

Electronically Filed
Mar 18 2021 09:29 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOASC
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528
200 Lewis Street
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

CHARLES MCCALL,
#0839616,

Defendant.

Case No. C-20-350999-2
Dept. No. III

NOTICE OF APPEAL

TO: CHARLES MCCALL, Defendant; and

TO: MICHAEL W. SANFT, ESQ., Counsel for Defendant; and

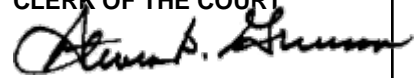
TO: MONICA TRUJILLO, District Judge, Eighth Judicial District Court,
Dept. No. III.

NOTICE IS HEREBY GIVEN THAT THE STATE OF NEVADA, Plaintiff in the
above entitled matter, appeals to the Supreme Court of Nevada, pursuant to NRS 177.015(2)
from the order the district court orally rendered March 16, 2021, granting Defendant's Motion
to Suppress.

Dated this 17th day of March, 2021.

STEVEN B. WOLFSON,
Clark County District Attorney

BY /s/ Jonathan E. VanBoskerck
JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528



ASTA
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528
200 Lewis Street
Las Vegas, Nevada 89155-2212
(702) 671-2750
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

CHARLES MCCALL,
#0839616,

Defendant.

Case No. C-20-350999-2
Dept. No. III

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

The State of Nevada / Clark County District Attorney

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

Judge Monica Trujillo

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

Charles McCall

The State of Nevada

4. Identify all parties involved in this appeal:

Charles McCall

The State of Nevada

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

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528
Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

MICHAEL W. SANFT, ESQ.
Nevada Bar No. 008245
Mayfield, Gruber & Sanft
726 S. Casino Center Blvd., Ste. 211
Las Vegas, NV 89101
(702) 497-8008

Counsel for Appellant
State of Nevada

Counsels for Respondent
Charles McCall

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

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

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

9. Date proceedings commenced in the district court:

Information was filed September 24, 2020.

DATED this 17th day of March, 2021.

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

BY */s/ Jonathan E. VanBoskerck*

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528
Office of the Clark County District Attorney

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that service of the above and foregoing was made this 17th day of March, 2021, by electronic transmission to:

MICHAEL W. SANFT, ESQ
Email: Michael@mgslaw.vegas

JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

JUDGE MONICA TRUJILLO
Eighth Judicial District Court, Dept. 3
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89101

BY /s/ E. Davis
Employee, District Attorney's Office

JEV//ed

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-20-350999-2**

State of Nevada
vs
Charles McCall

§ Location: **Department 3**
§ Judicial Officer: **Trujillo, Monica**
§ Filed on: **09/24/2020**
§ Case Number History:
§ Cross-Reference Case **C350999**
§ Number:
§ Defendant's Scope ID #: **839616**
§ Lower Court Case Number: **20CR009557-002**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ESTABLISHING OR POSSESSIONING A FINANCIAL FORGERY LABORATORY Arrest: 06/25/2020	205.46513	F	06/25/2020	Case Status:	09/24/2020 Open
2. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON	202.360.1	F	06/25/2020		
3. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON	202.360.1	F	06/25/2020		
4. OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON	202.360.1	F	06/25/2020		
5. POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION	205.465.2b	F	06/25/2020		
6. POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION	205.465.2b	F	06/25/2020		
7. POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION	205.465.2b	F	06/25/2020		
8. POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION	205.465.2b	F	06/25/2020		
9. POSSESSION OF DOCUMENT OR PERSONAL IDENTIFYING INFORMATION	205.465.2b	F	06/25/2020		

Related Cases

C-20-350999-1 (Multi-Defendant Case)

Bonds

Surety #FCS5-2134878 \$5,000.00
7/22/2020 Active
Counts: 1

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

Case Number C-20-350999-2
Court Department 3
Date Assigned 02/03/2021
Judicial Officer Trujillo, Monica

PARTY INFORMATION













Defendant McCall, Charles Wade

Lead Attorneys

Sanft, Michael W.
Retained
702-497-8008(W)

CASE SUMMARY**CASE NO. C-20-350999-2****Plaintiff****State of Nevada****Wolfson, Steven B**

702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
09/24/2020	 Criminal Bindover	
09/24/2020	 Criminal Bindover - Confidential	
09/24/2020	 Bail Bond <i>Power # FCS5-2134878 \$5,000</i>	
09/24/2020	 Information Party: Plaintiff State of Nevada <i>Information</i>	
01/04/2021	Case Reassigned to Department 23 <i>Judicial Reassignment to Judge Jasmin Lilly-Spells</i>	
02/03/2021	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>	
02/22/2021	 Motion to Suppress Filed By: Defendant McCall, Charles Wade <i>Motion to Suppress</i>	
02/23/2021	 Clerk's Notice of Hearing <i>Notice of Hearing</i>	
03/05/2021	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Suppress</i>	
03/17/2021	 Notice of Appeal (criminal) Party: Plaintiff State of Nevada <i>Notice of Appeal</i>	
03/17/2021	 Case Appeal Statement Filed By: Plaintiff State of Nevada <i>Case Appeal Statement</i>	
	<u>HEARINGS</u>	
09/25/2020	 Initial Arraignment (8:00 AM) (Judicial Officer: Miley, Stefany) Trial Date Set; Journal Entry Details: <i>D.A. Maggie Christiansen present on behalf of the State via Bluejeans. DEFENDANT WINN ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. BOND/ELECTRONIC MONITORING 11/04/20 8:30 AM PRE TRIAL CONFERENCE (DEPT 19) 12/02/20 8:30 AM CALENDAR CALL (DEPT 19) 12/07/20 10:00 AM JURY TRIAL (DEPT 19) ;</i>	
11/09/2020	 Pre Trial Conference (10:15 AM) (Judicial Officer: Kephart, William D.) Matter Heard; Journal Entry Details:	

CASE SUMMARY**CASE NO. C-20-350999-2**

APPEARANCES CONTINUED: Defendant Winn not present and in custody with the Nevada Department of Corrections and represented by Mr. Frizzell. Mr. Sanft advised he anticipates filing a motion to suppress; although, anticipates ready for the current trial setting. Mr. Frizzell advised Defendant Winn is in custody with the Nevada Department of Corrections based on this case her parole was violated. Court stated Mr. Frizzell will need to file the appropriate motion. COURT ORDERED, trial date STANDS. Defendant McCall requested to be released from monitoring. Court stated the appropriate motion will need to be filed. BOND / ELECTRONIC MONITORING;

11/30/2020

**Calendar Call (8:30 AM)** (Judicial Officer: Barker, David)**MINUTES**

Trial Date Set;

Journal Entry Details:

APPEARANCES CONTINUED: Defendant Winn not present and in custody with Nevada Department of Corrections and represented by Mr. Sanft. Mr. Frizzell advised Defendant not present and in custody with the Nevada Department of Corrections. Court noted Defendant's have invoked their speedy trial rights; however, pursuant to the new Administrative Order 20-24 trial dates are being reset. Mr. Sanft advised Defendant McCall will waive his speedy trial right. Court so noted; although, Defendant trial dates will be kept together. Mr. Frizzell advised he has not had an opportunity to speak with Defendant; although, received a letter from Defendant indicating that she is eligible to move to Casa Grande; however, she is being held on this case. Court stated he is not inclined to change custody status at this time. COURT ORDERED, trial date VACATED and RESET. CUSTODY 1/27/2021 11:30 AM CENTRAL TRIAL READINESS 2/03/2021 8:30 AM CALENDAR CALL 2/08/2021 10:00 AM JURY TRIAL;

SCHEDULED HEARINGS

CANCELED Central Trial Readiness Conference (01/27/2021 at 11:30 AM) (Judicial Officer: Jones, Tierra)

Vacated**Calendar Call** (02/01/2021 at 12:30 PM) (Judicial Officer: Lilly-Spells, Jasmin)**CANCELED Jury Trial** (02/08/2021 at 9:30 AM) (Judicial Officer: Lilly-Spells, Jasmin)*Vacated - per Judge*

12/07/2020

CANCELED Jury Trial (10:00 AM) (Judicial Officer: Kephart, William D.)*Vacated - per Judge*

01/27/2021

CANCELED Central Trial Readiness Conference (11:30 AM) (Judicial Officer: Jones, Tierra)*Vacated*

02/01/2021

**Calendar Call** (12:30 PM) (Judicial Officer: Lilly-Spells, Jasmin)**MINUTES**

Matter Heard;

Journal Entry Details:

State advised this case had been erroneously reassigned to this department and requested the case be sent back to DC 3. Colloquy whether Deft. invoked or waived their right to speedy trial. COURT ORDERED, trial date VACATED; case REASSIGNED to Department 3. BOND/E.M.P.;

SCHEDULED HEARINGS**CANCELED Jury Trial** (02/08/2021 at 9:30 AM) (Judicial Officer: Lilly-Spells, Jasmin)*Vacated - per Judge*

02/03/2021

**Minute Order** (7:30 AM) (Judicial Officer: Jones, Tierra)

Minute Order - No Hearing Held;




Journal Entry Details:

This case was mistaken re-assigned to Department 23 in the case reassignment from January 2021. As such, this case is being reassigned to Department 3, which is the proper case tracking assignment. CUSTODY;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-20-350999-2

02/08/2021	CANCELED Jury Trial (9:30 AM) (Judicial Officer: Lilly-Spells, Jasmin) <i>Vacated - per Judge</i>
02/10/2021	 Central Trial Readiness Conference (11:30 AM) (Judicial Officer: Jones, Tierra) MINUTES Trial Date Set; Journal Entry Details: <i>Co-Defendant Colette Winn present with counsel Kenneth Frizzell, Esq. Mr. Frizzell announced ready. Mr. Sanft advised he is out of the jurisdiction during March. COURT ORDERED, matter SET for trial, status check VACATED and State to prepare a transport order. NIC (COC-NDC) 03/17/21 2:00 PM CENTRAL CALENDAR CALL (LLA) 03/22/21 9:00 AM CENTRAL JURY TRIAL (LLA);</i> SCHEDULED HEARINGS Central Calendar Call (03/17/2021 at 2:00 PM) (Judicial Officer: Jones, Tierra) CANCELED Central Jury Trial (03/22/2021 at 9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated</i>
02/17/2021	CANCELED Status Check: Trial Readiness (10:00 AM) (Judicial Officer: Trujillo, Monica) <i>Vacated</i>
03/08/2021	 Motion to Suppress (10:00 AM) (Judicial Officer: Trujillo, Monica) 03/08/2021, 03/10/2021 <i>Defendant's Motion to Suppress</i> Continued; Evidentiary Hearing; Journal Entry Details: <i>Upon Court's inquiry, Mr. Sanft advised he would be available on Monday. COURT ORDERED, matter SET for Evidentiary Hearing. BOND/LOW LEVEL EMP 3/15/2021 2:00 PM EVIDENTIARY HEARING;</i> Continued; Evidentiary Hearing; Journal Entry Details: <i>COURT ORDERS, MOTION CONTINUED for presence of Defense counsel. BOND (EMP) CONTINUED TO: 3/10/21 10:00 AM;</i>
03/15/2021	 Evidentiary Hearing (2:00 PM) (Judicial Officer: Trujillo, Monica) 03/15/2021-03/16/2021 <i>Evidentiary Hearing - Defendant's Motion to Suppress</i> Hearing Continued; Matter Heard; Journal Entry Details: <i>Arguments by Mr. Beaumont and Mr. Sanft as to their respective positions. Court stated findings and COURT ORDERED, the items in plain view during the unlawful protective sweep must be suppressed and the evidence seized pursuant to the warrant must be suppressed as it was from the fruit of the poisonous tree of the unlawful protective sweep. Mr. Sanft moved to dismiss the case. Mr. Beaumont objected to the dismissal and stated he understands the Court's ruling. Court instructed Mr. Sanft to file the appropriate written motion. NIC;</i> Hearing Continued; Matter Heard; Journal Entry Details: <i>Testimony and exhibits presented. (See worksheets). Arguments by counsel regarding objection during Officer Crowe's testimony. MATTER TRAILED. RECALLED. CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets). COURT ORDERED, matter CONTINUED. CONTINUED TO: 3/16/2021 10:30 AM;</i>
03/17/2021	Central Calendar Call (2:00 PM) (Judicial Officer: Jones, Tierra)
03/22/2021	CANCELED Central Jury Trial (9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated</i>

CASE SUMMARY

CASE NO. C-20-350999-2

03/31/2021

Status Check (8:30 AM) (Judicial Officer: Trujillo, Monica)

Status Check: Trial Setting

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 25, 2020

C-20-350999-2 State of Nevada
 vs
 Charles McCall

September 25, 2020 8:00 AM Initial Arraignment

HEARD BY: Miley, Stefany **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Nylasia Packer

RECORDER: Trisha Garcia

REPORTER:

PARTIES

PRESENT: McCall, Charles Wade Defendant
 Sanft, Michael W. Attorney

JOURNAL ENTRIES

- D.A. Maggie Christiansen present on behalf of the State via Bluejeans.

DEFENDANT WINN ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE.
COURT ORDERED, matter set for trial.

BOND/ELECTRONIC MONITORING

11/04/20 8:30 AM PRE TRIAL CONFERENCE (DEPT 19)

12/02/20 8:30 AM CALENDAR CALL (DEPT 19)

12/07/20 10:00 AM JURY TRIAL (DEPT 19)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 09, 2020

C-20-350999-2 State of Nevada
 vs
 Charles McCall

November 09, 2020 10:15 AM Pre Trial Conference

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Toshiana Pierson

REPORTER:

PARTIES

PRESENT:	McCall, Charles Wade	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff
	Waters, Steven L	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Defendant Winn not present and in custody with the Nevada Department of Corrections and represented by Mr. Frizzell.

Mr. Sanft advised he anticipates filing a motion to suppress; although, anticipates ready for the current trial setting. Mr. Frizzell advised Defendant Winn is in custody with the Nevada Department of Corrections based on this case her parole was violated. Court stated Mr. Frizzell will need to file the appropriate motion. COURT ORDERED, trial date STANDS. Defendant McCall requested to be released from monitoring. Court stated the appropriate motion will need to be filed.

BOND / ELECTRONIC MONITORING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 30, 2020**

C-20-350999-2 State of Nevada
vs
Charles McCall

November 30, 2020 8:30 AM Calendar Call

HEARD BY: Barker, David**COURTROOM:** RJC Courtroom 16B**COURT CLERK:** Tia Everett**RECORDER:** Toshiana Pierson**REPORTER:****PARTIES**

PRESENT:	McCall, Charles Wade	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff
	Waters, Steven L	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Defendant Winn not present and in custody with Nevada Department of Corrections and represented by Mr. Sanft.

Mr. Frizzell advised Defendant not present and in custody with the Nevada Department of Corrections. Court noted Defendant's have invoked their speedy trial rights; however, pursuant to the new Administrative Order 20-24 trial dates are being reset. Mr. Sanft advised Defendant McCall will waive his speedy trial right. Court so noted; although, Defendant trial dates will be kept together. Mr. Frizzell advised he has not had an opportunity to speak with Defendant; although, received a letter from Defendant indicating that she is eligible to move to Casa Grande; however, she is being held on this case. Court stated he is not inclined to change custody status at this time. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

1/27/2021 11:30 AM CENTRAL TRIAL READINESS

2/03/2021 8:30 AM CALENDAR CALL

2/08/2021 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 01, 2021

C-20-350999-2 State of Nevada
 vs
 Charles McCall

February 01, 2021 12:30 AM Calendar Call

HEARD BY: Lilly-Spells, Jasmin

COURTROOM: RJC Courtroom 12D

COURT CLERK: Michaela Tapia

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Beaumont, Austin C.	Attorney
	McCall, Charles Wade	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- State advised this case had been erroneously reassigned to this department and requested the case be sent back to DC 3. Colloquy whether Deft. invoked or waived their right to speedy trial. COURT ORDERED, trial date VACATED; case REASSIGNED to Department 3.

BOND/E.M.P.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 03, 2021

C-20-350999-2 State of Nevada
vs
Charles McCall

February 03, 2021 7:30 AM Minute Order

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- This case was mistaken re-assigned to Department 23 in the case reassignment from January 2021.
As such, this case is being reassigned to Department 3, which is the proper case tracking assignment.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 10, 2021

C-20-350999-2 State of Nevada
 vs
 Charles McCall

**February 10, 2021 11:30 AM Central Trial Readiness
Conference**

HEARD BY: Jones, Tierra **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala

RECORDER:

REPORTER:

PARTIES

PRESENT: Beaumont, Austin C. Attorney
 McCall, Charles Wade Defendant
 Sanft, Michael W. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Co-Defendant Colette Winn present with counsel Kenneth Frizzell, Esq.

Mr. Frizzell announced ready. Mr. Sanft advised he is out of the jurisdiction during March. COURT ORDERED, matter SET for trial, status check VACATED and State to prepare a transport order.

NIC (COC-NDC)

03/17/21 2:00 PM CENTRAL CALENDAR CALL (LLA)

03/22/21 9:00 AM CENTRAL JURY TRIAL (LLA)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 08, 2021

C-20-350999-2 State of Nevada
 vs
 Charles McCall

March 08, 2021 10:00 AM Motion to Suppress

HEARD BY: Trujillo, Monica **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Alan Castle

RECORDER: Rebeca Gomez

REPORTER:

PARTIES

PRESENT: Beaumont, Austin C. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- COURT ORDERS, MOTION CONTINUED for presence of Defense counsel.

BOND (EMP)

CONTINUED TO:
3/10/21 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 10, 2021

C-20-350999-2 State of Nevada
 vs
 Charles McCall

March 10, 2021 10:00 AM Motion to Suppress

HEARD BY: Trujillo, Monica

COURTROOM: RJC Courtroom 11C

COURT CLERK: Samantha Albrecht

RECORDER: Rebeca Gomez

REPORTER:

PARTIES

PRESENT:	Brooks, Parker	Attorney
	McCall, Charles Wade	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Sanft advised he would be available on Monday. COURT ORDERED, matter SET for Evidentiary Hearing.

BOND/LOW LEVEL EMP

3/15/2021 2:00 PM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 15, 2021

C-20-350999-2 State of Nevada
 vs
 Charles McCall

March 15, 2021 2:00 PM Evidentiary Hearing

HEARD BY: Trujillo, Monica **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Alan Castle

RECORDER: Rebeca Gomez

REPORTER:

PARTIES

PRESENT:	Beaumont, Austin C.	Attorney
	McCall, Charles Wade	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Testimony and exhibits presented. (See worksheets). Arguments by counsel regarding objection during Officer Crowe's testimony. MATTER TRAILED. RECALLED. CONFERENCE AT THE BENCH. Testimony and exhibits presented. (See worksheets). COURT ORDERED, matter CONTINUED.

CONTINUED TO: 3/16/2021 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 16, 2021

C-20-350999-2 State of Nevada
 vs
 Charles McCall

March 16, 2021 10:30 AM Evidentiary Hearing

HEARD BY: Trujillo, Monica **COURTROOM:** RJC Courtroom 11C

COURT CLERK: Alan Castle

RECORDER: Rebeca Gomez

REPORTER:

PARTIES

PRESENT:	Beaumont, Austin C.	Attorney
	McCall, Charles Wade	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Arguments by Mr. Beaumont and Mr. Sanft as to their respective positions. Court stated findings and COURT ORDERED, the items in plain view during the unlawful protective sweep must be suppressed and the evidence seized pursuant to the warrant must be suppressed as it was from the fruit of the poisonous tree of the unlawful protective sweep. Mr. Sanft moved to dismiss the case. Mr. Beaumont objected to the dismissal and stated he understands the Court's ruling. Court instructed Mr. Sanft to file the appropriate written motion.

NIC

EXHIBIT(S) LIST

Case No.: C-20-350999-2

Hearing : MARCH 15, 2021

Dept. No.: 3

Judge: MONICA TRUJILLO

Court Clerk: ALAN PAUL CASTLE SR

Recorder / Reporter: BECKY GOMEZ

Counsel for Plaintiff: AUSTIN BEAUMONT

Plaintiff: State of Nevada

vs.

Defendant: CHARLES WADE MCCALL

Counsel for Defendant: MICHAEL SANFT

HEARING / TRIAL BEFORE THE COURT

DEPENDANT'S EXHIBITS

[illegible]



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

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

DATE: March 18, 2021
CASE: C-20-350999-2

RE CASE: STATE OF NEVADA vs. CHARLES WADE MCCALL

NOTICE OF APPEAL FILED: March 17, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

CHARLES WADE MCCALL,

Defendant(s).

Case No: C-20-350999-2

Dept No: III

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 18 day of March 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

March 18, 2021

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: STATE OF NEVADA vs. CHARLES WADE MCCALL
D.C. CASE: C-20-350999-2

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed March 18, 2021. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

March 17, 2021

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink that reads "Heather Ungermann". The signature is fluid and cursive, with a long horizontal stroke at the end.

Heather Ungermann, Deputy Clerk