE BM WITH DREADLOCKS AND A JAMAICAN ACCENT WAS THE SHOOTER, AND THAT WITHOUT A DOUBT HE WOULD BE ABLE TO IDENTIFY THEM BOTH. YOUNG TOLD ME HE THOUGHT HE SAW 3 GUNS BUT COULD ONLY IDENTIFY TWO OF THEM. ONE WAS A .380 SEMI-AUTO AND THE OTHER WAS A SMALL BLACK REVOLVER. I THEN RETURNED TO THE SCENE OF THE SHOOTING WHERE OFFICER M. GRADY OF NLVPD'S CRIME SCENE ANALYST UNIT WAS INVESTIGATING. I TURNED BOTH OF THE PIECES OF JACKETING OVER TO HER AT THAT TIME.

NO ATTACHMENTS.

records bureau processed	ser no detective bureau processed	ser no
SCARFF/DENISE	1259	
supervisor approving	ser no officer reporting	ser no
NOWAKOWSKI/DENNIS	1225 BAILEY/ANTHONY	1366

0018

EXHIBIT "2"

0019

App. 3113

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*****
CASE: 04015160      NORTH LAS VEGAS POLICE DEPARTMENT  REF: ORIGINAL
DATE: 6/29/04      -----POLICE REPORT----- PAGE: 1
TIME: 7:46      -----INVESTIGATIVE PORTION----- OF: 12
*****

-----INCIDENT ORIGINAL-----
classification/additional information:
AMURDNDW/BURG/ROBB/FALSE IMPRISONMENT

invest bureaus/units notified: I.D. BUREAU/DETECTIVE

location of occurrence:      rpt dist: A1  neighborhood: APT
2612 GLORY VIEW      ! ADAM 1      AIRPORT

from:  date / time  to:  date / time  report:  date / time
      6/26/04 / 19:11  6/26/04 / 19:11  6/26/04 / 20:52

hate crime? NC      gang related? YES      fingerprints? NO

routing? prosecute? prop report? vehl report? arrest rpt? attach?
DETECTIVE      YES      NO      NO      NO      YES
*****

-----METHOD OF OPERATION-----
residential---type: 111      target:      security:
SINGLE FAMILY

non-residntl---type:      target:      security:

entry---location: 325 GPRAGE      method:
exit---location: 373 FORCED-UNIQUE METHODmethod:

suspect actions:
A. 601 MULTI SUSPECTS      B. 606 SUSPECT ARMED      C. 607 DISCHARGED WEAPON
D. 704 SELECTIVE IN LOCT      E. 801 INFLICTED INJURY      F. 802 THREAT RETALIATIC
G. 833 FORCECE VIC TO FLO      H. 814 BOUND/GAGGED VICT      I. 901 KNEW VICTIMS NAME
*****DISPOSITIONS*****
[ ]-UNFOUNDED/NO CRIME--0 [ ]-SUBMITTED D.A.-----5 [ ]-RECLASSIFY-----10
[ ]-JUVENILE-----1 [ ]-ADMIN. CLEARED-----6 [ ]-VED REFUSED PROS.--11
[ ]-NON DETECTIVE CLR--2 [ ]-EXCEPTIONALLY CLR--7 [ ]-AFFIDAVIT-----12
[ ]-DETECTIVE ARREST--3 [ ]-SCREEN CLEARED-----8 [ ]-CA/CR DENIAL-----13
[ ]-SUBMITTED CITY ATTY-4 [ ]-NC CECS FILED(NCF)--9 [ ]-OTHER-----14
[ ]-SUBMITTED US ATTKY-15
*****

-----RECORDS-----
class code---ucr : sid number | date ser no | date ser no
| enter | cleared
| scope | scope
|

*****
records bureau processed      ser no | detective bureau processed      ser no
SCARFF/DENISE      1259 |

supervisor approving      ser no | officer reporting      ser no
NOWAKOWSKI/DENNIS      1225 | HCYT/MARK      1334
*****

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0020

CASE: 04015180 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: ORIGINAL
 DATE: 6/29/04 -----POLICE REPORT----- PAGE: 2
 TIME: 7:46 -----PERSONS PORTION----- OF: 12

name of person (001): type: V occupation: susp id?
 YOUNG/IVAN VICTIM PAINTER YES

sex | race: W hisp: Y | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | HISPANIC | /1973 | 31 | 000 | 000 | | | |

alias-aka: birthplace:
 alias-aka: ssn: 0271 mf no:

addr: 2612 GLORY VIEW NORTH LAS VEGAS NV 89030
 business:

descriptors:
 descriptors:

name of person (002): type: W occupation: susp id?
 WADDY/DESTINEE WITNESS DENTAL ASSIST NO

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 F | BLACK | /1981 | 23 | 300 | 000 | | | |

alias-aka: birthplace:
 alias-aka: ssn: 8514 mf no:

addr: NORTH LAS VEGAS NV 89031 | 7022904223
 business:

descriptors:
 descriptors:

name of person (003): type: V occupation: susp id?
 MEANS/JERMAUN VICTIM NO

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | /1976 | 27 | 000 | 000 | | | |

alias-aka: birthplace:
 alias-aka: ssn: mf no:

addr: NORTH LAS VEGAS NV 89031 | 7026369620
 business:

descriptors:
 descriptors:

records bureau processed ser no | detective bureau processed ser no
 SCARFF/DENISE 1259 |

supervisor approving ser no | officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 | HOYT/MARK 1334

0021

CASE: 04015160 ----- NORTH LAS VEGAS POLICE DEPARTMENT ----- REF: ORIGINAL
 DATE: 6/29/04 ----- POLICE REPORT ----- PAGE: 3
 TIME: 7:46 ----- PERSONS PORTION ----- OF: 12

name of person (004): type: V occupation: susp id?
 JOHN/RYAN VICTIM LABORER NC

sex race: W hisp: N dob age hgt wgt hair eyes bld cmp
 M WHITE 985 19 000 000

alias-aka: birthplace:
 alias-aka: ssn: mf no:

addr: LAS VEGAS NV 89124 7026479472
 business: VEGAS TRAFFIC SAFETY 4872 LMBW LV NV 89108 7027912008

descriptors: GIRLFRIEND LIVES AT 2613 GLORY VIEW
 descriptors:

name of person (005): type: V occupation: susp id?
 DENNIS/AARON VICTIM NO

sex race: W hisp: N dob age hgt wgt hair eyes bld cmp
 M WHITE 1994 10 000 000

alias-aka: birthplace:
 alias-aka: ssn: mf no:

addr: 2612 GLORY VIEW NORTH LAS VEGAS NV 89031
 business:

descriptors:
 descriptors:

name of person (006): type: V occupation: susp id?
 POSADA/JOSE VICTIM NO

sex race: W hisp: Y dob age hgt wgt hair eyes bld cmp
 M HISPANIC 1992 12 000 000

alias-aka: birthplace:
 alias-aka: ssn: mf no:

addr: UNKNOWN
 business:

descriptors: IVAN YOUNG'S NEPHEW
 descriptors:

records bureau processed ser no detective bureau processed ser no
 SCARFF/DENISE 1259

supervisor approving ser no officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 HOYT/MARK 1334

0022

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 4
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

 name of person (007): | type: W | occupation: | susp id?
 HICKMAN/JAKE #1476 | WITNESS | POLICE OFFICER | NO

sex | race: | hisp: | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | | | | | 000 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: NLVPD 1301 LMBE | 7026339111

descriptors:
 descriptors:

 name of person (008): | type: W | occupation: | susp id?
 COON/CHRISSE #1457 | WITNESS | POLICE OFFICER | NO

sex | race: | hisp: | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | | | | | 000 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: NLVPD 1301 LMBE | 7026339111

descriptors:
 descriptors:

 name of person (009): | type: W | occupation: | susp id?
 BAILEY/ANTHONY #1366 | WITNESS | POLICE OFFICER | NO

sex | race: | hisp: | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | | | | | 000 | 030 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: NLVPD 1301 LMEE | 7026339111

descriptors:
 descriptors:

records bureau processed ser no | detective bureau processed ser no
 SCARFF/DENISE 1259 |

supervisor approving ser no | officer reporting ser no
 MONAKOWSKI/DENNIS 1225 | ROYT/MARX 1334

0023

App. 3117

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CASE: 04015160      ----NORTH LAS VEGAS POLICE DEPARTMENT---- REF: ORIGINAL
DATE: 6/29/04      -----POLICE REPCRT----- PAGE: 5
TIME: 7:46         -----PERSONS PORTION----- CF: 12

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name of person (010):      ! type: W      ! occupation:      ! susp id?
ADAMS/CLINTON #1066      ! WITNESS      ! POLICE OFFICER      ! NO

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sex ! race:  hisp: !   dob   ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
M   !           !           !     !    !    !    !    !    !    !

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alias-aka:      ! birthplace:
alias-aka:      ! ssn:      mf no:

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addr:      !
business: NLVPD 1301 LMBE      ! 7026339111

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descriptors:
descriptors:

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name of person (011):      ! type: W      ! occupation:      ! susp id?
NOWAKOWSKI/DENNIS #1225      ! WITNESS      ! POLICE SERGEANT      ! NO

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sex ! race:  hisp: !   dob   ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
M   !           !           !     !    !    !    !    !    !    !

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alias-aka:      ! birthplace:
alias-aka:      ! ssn:      mf no:

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addr:      !
business: NLVPD 1301 LMBE      ! 7026339111

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descriptors:
descriptors:

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name of person (012):      ! type: W      ! occupation:      ! susp id?
NOWAKOWSKI/DENNIS #1225      ! WITNESS      ! POLICE SERGEANT      ! NO

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sex ! race:  hisp: !   dob   ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
M   !           !           !     !    !    !    !    !    !    !

```

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alias-aka:      ! birthplace:
alias-aka:      ! ssn:      mf no:

```

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addr:      !
business: NLVPD 1301 LMBE      ! 7026339111

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descriptors:
descriptors:

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records bureau processed      ser no ! detective bureau processed      ser no
SCARFF/DENISE      1259 !

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supervisor approving      ser no ! officer reporting      ser no
NOWAKOWSKI/DENNIS      1225 ! HOYT/MARK      1334

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0024

App. 3118

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 6
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

name of person (013): type: W occupation: susp id?
 BRADY/MARION #859 WITNESS I.D. TECH. NO

sex race hisp: dob age hgt wgt hair eyes bld cmp
 F 000 000

alias-aka: birthplace:
 alias-aka: ssn: mf no:

addr:
 business: NLVPD 1301 LMBE 7026339111

descriptors:
 descriptors:

name of person (014): type: W occupation: susp id?
 WALKER/SEAN #1523 WITNESS POLICE OFFICER NO

sex race hisp: dob age hgt wgt hair eyes bld cmp
 M 000 000

alias-aka: birthplace:
 alias-aka: ssn: mf no:

addr:
 business: NLVPD 1301 LMBE 7026339111

descriptors:
 descriptors:

name of person (015): type: W occupation: susp id?
 SANDERS/JOHN #1244 WITNESS POLICE OFFICER NO

sex race hisp: dob age hgt wgt hair eyes bld cmp
 M 000 000

alias-aka: birthplace:
 alias-aka: ssn: mf no:

addr:
 business: NLVPD 1301 LMBE 7026339111

descriptors:
 descriptors:

records bureau processed ser no detective bureau processed ser no
 SCARFF/DENISE 1259

supervisor approving ser no officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 HOYT/MARK 1334

0025

App. 3119

CASE: 04015160 --- NORTH LAS VEGAS POLICE DEPARTMENT --- REF: ORIGINAL
 DATE: 6/29/04 --- POLICE REPORT --- PAGE: 7
 TIME: 7:46 --- PERSONS PORTION --- OP: 12

 name of person (016): | type: S | occupation: | susp id?
 NO NAME | SUSPECT | | NO

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | | | 508 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: |

descriptors: SPOKE WITH JAMAICAN ACCENT
 descriptors: HAD DREAD LOCKS

 name of person (017): | type: S | occupation: | susp id?
 NO NAME | SUSPECT | | NO

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | | | 511 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: |

descriptors: LSW BLAUE AND WHI CLOTHING
 descriptors:

 name of person (018): | type: W | occupation: | susp id?
 PRIETO/JESUS #674 | WITNESS | DETECTIVE | NO

sex | race: hisp: | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | | | | 000 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: NLVPD 1101 LMEE | 7026339111

descriptors:
 descriptors:

records bureau processed ser no | detective bureau processed ser no
 SCARFF/DENISE 1259 |

supervisor approving ser no | officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 | HCYT/MARK 1334

0026

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 8
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

name of person (019): ! type: W ! occupation: ! susp id?
 MELCAREJO/EDWING #837 : WITNESS ! DETECTIVE ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! : : : : ! 000 ! 000 ! : : :

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LNBE ! 7026339111

descriptors:
 descriptors:

records bureau processed	ser no ! detective bureau processed	ser no
SCARFF/DENISE	1259 !	
supervisor approving	ser no ! officer reporting	ser no
NOWAKOWSKI/DENNIS	1225 : HCVT/MARK	1334

0027

App. 3121

CASE: 04015160 NORTH LAS VEGAS POLICE DEPARTMENT REF: ORIGINAL
 DATE: 6/29/04 POLICE REPORT PAGE: 9
 TIME: 7:45 NARRATIVE PORTION OF: 12

ON SATURDAY, 06-26-04 AT 1911 HOURS, OFFICERS WERE DISPATCHED TO 2612 GLORY VIEW IN REFERENCE TO A SHOOTING VICTIM INSIDE THE RESIDENCE. OFFICER HICKMAN WAS THE FIRST OFFICER TO ARRIVE WITH OFFICER COON ARRIVING SHORTLY AFTER OFFICER HICKMAN. WHEN I ARRIVED, I WALKED INTO THE FRONT DOOR. THE FRONT DOOR OPENS TO A LARGE LIVING ROOM WITH A DINING AREA TO THE LEFT OF THE FRONT DOOR AND THE KITCHEN ON THE OTHER SIDE OF THE DINING AREA. THERE WAS A LARGE POOL OF BLOOD ON THE FLOOR IN THE DINING AREA AND A LAMP WAS TIPPED OVER IN THE LIVING ROOM. OFFICER COON WAS TALKING TO A FEMALE TRYING TO PLACE DOGS IN THE BACKYARD. OFFICER COON TOLD ME SHE WAS A WITNESS AND THE VICTIM, IVAN YOUNG WAS IN A BEDROOM ON THE EAST SIDE OF THE RESIDENCE. OFFICER HICKMAN WAS TALKING TO YOUNG GETTING HIS PERSONAL INFORMATION. YOUNG WAS LAYING ON A BED ON HIS BACK WITH HIS HANDS AGAINST HIS FACE. I COULD SEE A LOT OF BLOOD ON YOUNG'S NOSE AND CHIN AREA. YOUNG TOLD ME HE GOT SHOT BY TWO GUYS HE DID NOT KNOW WHILE HE WAS IN THE GARAGE. YOUNG BEGAN TO YELL SAYING THAT HIS FACE HURTS. AT THIS TIME, NORTH LAS VEGAS FIRE DEPARTMENT RESCUE UNIT #53 AND SOUTHWEST AMBULANCE UNIT #524 ARRIVED TO TREAT YOUNG. AS PARAMEDICS ROLLED YOUNG OUT OF THE RESIDENCE ON A GURNEY, I NOTICED THAT A SCREEN TO A WINDOW LOCATED ON THE WEST SIDE OF THE RESIDENCE WAS PULLED FROM THE WINDOW FRAME AND HANGING FROM THE TOP. AS PARAMEDICS LOADED YOUNG INTO THE AMBULANCE, OFFICERS WERE SEPARATING WITNESSES.

IVAN YOUNG'S WIFE WAS AT THE RESIDENCE WHEN IVAN WAS SHOT. OFFICER HICKMAN INTERVIEWED HER. REFER TO OFFICER HICKMAN'S FOLLOW-UP REPORT FOR FURTHER INFORMATION.

I THEN SPOKE TO A WHITE MALE, IDENTIFIED AS RYAN JOHN. JOHN TOLD ME HE WAS VISITING HIS GIRLFRIEND AT [REDACTED] WHICH IS DIRECTLY ACROSS THE STREET FROM 2612 GLORY VIEW. JOHN LEFT HIS GIRLFRIENDS HOUSE AND STARTED TO WALK TO HIS VEHICLE THAT WAS PARKED IN FRONT OF 2612 GLORY VIEW. A BLACK MALE YELLED TO JOHN FROM THE GARAGE OF 2612 GLORY VIEW THAT IVAN WANTED TO TALK TO HIM. BECAUSE JOHN KNEW IVAN AND WAS FRIENDS WITH HIM, HE WALKED ACROSS THE STREET. THE UNIDENTIFIED BLACK MALE OPENED THE HOUSE DOOR INSIDE THE GARAGE THAT OPENS TO A LAUNDRY ROOM SO JOHN COULD WALK INSIDE. AS JOHN WALKED INTO THE LAUNDRY ROOM, THE SUSPECT PUT A PISTOL TO JOHN'S THROAT AND TOLD HIM TO GET ON THE GROUND IN THE KITCHEN AND PLACE HIS HANDS BEHIND HIS BACK. THERE IS ANOTHER DOOR THAT OPENS INTO THE KITCHEN FROM THE LAUNDRY ROOM. JOHN LAID ON THE FLOOR WITH HIS HEAD TOWARDS THE SINK AND HIS FEET AT THE REFRIGERATOR. THE SUSPECT TIED JOHN'S HANDS BEHIND HIS BACK AND STOMPED ON JOHN'S HEAD. THE SUSPECT THEN PLACED A BLACK JACKET OVER HIS HEAD. THE SUSPECT THEN PLACED A GUN TO JOHN'S HEAD AND TOLD HIM THAT IF HE MOVES, HE WAS GOING TO BLOW HIS BRAINS OUT. THE SUSPECT THEN WENT INTO JOHN'S POCKETS AND FOUND AN AUTOMATIC TELLER MACHINE (ATM) CARD IN A FRONT POCKET. THE SUSPECT THEN TOLD JOHN TO TELL HIM HIS PERSONAL PIN NUMBER TO HIS ATM. JOHN TOLD HIM. THE SUSPECT THEN TOLD JOHN THAT IF THE NUMBER WAS WRONG, HE WOULD COME BACK AND KILL HIM. THE SUSPECT THEN WALKED AWAY. JOHN HEARD TWO MALES TALKING TO IVAN. JOHN SAID THAT IVAN WAS

records bureau processed	ser no 1	detective bureau processed	ser no
SCARFF/DENISE	1255	!	
supervisor approving	ser no 1	officer reporting	ser no
NOWAKOWSKI/DENNIS	1225	MOYT/MARK	1134

0028

CASE: 64015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 10
 TIME: 7:46 ---NARRATIVE PORTION--- OF: 12

CLOSE TO HIM, NEAR THE DINING ROOM AREA. JOHN HEARD IVAN ASKING A MALE NOT TO SHOOT HIM. THEN JOHN HEARD A GUN SHOT AND IVAN SCREAM. JOHN THEN HEARD ONE OF THE SUSPECTS ASK THE OTHER SUSPECT IF HE SHOT HIM. THE OTHER MALE, IN A JAMAICAN ACCENT SAID, YES I SHOT HIM. JOHN THEN HEARD THE SUSPECT LEAVE THROUGH THE FRONT DOOR. ABOUT ONE TO TWO MINUTES LATER, JOHN STOOD UP, TAKING THE JACKET OFF OF HIS HEAD. JOHN RAN TO THE LAUNDRY ROOM, PULLING ONE OF HIS HANDS FROM BEHIND HIS BACK AND JUMPED OUT OF A WINDOW THAT FACES NORTH TO THE REAR YARD. JOHN JUMPED SEVERAL YARDS NORTHBOUND, RUNNING AWAY FROM THE RESIDENCE. JOHN THEN CALLED THE POLICE FROM A CELLULAR TELEPHONE FROM AN UNKNOWN ADDRESS. JOHN HAD SEVERAL MARKS ON BOTH WRIST FROM BEING TIED UP AND WAS TREATED AT THE SCENE BY MEDICAL PERSONNEL. JOHN TOLD ME THAT HE COULD NOT IDENTIFY ANY OF THE SUSPECTS AND WAS UNSURE HOW MANY WERE THERE. JOHN CALLED WELLS FARGO BANK WHICH ISSUED THE ATM CARD. THEY TOLD JOHN THAT AN ATM WITHDRAWAL FOR \$201.50 WAS JUST TAKEN FROM AN UNKNOWN ATM MACHINE. WELLS FARGO WOULD NOT KNOW THE EXACT LOCATION UNTIL MONDAY BECAUSE IT WAS PAST NORMAL BUSINESS HOURS. JOHN COMPLETED A WITNESS STATEMENT AT THE SCENE.

ANOTHER VICTIM, CERMAIN MEANS TOLD ME THAT HE WENT OVER TO 2612 GLORY VIEW BECAUSE IVAN WAS PAINTING HIS VEHICLE. APPARENTLY, IVAN PAINTS VEHICLES OUT OF HIS HOME. AS MEANS WALKED UP TO THE FRONT DOOR, TWO UNKNOWN MALES OPENED THE DOOR AND BEGAN TO WALK OUT. ONE OF THE MALES WAS WEARING A BEIGE SUIT JACKET AND THE OTHER HAD DREAD LOCKS. MEANS BELIEVED THE MALE WITH THE DREAD LOCKS WAS WEARING A WIG. THE SUSPECTS GRABBED ONTO MEANS'S ARM AND PULLED HIM INTO THE RESIDENCE. THEY FORCED HIM TO THE FLOOR JUST INSIDE THE FRONT DOOR AND TIED HIS HANDS BEHIND HIS BACK. MEANS TOLD ME THAT BOTH MALES HAD GUNS IN THEIR HANDS BUT HE COULD NOT DESCRIBE THE WEAPONS. ONE OF THE SUSPECTS ASKED MEANS IF HE HAD ANY MONEY. MEANS TOLD HIM YES. ONE OF THE SUSPECTS REMOVED ABOUT \$1,300.00 DOLLARS FROM MEANS'S FRONT PANTS POCKET. MEANS REMEMBERED HAVING SEVEN \$100.00 BILLS. THE SUSPECT ALSO TOOK MEANS'S CELLULAR TELEPHONE. MEANS TOLD ME THAT THE SUSPECTS THEN LEFT OUT OF THE FRONT DOOR. AFTER A FEW SECONDS, MEANS GOT UP, BROKE THE WIRES THE SUSPECTS TIED HIM UP WITH AND RAN OUTSIDE TO HIS VEHICLE. MEANS'S GIRLFRIEND, DESTINIE WADDY WAS WAITING INSIDE THE VEHICLE. MEANS TOLD ME THAT HE DID NOT HEAR ANY GUN SHOTS SO HE BELIEVED IVAN WAS ALREADY SHOT BEFORE HE GOT THERE. MEANS RECEIVED MEDICAL ATTENTION AT THE SCENE AND HE COMPLETED A WITNESS STATEMENT. MEANS TOLD ME HE COULD NOT IDENTIFY THE SUSPECTS.

WADDY TOLD ME THAT SHE SAW TWO UNIDENTIFIED MALES WALK OUT OF THE RESIDENCE AND GOT INTO A DARK GREEN VEHICLE. WADDY SAID THE VEHICLE WAS POSSIBLY A PONTIAC GRAND AM. THE VEHICLE WAS LAST SEEN WESTBOUND ON GLORY VIEW. WADDY DESCRIBED THE MALES AS ONE WEARING A WIG, ABOUT 5'8" TALL. THE OTHER MALE WAS ABOUT 5'11" TALL. BOTH WERE WEARING BLUE AND WHITE CLOTHING. WADDY TOLD ME THAT SHE HAS NEVER SEEN THE TWO MALES BEFORE. WADDY ALSO COMPLETED A WITNESS STATEMENT AT THE SCENE.

records bureau processed	ser no 1	detective bureau processed	ser no
SCARFF/DENISE	1259		
supervisor approving	ser no 1	officer reporting	ser no
NOWAKCHSKI/DENNIS	1225	HOYT/MARK	1334

0029

CASE: 04015160

DATE: 6/29/04

TIME: 7:46

---NORTH LAS VEGAS POLICE DEPARTMENT---

POLICE REPORT

-----NARRATIVE PORTION-----

REF: ORIGINAL

PAGE: 11

OF: 12

IVAN'S SON, AARON DENNIS WAS ALSO AT THE RESIDENCE WHEN HE WAS SHOT. DENNIS SAID THAT HIS FATHER CAME INTO THE HOUSE AND TOLD HIM, HIS MOTHER AND HIS COUSIN TO DO WHAT THEY SAY. TWO BLACK MALES WERE WALKING BEHIND IVAN. ONE WAS WEARING A BLACK JACKET. THE TWO MALES DEMANDED EVERYONE TO GET ON THE GROUND. ONE OF THE SUSPECTS TIED DENNIS'S HANDS BEHIND HIS BACK. DENNIS THEN ONLY REMEMBERED ONE OF THE MALES ASKING FOR MONEY AND SHOOTING IVAN. DENNIS COMPLETED A WITNESS STATEMENT AND HE WAS TREATED BY PARAMEDICS AT THE SCENE.

IVAN'S NEPHEW, JOSE POSADA TOLD ME TWO UNIDENTIFIED BLACK MALES WERE THREATENING IVAN FOR MONEY. THE SUSPECTS MADE POSADA AND DENNIS FACE A WALL AND ASKED THEM WHERE ALL THE TELEPHONES WERE. POSADA TOLD THE MALES AND THE SUSPECTS BROKE ALL OF THE TELEPHONES AND CELLULAR PHONES. POSADA SAID THE SUSPECTS TIED EVERYONE UP WITH WIRES FROM THE FLOOR LAMPS IN THE LIVING ROOM. POSADA THEN SAID HIS UNCLE IVAN WAS SHOT IN THE HEAD. POSADA DESCRIBED ONE OF THE MALES AS A BLACK MALE WITH BRAIDS. THE OTHER MALE WAS A BLACK MALE WITH A DARK AFRO. ONE OF THE SUSPECTS WAS WEARING A TUXEDO SHIRT. POSADA ALSO SAID THAT HE SAW THREE GUNS. THE TWO MALES THEN WALKED OUT OF THE FRONT DOOR. POSADA COMPLETED A WITNESS STATEMENT AT THE SCENE AND WAS TREATED BY PARAMEDICS.

CSI BRADY ARRIVED AND PROCESSED THE SCENE. DETECTIVES PRIETO AND MELGARJEO ALSO ARRIVED ON SCENE. OFFICER BAILEY WENT TO UNIVERSITY MEDICAL CENTER TO CHECK ON IVAN'S INJURIES. IVAN WAS LAST LISTED IN STABLE CONDITION. OFFICER BAILEY ALSO INTERVIEWED IVAN. REFER TO OFFICER BAILEY'S FOLLOW-UP REPORT FOR FURTHER DETAILS. TAMMY POSADA, JOSE'S MOTHER ARRIVED ON SCENE AND TOOK POSSESSION OF THE FOUR DOGS BELONGING TO IVAN. TAMMY ALSO TOOK CUSTODY OF JOSE AND DENNIS UNTIL FURTHER NOTICE. AT ABOUT 2330 HOURS, DISPATCH RECEIVED A TELEPHONE CALL FROM TOM WINTER ABOUT POSSIBLE INFORMATION ON THE SUSPECTS. WINTER TOLD ME HE OWNS SEVERAL PROPERTIES IN THE LAS VEGAS VALLEY. ONE OF HIS EX-TENANTS, ERIC HAWKINS OWNS A DARK GREEN CHEVY MALIBU AND WAS A SUSPECT IN A BURGLARY CASE ABOUT TWO MONTHS AGO. WINTER SAW A NEWS RELEASE AND TOLD ME THAT HAWKINS'S METHOD OF OPERATION MATCHES A BURGLARY TWO MONTHS AGO, SIMILAR TO 2612 GLORY VIEW. WINTER TOLD ME HAWKINS SPEAKS WITH A JAMAICAN ACCENT AND HAS A BROTHER-IN-LAW THAT HE IS ALWAYS SEEN WITH. WINTER TOLD ME HAWKINS'S SOCIAL SECURITY NUMBER IS [REDACTED] 6948. A RECORDS CHECK ON HAWKINS REVEALED THAT HE HAS BEEN ARRESTED IN THE PAST FOR NARCOTICS AND WEAPONS CHARGES WITH A D.O.B. OF [REDACTED] 84. HE IS LISTED AS 5'10" TALL AND 140 POUNDS. DISPATCH PROVIDED POSSIBLE ADDRESSES IN LAS VEGAS OF [REDACTED] OR [REDACTED] DRIVE.

ATTACHMENTS: FIVE WITNESS STATEMENTS.

records bureau processed
SCARFF/DENISE

ser no | detective bureau processed
1259 |

ser no

supervisor approving
NOWAKOWSKI/DENNIS

ser no | officer reporting
1225 | HOYT/MARK

ser no
1334

0030

App. 3124

CASE: 04015160 -----NORTH LAS VEGAS POLICE DEPARTMENT----- REF: ORIGINAL
 DATE: 6/29/04 -----POLICE REPORT----- PAGE: 12
 TIME: 7:46 -----BOOKING PORTION----- CF: 12

name of arrestee: SLAUGHTER/RICKIE mf: 99089534 ce: 1896569
 sex | race/ethnic | date birth | age | hgt | wgt | hair | eyes | bld | cmp
 M | B N BLACK | [REDACTED] 1984 | 19 | 509 | 180 | BLK | BRO | MED | DRK

alias-aka: SLAUGHTER/RICKIE LAMONT place of birth:
 alias-aka: LAS VEGAS NV
 alias-aka: ssn: [REDACTED] 7627
 alias-aka: driv lic/st: 1401804365 NV

scars, marks, TAT RF ARM "RICC"/SC ABDOM 6"
 tattoos, etc: SC R SIDE STAB WOUND
 illness/injuries:

address (house no; apt no; street, city, state, zip) | phone number
 3801 E CHARLESTON #114 LV NV

next of kin name: PATRICIA MITCHELL relation: MOTHER
 next of kin address: phone: 7022414277
 employer: NONE occupation: NONE

date/time of booking: 6/29/04 0133 abno: 253014
 place of arrest: 3801 E CHARLESTON #114 arresting officer: vehl
 date/time of arrest: 6/28/04 2300 PRIETO/JESUS YES
 officers present during booking: transporting officer: impd
 SAKAY 1265/GARCIA 1525 PRIETO/JESUS YES
 med ID:

no.	orig	charge	warrant/hrs	cts	fgm	bail	case num
1	PC	02148	200.030 ATT MURD WDW	1	F	NONE	4015160
2	PC	00118	200.380 ROBB WDW	1	F	40,000	4015160
3	PC	00301	205.060 BURG WDW	1	F	15,000	4015160
4	PC	02743	200.460 FALSE IMPRISON WDW	1	F	10,000	4015160

records bureau processed	ser no !	detective bureau processed	ser no
SCARFF/DENISE	1289 !		
supervisor approving	ser no !	officer reporting	ser no
NOWAKOWSKI/DENNIS	1225 !	HOYT/MARK	1334

0031

CASE: 04015160 NORTH LAS VEGAS POLICE DEPARTMENT REF: ORIGINAL
 DATE: 6/29/04 POLICE REPORT PAGE: 1
 TIME: 7:46 INVESTIGATIVE PORTION OF: 12

INCIDENT ORIGINAL
 classification/additional information:
 AMURDWDW/BURG/ROBE/FALSE IMPRISONMENT

invest bureaus/units notified: I.D. BUREAU/DETECTIVE

location of occurrence: ! rpt dist: A1 neighborhood: APT
 2612 GLORY VIEW ! ADAM 1 AIRPORT

from: date / time ! to: date / time ! report: date / time
 6/26/04 / 19:11 ! 6/26/04 / 19:11 ! 6/26/04 / 20:52

hate crime? NO ! gang related? YES ! fingerprints? NO

routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
 DETECTIVE ! YES ! NO ! NO ! NO ! YES

METHOD OF OPERATION
 residential---type: 111 target: security:
 SINGLE FAMILY

non-residtl---type: target: security:

entry---location: 325 GAPAGE method:
 exit---location: 373 FORCED-UNIQUE METHODmethod:

suspect actions:

A. 601 MULTI SUSPECTS B. 606 SUSPECT ARMED C. 607 DISCHARGED WEAPON
 D. 704 SELECTIVE IN LOOT E. 801 INFLICTED INJURY F. 802 THREAT RETALIATIO
 G. 803 FORCED VIC TO FLO H. 814 BOUND/GAGGED VICT I. 901 KNEW VICTIMS NAME

DISPOSITIONS
 [] UNFOUNDED/NO CRIME--0 [] SUBMITTED D.A.-----5 [] RECLASSIFY-----10
 [] JUVENILE-----1 [] ADMIN. CLEARED-----6 [] VIC REFUSED PROS.--11
 [] NON DETECTIVE CLR--2 [] EXCEPTIONALLY CLR--7 [] AFFIDAVIT-----12
 [] DETECTIVE ARREST---3 [] SCREEN CLEARED-----8 [] CA/DA DENIAL-----13
 [] SUBMITTED CITY ATTY-4 [] NO CHGS FILED(NCF)--9 [] OTHER-----14
 [] SUBMITTED US ATTY-15

RECORDS
 class code---ucr ! sid number ! date ser no ! date ser no
 ! enter ! cleared
 ! scope ! scope

records bureau processed ser no ! detective bureau processed ser no
 SCARFF/DENISE 1259 !

supervisor approving ser no ! officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 ! HOYT/MARK 1334

0032

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 2
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

name of person (001): ! type: V ! occupation: ! susp id?
 YOUNG/IVAN ! VICTIM ! PAINTER ! YES

sex ! race: W hisp:Y! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! HISPANIC ! /1973 ! 31 ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: 0271 mf no:

addr: 2612 GLORY VIEW NORTH LAS VEGAS NV 89030
 business:

descriptors:
 descriptors:

name of person (002): ! type: W ! occupation: ! susp id?
 WADDY/DESTINEE ! WITNESS ! DENTAL ASSIST ! NO

sex ! race: B hisp:N! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 F ! BLACK ! /1981 ! 23 ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: 8514 mf no:

addr: NORTH LAS VEGAS NV 89031 ! 7022904223
 business:

descriptors:
 descriptors:

name of person (003): ! type: V ! occupation: ! susp id?
 MEANS/JERMAUN ! VICTIM ! ! NO

sex ! race: B hisp:N! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! BLACK ! /1976 ! 27 ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: NORTH LAS VEGAS NV 89031 ! 7026369620
 business:

descriptors:
 descriptors:

records bureau processed ser no ! detective bureau processed ser no
 SCARFF/DENISE 1259 !

supervisor approving ser no ! officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 ! HOYT/MARK 1334

0033

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 3
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

name of person (004): ! type: V ! occupation: ! susp id?
 JOHN/RYAN ! VICTIM ! LABORER ! NO

sex ! race: W hisp:N ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! WHITE ! /1985 ! 19 ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: LAS VEGAS NV 89124 ! 7026479472
 business: VEGAS TRAFFIC SAFETY 4872 LMBW LV NV 89108 ! 7027912008

descriptors: GIRLFRIEND LIVES AT
 descriptors:

name of person (005): ! type: V ! occupation: ! susp id?
 DENNIS/AARON ! VICTIM ! ! NO

sex ! race: W hisp:N ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! WHITE ! /1994 ! 10 ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: 2612 GLORY VIEW NORTH LAS VEGAS NV 89031 !
 business: !

descriptors:
 descriptors:

name of person (006): ! type: V ! occupation: ! susp id?
 POSADA/JOSE ! VICTIM ! ! NO

sex ! race: W hisp:Y ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! HISPANIC ! 1992 ! 12 ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: UNKNOWN !
 business: !

descriptors: IVAN YOUNG'S NEPHEW
 descriptors:

records bureau processed ser no ! detective bureau processed ser no
 SCARFF/DENISE 1259 !

supervisor approving ser no ! officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 ! HOYT/MARK 1334

0034

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 4
 TIME: 7:45 ---PERSONS PORTION--- OF: 12

 name of person (007): ! type: W ! occupation: ! susp id?
 HICKMAN/JAKE #1476 ! WITNESS ! POLICE OFFICER ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMBE ! 7026339111

descriptors:
 descriptors:

 name of person (008): ! type: W ! occupation: ! susp id?
 COON/CHRISSE #1457 ! WITNESS ! POLICE OFFICER ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMBE ! 7026339111

descriptors:
 descriptors:

 name of person (009): ! type: W ! occupation: ! susp id?
 BAILEY/ANTHONY #1366 ! WITNESS ! POLICE OFFICER ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMBE ! 7026339111

descriptors:
 descriptors:

records bureau processed ser no ! detective bureau processed ser no
 SCARFF/DENISE 1259 !

supervisor approving ser no ! officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 ! HOYT/MARK 1334

0035

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 5
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

name of person (010): ! type: W ! occupation: ! susp id?
 ADAMS/CLINTON #1068 ! WITNESS ! POLICE OFFICER ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMBE ! 7026339111

descriptors:
 descriptors:

name of person (011): ! type: W ! occupation: ! susp id?
 NOWAKOWSKI/DENNIS #1225 ! WITNESS ! POLICE SERGEANT ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMBE ! 7026339111

descriptors:
 descriptors:

name of person (012): ! type: W ! occupation: ! susp id?
 NOWAKOWSKI/DENNIS #1225 ! WITNESS ! POLICE SERGEANT ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMBE ! 7026339111

descriptors:
 descriptors:

records bureau processed ser no ! detective bureau processed ser no
 SCARFF/DENISE 1259 !

supervisor approving ser no ! officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 ! HOYT/MARK 1334

0036

App. 3130

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 6
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

name of person (013): ! type: W ! occupation: ! susp id?
 BRADY/MARION #850 ! WITNESS ! I.D. TECH. ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 F ! ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMSE ! 7026339111

descriptors:
 descriptors:

name of person (014): ! type: W ! occupation: ! susp id?
 WALKER/SEAN #1523 ! WITNESS ! POLICE OFFICER ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMSE ! 7026339111

descriptors:
 descriptors:

name of person (015): ! type: W ! occupation: ! susp id?
 SANDERS/JOHN #1244 ! WITNESS ! POLICE OFFICER ! NO

sex ! race: hisp: ! dob ! age ! hgt ! wgt ! hair ! eyes ! bld ! cmp
 M ! ! ! ! ! 000 ! 000 ! ! ! !

alias-aka: ! birthplace:
 alias-aka: ! ssn: mf no:

addr: !
 business: NLVPD 1301 LMSE ! 7026339111

descriptors:
 descriptors:

records bureau processed ser no ! detective bureau processed ser no
 SCARFF/DENISE 1259 !

supervisor approving ser no ! officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 ! HOYT/MARK 1334

0037

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 7
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

name of person (016): | type: S | occupation: | susp id?
 NO NAME | SUSPECT | | NO

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | | | 508 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: |

descriptors: SPOKE WITH JAMAICAN ACCENT
 descriptors: HAD DREAD LOCKS

name of person (017): | type: S | occupation: | susp id?
 NO NAME | SUSPECT | | NO

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | | | 511 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: |

descriptors: LSW BLUE ANL WHI CLOTHING
 descriptors:

name of person (018): | type: W | occupation: | susp id?
 PRIETO/JESUS #674 | WITNESS | DETECTIVE | NO

sex | race: hisp: | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | | | | 000 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr: |
 business: NLVPD 1301 LMBE | 7026339111

descriptors:
 descriptors:

records bureau processed ser no | detective bureau processed ser no
 SCARFF/DENISE 1259 |

supervisor approving ser no | officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 | HOYT/MARK 1334

0038

App. 3132

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 8
 TIME: 7:46 ---PERSONS PORTION--- OF: 12

 name of person (019): | type: W | occupation: | susp id?
 MELGAREJO/EDWING #827 | WITNESS | DETECTIVE | NO

sex | race: | hisp: | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | | | | | 000 | 000 | | | |

alias-aka: | birthplace:
 alias-aka: | ssn: | mf no:

addr:
 business: NLVPD 1301 LMBE | 7026339111

descriptors:
 descriptors:

records bureau processed ser no | detective bureau processed ser no
 SCARFF/DENISE 1259 |

supervisor approving ser no | officer reporting ser no
 NOWAKOWSKI/DENNIS 1225 | HOYT/MARK 1334

0039

App. 3133

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 9
 TIME: 7:45 ---NARRATIVE PORTION--- GP: 12

ON SATURDAY, 06-26-04 AT 1911 HOURS, OFFICERS WERE DISPATCHED TO 2612 GLORY VIEW IN REFERENCE TO A SHOOTING VICTIM INSIDE THE RESIDENCE. OFFICER HICKMAN WAS THE FIRST OFFICER TO ARRIVE WITH OFFICER COON ARRIVING SHORTLY AFTER OFFICER HICKMAN. WHEN I ARRIVED, I WALKED INTO THE FRONT DOOR. THE FRONT DOOR OPENS TO A LARGE LIVING ROOM WITH A DINING AREA TO THE LEFT OF THE FRONT DOOR AND THE KITCHEN ON THE OTHER SIDE OF THE DINING AREA. THERE WAS A LARGE POOL OF BLOOD ON THE FLOOR IN THE DINING AREA AND A LAMP WAS TIPPED OVER IN THE LIVING ROOM. OFFICER COON WAS TALKING TO A FEMALE TRYING TO PLACE DOGS IN THE BACKYARD. OFFICER COON TOLD ME SHE WAS A WITNESS AND THE VICTIM, IVAN YOUNG WAS IN A BEDROOM ON THE EAST SIDE OF THE RESIDENCE. OFFICER HICKMAN WAS TALKING TO YOUNG GETTING HIS PERSONAL INFORMATION. YOUNG WAS LAYING ON A BED ON HIS BACK WITH HIS HANDS AGAINST HIS FACE. I COULD SEE A LOT OF BLOOD ON YOUNG'S NOSE AND CHIN AREA. YOUNG TOLD ME HE GOT SHOT BY TWO GUYS HE DID NOT KNOW WHILE HE WAS IN THE GARAGE. YOUNG BEGAN TO YELL SAYING THAT HIS FACE HURTS. AT THIS TIME, NORTH LAS VEGAS FIRE DEPARTMENT RESCUE UNIT #51 AND SOUTHWEST AMBULANCE UNIT #524 ARRIVED TO TREAT YOUNG. AS PARAMEDICS ROLLED YOUNG OUT OF THE RESIDENCE ON A GURNEY, I NOTICED THAT A SCREEN TO A WINDOW LOCATED ON THE WEST SIDE OF THE RESIDENCE WAS PULLED FROM THE WINDOW FRAME AND HANGING FROM THE TOP. AS PARAMEDICS LOADED YOUNG INTO THE AMBULANCE, OFFICERS WERE SEPARATING WITNESSES.

IVAN YOUNG'S WIFE WAS AT THE RESIDENCE WHEN IVAN WAS SHOT. OFFICER HICKMAN INTERVIEWED HER. REFER TO OFFICER HICKMAN'S FOLLOW-UP REPORT FOR FURTHER INFORMATION.

I THEN SPOKE TO A WHITE MALE, IDENTIFIED AS RYAN JOHN. JOHN TOLD ME HE WAS VISITING HIS GIRLFRIEND AT [REDACTED] WHICH IS DIRECTLY ACROSS THE STREET FROM 2612 GLORY VIEW. JOHN LEFT HIS GIRLFRIEND'S HOUSE AND STARTED TO WALK TO HIS VEHICLE THAT WAS PARKED IN FRONT OF 2613 GLORY VIEW. A BLACK MALE YELLED TO JOHN FROM THE GARAGE OF 2613 GLORY VIEW THAT IVAN WANTED TO TALK TO HIM. BECAUSE JOHN KNEW IVAN AND WAS FRIENDS WITH HIM, HE WALKED ACROSS THE STREET. THE UNIDENTIFIED BLACK MALE OPENED THE HOUSE DOOR INSIDE THE GARAGE THAT OPENS TO A LAUNDRY ROOM SO JOHN COULD WALK INSIDE. AS JOHN WALKED INTO THE LAUNDRY ROOM, THE SUSPECT PUT A PISTOL TO JOHN'S THROAT AND TOLD HIM TO GET ON THE GROUND IN THE KITCHEN AND PLACE HIS HANDS BEHIND HIS BACK. THERE IS ANOTHER DOOR THAT OPENS INTO THE KITCHEN FROM THE LAUNDRY ROOM. JOHN LAID ON THE FLOOR WITH HIS HEAD TOWARDS THE SINK AND HIS FEET AT THE REFRIGERATOR. THE SUSPECT TIED JOHN'S HANDS BEHIND HIS BACK AND STOMPED ON JOHN'S HEAD. THE SUSPECT THEN PLACED A BLACK JACKET OVER HIS HEAD. THE SUSPECT THEN PLACED A GUN TO JOHN'S HEAD AND TOLD HIM THAT IF HE MOVES, HE WAS GOING TO BLOW HIS BRAINS OUT. THE SUSPECT THEN WENT INTO JOHN'S POCKETS AND FOUND AN AUTOMATIC TELLER MACHINE (ATM) CARD IN A FRONT POCKET. THE SUSPECT THEN TOLD JOHN TO TELL HIM HIS PERSONAL PIN NUMBER TO HIS ATM. JOHN TOLD HIM. THE SUSPECT THEN TOLD JOHN THAT IF THE NUMBER WAS WRONG, HE WOULD COME BACK AND KILL HIM. THE SUSPECT THEN WALKED AWAY. JOHN HEARD TWO MALES TALKING TO IVAN. JOHN SAID THAT IVAN WAS

records bureau processed	ser no ! detective bureau processed	ser no
SCARFF/DENISE	1259 !	
supervisor approving	ser no ! officer reporting	ser no
NOWAKOWSKI/DENNIS	1225 ! HOYT/MARK	1334

0040

App. 3134

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: ORIGINAL
 DATE: 6/29/04 ---POLICE REPORT--- PAGE: 10
 TIME: 7:46 ---NARRATIVE PORTION--- OF: 12

CLOSE TO HIM. NEAR THE DINING ROOM AREA. JOHN HEARD IVAN ASKING A MALE NOT TO SHOOT HIM. THEN JOHN HEARD A GUN SHOT AND IVAN SCREAM. JOHN THEN HEARD ONE OF THE SUSPECTS ASK THE OTHER SUSPECT IF HE SHOT HIM. THE OTHER MALE, IN A JAMAICAN ACCENT SAID, YES I SHOT HIM. JOHN THEN HEARD THE SUSPECT LEAVE THROUGH THE FRONT DOOR. ABOUT ONE TO TWO MINUTES LATER, JOHN STOOD UP, TAKING THE JACKET OFF OF HIS HEAD. JOHN RAN TO THE LAUNDRY ROOM, PULLING ONE OF HIS HANDS FROM BEHIND HIS BACK AND JUMPED OUT OF A WINDOW THAT FACES NORTH TO THE REAR YARD. JOHN JUMPED SEVERAL YARDS NORTHBOUND, RUNNING AWAY FROM THE RESIDENCE. JOHN THEN CALLED THE POLICE FROM A CELLULAR TELEPHONE FROM AN UNKNOWN ADDRESS. JOHN HAD SEVERAL MARKS ON BOTH WRIST FROM BEING TIED UP AND WAS TREATED AT THE SCENE BY MEDICAL PERSONNEL. JOHN TOLD ME THAT HE COULD NOT IDENTIFY ANY OF THE SUSPECTS AND WAS UNSURE HOW MANY WERE THERE. JOHN CALLED WELLS FARGO BANK WHICH ISSUED THE ATM CARD. THEY TOLD JOHN THAT AN ATM WITHDRAWAL FOR \$201.50 WAS JUST TAKEN FROM AN UNKNOWN ATM MACHINE. WELLS FARGO WOULD NOT KNOW THE EXACT LOCATION UNTIL MONDAY BECAUSE IT WAS PAST NORMAL BUSINESS HOURS. JOHN COMPLETED A WITNESS STATEMENT AT THE SCENE.

ANOTHER VICTIM, JERMAUN MEANS TOLD ME THAT HE WENT OVER TO 2612 GLORY VIEW BECAUSE IVAN WAS PAINTING HIS VEHICLE. APPARENTLY, IVAN PAINTS VEHICLES OUT OF HIS HOME. AS MEANS WALKED UP TO THE FRONT DOOR, TWO UNKNOWN MALES OPENED THE DOOR AND BEGAN TO WALK OUT. ONE OF THE MALES WAS WEARING A BEIGE SUIT JACKET AND THE OTHER HAD DREAD LOCKS. MEANS BELIEVED THE MALE WITH THE DREAD LOCKS WAS WEARING A WIG. THE SUSPECTS GRABBED ONTO MEANS'S ARM AND PULLED HIM INTO THE RESIDENCE. THEY FORCED HIM TO THE FLOOR JUST INSIDE THE FRONT DOOR AND TIED HIS HANDS BEHIND HIS BACK. MEANS TOLD ME THAT BOTH MALES HAD GUNS IN THEIR HANDS BUT HE COULD NOT DESCRIBE THE WEAPONS. ONE OF THE SUSPECTS ASKED MEANS IF HE HAD ANY MONEY. MEANS TOLD HIM YES. ONE OF THE SUSPECTS REMOVED ABOUT \$1,300.00 DOLLARS FROM MEANS'S FRONT PANTS POCKET. MEANS REMEMBERED HAVING SEVEN \$100.00 BILLS. THE SUSPECT ALSO TOOK MEANS'S CELLULAR TELEPHONE. MEANS TOLD ME THAT THE SUSPECTS THEN LEFT OUT OF THE FRONT DOOR. AFTER A FEW SECONDS, MEANS GOT UP, BROKE THE WIRES THE SUSPECTS TIED HIM UP WITH AND RAN OUTSIDE TO HIS VEHICLE. MEANS'S GIRLFRIEND, DESTINEE WADDY WAS WAITING INSIDE THE VEHICLE. MEANS TOLD ME THAT HE DID NOT HEAR ANY GUN SHOTS SO HE BELIEVED IVAN WAS ALREADY SHOT BEFORE HE GOT THERE. MEANS RECEIVED MEDICAL ATTENTION AT THE SCENE AND HE COMPLETED A WITNESS STATEMENT. MEANS TOLD ME HE COULD NOT IDENTIFY THE SUSPECTS.

WADDY TOLD ME THAT SHE SAW TWO UNIDENTIFIED MALES WALK OUT OF THE RESIDENCE AND GOT INTO A DARK GREEN VEHICLE. WADDY SAID THE VEHICLE WAS POSSIBLY A PONTIAC GRAND AM. THE VEHICLE WAS LAST SEEN WESTBOUND ON GLORY VIEW. WADDY DESCRIBED THE MALES AS ONE WEARING A WIG, ABOUT 5'8" TALL. THE OTHER MALE WAS ABOUT 5'11" TALL. BOTH WERE WEARING BLUE AND WHITE CLOTHING. WADDY TOLD ME THAT SHE HAS NEVER SEEN THE TWO MALES BEFORE. WADDY ALSO COMPLETED A WITNESS STATEMENT AT THE SCENE.

records bureau processed	ser no 1 detective bureau processed	ser no
SCARFF/DENISE	1259	
supervisor approving	ser no 1 officer reporting	ser no
NOWAKOWSKI/DENNIS	1225 HOYT/MARK	1334

0041

CASE: 04015160 ----NORTH LAS VEGAS POLICE DEPARTMENT---- REF: ORIGINAL
 DATE: 6/29/04 -----POLICE REPORT----- PAGE: 11
 TIME: 7:46 -----NARRATIVE PORTION----- OF: 12

IVAN'S SON, AARON DENNIS WAS ALSO AT THE RESIDENCE WHEN HE WAS SHOT. DENNIS SAID THAT HIS FATHER CAME INTO THE HOUSE AND TOLD HIM, HIS MOTHER AND HIS COUSIN TO DO WHAT THEY SAY. TWO BLACK MALES WERE WALKING BEHIND IVAN. ONE WAS WEARING A BLACK JACKET. THE TWO MALES DEMANDED EVERYONE TO GET ON THE GROUND. ONE OF THE SUSPECTS TIED DENNIS'S HANDS BEHIND HIS BACK. DENNIS THEN ONLY REMEMBERED ONE OF THE MALES ASKING FOR MONEY AND SHOOTING IVAN. DENNIS COMPLETED A WITNESS STATEMENT AND HE WAS TREATED BY PARAMEDICS AT THE SCENE.

IVAN'S NEPHEW, JOSE POSADA TOLD ME TWO UNIDENTIFIED BLACK MALES WERE THREATENING IVAN FOR MONEY. THE SUSPECTS MADE POSADA AND DENNIS FACE A WALL AND ASKED THEM WHERE ALL THE TELEPHONES WERE. POSADA TOLD THE MALES AND THE SUSPECTS BROKE ALL OF THE TELEPHONES AND CELLULAR PHONES. POSADA SAID THE SUSPECTS TIED EVERYONE UP WITH WIRES FROM THE FLOOR LAMPS IN THE LIVING ROOM. POSADA THEN SAID HIS UNCLE IVAN WAS SHOT IN THE HEAD. POSADA DESCRIBED ONE OF THE MALES AS A BLACK MALE WITH BRAIDS. THE OTHER MALE WAS A BLACK MALE WITH A DARK AFRO. ONE OF THE SUSPECTS WAS WEARING A TUXEDO SHIRT. POSADA ALSO SAID THAT HE SAW THREE GUNS. THE TWO MALES THEN WALKED OUT OF THE FRONT DOOR. POSADA COMPLETED A WITNESS STATEMENT AT THE SCENE AND WAS TREATED BY PARAMEDICS.

CSI BRADY ARRIVED AND PROCESSED THE SCENE. DETECTIVES PRIETO AND MELGARJEJO ALSO ARRIVED ON SCENE. OFFICER BAILEY WENT TO UNIVERSITY MEDICAL CENTER TO CHECK ON IVAN'S INJURIES. IVAN WAS LAST LISTED IN STABLE CONDITION. OFFICER BAILEY ALSO INTERVIEWED IVAN. REFER TO OFFICER BAILEY'S FOLLOW-UP REPORT FOR FURTHER DETAILS. TAMMY POSADA, JOSE'S MOTHER ARRIVED ON SCENE AND TOOK

POSSESSION OF THE FOUR DOGS BELONGING TO IVAN. TAMMY ALSO TOOK CUSTODY OF JOSE AND DENNIS UNTIL FURTHER NOTICE. AT ABOUT 2330 HOURS, DISPATCH RECEIVED A TELEPHONE CALL FROM TOM WINTER ABOUT POSSIBLE INFORMATION ON THE SUSPECTS. WINTER TOLD ME HE OWNS SEVERAL PROPERTIES IN THE LAS VEGAS VALLEY. ONE OF HIS EX-TENANTS, ERIC HAWKINS OWNS A DARK GREEN CHEVY MALIBU AND WAS A SUSPECT IN A BURGLARY CASE ABOUT TWO MONTHS AGO. WINTER SAW A NEWS RELEASE AND TOLD ME THAT HAWKINS'S METHOD OF OPERATION MATCHES A BURGLARY TWO MONTHS AGO, SIMILAR TO 2612 GLORY VIEW. WINTER TOLD ME HAWKINS SPEAKS WITH A JAMAICAN ACCENT AND HAS A BROTHER-IN-LAW THAT HE IS ALWAYS SEEN WITH. WINTER TOLD ME HAWKINS'S SOCIAL SECURITY NUMBER IS [REDACTED]-6948. A RECORDS CHECK ON HAWKINS REVEALED THAT HE HAS BEEN ARRESTED IN THE PAST FOR NARCOTICS AND WEAPONS CHARGES WITH A D.O.B. OF [REDACTED] 84. HE IS LISTED AS 5'10" TALL AND 140 POUNDS. DISPATCH PROVIDED POSSIBLE ADDRESSES IN LAS VEGAS OF 1904 JOELLA OR 3332 PARAGON DRIVE.

ATTACHMENTS: FIVE WITNESS STATEMENTS.

records bureau processed	ser no 1 detective bureau processed	ser no
SCARFF/DENISE	1259	
supervisor approving	ser no 1 officer reporting	ser no
NOMAKOWSKI/DENNIS	1225 1 HOYT/MARK	1334

0042

EXHIBIT "3"

0043

App. 3137

10/23/2009 14:00 938

(FAX) 702 868 0248






P.002/013

CLINTON LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.

		
#1	#2	#3
		
#4	#5	#6

ADDITIONAL WITNESS COMMENTS: _____

 Signature of Officer

 Signature of Witness
 Date & Time
"Exhibit A - 1 of set of
 Witness Name Printed Photo line ups"

 Signature of Officer

This is IVAN YOUNG'S I.D. of THE SUSPECT. Due to MEDICAL TREATMENT,

0044

10/23/2009 14:01 SIB

FAX 702 868 0248



P.003/013

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-1516

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.

		
#1	#2	#3
		
#4	#5	#6

ADDITIONAL WITNESS COMMENTS:

He has just showed me.

[Signature]
 Signature of Officer

6741

Signature of Officer

[Signature] 6-29-04
 Signature of Witness Date & Time

Exhibit A - 1st set of

Witness Name Printed

Photo line up

0045

10/23/2009 14:01 SSB

(FAX) 702 868 0248


P.004/013

NORTH LAS VEGAS POLICE **WITNESS PHOTO LINEUP IDENTIFICATION**

Case #: 04-1516

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circ around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.

		
#1	#2	#3
		
#4	#5	#6

ADDITIONAL WITNESS COMMENTS: This is the guy that I think that called me
over to Evans House and tried to kidnap and shoot Ivan.

J. O. L. 674
 Signature of Officer

[Signature]
 Signature of Witness

6-29-04 196
 Date & Time

Exhibit A - 1st set of
 Witness Name Printed

Photolineups

0046

10/23/2009 14:01 SK

(FAX) 702 868 0248

P.005/013

NORTH LAS VEGAS POLICE **WITNESS PHOTO LINEUP IDENTIFICATION**

Case #: 04-1516

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS:

I saw him next to my
uncle. This man had a gun!

[Signature]
 Signature of Officer

[Signature] 7-1-04 092
 Signature of Witness Date & Time

[Signature]
 Signature of Officer

Exhibit d - 1st set of Photolines
 Witness Name Printed

0047

EXHIBIT "4"

0048

**NORTH LAS VEGAS DETENTION/CORRECTIONS
MUGSHOT PROFILE**

BOOKING NAME: SLAUGHTER RICKIE

RUE NAME:

AKA #1: SLAUGHTER/RICKIE LAMONT

AKA #2:

AKA #3:

AKA #4:

SEX: Male RACE: Black PHOTO DATE: 08 / 29 / 2004
 HAIR: Black EYES: Brown PHOTO TIME: 02 : 47
 HEIGHT: 5'09" WEIGHT: 180 PHOTO NUMBER: 3085732
 BLD: Medium CMT: Dark



SCARS, MARKS, TATTOOS:

SCARS, MARKS, TATTOOS:

DATE OF BIRTH: [REDACTED] / 1986

AGE:

MF NUMBER: 89534

PLACE OF BIRTH:

BOOK NUMBER: 263034

SOCIAL SECURITY NUMBER: [REDACTED] 827

FED ID NUMBER:

DRIVERS LICENSE/STATE:

CS NUMBER: 1886669

EMPLOYER:

DIO NUMBER:

OCCUPATION:

FBI NUMBER:

ADDRESS:

TELEPHONE:

EMERGENCY CONTACT:

RELATION:

ADDRESS:

TELEPHONE:

PLACE OF ARREST:

DATE/TIME OF ARREST: / /

ARRESTING OFFICER:

TRANSPORTING OFFICER:

VEHICLE:

IMPOUND:

NO	ORIG	OC	PCN	WARRANTS/NRS	CTS	FGM	BAIL	CASE NUMBER
1	PC P			200.030	01	F	100000	04015160
	ATT MURD WDW							
2	PC P			200.380	01	F	040000	04018160
	ROBE WDW							
3	PC P			205.060	01	F	040000	04015160
	BURG WDW							
4	PC P			200.480	01	F	010000	04015160
	FALSE IMPRISON WDW							

5

6

7

8

9

10

The undersigned, Legal Keeper of Records, North Las Vegas Police Department, does hereby certify that the foregoing copy has been compared by me with the original and that it is a true and correct transcript thereof and of the whole or of a specified part of said original as the same appears on file in my official care and custody.

In testimony whereof, I have affixed my signature.
 Date 7-13-09 [Signature]
 North Las Vegas Police Dept.

0049

EXHIBIT "5-A"

0050

App. 3144

PHOTO SPREAD

WITNESS: PLEASE READ THESE INSTRUCTIONS CAREFULLY

Positions of persons in this photo spread are numbered left to right, beginning with Number One (1) on your left.

1. If previously you have seen one or more of the persons in this photo spread, write your initials in the "INITIALS" space(s) beside the photo(s) of the person(s) you have seen

OFFENSE/INCIDENT No. _____

2. In "NOTES" space, tell briefly how/where/when you saw or met person(s) you identified

3. If you never have seen any person in this line-up, write your initials in the "NONE OF THE ABOVE" space.

4. Sign your name in the "VIEWED BY" space, and fill in the time and date spaces

5. Then hand this photo spread to the officer in charge.



#1 PERSON

DATE _____

INITIALS _____

NOTES _____



#2 PERSON

DATE _____

INITIALS _____

NOTES _____



#3 PERSON

DATE _____

INITIALS _____

NOTES _____



#4 PERSON

DATE _____

INITIALS _____

NOTES _____



#5 PERSON

DATE _____

INITIALS _____

NOTES _____



#6 PERSON

DATE _____

INITIALS _____

NOTES _____

TIME PHOTO SPREAD SHOWN _____

NONE OF THE ABOVE _____

AGENCY _____

DATE PHOTO SPREAD SHOWN _____

VIEWED BY _____

OFFICER _____

Signature of witness to this viewing: _____

DATE OF OFFENSE _____

WITNESS _____

DATE _____

0051

App. 3145

EXHIBIT "5-B"

0052

App. 3146

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1



#2



#3



#4



#5



#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer _____

Signature of Witness _____

Date & Time _____

Signature of Officer _____

Witness Name Printed _____

0053

EXHIBIT "5-C"

0054







App. 3148

12/10/2004 16:11 FAX 3838485 DA CRIMINAL DIVISION @020

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

WITNESS:
If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
Complete any additional comments
Then sign your name and fill in the date and the time.

		
#1	#2	#3
		
#4	#5	#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer _____ Signature of Witness _____ Date & Time _____
Signature of Officer _____ Witness Name Printed _____

Attachment B.3
Attachment B.4

0055

EXHIBIT "5-D"

0056

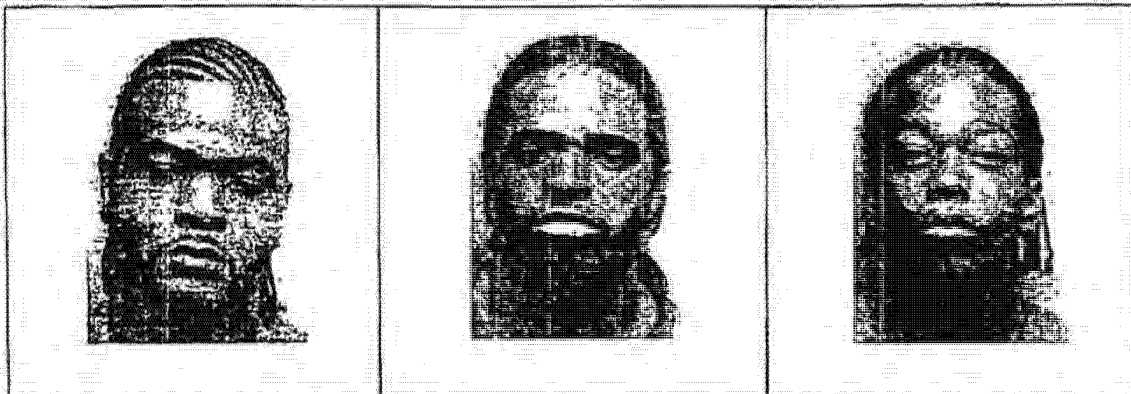
App. 3150

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

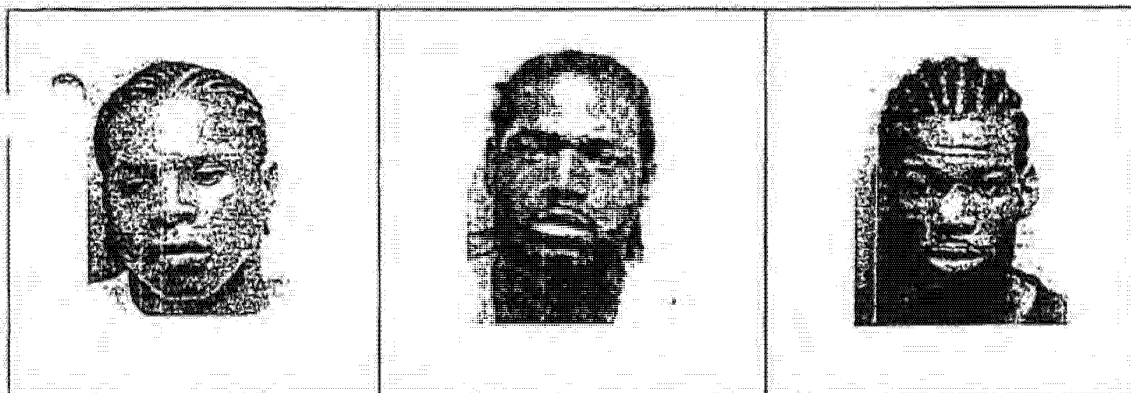
1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer _____

Signature of Witness _____

Date & Time _____

Signature of Officer _____

Witness Name Printed _____

0057

App. 3151

EXHIBIT "5-E"

0058

App. 3152

NORTH LAS VEGAS POLICE
WITNESS PHOTO LINEUP IDENTIFICATION

Case #: 04-15160

TO WITNESS:

1. If you have previously seen one or more of the persons in the line up in regards to the crime in question, place a circle around the appropriate number corresponding to the number of the person in the line up. Place your initials next to the circled number.
2. Complete any additional comments
3. Then sign your name and fill in the date and the time.



#1

#2

#3



#4

#5

#6

ADDITIONAL WITNESS COMMENTS: _____

Signature of Officer _____

Signature of Witness _____

Date & Time _____

Signature of Officer _____

Witness Name Printed _____

0059

EXHIBIT "6"

0060

App. 3154

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CASE: 04015160      ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: 250183
DATE: 12/10/04      ---POLICE REPORT--- PAGE: 1
TIME: 15:25         ---INVESTIGATIVE PORTION--- OF: 5
*****
-----INCIDENT FOLLOWUP-----
classification/additional information:
AMURDWDW/BURG/ROBB/FALSE IMPRISONMENT
invest bureaus/units notified:
location of occurrence:      ! rpt dist:A1 neighborhood: APT
2612 GLORY VIEW             ! ADAM 1      AIRPORT
from:      date / time ! to:      date / time ! report:      date / time
        6/26/04 / 19:11 !        6/26/04 / 19:11 !        9/21/04 / 7:29
hate crime? NO      ! gang related? NO      ! fingerprints? NO
routing? ! prosecute? ! prop report? ! vehl report? ! arrest rpt? ! attach?
OTHER      ! YES      ! YES      ! NO      ! NO      !
*****
-----METHOD OF OPERATION-----
residential---type:      target:      security:
non-residtl---type:      target:      security:
entry---location:      method:
exit---location:      method:
suspect actions:
A.      B.      C.
D.      E.      F.
G.      H.      I.
*****DISPOSITIONS*****
[ ] -UNFOUNDED/NO CRIME--0 [ ] -SUBMITTED D.A.-----5 [ ] -RECLASSIFY-----10
[ ] -JUVENILE-----1 [ ] -ADMIN. CLEARED-----6 [ ] -VIC REFUSED PROS.--11
[ ] -NON DETECTIVE CLR--2 [ ] -EXCEPTIONALLY CLR--7 [ ] -AFFIDAVIT-----12
[ ] -DETECTIVE ARREST---3 [ ] -SCREEN CLEARED-----8 [ ] -CA/DA DENIAL-----13
[ ] -SUBMITTED CITY ATTY-4 [ ] -NO CHGS FILED(NCF)--9 [ ] -OTHER-----14
[ ] -SUBMITTED US ATTY-15
*****
-----RECORDS-----
class code---ucr      ! aid number      ! enter      ! cleared      ! date ser no      ! date ser no
                        ! scope      ! scope
*****
records bureau processed      ser no ! detective bureau processed      ser no
SCARFF/DENISE      1259 !
supervisor approving      ser no ! officer reporting      S      ser no
HANKS/ROBERT EDWARD JR      0998 ! PRIETO/JESUS      0674

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0061

CASE: 04015160 ----NORTH LAS VEGAS POLICE DEPARTMENT---- REF: 250183
 DATE: 12/10/04 -----POLICE REPORT----- PAGE: 2
 TIME: 15:25 -----PERSONS PORTION----- OF: 5

 name of person (001): | type: W | occupation: | susp id?
 RICHARD/JACQUAN | WITNESS | DRIVER | YES

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | /1978 | 26 | 509 | 206 | BLK | BRO |

alias-aka: | birthplace:
 alias-aka: | ssn: 8071 mf no:

addr:
 business:

descriptors:
 descriptors:

 name of person (002): | type: S | occupation: | susp id?
 ROBINSON/MARVIN | SUSPECT |

sex | race: B hisp: N | dob | age | hgt | wgt | hair | eyes | bld | cmp
 M | BLACK | /1985 | 19 | 602 | 182 | BLK | BRO |

alias-aka: | birthplace:
 alias-aka: | ssn: mf no:

addr: 1115 EVANS NW NV 89030
 business:

descriptors:
 descriptors:

records bureau processed ser no | detective bureau processed ser no
 SCARFF/DENISE 1259 |

supervisor approving ser no | officer reporting S ser no
 HANKS/ROBERT EDWARD JR 0998 | PRIETO/JESUS 0674

0062

CASE: 04015160 ---NORTH LAS VEGAS POLICE DEPARTMENT--- REF: 250183
 DATE: 12/10/04 ---POLICE REPORT--- PAGE: 3
 TIME: 15:25 ---PROPERTY PORTION--- OF: 5

no. artcds type--descriptive information on property----- stolen recover
 additional descriptive information----- value value

001 MISC E brd: size:
 mod: cal:
 ser:
 coll: col2: dt last seen:
 own#:

NLV PHOTO LINE UP CONTAINING MARVIN ROBINSON/VIEWED BY IVAN YOUNG

***** totals----->
 type: E-evidence; F-found; I-impounded; L-lost;
 O-other; R-recovered; S-stolen; T-released; X-safekeeping

records bureau processed	ser no	detective bureau processed	ser no
SCARFF/DENISE	1255		
supervisor approving	ser no	officer reporting	S ser no
HANKS/ROBERT EDWARD JR	0998	PRIETO/JESUS	0674

0063

CASE: 04015160 --- NORTH LAS VEGAS POLICE DEPARTMENT --- REF: 250163
 DATE: 12/10/04 --- POLICE REPORT --- PAGE: 4
 TIME: 15:25 --- NARRATIVE PORTION --- OF: 5

DURING MY INVESTIGATION I LEARNED THAT RICKIE SLAUGHTER WAS MAKING SEVERAL PHONE CALLS TO A SUBJECT LATER IDENTIFIED AS JACQUAN RICHARD, ALSO KNOWN AS MACK. DURING THESE CALLS SLAUGHTER AND RICHARD TALKED ABOUT THE ROBBERY, HOW SLAUGHTER COULD CREATE AN ALIBI AND VARIOUS ASPECTS OF THE INCIDENT. I MADE SEVERAL ATTEMPTS TO CONTACT RICHARD DURING THE INVESTIGATION, BUT I WAS NOT ABLE TO DO SO.

PHOTO LINE UPS OF RICHARD WERE MADE AND SHOWN TO ALL OF THE VICTIMS. NONE OF THE VICTIMS WERE ABLE TO IDENTIFY RICHARD AS A SUSPECT.

I LEARNED THAT RICHARD HAD A WARRANT THROUGH PAROLE AND PROBATION. I CONTACTED PAROLE AND PROBATION AND ASKED THAT I BE NOTIFIED IF RICHARD WAS ARRESTED FOR THE WARRANT.

ON SEPTEMBER 17, 2004, I WAS CONTACTED BY THE CLARK COUNTY DETENTION CENTER (CCDC), THEY TOLD ME THAT RICHARD HAD BEEN ARRESTED FOR THE ABOVE LISTED WARRANT.

I WENT TO CCDC AND CONTACTED RICHARD FOR AN INTERVIEW. HE WAS ADVISED OF HIS MIRANDA RIGHTS AND DURING A TAPED INTERVIEW TOLD ME WHAT HE KNEW ABOUT THE ROBBERY. RICHARD SAID THAT SLAUGHTER TOLD HIM THAT HE COMMITTED THE ROBBERY. RICHARD SAID THAT HE WENT OVER TO SLAUGHTER'S RESIDENCE ON THE NIGHT OF THE ROBBERY. RICHARD SAID THAT HE GOT TO HIS RESIDENCE AFTER 7 THAT NIGHT, BUT HE DOESN'T KNOW THE EXACT TIME.

RICHARD WENT ON TO TELL ME VARIOUS DETAILS OF THE CRIME. DETAILS NOT RELEASED TO THE PUBLIC. RICHARD SAID THAT SLAUGHTER TOLD HIM THE ROBBERY WENT BAD AND SLAUGHTER HAD TO SHOOT SOMEONE. SLAUGHTER TOLD HIM ABOUT ROBBING TWO PERSONS THAT CAME OVER TO THE RESIDENCE DURING THE ROBBERY. RICHARD SAID THAT

WAS TOLD ABOUT SLAUGHTER GETTING THE CREDIT CARD AND ABOUT GETTING SOME MONEY FROM A VICTIM WHO WAS COMING IN AS THEY ATTEMPTED TO LEAVE. DURING THE INTERVIEW I HAD TO STOP DURING INMATE DINNER SERVING. THIS WAS ABOUT 4:30. I RETURNED A COUPLE OF HOURS LATER AND CONTINUED THE INTERVIEW GETTING VARIOUS DETAILS. DURING THE INTERVIEW RICHARD IDENTIFIED SLAUGHTER'S ACCOMPLICE. RICHARD SAID THAT SLAUGHTER TOLD HIM IT WAS LITTLE MARV A DONNA GANG MEMBER. TO CONFIRM SLAUGHTER'S IDENTITY I SHOWED RICHARD A PHOTO LINE UP THAT CONTAINED SLAUGHTER. HE POINTED TO SLAUGHTER. I DID NOT ASK HIM TO INITIAL THE LINE UP. SEE INTERVIEW FOR DETAILS.

THROUGH FURTHER INVESTIGATION LITTLE MARV WAS IDENTIFIED AS MARVIN ROBINSON A DONNA STREET GANG MEMBER. I OBTAINED A PHOTO OF ROBINSON FROM A PREVIOUS NORTH LAS VEGAS JAIL BOOKING. I THEN CREATED A PHOTO LINE UP WHICH CONTAINED ROBINSON AND FIVE OTHER BLACK MALES SIMILAR IN APPEARANCE.

ON SEPTEMBER 21, 2004 I WENT TO THE PRELIMINARY HEARING FOR RICKIE SLAUGHTER, AT THE NORTH LAS VEGAS JUSTICE COURT. THERE I CONTACTED IVAN YOUNG, JENNIFER DENNIS, ARRON DENNIS, JOEY PASADA AND RYAN JOHN.

AFTER THE HEARING I SHOWED EACH OF THE VICTIMS THE PHOTO LINE UPS THAT I HAD PREPARED. YOUNG LOOKED AT THE LINE UP AND SAID HE WAS UNSURE, HE DEBATED

records bureau processed	ser no 1	detective bureau processed	ser no
SCARPF/DENISE	1259		
supervisor approving	ser no 1	officer reporting	ser no
HANKS/ROBERT EDWARD JR	0998	PRIETO/JESUS	0674

0064

**NORTH LAS VEGAS DETENTION/CORRECTIONS
MUGSHOT PROFILE**

BOOKING NAME: **SLAUGHTER** **RICKIE**
TRUE NAME:

AKA #1: **SLAUGHTER/RICKIE LAMONT** AKA #2:
AKA #3: AKA #4:

SEX: **Male** RACE: **Black** PHOTO DATE: **06 / 29 / 2004**
HAIR: **Black** EYES: **Brown** PHOTO TIME: **02 : 47**
HEIGHT: **5'09"** WEIGHT: **180** PHOTO NUMBER: **3066732**
BLD: **Medium** CMP: **Dark**



SCARS, MARKS, TATTOOS:
SCARS, MARKS, TATTOOS:

DATE OF BIRTH: **1984** AGE: MF NUMBER: **89534**
PLACE OF BIRTH: BOOK NUMBER: **253034**
SOCIAL SECURITY NUMBER: **7827** FED ID NUMBER:
DRIVERS LICENSE/STATE:
EMPLOYER: CS NUMBER: **1896569**
OCCUPATION: SID NUMBER:
FBI NUMBER:

ADDRESS: TELEPHONE:

EMERGENCY CONTACT: RELATION:
ADDRESS: TELEPHONE:

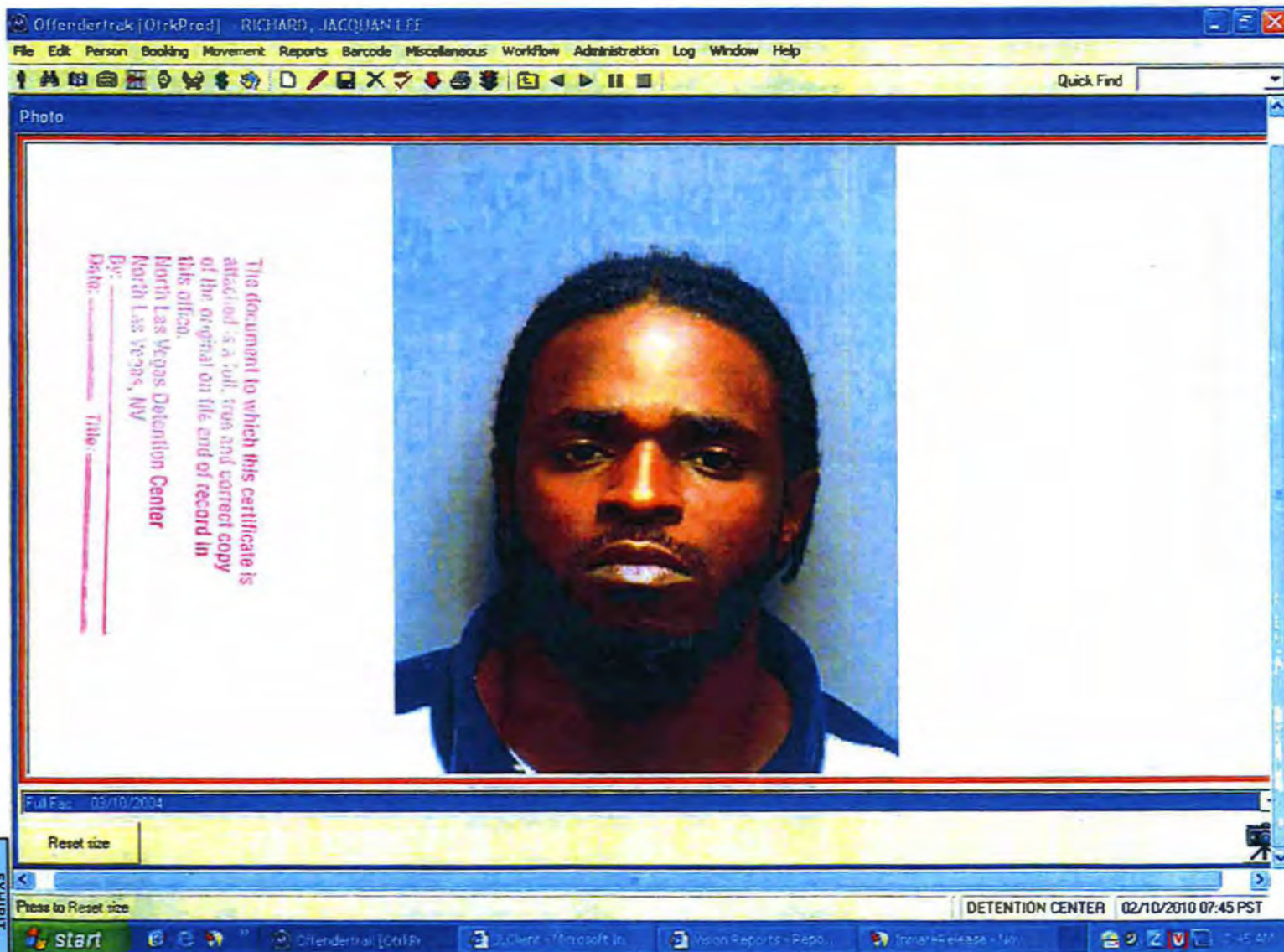
PLACE OF ARREST: DATE/TIME OF ARREST: **/ / :**
ARRESTING OFFICER: TRANSPORTING OFFICER:
VEHICLE: IMPOUND:

BKG DATE:	06 / 29 / 2004	BKG TIME:	01 : 33	BKG OFF#:	BKG OFFICER:			
NO	ORIG	OC	PCN	WARRANTS/NRS	CTS	FGM	BAIL	CASE NUMBER
1	PC P			200.030	01	F	100000	04015160
	ATT MURD WDW							
2	PC P			200.380	01	F	040000	04015160
	ROBB WDW							
3	PC P			205.080	01	F	040000	04015160
	BURG WDW							
4	PC P			200.460	01	F	010000	04015160
	FALSE IMPRISON WDW							

I, Paula 1618, Designated, Legal Keeper of Records, North Las Vegas Police Department, does hereby certify that the foregoing copy has been compared by me with the original and that it is a true and correct transcript therefrom and of the whole or of a specified part of said original as the same appears on file in my official care and custody.
In testimony whereof, I have affixed my signature
Date 7-13-04
North Las Vegas Police Dept.



EXHIBIT
15



16

EXHIBIT

11-8-11
#26
#209957
EXB
KauT3

EXHIBIT 253

EXHIBIT 253



Deposition of:

Detective Jesus Prieto (Retired)

Case:

Rickie Slaughter v. Renee Baker, et al.
3:16-CV-00721-RCJ-WGC

Date:

02/22/2018



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DISTRICT OF NEVADA

3:16-cv-00721-RCJ-WGC

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DETECTIVE JESUS PRIETO (RETIRED)

At 8:54 a.m.

Las Vegas, Nevada

Job No. 26043

1 APPEARANCES:

2
3 For the Petitioner:

4 LAW OFFICES OF THE FEDERAL PUBLIC DEFENDER
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27 DAWN BECK

1	I N D E X		
2	WITNESS	EXAMINATION	PAGE
3	DETECTIVE JESUS PRIETO (RETIRED)	BY MR. BARON	9
4		Afternoon Session	147
5		BY MR. BONGARD	192
6		BY MR. BARON	205
7		BY MR. BONGARD	212
8		BY MR. BARON	213
9	E X H I B I T S		
10	NUMBER	PAGE	DESCRIPTION
11	Exhibit 1	24	North Las Vegas Police
12			Department Police Report,
13			Case: 04015160
14	Exhibit 2	28	"Third Amended Information,"
15			Case No. C204957
16	Exhibit 3	34	North Las Vegas Police Witness
17			Photo Lineup Identification,
18			Case #: 04-15160
19	Exhibit 4	96	Reporter's Transcript of
20			Preliminary Hearing, Case No.
21			04FN0980X
22	Exhibit 5	42	Copy of photo titled "Slaughter,
23			Rickie"
24	Exhibit 6	43	Subpoena-Criminal, The State of
25			Nevada vs. Rickie Slaughter,
			Case No.: C204957-C
	Exhibit 7	60	Document titled "Mugshot
			Profile"
	Exhibit 8	66	North Las Vegas Police
			Department Police Report, Case
			04015160, Date 9/24/04

1	EXHIBITS (CONTINUED):	
2	Exhibit 9	61 Photo lineups
3	Exhibit 10	61 "Motion to Dismiss Case For
4		Failure to Preserve or
5		Destruction of Exculpatory Photo
		Lineup Identification Evidence,"
		Bates 0001 to 0064
6	Exhibit 11	63 "North Las Vegas
7		Detention/Corrections Mugshot
		Profile"
8	Exhibit 12	64 Copy of photo titled "Richard,
9		Jacquan Lee"
10	Exhibit 13	70 Copy of photo - "Robinson,
		Marvin Alonzo"
11	Exhibit 14	- "North Las Vegas
12		Detention/Corrections Mugshot
		Profile"
13	Exhibit 15	70 North Las Vegas Police Witness
14		Photo Lineup Identification,
		Case #: 04-15160
15	Exhibit 16	73 North Las Vegas Police Witness
16		Photo Lineup Identification,
		Case #: 04-15160
17	Exhibit 17	88 Copy of photo lineup, same as
18		page 3 of Exhibit 7
19	Exhibit 18	- Document titled "This Page
		Intentionally Left Blank"
20	Exhibit 19	89 "State of Nevada Department of
21		Motor Vehicles and Public Safety
		Certificate of Title"
22	Exhibit 20	104 Transcript of jury trial,
23		Thursday, May 19, 2011
24	Exhibit 21	105 North Las Vegas Police
		Department Police Report, Case:
		04015160, Date: 8/12/04
25	//	

1	EXHIBITS (CONTINUED) :		
2	Exhibit 22	106	North Las Vegas Police
3			Department
4			Pre-Booking/Declaration of
5			Arrest
6	Exhibit 23	109	North Las Vegas Police
7			Department Police Report, Case:
8			04015160, Date: 8/12/04
9	Exhibit 24	110	Copies of photos introduced at
10			Rickie Slaughter's trial
11	Exhibit 25	112	Transcript of conversation
12			between Detective Prieto and
13			Tiffany Johnson on 6-28-04
14	Exhibit 26	119	Transcript of conversation
15			between Detective Prieto and
16			Tiffany Johnson on 6-29-04
17	Exhibit 27	138	North Las Vegas Police
18			Department Police Report, Case:
19			04015160, Date: 8/12/04
20	Exhibit 28	92	North Las Vegas Police
21			Department Police Report, Case:
22			04015160, Date: 6/30/04
23	Exhibit 29	135	Transcript of conversation
24			between Detective Prieto and
25			Tiffany Johnson
	Exhibit 30	-	"Interview of Jacquan Richard 02
			DR #04-1160"
	Exhibit 31	-	Transcript of jury trial dated
			Tuesday, May 17, 2011
	Exhibit 32	156	Copy of crime scene photo
	Exhibit 33	157	Copy of photos - defense
			exhibits of car marked at trial
	Exhibit 34	158	"Application and Affidavit For
			Search Warrant"
	//		

1	EXHIBITS (CONTINUED):		
2	NUMBER	PAGE	DESCRIPTION
3	Exhibit 35	-	"North Las Vegas Police
4			Department Police Report, Case:
			04015160, Date: 6/30/04"
5	Exhibit 36	165	Copy of photo - shoes
6	Exhibit 37	165	Copy of photo - closeup of shoe
7	Exhibit 38	167	North Las Vegas Police
8			Department Police Report, Case:
			04015160, Date: 8/12/04
9	Exhibit 39	167	"Application and Affidavit For
			Search Warrant"
10	Exhibit 40	-	Transcript of proceedings dated
11			Monday, May 16, 2011
12	Exhibit 41	186	Newspaper article titled "A year
13			after being freed from jail,
14			teen deals with PTSD-like
			symptoms"
15	Exhibit 42	-	News article titled "DA drops
16			murder charge against Mojave
			High student"
17	Exhibit 43	99	"Incident Description For
			Ticket/Date: 589729/20040626"
18	Exhibit 44	139	"LMPD - Communication Center
19			Event Search"
20	Exhibit 45	-	Blank page titled "911 Call"
21	Exhibit 46	122	Records from an investigator
22			that prior defense counsel for
			Mr. Slaughter hired
23	Exhibit 47	57	Transcript of Proceedings,
24			Wednesday, May 18, 2011, Case
			No. C204957
25	Exhibits 48	151	Copies of photos - State's
	to 51		exhibits submitted at trial that
			correspond to photo lineups

1 INDEX (CONTINUED) :

2

QUESTION WITNESS INSTRUCTED NOT TO ANSWER

3

Page Line

4

184 8

5

6 INFORMATION TO BE PROVIDED

7

Page Line

8

185 14

9

213 14

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15

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1 P R O C E E D I N G S

2
3 THE VIDEOGRAPHER: Good morning. This is
4 digital media number 1 in the deposition of Jesus
5 Prieto.

6 Today's date is February 22nd, 2018. The
7 time is 8:54 a.m.

8 We are located at 411 East Bonneville,
9 Suite 250, in Las Vegas, Nevada.

10 This case is entitled Rickie Slaughter versus
11 Renee Baker, et al. The case number is
12 3:16-cv-00721-RCJ-WGC, in the District Court,
13 Clark County, Nevada.

14 My name is Dawn Beck, legal videographer.
15 Your court reporter is Janet Trimmer. We represent
16 Oasis Reporting Services.

17 Would counsel please state your appearances
18 for the record and whom you represent.

19 MR. BARON: My name is Jeremy Baron. I'm
20 from the Office of the Federal Public Defender. I'm
21 here with my colleague, Ken Lee, and Terri Lewis, and
22 we represent Rickie Slaughter.

23 MR. BONGARD: Michael Bongard with Natasha
24 Gebrael from the Nevada Attorney General's Office for
25 Renee Baker, respondents.

1 THE VIDEOGRAPHER: The court reporter will
2 please administer the oath.

3 THE REPORTER: Raise your right hand, please.
4

5 DETECTIVE JESUS PRIETO (RETIRED),
6 having been first duly sworn to testify to the truth,
7 was examined and testified as follows:
8

9 EXAMINATION
10

11 BY MR. BARON:

12 Q. Good morning, Detective Prieto.

13 A. Good morning.

14 Q. Do you still prefer to go by "Detective" or
15 is "Mr. Prieto" better?

16 A. "Jesse" is fine, or however you want to do
17 it.

18 Q. I might stick with "Detective," if that's all
19 right with you.

20 A. Yeah, that's fine.

21 Q. Have you ever been deposed before?

22 A. You know what? I can't even remember. I
23 couldn't tell you. I went to so many things over my
24 career, I suppose I may have been.

25 Q. You've testified at trial before?

1 A. Yes.

2 Q. Well, in case you haven't been deposed
3 before, let me go over some ground rules with you.

4 A. Okay.

5 Q. Like with trials, your testimony today is
6 sworn. We're in an office building, obviously, not a
7 courtroom, but it is sworn testimony and it serves the
8 purposes of trial testimony in many ways.

9 Do you understand that?

10 A. Yes.

11 Q. Okay. Like with trials, let's try our best
12 not to talk over one another. Let me ask my question,
13 and then I'll let you answer the question, and we'll
14 move on.

15 But the court reporter is trying to make a
16 record of this, so if we're talking over one another,
17 it's going to make things very confusing.

18 Is that all right?

19 A. Yes.

20 Q. And if I ask you a question and you don't
21 understand it, please ask to clarify the question, and
22 I'll try and ask you a better question.

23 A. Okay.

24 Q. And like with trials, please answer with an
25 audible "yes" or a "no." Don't just shake your head

1 up and down or left or right, that sort of thing.

2 Unlike with trials, however, objections are
3 just for the record. So if opposing counsel makes an
4 objection, I might try and ask a better question, but
5 it's not like a trial where you have to wait for the
6 judge to resolve the objection.

7 If I ask a question, opposing counsel
8 objects, and I ask you to answer the question, you can
9 go ahead and answer the question.

10 And then, unlike with trials, please feel
11 free to ask for a break whenever you want. We don't
12 have to wait for the judge to let us take a break, so
13 if you need to break for any reason, please let me
14 know.

15 Does that all make sense to you?

16 A. Yes.

17 Q. Do you have any questions about that?

18 A. No.

19 Q. Is there any reason why you can't testify
20 under oath today?

21 A. No.

22 Q. Not under any medications or any other things
23 that might interfere with your ability to answer
24 questions?

25 A. No.

1 Q. I'd like to talk a little bit about your
2 background, if that's all right. I understand you are
3 currently retired from the North Las Vegas Police
4 Department. Is that correct?

5 A. Yes.

6 Q. When did you retire?

7 A. June 6th -- no, June 14th, 2016 -- no, wait.
8 January 14, 2016.

9 Q. So about --

10 A. Two years.

11 Q. -- two years at this point?

12 A. Yeah.

13 Q. Why did you retire?

14 A. Because I had my time for my pension,
15 everything was -- I was done.

16 Q. Did anyone ask you to retire?

17 A. No.

18 Q. Did anyone tell you that if you didn't retire
19 you would be fired?

20 A. No.

21 Q. Are you currently employed in any capacity?

22 A. No.

23 Q. So you are just retired?

24 A. I'm just retired.

25 Q. What's the highest level of education you

1 received?

2 A. High school.

3 Q. And when did you -- where did you go to
4 high school?

5 A. Vo Tech in Henderson.

6 Q. In Henderson?

7 A. Yeah.

8 Q. You've been in Clark County your whole life?

9 A. Since I was 8, '65.

10 Q. Where were you before that, just out of
11 curiosity?

12 A. I was in California.

13 Q. Southern California?

14 A. Yes. I was born in Redland- -- Loma Linda.
15 I lived in Redlands and San Bernardino, and then
16 family moved here.

17 Q. When did you first become a police officer?

18 A. I started in the reserves in 1985.

19 Q. What are the "reserves"?

20 A. It was a reserve for the North Las Vegas
21 Police Department, where if you went through the
22 training, you would work as a reserve officer. You
23 got to come and work with police and go out on calls
24 with them.

25 Q. Is that like a full-time job or like a

1 part-time --

2 A. No. It was just -- you know, just a part --
3 not -- yeah, whenever they needed you or whenever you
4 wanted to ride. It was like a ride-along, but as a
5 reserve.

6 And soon after, it was May 14th, 1986, I
7 started working in the jail, and I worked there for
8 three years.

9 Q. As a corrections officer?

10 A. As a -- for North Las Vegas corrections.

11 Q. For the North Las Vegas jail?

12 A. Correct.

13 And in 1989 I switched over to
14 police officer.

15 Q. So you started in 1989. What was your
16 initial position as a police officer?

17 A. Police officer.

18 Q. That's just the title that you had?

19 A. Yeah.

20 Q. So you are starting out, like you have a
21 beat, a patrol beat?

22 A. Yes.

23 Q. Okay. And are you promoted over the years?

24 A. I was promoted to detective in 1999, but
25 during the interim I worked in a gang task force.

1 It's not like a promotion. It's just you put in for
2 positions, and they either give them to you or they
3 don't. But that was my first promotion, in 1999, to
4 detective.

5 Q. So in '89 you started out as patrol. At some
6 point you start working with the gang unit?

7 A. Yes.

8 Q. What time period is that in?

9 A. It was 1991, I believe, and it was a gang
10 task force. It was started with Metro -- NDI, ATF,
11 DEA, and Metro; five, I believe, groups, and they
12 started in the building across the street, the brown
13 building that's being under construction.

14 Q. Uh-huh.

15 A. And we worked there, I worked there for one
16 year as a gang task force officer.

17 Q. So that's five different entities that are
18 all collaborating together --

19 A. Yes.

20 Q. -- to share information?

21 A. Yes, working together against gangs in the
22 Valley.

23 Q. What's the goal of the collaboration?

24 A. I guess, to put our thoughts in our work, you
25 know, directed toward certain gangs, you know, as a

1 whole instead of individually.

2 Q. And you said you worked in that building for
3 a year?

4 A. Yes, it was a year, and then they pulled us
5 out. They left other people that were transferred
6 over there in there for a short time longer, and then
7 North Las Vegas totally pulled out.

8 Q. So at that point, North Las Vegas is no
9 longer collaborating with those other four entities?

10 A. I don't say they are not collaborating, but
11 not in the gang task force. I don't think we stayed
12 in there but a year or two afterwards.

13 Q. Did you stay in touch with any of the people
14 you met during that year?

15 MR. BONGARD: Objection. Relevance.

16 BY MR. BARON:

17 Q. You can answer the question.

18 A. I don't stay in touch with anyone.

19 Q. Were there people you met in that year, from
20 Metro, that you would continue to have contact with in
21 your capacity as a police officer?

22 MR. BONGARD: Objection --

23 THE WITNESS: No.

24 MR. BONGARD: -- relevance.

25 THE WITNESS: No.

1 BY MR. BARON:

2 Q. So in, you said, 1999 you're -- in 1999 you
3 are promoted to detective?

4 A. Yes.

5 Q. What do you have to do in order to be
6 promoted to detective?

7 A. You have to take a test. You've got to put
8 in for it, then they test you and they do interviews,
9 and then they put you on a list and they promote you
10 if you are high enough.

11 Q. Tell me more about that test.

12 MR. BONGARD: Objection. Relevance.

13 BY MR. BARON:

14 Q. You can answer.

15 A. Yeah, I -- it's just your knowledge of what
16 detective work would be. I mean, there is a
17 literature that you study. It's just like taking an
18 exam for Metro when people get on. There's books you
19 study, and that's what I did and --

20 Q. Are you studying best practices as a
21 detective?

22 A. No. Just maybe certain laws, procedures.
23 You know what? I couldn't tell you. Just all I can
24 remember.

25 Q. What sort of training did you have to take

1 either to become a detective or once you are promoted?

2 Is there separate training you have to take?

3 A. I took many classes. There was interview
4 classes. There was crime scene investigation classes.
5 There were homicide classes. There were just -- I
6 think I had 2,000 hours, but I couldn't tell you in
7 particular the names or anything of any of them now.

8 Q. Is that training just around the time period
9 that you're promoted to detective, or is it ongoing --

10 A. No, it's an ongoing thing. You'll see
11 classes. They have training that comes out. They
12 will send out either -- e-mails telling you what's
13 available, and then you can select from the training
14 that you like or that you think you need.

15 Q. Once you became a detective, was there an
16 immediate supervisor who trained you?

17 A. Yeah. You're paired up with a senior
18 detective, and then you just ride with him and he
19 grades you and he determines, I guess, if you stay or
20 not stay.

21 Q. Who was that person for you?

22 A. There was a Jimmy Jackson, but I couldn't
23 tell you if I was switched around. I may have been
24 switched around. But I can recall his name.

25 Q. You become a detective in '99. Do you have

1 any other promotions from then until 2016?

2 A. No.

3 Q. Different titles?

4 A. No.

5 Q. Just detective the whole way through?

6 A. Yes.

7 Q. What sort of cases did you work on?

8 A. I worked on crimes against person, everything
9 from little kids fighting at school to murders, to
10 officer-involved shootings, everything, domestic
11 battery -- anything that was crimes against person.

12 And this wasn't like we specialize in murders
13 or we specialize -- we had everything handed to us
14 daily, whatever came in. And when you were on call,
15 you would get the callout for serious crimes like
16 murders or maybe shootings. That's what I did.

17 Q. So there aren't specific homicide detectives
18 at North Las Vegas?

19 A. No.

20 Q. It's just there's crimes against persons, and
21 everyone in that unit covers all those types of
22 crimes?

23 A. That's right.

24 Q. As of 2004, you would have had -- let's do
25 the math -- 15 years of experience as a detective?

1 MR. BONGARD: Objection. Misstates facts.

2 BY MR. BARON:

3 Q. When did you -- remind me when you became --

4 A. '99. That would have gave me like
5 five years; right? 2004.

6 Q. My math is not so good.

7 In 2004, who was supervising you?

8 A. I can't recall.

9 Q. You had mentioned some of the training you
10 got. Were there any manuals or written guidance in
11 North Las Vegas about how to, say, conduct
12 interrogations?

13 A. I can't recall. I went to several classes.

14 Q. You didn't have a library or something like
15 that or --

16 A. No.

17 Q. -- a database on the computer with
18 instructional materials?

19 A. No, that I can recall.

20 Q. Let's talk about police reports for a minute.
21 What's your general practice when it comes to writing
22 police reports?

23 A. I don't know what you are referring to. What
24 do you mean "practice"?

25 Q. What's the purpose of police reports?

1 MR. BONGARD: I'm going to object. Can we
2 put it to a relevant time period?

3 BY MR. BARON:

4 Q. In the year of 2004, what was the purpose of
5 North Las Vegas police detectives drafting police
6 reports?

7 A. To document what happened.

8 Q. How -- if you have an investigation, are you
9 drafting the police report throughout the
10 investigation, or do you wait until the investigation
11 is over to begin drafting the report?

12 A. I would do it as I went. I would start a
13 report, and then if the case was ongoing, then my
14 report would stay in there. I didn't have to approve
15 anything.

16 Q. In your opinion, is that preferable to
17 waiting until the end of the investigation to draft
18 the entire report?

19 A. It was, to me.

20 Q. Why is that?

21 A. Because my memories are more fresh. I would
22 do something, and then I would come back if I have
23 time, because working my cases wasn't like this case
24 was all I was doing. I had a screen and I had -- it
25 could be from 1 to 20 cases. And then I work on this

1 case, and then if nothing is going, if nothing would
2 be going, I would go and work on another case, and I
3 would work on, sometimes, as many as two or three
4 cases, maybe more, in a day. Just working around so
5 that I could keep ahead of the caseload.

6 Q. So the goal -- correct me if I'm wrong. The
7 goal is to memorialize what's going on in your cases
8 around the same time period that it's happening?

9 A. Yes.

10 Q. Do you want your reports to be thorough?

11 A. The best that I could do, I mean.

12 Q. Do you want them to be precise?

13 A. Yes.

14 MR. BONGARD: Objection as to vagueness.

15 BY MR. BARON:

16 Q. Do you want them to be accurate?

17 A. Yes.

18 Q. Were you trained to draft reports to be
19 thorough and accurate?

20 A. Yes.

21 Q. Would you be taking notes throughout your
22 investigation and then incorporate those notes into
23 the reports?

24 A. I wasn't a big note person.

25 Q. Let's talk about how you prepared for this

1 deposition. Did you prepare for this deposition? Did
2 you do anything to prepare for this deposition?

3 A. I got some reports. I don't know if I got
4 all the reports. I just made a call to the office. I
5 was given a stack of reports, so I tried to read
6 through as much of the stuff as I could.

7 Q. Did you speak with anyone from the Attorney
8 General's Office?

9 THE WITNESS: Are you an attorney general?

10 MR. BONGARD: Yes.

11 THE WITNESS: Okay. I -- he -- I talked to
12 him.

13 BY MR. BARON:

14 Q. How many times?

15 A. A few times. He just told me I had -- you
16 know, just filled me in on the -- kind of what you are
17 telling me, what I'm going to have to come down here
18 and do.

19 Q. And how long were those conversations?

20 A. Not long at all. A few minutes.

21 Q. Did you speak to any other attorneys?

22 A. I don't believe I talked to anybody but the
23 girl that served me the subpoena.

24 Q. That's Maribel.

25 A. Yeah, Maribel.

1 Q. Did you do anything else to prepare for
2 today's deposition?

3 A. No.

4 Q. Did you serve as the lead detective with
5 respect to an incident that occurred at 2612 Glory
6 View Lane in North Las Vegas on June 26, 2004?

7 A. I know the street, and I'm not -- but I -- I
8 believe this is -- yes, I was the lead detective on
9 the Slaughter case.

10 (Exhibit 1 was marked for identification.)

11 BY MR. BARON:

12 Q. If you would like, let's look at Exhibit 1 in
13 this binder, what I have marked as Exhibit 1 for the
14 purposes of this deposition. This exhibit is
15 identical to the Exhibit 8, the amended petition in
16 the federal case.

17 If you want to just take a minute and skim
18 through this and confirm whether or not you were the
19 lead detective.

20 A. I was.

21 Q. Do you recall writing this report?

22 A. Yes.

23 Q. You have no reason to doubt that this is your
24 report?

25 A. No.

1 Q. What were your responsibilities as the lead
2 detective on this case?

3 A. To try and find out who did it.

4 Q. Can you be a little more specific about what
5 that involves?

6 A. It can involve any number of things. Look, I
7 could go to the scene and they could have the suspect,
8 and I could arrest them and that would be the end of
9 it, or I would have to follow whatever information
10 that I could get.

11 I'd go there. I'd examine the scene. I'd
12 get information from the officers that were there,
13 because they were there before me and they ultimately
14 know more than I do when I arrive. So I would get
15 information from them, which I believe was Mark Hoyt,
16 was the responding patrol officer, and get whatever he
17 has.

18 Then I examine the scene. I may or may not
19 talk to victims or witnesses that are there, depending
20 on what I get from the officer, because he usually can
21 tell me everything that they've told him.

22 So I'll put everything together, see what we
23 have, and then I'll leave. I mean, there's not --
24 unless it leads me directly to a suspect right from
25 that point.

1 Q. You mentioned you are working with other
2 police officers who are involved in the case?

3 A. I talk to officers that are there. When
4 working as a detective, I have a partner. His name
5 was Melgarejo, Edwing Melgarejo. We go to calls
6 together when we're called out, although after we go
7 to the call, we no longer work that case together,
8 unless there was something I needed him for, because
9 he has his caseload, I have my caseload. So after the
10 initial, you know, call, we go together. I mean, we
11 don't work the cases together, actually.

12 Q. So after your initial visit to the crime
13 scene, you did not have further discussions with your
14 partner, Detective Melgarejo?

15 A. I mean, it might be --

16 MR. BONGARD: Objection. That misstates the
17 testimony.

18 BY MR. BARON:

19 Q. You visited the crime scene with
20 Detective Melgarejo?

21 A. Yes.

22 Q. After that visit, did you have any further
23 discussions with him about the case?

24 A. I can't recall. I may or may not have. But
25 as far as him working the case with me, unless I ask

1 him to do certain things, he goes back to work in his
2 caseload. This is my case.

3 Q. So as a general practice, after the initial
4 visit to the crime scene with your partner, you
5 wouldn't continue to have discussions with him about
6 the case?

7 MR. BONGARD: Objection. Asked and answered.
8 BY MR. BARON:

9 Q. You can answer.

10 A. I think I just told you. I mean, we go, and
11 on occasion if I need something I'll ask him, but
12 other than that it's my case and I do it.

13 Q. Are other police officers generating reports
14 with respect to this incident?

15 A. Yeah, of course. There's -- might have
16 several.

17 Q. There are already some in here.

18 A. Yeah, I know there's several people that were
19 -- I know that the one that responds, the primary
20 officer, and then ID techs, and then usually people
21 that contact certain people that they get certain
22 information, they'll make a report.

23 But I don't think Edwing made -- or
24 Detective Melgarejo ever wrote a report.

25 Q. The officers who did draft reports, would you

1 receive those?

2 A. Yes.

3 Q. Would you read them?

4 A. Yes.

5 Q. Would you consider yourself the person
6 responsible for knowing everything that the police
7 office knows about the case?

8 MR. BONGARD: Objection.

9 BY MR. BARON:

10 Q. You can answer.

11 A. I'd read what they have and then I'd continue
12 to work the case. And then if it's something that I
13 did, I missed or it would help, then I incorporate it,
14 but if it's -- it all depends.

15 Q. Do you recall the names of the victims and
16 the eyewitnesses in this case?

17 A. I read over it. I know a couple of the
18 names.

19 (Exhibit 2 was marked for identification.)

20 BY MR. BARON:

21 Q. Let's turn to what I have marked as Exhibit 2
22 for the purposes of this deposition, which is also
23 Exhibit 50 to the amended petition in the federal
24 case. This is the third amended information filed
25 against Mr. Slaughter. And if you look at the last

1 page of it, page 8, it has a list of witnesses known
2 to the D.A.'s office.

3 Starting with the name Ivan Young, if you can
4 read the seven names including Ivan Young, and let me
5 know if that refreshes your recollection as to the
6 victims and eyewitnesses in this case.

7 A. It's Ivan Young, the victim that got shot;
8 Jennifer Dennis, his girlfriend; Jermaun Means, I
9 believe he was someone that came over to the house
10 during the incident, he had a car getting worked on;
11 John, Ryan, lived across the street; Jose Posada was
12 one of the kids that were there; Aaron Dennis was
13 another kid; Destinee Waddy, I can't recall;
14 Tammy Posado, can't recall.

15 Q. That's fine.

16 Did you create a notebook or a file of some
17 sort with respect to this case?

18 A. No.

19 Q. As a general practice, did you create -- did
20 you create notebooks or files on your cases?

21 A. Only on murders.

22 Q. Did you prepare photographic lineups in this
23 case?

24 A. Yes.

25 Q. How many?

1 A. I don't recall. Let's see. I showed one to
2 Ivan. I showed one to Dennis.

3 Q. Let me rephrase the question. When I'm
4 referring to "photo lineups," I'm referring not to
5 different variations of the same six-pack, but I am
6 referring to lineups that have totally different cases
7 in them.

8 A. No.

9 Q. Does that make sense?

10 A. Yes.

11 Q. How many --

12 A. One.

13 Q. One.

14 Tell me generally how you prepare photo
15 lineups. Walk me through the procedure.

16 A. I -- I would try to find the latest or the
17 most recent arrest of the person, by whatever agency,
18 then I would order that photo. Then we -- I believe
19 there was a way we could stick it into our computer
20 system. I think it was called Printrak or something,
21 then we would stick the photo in there. Then I was
22 able to generate all pictures from everybody that's
23 been arrested, and then I could pick people that
24 looked similar.

25 Q. Do you always use the most recent arrest of a

1 person?

2 A. Yes.

3 Q. You can't recall any times when you didn't
4 use the photo?

5 A. I can't recall. I just know I would always
6 go for the most recent, unless I didn't find it.

7 Q. And then you would, through the computer,
8 pick five images of other people who look similar to
9 the suspect?

10 A. Correct.

11 Q. Are you attempting to get those other five
12 photos to look as close to the suspect as possible?

13 A. I mean, as close as -- I mean, for me, I'm
14 just looking. I said, "yeah, it looks close," and
15 then I pick them.

16 Q. Is your goal to minimize variation among the
17 photos?

18 A. My goal is to make them all look similar. I
19 don't know what you want. I mean...

20 Q. Are you -- do you try to create a lineup so
21 that it doesn't emphasize a particular photo?

22 A. Right --

23 MR. BONGARD: Objection. Vague.

24 BY MR. BARON:

25 Q. Do you try to create a lineup so that no

1 particular photo stands out to the viewer?

2 A. I tell you, if it's a white guy, I try to
3 pick all white males that look similar. If my suspect
4 or my person that was the suspect in the case had a
5 red shirt on, and everybody else had a white shirt on,
6 then I would try to get multicolored shirts that would
7 make him look more like everybody else. The faces, I
8 tried to keep generally the same. If he had a face
9 with a moustache, I would try to pick people with -- I
10 want to make it similar.

11 Q. What's the goal of that?

12 A. So that it didn't --

13 MR. BONGARD: Objection. Vague.

14 BY MR. BARON:

15 Q. You can answer.

16 A. So that the suspect didn't stand out.

17 Q. When you say the "suspect didn't" -- so that
18 the suspect doesn't stand out, is that to minimize the
19 chance that a witness will make a false
20 identification?

21 A. Yes.

22 MR. BONGARD: Asked and answered.

23 BY MR. BARON:

24 Q. How do you document the outcome of showing
25 lineups to witnesses?

1 A. I show them the lineup. I tell them to
2 circle, put their initials, if I recall right. And
3 then sometimes at the bottom they'll write something
4 in if they feel like they want to do that. And then
5 they sign it.

6 Q. What happens if a witness is unable to make
7 an identification from the lineup?

8 A. Then I'll document that they didn't make an
9 identification, in my report.

10 Q. Would you always -- would you document it on
11 the lineup itself?

12 A. Not usually, no.

13 Q. Was there a time that North Las Vegas Police
14 Department changed its policy with respect to that?

15 MR. BONGARD: Objection. Relevance as to
16 time frame.

17 BY MR. BARON:

18 Q. When you were serving as a detective, were
19 you aware of any changes in policy with respect to
20 documenting a witness's inability to make an
21 identification?

22 MR. BONGARD: Again, objection as to
23 relevance to the time frame with this incident.

24 BY MR. BARON:

25 Q. Go ahead.

1 A. I don't recall. I documented it in my
2 report, so it was documented. I don't know what --
3 the documentation you want. Do you say you want me to
4 say that they had to do it on the photo lineup itself?

5 Q. I'm asking whether there was a change in
6 policy with respect to that.

7 A. I don't recall.

8 (Exhibit 3 was marked for identification.)

9 BY MR. BARON:

10 Q. Let's take a look at what I've marked as
11 Exhibit 3 for the purposes of this deposition, which
12 is also Exhibit 9, filed along with the amended
13 petition in the federal case.

14 Do you recognize this document?

15 A. Only because my name's on it.

16 Q. What is this document?

17 A. It's a photo lineup.

18 Q. Do you recognize anyone in the photo lineup?

19 A. Yeah, just Rickie Slaughter.

20 Q. And which position is he in?

21 A. Six.

22 Q. Do you recall which witness you showed this
23 particular version of the lineup to?

24 A. It says "John, Ryan." Ryan John.

25 Q. Take a look at the background on image 1.

1 Can you describe that to me?

2 MR. BONGARD: Objection. Vague.

3 BY MR. BARON:

4 Q. You can answer.

5 A. I don't know. It's blue.

6 Q. Look at image number 2.

7 A. Blue.

8 Q. Number 3?

9 A. Blue.

10 Q. Number 4?

11 A. Blue.

12 Q. Number 5?

13 A. A little bit gray.

14 Q. Number 6?

15 A. Lighter, a lot lighter, but -- a lighter
16 gray, real light, so...

17 Q. Is that background different from the other
18 backgrounds --

19 A. Yes.

20 Q. -- in this lineup?

21 A. Yes. Yes.

22 THE REPORTER: Wait for the end of the
23 question, please.

24 THE WITNESS: Oh, I'm sorry.

25 THE REPORTER: Appreciate it.

1 BY MR. BARON:

2 Q. I'm going to ask you about the lighting on
3 position 1. Do you see any bright spots on the face
4 in position 1?

5 A. Yes.

6 Q. Where are those bright spots?

7 A. On the nose and on the forehead.

8 Q. How about position 2?

9 A. Nose and forehead.

10 Q. Position 3?

11 A. Nose and forehead.

12 Q. Position 4?

13 A. Same.

14 Q. Position 5?

15 A. None.

16 Q. Position 6?

17 A. None.

18 Q. I'd like you to take a look at the shadows on
19 the jawline and neck on position 1.

20 A. Can I interject here for just a moment? I
21 don't know how this was copied, and I don't know --
22 with your copy machine, because this is a copy, and I
23 don't know how your copy -- just because you are
24 bringing out shading on faces and stuff like that and
25 shading on backgrounds, there is a lot of difference

1 in what you made a copy of and what the originals
2 were. And I'm not saying that the originals were just
3 like this, but I mean, you are putting a lot of
4 emphasis on this, when it's a copy.

5 Q. Understood.

6 With that said, please take a look at the
7 shadows on the jawline and neck in position 1. And I
8 don't want you to describe them, just take a look at
9 them.

10 A. Yes.

11 Q. Take a look at them for 2, 3, 4, and 5.

12 A. Yes.

13 Q. And then take a look at the shadow on the
14 neck and the jawline of position 6.

15 A. I see it.

16 Q. Can you describe the shadow on the neck and
17 jawline on position 6?

18 A. It appears to go to a point.

19 Q. Do you see a similar shadow in the other five
20 positions?

21 A. No.

22 Q. Did you choose the photos for this lineup?

23 A. I did.

24 Q. Did you choose the -- so, necessarily, you
25 chose the photo of Rickie Slaughter?

1 A. I did.

2 Q. Do you know where that photo was taken?

3 A. I think it was Metro, but I'm not sure.

4 Q. When you say "Metro," just for the record,
5 you mean Las Vegas Metropolitan Police Department?

6 A. Yes.

7 Q. So it did not come from North Las Vegas?

8 A. I'm not sure. I believe it came from Metro.
9 I think they had the most recent arrest.

10 Q. Was it a booking photo?

11 A. Yes.

12 Q. Is it possible it wasn't a booking photo?

13 A. No, because that's where we -- that's our
14 database. We call for -- you know, when they -- I
15 couldn't tell you hundred percent sure, because they
16 could have taken a picture in some other area in their
17 department and, you know, just put it in their
18 database.

19 Q. So --

20 A. This was the most recent one that I got.

21 Q. So as a North Las Vegas police detective, you
22 have access to all the photos in the Las Vegas Metro
23 Police Department's --

24 A. No. I said, I don't know if they combined
25 pictures. Maybe this picture was taken in the lab for

1 photo IDs for ex-felons. Maybe it was taken in some
2 other area, but they all put them in the same database
3 as arrests. I'm not sure.

4 It appears to be that, because it looks like
5 he's wearing maybe a -- some kind of a suit that he
6 might have been handed. I'm not sure.

7 Q. As a North Las Vegas Police Department
8 detective, you have access to a database of photos
9 that Las Vegas Metropolitan Police Department
10 maintains?

11 A. I can't recall if we did or not. I called,
12 and I don't know how I got the photo.

13 Q. Is it --

14 A. I think we do have a database. I just don't
15 remember if we had it then.

16 Q. So would you go on your computer, like log in
17 through the Internet, and looked through Metro's
18 photos? Would you call someone at Metro and ask for
19 photos?

20 A. I don't remember.

21 MR. BONGARD: Objection. The question is
22 compound.

23 MR. BARON: Let's break it up.

24 BY MR. BARON:

25 Q. Would you go on your computer and log into a

1 database and look for photos there?

2 A. At one time. I'm not sure if that was
3 available then.

4 MR. BONGARD: I'm going to object, actually,
5 as to relevance as to time period.

6 BY MR. BARON:

7 Q. When you selected this photo, do you recall
8 how you got -- if you got -- you said you got it from
9 Metro?

10 A. Yeah, I think I recall getting it from Metro.
11 But here's what I would do: I would go into SCOPE,
12 then I would look up the person I'm looking for, and
13 then I would find the most recent arrest.

14 If it was in North Las Vegas, I would go into
15 our database. If it was Metro and I couldn't get
16 it -- I recall having access to their database. I'm
17 not sure if I had it then, 2004. I would either order
18 it, I would have one of the girls do it for me, the
19 secretaries that worked in our office, and then I
20 would get the photo.

21 Q. Before you had -- let's assume you didn't
22 have access to the database in 2004. How would you
23 get the photo?

24 A. I would print it. It would come up on a --
25 we could put in a name, and then it would pull up the

1 picture, booking photos and everything about the
2 person, then their picture would come in there. From
3 what I can recall, then we could just print it out on
4 our printer there in the office.

5 Q. That was through the database?

6 A. Yeah, you could select photos of -- booking
7 photos of people that had been in custody and you
8 could print them out.

9 Q. Before you had the database, how did it work?

10 A. I think they would send it to us, an e-mail
11 or -- but I'm telling you, I really can't recall how.
12 I know there was a database, but I go back a lot
13 of years, so it's hard to remember.

14 Q. Did you alter the photograph in position 6 in
15 any way before you included it in the lineup?

16 A. No.

17 Q. You didn't Photoshop it?

18 A. No.

19 Q. Do you know, if images -- are images 1
20 through 5 booking photos?

21 A. Yeah. That's the only place I pulled stuff
22 from.

23 Q. Did you have -- were there other photos of
24 Rickie Slaughter available that you could have used?

25 A. I don't recall, but I know I take the latest

1 that I can get, the most up-to-date photo.

2 (Exhibit 5 was marked for identification.)

3 BY MR. BARON:

4 Q. Let's look at the document that I've marked
5 Exhibit 5 for the purposes of this deposition.

6 Can you tell me what this exhibit is?

7 A. I don't know. It's a picture.

8 Q. Who is it of?

9 A. I don't know.

10 Q. Do you see on the top bar it says "Slaughter,
11 Rickie"?

12 A. Yes, I see it, yep.

13 Q. The font on this is a little small, but
14 directly below the picture itself there is a blue bar
15 on the left. Do you see a date on there?

16 A. On the very bottom?

17 Q. Right above where it says "Reset size" on the
18 left.

19 A. No. I don't know what you're talking about.

20 Q. You don't see a date that says February 13,
21 2004? This is on the left side, the bottom left,
22 above a box that says "Reset size."

23 A. No. It's kind of faint, in the blue.

24 Q. It is.

25 A. Okay, "02/13/2004."

1 Q. Right.

2 A. Yes.

3 (Exhibit 6 was marked for identification.)

4 BY MR. BARON:

5 Q. Let's look at Exhibit -- what I've marked as
6 Exhibit 6 for the purposes of this deposition. This
7 is a response to a subpoena that one of
8 Mr. Slaughter's prior attorneys issued. And if you
9 scroll through the first initial pages of it, you'll
10 begin to see some photos.

11 A. Where are you --

12 Q. This is Exhibit 6 --

13 A. Okay.

14 Q. -- what I've marked as Exhibit 6 for the
15 purposes of this deposition.

16 A. Okay.

17 Q. Do you see that, at the bottom right of each
18 of these photos, there is a date?

19 A. Yes.

20 Q. Do all of those dates predate June 26, 2004?

21 A. (Witness examined documents.) Yes.

22 Q. Could you have used the photos in Exhibit --
23 what I've marked for the purposes of this deposition
24 as Exhibits 5 and 6, could you have used those photos
25 in the photo lineup you generated that I've marked as

1 Exhibit 3 for the purposes of this deposition?

2 MR. BONGARD: Speculation and lack of
3 foundation.

4 BY MR. BARON:

5 Q. Would you have had access to the photos in
6 what I've marked as Exhibits 5 and 6 for the purposes
7 of this deposition?

8 MR. BONGARD: Speculation and lack of
9 foundation.

10 BY MR. BARON:

11 Q. You had access to various photos of Rickie
12 Slaughter at the time you generated this lineup that's
13 in Exhibit 3?

14 A. I don't recall seeing these pictures, but
15 when I pulled it up, our -- I really can't tell you.
16 That I try to get the most recent one. If I get a
17 picture and it looks like a good picture of the
18 person, then if he has a funny hairdo or something,
19 then I try to pick all my people to look similar.

20 So that was a good picture that I found, then
21 that's what I did. I picked everybody that kind of
22 looked similar to Rickie Slaughter.

23 Q. Let's look at Exhibit 5.

24 A. Yes.

25 Q. Let's assume that this is a booking photo

1 from the North Las Vegas Detention Center taken on
2 February 13, 2004.

3 A. Uh-huh.

4 Q. Do you have any reason to dispute that?

5 A. No, if it's from North Las Vegas, I don't
6 have any reason to dispute it.

7 Q. Would you have had access to this photo on or
8 about June 26, 2004?

9 MR. BONGARD: Calls for a legal conclusion.

10 BY MR. BARON:

11 Q. You can answer.

12 A. No, I don't recall. I just -- the way I look
13 up photos, I would look them up, I'd just pick a
14 picture. Maybe it could have been something the
15 family said. Maybe it could have been something the
16 officers gave me that said, "hey, he -- this person
17 looked like this," "he looked like this," "he might
18 have had hair like this." I'll find the most thing
19 that looks like that suspect would have looked on that
20 night, and then I would pick them.

21 I don't know how I did this, because I can't
22 remember.

23 Q. On or about June 26, 2004, did North
24 Las Vegas Police Department have a database of photos
25 you could use for the purposes of generating photo

1 lineups?

2 A. I don't recall. I imagine so, but I'm not a
3 hundred percent sure. I believe I made this photo
4 lineup, so we had to be able to make photo lineups.

5 Q. What about the pictures in Exhibit 6? These
6 are booking photos from the Clark County detention
7 center.

8 A. Right.

9 Q. Would you have had access to these photos for
10 the purposes of generating the photo lineup?

11 MR. BONGARD: Objection. Asked and answered.

12 BY MR. BARON:

13 Q. Go ahead.

14 A. I just don't know how far I went into getting
15 it. If I got a good picture and it was the most
16 recent, that I told you I was trying to find, which I
17 usually do, I don't know if these would have ever come
18 into play. I mean, if I would have said, "hey, give
19 me every photo," then I would have probably got every
20 photo.

21 Q. So you found the most recent arrest?

22 A. I think I believe that's what I was shooting
23 for. That's what I usually do.

24 Q. And you used that photo in the lineup?

25 A. Like I said, I can't recall how I did this,

1 you know, because it could have been somebody said,
2 "hey, this guy was" -- "he looked like this" or "his
3 hair was like this." And I would say, "oh, this was a
4 good" -- "this might be a good picture," and then I
5 would put it in a lineup, and then I would try to pick
6 people that fit that description too.

7 So I mean, if you go to a crime scene and
8 somebody describes your suspect as, "hey, his hair was
9 blue" or "his hair was all a certain way," then I
10 would pick -- I would say, "oh, look, I found a photo
11 that looked like that," then I will get people that
12 look like him, and then I'd put it in a lineup. I
13 don't know how I selected this one.

14 It's been a lot of years, and I couldn't tell
15 you.

16 Q. If the first photo you come across, which --
17 usually the most recent arrest, if that's a good
18 photo, do you continue looking for other photos, or do
19 you just use that photo?

20 A. I'll just use the most recent.

21 Q. I would like to know the circumstances under
22 which you showed the -- let me start that over.

23 Let's turn back to what I've marked as
24 Exhibit 3 for the purposes of this deposition.

25 This is a photo lineup you showed to

1 Ryan John; correct?

2 A. Yes.

3 Q. Did you show additional versions of this
4 photo lineup to the other witnesses?

5 A. I can't recall.

6 Q. Did you show it to -- did you show a version
7 of this lineup to Ivan Young?

8 MR. BONGARD: Objection. Asked and answered.

9 BY MR. BARON:

10 Q. Go ahead.

11 A. I did.

12 Q. Where did you show it to him?

13 A. I believe it was in the hospital.

14 Q. Why did you show it to him in the hospital?

15 A. Because that's where he was.

16 Q. Why was he in the hospital?

17 A. Because the suspect shot him.

18 Q. What kind of treatment was he receiving in
19 the hospital, if you know?

20 A. I didn't ask.

21 Q. Do you know if he had had surgery recently?

22 A. Didn't ask.

23 Q. Do you know if he was on medication at the
24 time?

25 A. No, I don't.

1 Q. Do you know if he was able to see well?

2 A. I didn't ask, but I asked him if he was -- if
3 he would look at a photo lineup.

4 Q. Where was -- you said Ivan Young was shot.
5 Do you know where he was shot?

6 A. In the face.

7 Q. Was it near the eye?

8 A. I don't recall. I know that he had a
9 deformed lip, so I don't know where it hit him
10 exactly.

11 Q. If you have a witness who has recently gone
12 through trauma, are you more or less likely to trust
13 his identification?

14 MR. BONGARD: Calls for speculation.

15 MR. BARON: That was not a good question.
16 I'll ask a better one.

17 BY MR. BARON:

18 Q. If you have a witness who has recently had
19 surgeries to the face, are you more or less likely to
20 trust his identification?

21 A. I've been to the hospital when people have
22 been shot several times, laying on a bench in a room
23 getting treatment on them, asking them questions,
24 because it's all I had. So would I trust their -- it
25 would depend on how I felt when I showed them the

1 picture, how they were answering. I mean, nothing's
2 for sure.

3 Q. All else equal, comparing a suspect -- excuse
4 me -- comparing a witness like Ivan Young to a witness
5 who is not in the hospital, has not gone through
6 traumatic violence, between those two types of
7 witness, whose identification would you think would be
8 more reliable?

9 MR. BONGARD: Objection. Vague.

10 BY MR. BARON:

11 Q. Go ahead.

12 Did you understand the question?

13 A. Yeah, of course.

14 I would trust -- it could go either way. I
15 believe the guy did, sitting there -- like I said, in
16 that point in his life, he is sitting there; he could
17 have picked any one of six, but if he picks the exact
18 one that was identified through a portion of my
19 investigation, I put a lot of value on that.

20 Q. Were there any other police officers with you
21 when you showed this lineup to Ivan Young?

22 A. No, I don't believe so. I can't recall if my
23 partner was even with me. He may have been, but I
24 can't recall.

25 Q. Was anyone else in the room at the time?

1 A. I don't recall.

2 Q. What did you tell Ivan Young about the
3 lineup?

4 A. I can't recall. I usually say "can you
5 recognize anybody from the night" --

6 Q. Did you tell him that -- sorry.

7 A. No. I said -- I usually tell them, I said,
8 "Can you recognize anybody from the night which --
9 when this incident occurred or the robbery occurred?"
10 I don't know how I worded it, but...

11 Q. Did you tell Ivan Young that there was a
12 suspect in the lineup?

13 A. No. I tell them, "Can you see anybody from
14 this lineup that you recognize from the night that it
15 occurred?"

16 Q. Did you mention Rickie Slaughter's name?

17 A. I did not.

18 Q. Was the door to the hospital room closed at
19 the time you showed this to Ivan Young?

20 A. I don't recall.

21 Q. How about Jennifer Dennis; did you show this
22 lineup or a version of this lineup to Jennifer Dennis?

23 A. I did.

24 Q. Where did you show it to her?

25 A. I believe it was in the hallway.

1 Q. The hallway --

2 A. Of the hospital. I walked out. I think she
3 stepped out. I think she was there. She stepped out
4 in the hallway. I asked her to leave. She stepped
5 out. Then when I left the room I showed her --

6 Q. Sorry. Let me interrupt for a minute. You
7 asked her to leave when?

8 A. Before I showed him the lineup.

9 Q. Before you showed Ivan Young the lineup?

10 A. Yes.

11 Q. You asked -- Jennifer Dennis was in the room
12 when you first came in?

13 A. I believe so. And I asked her to step out.

14 Q. Before you showed the lineup to Ivan Young?

15 A. Yes.

16 Q. And then after you showed the lineup to
17 Ivan Young, you showed the lineup to Jennifer Dennis?

18 A. Yes. And I believe it was in the hallway.
19 It wasn't in the room with him.

20 Q. Were there any other police officers with you
21 in the hallway?

22 A. No.

23 Q. What did you -- do you remember what you told
24 her about the lineup?

25 A. I can't recall. It's probably the same

1 thing, "Do you recognize anybody from the night of the
2 robbery or the incident that occurred?"

3 Q. Did you tell her there was a suspect in the
4 lineup?

5 A. No. And I don't believe she picked the
6 suspect.

7 Q. Did you mention Rickie Slaughter's name?

8 A. No.

9 Q. Was there anybody else in the hallway?

10 A. I couldn't tell you. There could have been
11 anybody in the hallway, but not directly with me.

12 Q. And you said she didn't pick the suspect.
13 Did she pick anyone from the lineup?

14 A. No.

15 Q. Did you show a version of this lineup to
16 Jermaun Means?

17 A. I believe so.

18 Q. Where did you show it to him?

19 A. I can't recall.

20 Q. Let's look at what I've marked as Exhibit 1
21 for the purposes of this deposition. Let's look at
22 what's marked as page 6. And it's the third
23 paragraph from the bottom, if you want to read that to
24 yourself, the paragraph starting, "I later contacted
25 victim Jermaun Means."

1 A. Okay. You said it is on page --

2 Q. This is on page 6 of what I've marked as
3 Exhibit 1. And the page numbers are in the upper
4 right-hand corner of the document.

5 A. (Witness examined document.) I'm sorry,
6 dude. I can't... (Witness examined document.)

7 Q. It's the second-to-last page --

8 MR. BONGARD: Can I find it for him?

9 MR. BARON: Yes, sure.

10 MR. BONGARD: (Indicating.)

11 THE WITNESS: It's not the third paragraph.

12 BY MR. BARON:

13 Q. Third paragraph from the bottom.

14 A. Okay. I was going from the top. Sorry. I
15 said, "I later contact-" -- (witness examined
16 document.) Okay. "At his residence."

17 Q. You showed it to Jermaun Means at his
18 residence?

19 A. Yes.

20 Q. Were there any other police officers with you
21 at the time?

22 A. Probably not. I don't take -- I told you, we
23 worked the cases by ourselves. Once we split, I don't
24 call officers unless I think I'm going to go arrest a
25 suspect. I don't recall anybody -- sometimes I go and

1 arrest suspects by myself.

2 It's that we were too -- we weren't that
3 overloaded on people. We had detectives, and, of
4 course, I'm like, okay, if my partner was there, I
5 would say, "Hey, you want to come with me to do this?"
6 He couldn't come because he had his caseloads. So it
7 was just me.

8 Q. Sure. I understand that. I'm not trying to
9 hide the ball. I'm going to ask that question for
10 every one of these witnesses.

11 A. Okay. That's fine.

12 Q. But I totally -- I understand.

13 What did you tell Jermaun Means about the
14 lineup?

15 A. It says right here. I said, "I asked him if
16 he recognized anyone in the pictures from the night of
17 the robbery."

18 Q. Did you tell him there was a suspect in the
19 lineup?

20 A. No.

21 Q. Did you mention Rickie Slaughter's name?

22 A. No.

23 Q. Who else was in the residence at the time?

24 A. I don't even recall.

25 Q. How about Ryan John; did you show a version

1 of this to Ryan John?

2 A. Yes. I've already been shown. Yes, I did
3 show it.

4 Q. Where did you show it to him?

5 A. I don't recall that either.

6 Q. If you look at the next paragraph on that
7 same page, does that refresh your recollection about
8 where you --

9 A. Yes. He came into the police department to
10 view the lineup.

11 Q. Were any other police officers with you at
12 the time?

13 A. Not -- I mean, they are all over the place.
14 I mean, but were they with me there? No.

15 Q. Were you doing it in a room, or just out in
16 the open?

17 A. I probably took him into a room, because we
18 had interview rooms, and I showed him the lineup.

19 Q. And there weren't any other police officers
20 in the room?

21 A. Not that I can recall.

22 Q. Did you tell Ryan John that there was a
23 suspect in the lineup?

24 A. No.

25 Q. Did you mention Rickie Slaughter's name?

1 A. No.

2 Q. What did you tell Ryan John about the lineup?

3 A. I usually tell them the same thing I told the
4 other guys. I said, "Hey, look at the lineup. See if
5 you recognize anybody from the night of the robbery or
6 the incident."

7 Q. Did you show a version of this lineup to
8 Joey Posada?

9 A. Yes. One of the kids.

10 Q. Where did you show it to him?

11 A. I can't recall.

12 Q. Were any other police officers with you at
13 the time?

14 A. No.

15 Q. Did you tell him there was a suspect in the
16 lineup?

17 A. No.

18 MR. BARON: Bear with me for a moment.

19 (Pause in the proceedings.)

20 (Exhibit 47 was marked for identification.)

21 BY MR. BARON:

22 Q. I'd like to direct your attention to what
23 I've marked as Exhibit 47 for the purposes of this
24 deposition. It's also Exhibit 167 to the amended
25 petition we filed in the federal case.

1 A. Okay.

2 Q. This document is a transcript of one of the
3 trial days in the trial of Rickie Slaughter in this
4 case.

5 A. Okay.

6 Q. I'd like to first direct your attention to
7 page 32. This is a quad transcript, so I'm referring
8 to the page numbers of each of the four pages on
9 the --

10 A. Okay, 32.

11 Q. On page 32, you see Joey Posada is sworn as a
12 witness?

13 A. That's right.

14 Q. Let's look at page 53. This is the
15 cross-examination of Joey Posada. I would like you to
16 look at the question and answer, from lines 8 through
17 11 of page 53. And you can read whatever else from
18 that page or the surrounding pages for context, if you
19 would like.

20 A. (Witness examined document.) Okay. I read
21 it.

22 Q. Did you tell Joey Posada that there was a
23 suspect in the lineup when you showed it to him?

24 MR. BONGARD: Objection. Assumes facts not
25 in evidence. There is no identification. At 52, it

1 talks about "a detective."

2 BY MR. BARON:

3 Q. You showed this lineup to Joey Posada?

4 A. Yes, I was the one that showed the lineups.

5 Q. Was there any other detectives in the room
6 when you showed it to him?

7 A. I don't recall. I usually do everything
8 myself. I mean, I wouldn't call anybody in there to
9 do that.

10 Q. Assuming that there was another detective in
11 the room, did you or another detective tell
12 Joey Posada that there was a suspect in the lineup
13 that you showed him?

14 A. No. It's not what I would say. It's not
15 something I would say.

16 Q. We had mentioned Destinee Waddy before. I'll
17 represent to you that she was outside the residence in
18 a car at the time of the incident, and she saw the
19 suspects flee. Does that refresh your recollection
20 about who Destinee Waddy is?

21 A. Not really. Maybe. I mean, if this -- it
22 says the officer probably said it. It's probably
23 noted in one of his reports or he --

24 Q. Do you recall ever talking to Destinee Waddy
25 in the course of this investigation?

1 A. No, I don't recall. And I may have, but I
2 don't recall.

3 Q. Did you show the lineup to Destinee Waddy?

4 A. No.

5 (Exhibit 7 was marked for identification.)

6 BY MR. BARON:

7 Q. Let's turn to what I've marked as Exhibit 7
8 for the purposes of this deposition. Take a look at
9 the different pages on this exhibit.

10 A. (Witness examined documents.)

11 Q. Ignoring the first two pages of this exhibit
12 for now, can you tell me what this exhibit is?

13 A. Photo lineups.

14 Q. Do you recall the names of any of the
15 individuals in this photo lineup?

16 A. Yeah. It looks like Rickie Slaughter.

17 Q. And let's stick with page 3, the first lineup
18 in this exhibit for the purposes of reference. What
19 position is Rickie Slaughter in?

20 A. Four.

21 Q. Do you recognize anyone else in this lineup?

22 A. No.

23 Q. Did you generate this lineup?

24 A. I believe so. I would have been the only one
25 that would have done it.