

Electronically Filed
Apr 09 2021 01:27 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOTC
DAN M. WINDER, ESQ.
Nevada State Bar No.: 001569
ARNOLD WEINSTOCK, ESQ.
Nevada Bar No. 000810
LAW OFFICE OF DAN M. WINDER, P.C.
3507 West Charleston Blvd.
Las Vegas, NV 89102
Telephone: (702) 474-0523
Facsimile: (702) 474-0631
email: winderdanatty@aol.com

Attorney for Defendant

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

STATE OF NEVADA

Plaintiff,

vs.

ARTHUR MOORE,

Defendant.

Case No.: C-16-316287-1

Dept. No.: XII

NOTICE OF APPEAL

COMES NOW, the Defendant, ARTHUR MOORE, by counsel, DAN M. WINDER, ESQ. and files his Notice of Appeal to the Supreme Court of Nevada, from the Judgment of Conviction, filed on April 1, 2021, the Court's sentencing of March 25, 2021 and all pre-trial and post-trial rulings, in the above-captioned cause of action.

Dated this 6th day of April, 2021.

LAW OFFICE OF DAN M. WINDER, P.C.

By: /s/ Dan M. Winder
DAN M. WINDER, ESQ.
Nevada State Bar No.: 001569

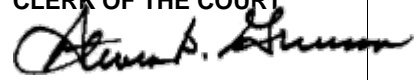
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Steven B. Wolfson, Esq.
Clark County District Attorney
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
Attorneys for Respondent

/s/ Sherrie L. Martin
An Employee of Dan M. Winder, Esq.

1 **CASA**
2 DAN M. WINDER, ESQ.
3 Nevada State Bar No.: 001569
4 ARNOLD WEINSTOCK, ESQ.
5 Nevada Bar No. 000810
6 LAW OFFICE OF DAN M. WINDER, P.C.
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Electronically Filed
4/6/2021 2:49 PM
Steven D. Grierson
CLERK OF THE COURT



12 Attorney for Defendant

13 **EIGHTH JUDICIAL DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 STATE OF NEVADA)

16 Plaintiff,)

17 vs.)

18 ARTHUR MOORE,)

19 Defendant.)

Case No.: C-16-316287-1

Dept. No.: XII

20 **CASE APPEAL STATMENT**

21 COMES NOW, Defendant, ARTHUR MOORE, by and through his counsel DAN M.
22 WINDER, Esq, of the Law Office of DAN M. WINDER, P.C., and hereby submits his Case
23 Appeal Statement as follows:

24 1. Name of Appellant filing this Case Appeal Statement:

25 ARTHUR MOORE

26 2. Identify the Judge Issuing the Decision, Judgment, or Order appealed from:

27 Appeal from sentencing on March 25, 2021, the denial of his motion to withdraw plea on
28 February 19, 2021, and the Judgment of Conviction filed April 1, 2021, by the Honorable
Michelle Leavitt, District Court Judge, Eighth Judicial District Court, Department XII.

3. Identify all parties to the proceedings in the District Court.

Defendant: ARTHUR MOORE

1 Plaintiff: State of Nevada

2 4. Identify all parties involved in this appeal.

3 Appellant: ARTHUR MOORE

4 Respondent: State of Nevada

5 5. Set for the name, law firm, address, and telephone number of all counsel on appeal and
6 identify the party or parties whom they represent:

7 Appellant: DAN M. WINDER, Esq.
8 NEV BAR NO. 1569
9 LAW OFFICE OF DAN M. WINDER, PC
3507 W. Charleston Blvd.
10 Las Vegas, NV 89102
Telephone: (702) 474-0523
11 Facsimile: (702) 474-0631
winderdanatty@aol.com

12 Respondent: STATE OF NEVADA
13 CLARK COUNTY DISTRICT ATTORNEY
Steven B. Wolfson, Esq.
14 Clark County District Attorney Nevada Bar No.: 001565
200 S. Lewis Avenue
15 Las Vegas, Nevada 89155-2212
Telephone: (702) 671-2500
16 Attorneys for Respondent

17 6. Indicate whether Appellant was represented by appointed or retained counsel in District
18 Court:

19 Appellant was represented by appointed counsel in the District Court.

20 7. Indicate whether Appellant is represented by appointed or retained counsel on Appeal:

21 Appellant is being represented by appointed counsel on Appeal.

22 8. Indicated whether Appellant was granted leave to proceed in forma pauperis and the date
23 of entry of the District Court order granting such leave:

24 Not applicable.

25 9. Indicated the date the proceedings commenced in the District Court.

26 The proceedings originated in the Eighth Judicial District Court, Clark Count on or about
27 July 7, 2016, with a criminal Indictment filed on July 7, 2016 and an Amended Indictment filed on
28

1 July 15, 2016.

2 Dated this the 7th day of April, 2021.

3

4

Respectfully Submitted:
LAW OFFICE OF DAN M. WINDER, P.C.

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By: /s/ Dan M. Winder
Nevada Bar No: 001569
3507 W. Charleston Blvd.
Las Vegas, Nevada 89102

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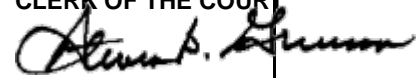
CERTIFICATE OF MAILING

The undersigned does hereby certify that on the 7th day of April, 2021, I served the above on the below in that I deposited in the United States Mail, postage prepaid, a true and correct copy of the foregoing CASE APPEAL STATEMENT, in an envelope addressed to:

Steven B. Wolfson, Esq.
Clark County District Attorney
200 S. Lewis Avenue
Las Vegas, Nevada 89155-2212
Attorneys for Respondent

DATED this 6th day of April, 2021.

/s/ P. Singer
An Employee of Dan M. Winder, Esq.



REQT
DAN M. WINDER, ESQ.
Nevada State Bar No.: 001569
ARNOLD WEINSTOCK, ESQ.
Nevada Bar No. 000810
LAW OFFICE OF DAN M. WINDER, P.C.
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email: winderdanatty@aol.com

Attorney for Defendant

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

STATE OF NEVADA)	
)	Case No.: C-16-316287-1
Plaintiff,)	Dept. No.: XII
)	
vs.)	
)	
ARTHUR MOORE,)	
Defendant.)	

REQUEST FOR TRANSCRIPT OF PROCEEDINGS

TO: *Sara Richardson, Court Recorder, District Court Dept 12*
RJC 200 Lewis Ave., Las Vegas, NV 89101

Appellant requests preparation of a transcript of the proceedings before the municipal court,
as follows:

Judge or officer hearing the proceeding:	Honorable Michelle Leavitt
Date or dates of proceeding:	2/19/2021 and 3/25/2021
Portions of the transcript requested:	Complete, entire transcript
Number of copies required:	One.

///

///

///

1 I hereby certify that on this date I ordered this transcript from the court reporter named
2 above, and paid the required deposit.

3 Dated this 6th day of April 2021.
4
5

6 By: /s/ Dan M. Winder
7 DAN M. WINDER, ESQ.
8 Nevada State Bar No. 001569
9 LAW OFFICE OF DAN M. WINDER, P.C.
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Steven B. Wolfson, Esq.
Clark County District Attorney
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
Attorneys for Respondent

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-16-316287-1**

State of Nevada
vs
Arthur Moore

§ Location: **Department 12**
 § Judicial Officer: **Leavitt, Michelle**
 § Filed on: **07/07/2016**
 § Case Number History:
 § Cross-Reference Case **C316287**
 § Number:
 § Defendant's Scope ID #: **2578207**
 § Grand Jury Case Number: **15BGJ096A**
 § ITAG Case ID: **1798686**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. MURDER (SECOND DEGREE)	200.030.2	F	02/20/2009		
Filed As: MURDER WITH USE OF A DEADLY WEAPON	F	7/7/2016		Case Status:	04/01/2021 Closed
Arrest: 07/07/2016					
2. CONSPIRACY TO COMMIT ROBBERY	200.380	F	02/20/2009		
Filed As: ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	F	7/7/2016			
3. ROBBERY	200.380	F	02/20/2009		
Filed As: ASSAULT WITH USE OF A DEADLY WEAPON	F	7/7/2016			
4. ASSAULT WITH USE OF A DEADLY WEAPON	200.471.2b	F	02/20/2009		
5. ASSAULT WITH USE OF A DEADLY WEAPON	200.471.2b	F	02/20/2009		
6. CONSPIRACY TO COMMIT ROBBERY	200.380	F	02/20/2009		
7. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	02/20/2009		
8. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	02/20/2009		

Related Cases

C-16-316287-2 (Multi-Defendant Case)

C-16-316287-3 (Multi-Defendant Case)

C-16-316287-4 (Multi-Defendant Case)

Statistical Closures

04/01/2021 Guilty Plea with Sentence (before trial) (CR)

Warrants

Indictment Warrant - Moore, Arthur Ernest, II (Judicial Officer: Gonzalez, Elizabeth)

07/13/2016 9:00 AM Returned - Served

07/07/2016 2:17 PM Active

Hold Without Bond

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

Case Number C-16-316287-1
 Court Department 12
 Date Assigned 07/02/2018
 Judicial Officer Leavitt, Michelle

PARTY INFORMATION**Defendant** **Moore, Arthur***Lead Attorneys*
















CASE SUMMARY

CASE NO. C-16-316287-1















Winder, Dan M
Retained
 702-474-0523(W)

Plaintiff **State of Nevada**

Wolfson, Steven B
 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
07/07/2016	 Transcript of Proceedings <i>Reporter's Transcript of Investigation - Grand Jury - Hearing - June 22, 2016</i>	
07/07/2016	 Indictment <i>Indictment</i>	
07/07/2016	 Warrant <i>Indictment Warrant</i>	
07/12/2016	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>	
07/12/2016	 Indictment Warrant Return	
07/13/2016	 Media Request and Order <i>Media Request And Order KVVU</i>	
07/13/2016	 Media Request and Order <i>Media Request And Order KLAS</i>	
07/13/2016	 Media Request and Order <i>Media Request And Order KTNV</i>	
07/15/2016	 Amended Indictment <i>Amended Indictment</i>	
07/19/2016	 Media Request and Order <i>Media Request And Order Allowing Camera Access To Court Proceedings</i>	
07/19/2016	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 2, June 29, 2016</i>	
07/19/2016	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings Volume 3, July 6, 2016</i>	
07/29/2016	 Notice of Witnesses and/or Expert Witnesses <i>State's Notice of Witnesses</i>	
07/29/2016	 Notice of Witnesses and/or Expert Witnesses <i>State's Notice of Expert Witnesses</i>	
08/15/2016	 Ex Parte Order <i>Ex Parte Order</i>	

CASE SUMMARY
CASE NO. C-16-316287-1

08/15/2016	 Ex Parte Motion <i>Ex Parte Motion to Declare Defendant Indigent for Purposes of Obtaining Investigator Fees</i>
08/30/2016	 Motion <i>Motion To Withdraw As Attorney Of Record</i>
11/22/2016	 Stipulation <i>Stipulation to Continue Date for Defendant's to File Writ of Habeas Corpus</i>
11/30/2016	 Order <i>Order</i>
12/23/2016	 Stipulation <i>Stipulation to Continue Date for Defendant's to File Writ of Habeas Corpus</i>
12/30/2016	 Order <i>Order</i>
01/02/2017	Case Reassigned to Department 1 <i>Case reassigned from Judge Elizabeth Gonzalez Dept 11</i>
02/14/2017	 Order <i>Order</i>
07/01/2017	Case Reassigned to Department 3 <i>Homicide Case Reassignment to Judge Douglas W. Herndon</i>
07/20/2017	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
10/10/2017	 Petition for Writ of Habeas Corpus Filed by: Defendant Moore, Arthur <i>Pretrial Writ of Habeas Corpus</i>
02/08/2018	 Return Party: Plaintiff State of Nevada <i>State's Return to Writ of Habeas Corpus</i>
05/15/2018	 Motion Filed By: Defendant Moore, Arthur <i>Motion and Notice of Motion for Discovery of Prosecution Files, Records, and Information Necessary To a Fair Trial</i>
05/17/2018	 Motion Filed By: Defendant Moore, Arthur <i>Motion to Sever</i>
05/18/2018	 Motion Filed By: Defendant Moore, Arthur <i>Motion to Sever</i>
06/25/2018	 Motion to Dismiss Counsel

CASE SUMMARY
CASE NO. C-16-316287-1

	Party: Defendant Moore, Arthur <i>Motion to Dismiss Counsel</i>
06/28/2018	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
07/02/2018	Case Reassigned to Department 12 <i>Reassigned From Judge Johnson - Dept 20</i>
08/22/2018	 Receipt of Copy <i>Receipt of Copy</i>
10/08/2018	 Ex Parte Filed By: Defendant Moore, Arthur <i>Defendant's Exparte Motion for Glasses</i>
10/18/2018	 Ex Parte Order Filed By: Defendant Moore, Arthur <i>Exparte Order for Glassess</i>
10/22/2018	 Motion to Dismiss Filed By: Defendant Moore, Arthur <i>Motion to Dismiss, or in the Alternative for Release and/or Bail, and for Discovery</i>
10/29/2018	 Motion to Dismiss Filed By: Defendant Moore, Arthur <i>Motion to Dismiss Charges Due to Violation of the Statute of Limitations</i>
12/10/2018	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for Dismissal, Alternate Bail, and/or Discovery</i>
12/12/2018	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Motion for Bail</i>
01/08/2019	 Order Filed By: Defendant Moore, Arthur <i>Order for Dismissal</i>
01/25/2019	 Supplemental Witness List <i>State's Supplemental Notice of Witnesses</i>
04/29/2019	 Motion Filed By: Defendant Moore, Arthur <i>Motion to Require Prosecutors to State Reasons for Exercising Peremptory Strikes Against Protected Classes</i>
04/29/2019	 Motion in Limine Filed By: Defendant Moore, Arthur <i>Motion in Limine to Preclude the Introduction of Prejudicial Photos</i>
04/30/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>

CASE SUMMARY

CASE NO. C-16-316287-1

04/30/2019	 Ex Parte Motion Filed By: Defendant Moore, Arthur <i>Motion for Medical Care (Rash)</i>
05/31/2019	 Opposition <i>State's Opposition to Defendant's Motion to Exclude Photos</i>
05/31/2019	 Opposition <i>State's Opposition to Defendant's Motion to Require the Prosecution to State Reasons for Peremptory Strikes</i>
06/24/2019	 Motion Filed By: Defendant Moore, Arthur <i>Motion to Federalize Objections</i>
06/26/2019	 Motion Filed By: Defendant Moore, Arthur <i>Motion to Preclude the Court from Rehabilitating Potential Jurors</i>
07/09/2019	 Opposition <i>State's Opposition to Defendant's Motion to Preclude the Court from Rehabilitating Potential Jurors</i>
07/09/2019	 Opposition <i>State's Opposition to Defendant's Motion to Federalize Objections</i>
12/26/2019	 Motion to Compel Filed By: Defendant Moore, Arthur <i>Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution (Hearing Requested)</i>
12/26/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
01/03/2020	 Motion Filed By: Defendant Moore, Arthur <i>Motion for Individually Sequestered Voir Dire</i>
01/03/2020	 Motion Filed By: Defendant Moore, Arthur <i>Motion for Defendant to Appear without Restraints</i>
01/03/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
01/03/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
01/08/2020	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
01/10/2020	 Response

CASE SUMMARY

CASE NO. C-16-316287-1

State's Response to Defendant's Motion to Appear Without Restraints

01/13/2020



Opposition

State's Opposition to Defendant's Motion for Individually Sequestered Voir Dire

01/13/2020



Motion for Discovery

Filed By: Defendant Moore, Arthur

Defendant's Motion for Discovery

01/13/2020



Clerk's Notice of Hearing

Notice of Hearing

01/29/2020



Ex Parte Motion

Filed By: Defendant Moore, Arthur

Ex Parte Motion and Order for Codefendant Jail Calls

02/19/2020



Order

Order Denying Defendant's Motion fo Individually Sequestered Voir Dire

02/26/2020



Ex Parte Motion

Filed By: Defendant Moore, Arthur

Ex Parte Motion for Court Order to Release Co-Defendant Jail Calls

03/02/2020



Supplemental Witness List

State's Second Supplemental Notice of Witnesses

03/03/2020



Guilty Plea Agreement

Guilty Plea Agreement

03/03/2020



Amended Indictment

Amended Indictment

04/17/2020



PSI

05/28/2020



Motion to Dismiss Counsel

Emergency Motion to Dismiss Counsel; Appoint Conflict Free Counsel

06/29/2020



Motion to Dismiss Counsel

Party: Defendant Moore, Arthur

Emergency Motion to Dismiss Counsel: Appoint Conflict Free Counsel/Withdraw Plea

09/23/2020



Order

Filed By: Plaintiff State of Nevada

Order For Transcript

09/29/2020



Recorders Transcript of Hearing

Calendar Call, March 3, 2020

01/14/2021



Motion to Withdraw Plea

Filed By: Defendant Moore, Arthur

Motion to Withdraw Guilty Plea and Proceed to Trial

CASE SUMMARY
CASE NO. C-16-316287-1

01/19/2021	 Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i>
02/11/2021	 Opposition <i>State's Opposition to Defendant's Motion to Withdraw Guilty Plea and Proceed to Trial</i>
02/12/2021	 Reply to Opposition Filed by: Defendant Moore, Arthur <i>Defendant's Reply to State's Opposition to Defendant's Motion to Withdraw Guilty Plea and Proceed to Trial</i>
03/24/2021	 Memorandum Filed By: Defendant Moore, Arthur <i>sentencing memo</i>
04/01/2021	 Judgment of Conviction <i>Judgment of Conviction (Plea of Guilty)</i>
04/06/2021	 Notice of Appeal (criminal) Party: Defendant Moore, Arthur <i>notice of appeal</i>
04/06/2021	 Case Appeal Statement Filed By: Defendant Moore, Arthur <i>case appeal statement</i>
04/06/2021	 Request Filed by: Defendant Moore, Arthur <i>request for rough draft transcript</i>

DISPOSITIONS


12/13/2018	<p>Disposition (Judicial Officer: Leavitt, Michelle)</p> <p>3. ASSAULT WITH USE OF A DEADLY WEAPON Dismissed PCN: Sequence:</p> <p>4. ASSAULT WITH USE OF A DEADLY WEAPON Dismissed PCN: Sequence:</p> <p>5. ASSAULT WITH USE OF A DEADLY WEAPON Dismissed PCN: Sequence:</p> <p>6. CONSPIRACY TO COMMIT ROBBERY Dismissed PCN: Sequence:</p> <p>7. ROBBERY WITH USE OF A DEADLY WEAPON Dismissed PCN: Sequence:</p> <p>8. ROBBERY WITH USE OF A DEADLY WEAPON Dismissed PCN: Sequence:</p>
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CASE SUMMARY

CASE NO. C-16-316287-1

03/03/2020 **Amended Disposition** (Judicial Officer: Leavitt, Michelle) Reason: Charge(s) Reinstated
 3. ROBBERY
 Charge Reinstated
 PCN: Sequence:


HEARINGS


07/07/2016  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Barker, David)
 Matter Heard;
 Journal Entry Details:
Grand Jury Foreperson, April Sanson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 15BGJ096A to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C316287-1, Department 11. The State requested a no bail warrant issue. COURT ORDERED, WARRANT ISSUED, NO BAIL. Exhibit(s) 1-41 lodged with Clerk of District Court. I.W. ;

07/12/2016  **Minute Order** (10:30 AM) (Judicial Officer: Gonzalez, Elizabeth)
 Minute Order Setting Indictment Warrant Return and Initial Arraignment
 Hearing Set;
 Journal Entry Details:
Matter placed on calendar for Initial Arraignment and Indictment Warrant Return on Wednesday, July 13, 2016. I.W. 7-13-16 9:00 AM INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN CLERK'S NOTE: A copy of the above minute order was distributed to Deputy District Attorneys Danielle Pieper and Binu Palal by electronic mail. As of this date Deft does not appear to have counsel. / dr;

07/13/2016 **Indictment Warrant Return** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
 Matter Heard; Warrant returned.

07/13/2016 **Initial Arraignment** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
 Trial Date Set;

07/13/2016  **All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
 Matter Heard;
 Journal Entry Details:
INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN Also present: Co-Deft Nadim Hiko, in custody, represented by Attorney Erick Ferran; Co-Deft Devonte Wash, in custody, represented by Attorney Kenneth Frizzell; Co-Deft Devon Phillips, in custody, represented by Attorney Craig Mueller; Deputy Special Public Defender Randall Pike, observing. Counsel advised the charges have been discussed with the Defts and they can proceed today with entry of plea. Court inquired whether the State is filing a notice of intent to seek the death penalty. CONFERENCE AT BENCH, per Ms. Pieper's request. COURT ORDERED, based upon Ms. Pieper's representations, matter SET for status check on State's notice of intent to seek the death penalty for August 8, 2016. Deft Moore WAIVED a formal reading of the Indictment. DEFT. MOORE ARRAIGNED and PLED NOT GUILTY. Mr. Gill requested they reserve invocation of the 60-day rule until August 8th. COURT ORDERED, Deft will INVOKE for now and if he decides to waive he can tell the Court on August 8th. COURT ORDERED, matter set for trial. INDICTMENT WARRANT RETURNED. CUSTODY 8-8-16 9:00 AM STATUS CHECK: STATE'S NOTICE OF INTENT TO SEEK THE DEATH PENALTY 8-10-10 9:00 AM CALENDAR CALL 8-29-16 1:00 PM JURY TRIAL;

08/08/2016  **Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
 Status Check: State's Notice of Intent to Seek the Death Penalty
 Matter Heard; Status Check: State's Notice of Intent to Seek the Death Penalty
 Journal Entry Details:
ALSO PRESENT: Co-Defendants Nadim Hiko by Erick Ferran, Esq., Devonte Wash by Kenneth G. Frizzell, Esq. and Davon Phillips by Craig A. Mueller, Esq. Ms. Pieper advised that the State would not be filing a Notice of Death in this case. Counsel has also discussed the trial date as well as some Writs of Habeas Corpus that may be filed; that today is the 21 days and counsel was working on getting the death assessment and gathering that information; and


CASE SUMMARY


CASE NO. C-16-316287-1


that with the Court's permission, counsel stipulated to extending the deadline for filing of writs thirty days during which time the parties will agree on a briefing schedule regarding the Writs that may or may not be filed. Upon the Court's inquiry, all defendants WAIVED their right to a speedy trial. COURT ORDERED, Trial Dates VACATED and matter SET for Status Check regarding setting a briefing schedule and to reset the Trial. Following a BENCH CONFERENCE, Court DIRECTED Mr. Mueller, if necessary, to file his motion. CUSTODY 9/7/16 9:00 AM STATUS CHECK: SET WRITS BRIEFING SCHEDULE/RESET TRIAL DATE;

08/10/2016 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated - per Judge

08/29/2016 **CANCELED Jury Trial** (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth)
Vacated - per Judge

09/07/2016  **Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Status Check: Set Writs Briefing Schedule/Reset Trial Date
Trial Date Set; Briefing set on Writ.
Journal Entry Details:
Also present: Co-Deft Nadim Hiko, in custody, represented by Atty. Erick Ferran; Co-Deft Devonte Wash, in custody, represented by Atty. Kenneth Frizzell, Esq.; and Co-Deft Davon Phillips, in custody, represented by Atty. John Parris. Colloquy regarding briefing schedule and trial setting. COURT ORDERED, briefing on writ petition SET as follows: Defts' opening brief due November 2, 2016; State's responsive brief due January 9, 2017; Defts' reply DUE January 30, 2017. Hearing SET for February 6, 2017. Mr. Frizzell noted he has a jury trial before Judge Kephart on October 3rd, as well as a 12-week, multiple-Defendant trial before Judge Earley set to begin on February 19. Mr. Palal advised he is the prosecutor on the latter case and the chances are remote that it will go. Per parties' agreement, COURT ORDERED, matter SET for trial on March 27, 2017. Trial estimated to last 2 weeks. COURT FURTHER ORDERED, Law Clerk to contact Drew Christensen, Esq., of the Office of Appointed Counsel, for Deft Moore, with regards to the motion to withdraw set for Monday, September 12, 2016. CUSTODY 9-12-16 9:00 AM ADAM L. GILL, ESQ.'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD - MOORE 2-6-17 9:00 AM HEARING: PETITION FOR WRIT OF HABEAS CORPUS 2-22-17 9:00 AM STATUS CHECK: TRIAL READINESS 3-22-17 9:00 AM CALENDAR CALL 3-27-17 1:00 PM JURY TRIAL ;



09/12/2016  **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Adam L. Gill's Motion to Withdraw as Attorney of Record
Granted;
Journal Entry Details:
Court noted Mr. Gill moved to withdraw. Mr. Fumo confirmed as Counsel. Ms. Pieper to inform Mr. Fumo of briefing schedule. CUSTODY ;

02/06/2017  **Hearing** (9:00 AM) (Judicial Officer: Cory, Kenneth)
HEARING: PETITION FOR WRIT OF HABEAS CORPUS
Continued; HEARING: PETITION FOR WRIT OF HABEAS CORPUS
Journal Entry Details:
Danielle Pieper, Chief Deputy DA, present on behalf of the State; Dustin Marcello, Esq., present on behalf of Deft. Moore; Erick Ferran, Esq., present on behalf of Deft. Hiko; Kenneth Frizzell, Esq., present on behalf of Deft Wash and John Parris, Esq., present on behalf of Deft. Phillips. Mr. Frizzell stated his client, Defendant Wash was not transported. Ms. Pieper stated Deft. Wash was recently denied parole so she was not sure if he was transferred to another area. It was her understanding a transport order was prepared. At the request of the parties, COURT ORDERED, Petition CONTINUED and any future dates VACATED; at that time the trial will be reset. CONFERENCE AT THE BENCH. CUSTODY (MOORE) CUSTODY (COC) (HIKO) NIC (COC-NDC) (WASH) NIC (COC-NDC) (PHILLIPS) CONTINUED TO 4/24/17 9:00 AM ;

02/22/2017 **CANCELED Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Cory, Kenneth)
Vacated

03/22/2017 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Cory, Kenneth)

CASE SUMMARY
CASE NO. C-16-316287-1

	<i>Vacated</i>
03/27/2017	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Cory, Kenneth) <i>Vacated</i>
04/24/2017	Status Check (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) 04/24/2017, 05/15/2017, 07/18/2017, 08/08/2017 <i>STATUS CHECK: RESET TRIAL DATE</i> Continued; Continued; Continued; Trial Date Set; Continued; Continued; Continued; Trial Date Set; Continued; Continued; Continued; Trial Date Set; Continued; Continued; Continued; Trial Date Set; Continued; Continued; Continued; Trial Date Set;
04/24/2017	Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) 04/24/2017, 05/15/2017, 07/18/2017, 08/08/2017 Continued; Continued; Continued; Matter Continued; duplicate entry Continued; Continued; Continued; Matter Continued; duplicate entry Continued; Continued; Continued; Matter Continued; duplicate entry Continued; Continued; Continued; Matter Continued; duplicate entry Continued; Continued; Continued; Matter Continued; duplicate entry
04/24/2017	 All Pending Motions (9:00 AM) (Judicial Officer: Cory, Kenneth) <i>STATUS CHECK: RESET TRIAL DATE...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS</i> Matter Heard; Journal Entry Details: <i>STATUS CHECK: RESET TRIAL DATE...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS Defendant Moore PRESENT in custody. Following CONFERENCE AT THE BENCH, COURT ORDERED, Matters CONTINUED for all parties. CUSTODY CONTINUED TO: 5/15/17 9:00 AM;</i>
04/28/2017	 Further Proceedings: Competency (9:00 AM) (Judicial Officer: Togliatti, Jennifer) Found Competent;

CASE SUMMARY

CASE NO. C-16-316287-1

Journal Entry Details:

Also present: Christina Greene of the Specialty Courts. There being no challenge by Defense Counsel, COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him / her and is able to assist counsel in his / her defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings. CUSTODY 5/8/17 9:00 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT DEPT. 1 ;

05/08/2017



Further Proceedings: Return from Competency Court (9:00 AM) (Judicial

Officer: Cory, Kenneth)

05/08/2017, 05/15/2017

Continued;

Matter Heard;

Continued;

Matter Heard;

Journal Entry Details:

Defendant Moore PRESENT, IN CUSTODY Ms. Pieper advised defense counsel would not be present, as he had it calendared for May 10, 2017. Ms. Pieper stated she believes the defendant has been found competent. COURT ORDERED, Matter CONTINUED. CUSTODY CONTINUED TO: 5/15/17 9:00 AM ;

05/15/2017



All Pending Motions (9:00 AM) (Judicial Officer: Cory, Kenneth)

FURTHER PROCEEDINGS: RETURN FROM COMPTENCY COURT...STATUS CHECK: RESET TRIAL DATE...DEFENDNT'S PETITION FOR WRIT OF HABEAS CORPUS

Continued;

Journal Entry Details:

STATUS CHECK: RESET TRIAL DATE... FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS. Defendant Moore PRESENT in Custody. Ms. Pieper requested a continuance to respond to Defendant's Writ and set trial date at the next hearing. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 07/17/17 9:00 A.M.;

07/18/2017



All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Matter Heard;

Journal Entry Details:

Co-Def. Hiko present, in custody, represented by Erick Ferran, Esq. Co-Def. Wash present, in custody, represented by Erick Ferran, Esq. standing in for Kenneth Frizzell, Esq. Co-Def. Phillips present, in custody, represented by Dustin Marcello, Esq. standing in for John Parris, Esq. PETITION FOR WRIT OF HABEAS CORPUS (ALL)...STATUS CHECK: RESET TRIAL DATE (ALL) Ms. Pandukht advised matter is assigned to Ms. Pieper. Pursuant to EDCR 1.30 and 1.31 this court ORDERS the case and all co-defendants(C316287-1, C316287-2,C316287-3, & C316287-4) reassigned to Department 20. Upon Court's inquiry, counsel stated Petition is not fully briefed. COURT FURTHER ORDERED, Status Check SET, petition CONTINUED. Mr. Marcello stated he believes separate writs may be filed. Court stated parties may discuss further with Department 20, as well as, briefing schedule. CUSTODY (MOORE)..CUSTODY (COC)HIKO..NIC(COC-NDC)(WASH & PHILLIPS) 8/08/17 8:30 AM PETITION FOR WRIT OF HABEAS CORPUS....STATUS CHECK: RESET TRIAL DATE (DEPT. 20) ;

08/08/2017



All Pending Motions (8:30 AM) (Judicial Officer: Bonaventure, Joseph T.)

Matter Heard;

Journal Entry Details:

PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: RESET TRIAL DATE Mr. Pitaro appeared for Mr. Fumo and Mr. Frizzell appeared for Mr. Parris. Upon Court's inquiry, Mr. Pitaro advised this matter needs to be set for trial, preferable next year and a briefing schedule as to the writ. All counsel concurred. COURT ORDERED, the following briefing schedule: Defendant's opening briefs due by 10/10; Response by the State due by 11/13; Defendant's replies due by 11/27 and matter SET for argument. Further, COURT ORDERED, matter SET for trial early next year. Defendant complained that he has not seen Mr. Fumo. Following colloquy, Court directed that Mr. Fumo visit Defendant. CUSTODY 10/12/17 8:30 AM STATUS CHECK: TRIAL 12/7/17 9:00 AM ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS 2/6/18 8:30 AM CALENDAR CALL 2/12/18 9:00 AM JURY TRIAL;

CASE SUMMARY

CASE NO. C-16-316287-1

10/12/2017



Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

10/12/2017, 12/07/2017

Status Check: Homicide Trial

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Journal Entry Details:

Mr. Fumo present for Deft Moore; Mr. Ferran present for Deft Hiko; Ms. Gerling appeared for Mr. Frizzell for Deft Wash and Mr. Fumo appeared for Mr. Parris for Deft Phillips.

Conference at the Bench. Pursuant to that conference, COURT ORDERED, matter CONTINUED THREE (3) WEEKS as to Deft Moore, Deft Wash and Deft Phillips and ONE (1) WEEK as to Deft Hiko. Further, Deft Moore's Petition that is set on 10/24 is CONTINUED to coincide with co-defendants date. CUSTODY 10/20/17 8:30 AM STATUS CHECK: TRIAL (HIKO) 10/30/17 8:30 AM STATUS CHECK: TRIAL (MOORE, WASH, PHILLIPS) 12/7/17 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS (MOORE);

10/30/2017



Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

Status Check: Trial

Matter Heard;

Journal Entry Details:

Mr. Palal appeared but was advised his presence was not needed. COURT ORDERED, Defendant to meet with his family and Mr. Fumo outside the presence of the State and the Court. CUSTODY;

12/07/2017

CANCELED Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

Vacated

Status Check: Trial

12/07/2017



All Pending Motions (8:30 AM) (Judicial Officer: Johnson, Eric)

Matter Heard;

Journal Entry Details:

STATUS CHECK: HOMICIDE TRIAL...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS Mr. Parris appearing for Deft Phillips, for Mr. Marcello for Deft Moore and for Mr. Frizzell for Deft Wash. Mr. Ferran appeared for Deft Hiko. Conference at the Bench. Pursuant to that conference, COURT ORDERED, matter CONTINUED to January. Writs to also be continued to next date, to obtain a new date for argument. CUSTODY ... CONTINUED 1/9/18 8:30 AM;

12/07/2017

Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Johnson, Eric)

Defendant's Petition for Writ of Habeas Corpus (Pre-Trial)

Matter Continued;

01/09/2018

Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

Status Check: Homicide Trial

Matter Heard;

01/09/2018

Petition for Writ of Habeas Corpus (8:30 AM) (Judicial Officer: Johnson, Eric)

Defendant's Petition for Writ of Habeas Corpus (Pre-trial)

Matter Continued;

01/09/2018



All Pending Motions (8:30 AM) (Judicial Officer: Johnson, Eric)

Matter Heard;

Journal Entry Details:

STATUS CHECK: HOMICIDE TRIAL...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (PRE-TRIAL) Court noted Mr. Frizzell was not present. Mr. Fumo advised offers have been extended and rejected and that the State needs to file a response to the Petitions. Following colloquy, Court directed the State file the response by 1/16 and ORDERED, Petition CONTINUED. Mr. Parris advised that he and Mr. Frizzell may have an issue with the trial date. Following colloquy and as Mr. Frizzell is not present, Court advised this issue will

CASE SUMMARY

CASE NO. C-16-316287-1

be discussed next date. CUSTODY 1/18/18 9:00 AM DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (PRE-TRIAL) CLERK'S NOTE: Mr. Frizzell appeared after matter called.;

01/18/2018



Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Johnson, Eric)

Defendant's Petition for Writ of Habeas Corpus

Matter Continued;

Journal Entry Details:

Mr. Marcello appeared for Mr. Fumo for Deft Moore and Mr. Ferran appeared for Deft Hiko. Not present were Mr. Frizzell and Mr. Parris. Mr. Marcello advised that he and Mr. Ferran filed writs, that the State was making offers and because of this, the State did not respond to the writs. Mr. Marcello requested the writs be continued for the State to respond and then set for hearing. Court noted that Ms. Pieper contacted chambers advising that she would need a continuance to respond. Mr. Ferran advised he spoke to Mr. Frizzell, however, he is in Henderson. Mr. Marcello advised the parties had a meeting, Deft Moore does not want a continuance but it is apparent that the three other Defendants are not ready for trial and will need a continuance, as well as the Court having another trial. Court noted it can find someone to do the trial. Mr. Palal stated the issue is a defacto severance due to the felony murder theory. Mr. Marcello requested the matter be set for status check next week. COURT ORDERED, matter SET for status check with ALL counsel being present next date. FURTHER, the State to respond to the Petitions by 2/8. Mr. Ferran advised there have been extensive negotiations and he was going to request a trial date set out a few months. Court advised the trial date will be discussed next date. CUSTODY 1/23/18 8:30 AM STATUS CHECK: WRIT / TRIAL DATE;

01/23/2018



Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

Status Check: Writs / Trial Date

Matter Heard;

Journal Entry Details:

Mr. Marcello appeared for Mr. Fumo for Deft Moore, Mr. Ferran appeared for Deft Hiko, Mr. Frizzell appeared for Deft Wash and appeared for Mr. Parris for Deft Phillips. Following colloquy as to the writs, Court ORDERED the following briefing schedule: State is to respond by 2/8; Defense to reply by 2/15 and matter SET for argument. Colloquy as to trial date. Mr. Frizzell advised Mr. Parris will be in trial in Dept. 8 for at least two weeks. Following colloquy, COURT ORDERED, matter SET for trial in July. As to discovery, Ms. Pieper advised all discovery has been turned over. COURT ORDERED, matter SET for status check. CUSTODY 2/22/18 8:30 AM STATUS CHECK: HOMICIDE TRIAL 3/29/18 9:00 AM HEARING: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS 7/3/18 8:30 AM CALENDAR CALL 7/9/18 9:00 AM JURY TRIAL;

02/06/2018

CANCELED Calendar Call (8:30 AM) (Judicial Officer: Johnson, Eric)

Vacated

02/12/2018

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Johnson, Eric)

Vacated

02/22/2018



Status Check (8:30 AM) (Judicial Officer: Johnson, Eric)

Status Check: Homicide Trial

Off Calendar;

Journal Entry Details:

Dustin Marcello, Esq. appeared for Mr. Fumo, present for Deft. Moore and present on behalf of John Parris, Esq., for Co-Deft Phillips. Erick Ferran, Esq. present on behalf of Ken Frizzell, Esq., for Co-Deft. Wash and Co-Deft. Hiko. Co-Deft's Hiko, Wash and Phillips also present. Following discussion as to case status and upcoming Writs and there being no issues as to discovery, COURT ORDERED, matter OFF CALENDAR. CUSTODY;

04/10/2018



Hearing (8:30 AM) (Judicial Officer: Johnson, Eric)

Defendant's Pretrial Petition for Writ of Habeas Corpus

Denied;

Journal Entry Details:

Arguments by Mr. Fumo and Mr. Palal in support of their respective positions. Following, COURT ORDERED, Petition DENIED. CUSTODY;

CASE SUMMARY
CASE NO. C-16-316287-1

06/04/2018



Minute Order (8:00 AM) (Judicial Officer: Johnson, Eric)

Minute Order - No Hearing Held;

Journal Entry Details:

Having considered Defendant's Motion for Discovery of Prosecution Files, Records, and Information Necessary to a Fair Trial, this Court notes there is no indication the parties have met and conferred concerning the discovery requests, and many of the requests are vague. This Court requires parties in making discovery motions to include an affidavit of counsel verifying the parties met and conferred regarding discovery and identifying the specific issues which remain unresolved. Defendant's counsel did not provide such an affidavit. Consequently, the Court issues its standard ORDER and requires the State to produce all discovery materials to defendant before trial as required by Nevada Revised Statutes, in particular NRS 174.233 to 174.295, inclusive, all exculpatory and witness impeachment evidence or information as required by Brady v. Maryland, 373 U.S. 83 (1963) and Giglio v. United States, 405 U.S. 150 (1972) and their progeny, and any other evidence or information required to be disclosed pursuant to applicable State of Nevada or federal appellate court opinions. The State has a continuing duty to disclose promptly any additional discovery materials which come to the attention of the State. If Defendant or the State believes they are entitled to discovery which a party has not provided, counsel for the parties shall meet and in good faith confer regarding their discovery disputes. If disputes still remain, a party may then file a discovery motion with the Court including an affidavit of counsel stating when and where the parties met and conferred and specific nature of the discovery remaining in dispute. The Court will then consider the party's motion and points and authorities related to the specific discovery issue. Therefore, COURT ORDERED, Motion set for 6/5/18 is VACATED and taken OFF CALENDAR. ;

06/05/2018

CANCELED Motion for Discovery (8:30 AM) (Judicial Officer: Johnson, Eric)

Vacated

Defendant's Motion for Discovery of Prosecution Files, Records, and Information Necessary to a Fair Trial

06/05/2018



Motion to Sever (8:30 AM) (Judicial Officer: Johnson, Eric)

Defendant's Motion to Sever

Motion Granted;

Journal Entry Details:

Court noted it did not receive an opposition from the State. Statements by Mr. Palal including that he has no objection to the Motion, would request this Defendant be severed from the others and would like to go to trial on this Defendant on 7/9 and reset the other 3 Defendants after that date. Court so noted. Upon Court's inquiry, Mr. Palal advised he is meeting with the Detective as to discovery. Following colloquy, COURT ORDERED, Motion GRANTED. CUSTODY;

06/06/2018



Status Check (9:00 AM) (Judicial Officer: Johnson, Eric)

Status Check: Homicide Trial

Matter Heard;

Journal Entry Details:

Mr. Fumo not present. Also present, Mr. Ferran for Deft Hiko (present), Mr. Frizzell for Deft. Wash (present) and Mr. Parris for Deft Phillips (not present). Upon Court's inquiry, Mr. Palal advised he has spoken to Mr. Ferran and Mr. Parris to advise the Motion to Sever Deft Moore was granted, requested the trial date be vacated for co-defendants and set for status check after Deft. Moore's trial, which counsel agree to. Mr. Ferran and Mr. Parris concurred. Mr. Frizzell advised he spoke with Deft Wash, who is not happy, but agrees. Deft Moore stated he is unhappy as Mr. Fumo has not visited him, he does not know anything that is going on and does not feel ready for trial. Conference at the Bench. Pursuant to that conference, Court noted it is not inclined to vacate the trial dates for the co-defendants at this time and noted it intends to move forward with Deft Moore's trial absent him filing any Motions. Upon Court's inquiry, counsel advised there are no issues as to discovery. Mr. Palal advised he will be meeting with the Detective and if he receives anything new, will give it counsel. Court directed Mr. Fumo reach out and speak with Defendant prior to the calendar call. As Deft Wash's Pro Per Motion to Withdraw Counsel was not addressed, COURT ORDERED, matter CONTINUED to Calendar call date. FURTHER, COURT ORDERED, CALENDAR CALL DATE MOVED UP AS TO ALL DEFENDANTS. CUSTODY 6/26/18 8:30 AM CALENDAR CALL;

CASE SUMMARY

CASE NO. C-16-316287-1

06/26/2018



Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)

06/26/2018, 07/03/2018

Calendar Call

Matter Continued;

Set Status Check;

Journal Entry Details:

Mr. Marcello appeared for Mr. Fumo on behalf of Deft; and informed Court Mr. Fumo is in Federal Court this morning, and defense would request Court to trail the matter for Mr. Fumo to appear, if he cannot handle the matter without Mr. Fumo. Mr. Marcello added defense found out there is a file from 2009, there are discovery issues to explore and if there is not enough information in the file that defense needs, defense will need more time for trial.

Additionally, Deft. filed a motion to dismiss counsel on his own, due to there being a breakdown in communication between Deft. and Mr. Fumo, and defense would not object. Mr. Marcello noted the new information does not seem much, and defense does not know whether there is more information out there. Ms. Pieper advised Mr. Palal is handling the discovery aspect, and she understands the motion by Deft. was filed. COURT ORDERED, Deft's motion to continue trial GRANTED; trial date VACATED; status check hearing SET. Court stated it was informed parties wanted this trial to go first as to this Deft. COURT FURTHER ORDERED, the motion scheduled for July 5, 2018 also CONTINUED. CUSTODY 7/19/18 8:30 A.M. STATUS CHECK: RESET TRIAL DATE...DEFT'S PRO PER MOTION TO DISMISS COUNSEL OSVALDO E. FUMO;

Matter Continued;

Set Status Check;

Journal Entry Details:

Upon Court's inquiry, Mr. Fumo advised he and the State met and conferred and that there was additional information that he did not have from 2009. Mr. Fumo stated he received the information today, however, is not sure he will be ready for trial on July 9th based on this additional information. Mr. Fumo stated that he understands Deft Moore needs to go to trial first and that the other 3 Defendants are trailing. Following colloquy, COURT ORDERED, matter CONTINUED ONE (1) WEEK for Mr. Fumo to see if the July 9th trial date will be viable. COURT ORDERED, trial dates VACATED as to the co-defendants and matter SET for status check as to trial setting. CUSTODY ... CONTINUED 7/3/18 8:30 AM;

07/10/2018

CANCELED Jury Trial (10:30 AM) (Judicial Officer: Johnson, Eric)

Vacated - per Judge

07/19/2018

Motion to Dismiss (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant's Pro Per Motion to Dismiss Counsel Osvaldo E. Fumo

Off Calendar;

07/19/2018

Status Check: Reset Trial Date (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Trial Date Set;

07/19/2018



All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

Journal Entry Details:

DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL OSVALDO E. FUMO...STATUS CHECK: RESET TRIAL DATE Kenneth Frizzell, Esq., present on behalf of Erick Ferran, Esq., for Co-Deft. Hiko and present for Co-Deft Wash. John Parris, Esq., present for Co-Deft. Phillips. Co-Deft's Hiko and Wash also present. Mr. Palal advised Deft. has been severed out and requested he be tried first. Mr. Frizzell confirmed that was the contemplation. Upon Court's inquiry, Mr. Parris advised there are no discovery related issues, file reviews have occurred and the biggest issue will be coordinating trial schedules. MATTER TRAILED. MATTER RECALLED. Mr. Marcello and Mr. Parris present. Mr. Marcello advised Deft. would like to withdraw the Motion to Dismiss. COURT ORDERED, Defendant's Pro Per Motion to Dismiss Counsel Osvaldo E. Fumo OFF CALENDAR. Upon Court's inquiry, Mr. Marcello advised he is ready to proceed to trial. COURT ORDERED, trial dates SET. CUSTODY 1/29/19 8:30 AM CALENDAR CALL 2/5/19 10:30 AM JURY TRIAL;

12/11/2018



Motion for Own Recognizance Release/Setting Reasonable Bail (8:30 AM) (Judicial Officer: Leavitt, Michelle)

CASE SUMMARY
CASE NO. C-16-316287-1

12/11/2018, 12/13/2018

Continued; Defendant's Motion For Dismissal, Or In The Alternative, For Release And / Or Bail, And For Discovery

Denied in Part;

Continued; Defendant's Motion For Dismissal, Or In The Alternative, For Release And / Or Bail, And For Discovery

Denied in Part;

Journal Entry Details:

Mr. Palal submitted on State's opposition to Deft's Motion addressing the release and / or bail request. Mr. Marcello stated he read the opposition and can argue on the current Motion to dismiss portion today; and defense would request to be heard on the statute of limitation issue and Deft's motion to dismiss today. Discussions as to State needing to research further on the other issues outlined in Deft's Motion. Mr. Palal requested the hearing on December 13, 2018 to stand, on the statute of limitation portion of Deft's other motion for dismissal, and for the release and / or bail request portion from today's Motion, for State to supplement. COURT ORDERED, the hearing on December 13, 2018 will STAND. Mr. Marcello addressed the Motion to dismiss; and argued as investigation from 2009, there being no standardized or sufficient procedure in place as to when law enforcement turns investigation or Brady information over to the State, there being no assurance for defense to know if Brady material was turned over, and there being no recourse for defense. Mr. Palal argued interviews were done in 2016, everything from 2009 is basis of the investigation, the State went through Officer Cook's binder, the State did not review the 2009 investigation further until the scheduled meeting, the State wanted to make sure the whole file was turned over for State to review, Mr. Fumo had asked whether there was more information, the State had turned over information from two years prior to defense, the State also turned over additional information to defense just in case defense did not have it, the alleged sand bagging by State claim being made by defense counsel is nonsense, there is no extraordinary discovery issue, and Mr. Marcello was not the person the State was dealing with on this case either. Mr. Palal added two statements were turned over. Mr. Marcello confirmed that was correct; and stated he may have exaggerated the issue earlier during his arguments, however, there are files and discovery the State has, and the issue is systematic where someone has multiple files, there is no way for defense to ensure it can go in one file, there is no clear chain on how it makes it over to the State, as the file from 2009 is different from the file from 2016, and there is no procedure in place to ensure the Brady discovery is being turned over timely. COURT ORDERED, Motion to dismiss DENIED. Mr. Palal stated he will let the Court know by tomorrow whether there will be a written opposition filed by State on Deft's remaining portion of the motion to dismiss. Discussions as to 2009 proceedings and Deft's custody status on another case. Deft. made statements to Court. Court stated it will not grant the motion for release or reasonable bail today; and it will address bail on Thursday, December 13, 2018, as there is not enough information before the Court, and the State may need to supplement. CUSTODY 12/13/18 8:30 A.M. DEFT'S MOTION TO DISMISS CHARGES DUE TO VIOLATION OF THE STATUTE OF LIMITATIONS...DEFT'S MOTION FOR RELEASE AND / OR BAIL AND FOR DISCOVERY 1/29/19 8:30 A.M. CALENDAR CALL 2/05/19 10:30 A.M. TRIAL BY JURY ;

12/13/2018

Motion to Dismiss (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant's Motion to Dismiss Charges Due to Violation of the Statute of Limitations
Granted;

12/13/2018



All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

Journal Entry Details:

DEFT'S MOTION TO DISMISS CHARGES DUE TO VIOLATION OF STATUTE OF LIMITATIONS Discussions as to Deft's Motion to dismiss and request for own recognizance release or bail setting. Court stated it had allowed both sides to supplement on the Motion for bail, and counsel can address bail today. There being no objection by State, COURT ORDERED, Motion to dismiss GRANTED. Mr. Fumo to submit an order. State to file a Second Amended Indictment. Mr. Fumo argued in support of reasonable bail being set in this matter; and further argued as to there being no proof of evidence, or proof that the presumption is great. Further arguments as to statistical percentages regarding African American males, and there being institutional bias. Mr. Fumo added there is family support present in the gallery. Upon Court's inquiry, Deft. stated he works at the Fashion Show Mall in sales. Mr. Fumo argued in support of Deft. having employment upon release, Deft. being innocent, and Deft's request for bail to be set in the amount of \$10,000.00. Mr. Fumo added if the bail is set higher than that, this would be prejudicial; the Court can also impose intensive supervision as a condition of bail, and Deft. is not a flight risk. Ms. Pieper opposed; and argued regarding the

CASE SUMMARY

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alleged offenses, and Deft. and Co-Deft. having committed a series of robberies. Additional arguments were made by State in support of a higher bail; and Ms. Pieper requested bail be set at \$500,000.00, or no bail at all. COURT ORDERED, it will review the Grand Jury transcript further, and issue a decision by minute order. CUSTODY 1/29/19 8:30 A.M. CALENDAR CALL 2/05/19 10:30 A.M. TRIAL BY JURY;

12/13/2018



Minute Order (4:00 PM) (Judicial Officer: Leavitt, Michelle)

Minute Order - No Hearing Held;

Journal Entry Details:

Minute Order Re: Defendant's Motion for Bail The Court having reviewed the pleadings submitted as well as the grand jury transcripts herein, DENIES Mr. Moore's request for bail. Based on the evidence reviewed, the proof is evident and the presumption is great. NRS 178.484(4). Accordingly, the Defendant is not entitled to bail. CLERK'S NOTE: A copy of the above minute order has been forwarded to Attorney Osvaldo Fumo, Esq., and Chief Deputy District Attorney Danielle Pieper, Esq. /// sb ;

01/29/2019



Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Calendar Call

MINUTES

Vacated and Reset;

Journal Entry Details:

Mr. Marcello appeared for Mr. Fumo; and informed the Court the current trial falls on the legislative session, Mr. Fumo was elected and will be gone for the legislature, and pursuant to NRS 1.310, the trial in the case would be moved until the legislature ends in June, 2019; and defense would request trial be reset to July, 2019 for Mr. Fumo to be available. State made no opposition. COURT ORDERED, trial date VACATED AND RESET. No status check hearing will be set as Mr. Fumo will be gone for the legislature. CUSTODY 7/02/19 8:30 A.M. CALENDAR CALL 7/09/19 10:30 A.M. TRIAL BY JURY;

SCHEDULED HEARINGS



Calendar Call (07/02/2019 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)

CANCELED Jury Trial (07/09/2019 at 10:30 AM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

02/05/2019

CANCELED Jury Trial (10:30 AM) (Judicial Officer: Leavitt, Michelle)

Vacated - per Judge

06/04/2019

Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant's Motion to Require Prosecutor to State Reasons for Exercising Peremptory Challenges Upon Any Member of a Protected Class

Denied;

06/04/2019

Motion in Limine (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant's Motion in Limine to Preclude the Use of Prejudicial Photographs During Trial

Denied Without Prejudice;

06/04/2019



All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

Journal Entry Details:

DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE USE OF PREJUDICIAL PHOTOGRAPHS DURING TRIAL ... DEFENDANT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES UPON ANY MEMBER OF A PROTECTED CLASS Mr. Marcello submitted. COURT ORDERED, Motion in Limine to Preclude DENIED WITHOUT PREJUDICE; objection can be made at the time of trial as deemed appropriate; as to Motion to Require Prosecutor, COURT ORDERED, Motion DENIED; State to prepare the Order. Mr. Marcello noted they are trying to resolve the issue as to the photos and may have stipulated photos at the time of trial. COURT SO NOTED. CUSTODY;




07/02/2019



Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle)

CASE SUMMARY

CASE NO. C-16-316287-1

	<p>Matter Heard; Journal Entry Details: <i>Mr. Fumo advised this is Defendant's Motion to Continue. State submitted and requested a status check regarding trial setting. COURT ORDERED, Motion to Continue GRANTED; matter SET for Status Check; trial date VACATED. CUSTODY 07/18/19 8:30 AM STATUS CHECK: TRIAL SETTING;</i></p>
07/09/2019	<p>CANCELED Jury Trial (10:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i></p>
07/18/2019	<p>Status Check: Trial Setting (8:30 AM) (Judicial Officer: Leavitt, Michelle) Trial Date Set;</p>
07/18/2019	<p>Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) 07/18/2019, 08/07/2019 <i>Defendant's Motion to Federalize All Objections</i> Matter Continued; Denied; Matter Continued; Denied;</p>
07/18/2019	<p>Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle) 07/18/2019, 08/07/2019 <i>Defendant's Motion to Preclude the Court from Rehabilitating Potential Jurors</i> Matter Continued; Denied; Matter Continued; Denied;</p>
07/18/2019	<p> All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>DEFENDANT'S MOTION TO FEDERALIZE ALL OBJECTIONS ... DEFENDANT'S MOTION TO PRECLUDE THE COURT FROM REHABILITATING POTENTIAL JURORS ... STATUS CHECK: TRIAL SETTING Mr. Fumo advised he has not yet received the Oppositions and requested the Motions be continued. COURT SO ORDERED. Colloquy regarding potential trial dates. COURT ORDERED, matter SET for trial; matter SET for Status Check regarding trial readiness. CUSTODY CONTINUED TO: 08/07/19 8:30 AM 10/16/19 8:30 AM STATUS CHECK: TRIAL READINESS 03/03/20 8:30 AM CALENDAR CALL 03/10/20 10:30 AM JURY TRIAL;</i></p>
08/07/2019	<p> All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>DEFENDANT'S MOTION TO FEDERALIZE ALL OBJECTIONS ... DEFENDANT'S MOTION TO PRECLUDE THE COURT FROM REHABILITATING POTENTIAL JURORS Mr. Fumo argued as to the Motions on calendar. State submitted. COURT ORDERED, Motions DENIED; there is no problem with objections being made at the time of trial. CUSTODY;</i></p>
10/16/2019	<p> Status Check: Trial Readiness (8:30 AM) (Judicial Officer: Leavitt, Michelle) 10/16/2019, 01/15/2020 Matter Heard; Off Calendar; Journal Entry Details: <i>Mr. Marcello advised this matter can be taken off calendar as the parties are on track for trial. COURT SO ORDERED. CUSTODY;</i> Matter Heard; Off Calendar; Journal Entry Details: <i>Upon Court's inquiry, Mr. Marcello indicated he spoke with Mr. Fumo and everything was on track for trial. COURT ORDERED, matter CONTINUED for 90 days. CUSTODY 1/15/20</i></p>

CASE SUMMARY

CASE NO. C-16-316287-1

8:30 AM CONTINUED: STATUS CHECK: TRIAL READINESS;

01/09/2020



Motion to Compel (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant's Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution
No Ruling; Defendant's Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution

Journal Entry Details:

Court inquired as to Mr. Hiko provided information from the State. State confirmed Mr. Hiko did not provide any information or any agreement to testify. COURT SO NOTED. CUSTODY;

01/14/2020

Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant's Motion for Individually Sequestered Voir Dire
Denied;

01/14/2020

Motion (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant's Motion for the Defendant to Appear at all Times Without Restraints
Granted;

01/14/2020



All Pending Motions (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Matter Heard;

Journal Entry Details:

*DEFENDANT'S MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE ...
DEFENDANT'S MOTION FOR THE DEFENDANT TO APPEAR AT ALL TIMES WITHOUT RESTRAINTS Parties submitted on the papers. As to the Motion to Sequester Voir Dire, COURT ORDERED, Motion DENIED unless there is a need for it that arises at the time of jury selection. As to the Motion to Appear Without Restraints, COURT FURTHER ORDERED, Motion GRANTED; State to prepare the Order. CUSTODY;*

01/28/2020



Motion for Discovery (8:30 AM) (Judicial Officer: Leavitt, Michelle)

Defendant's Motion for Discovery

Matter Heard;

Journal Entry Details:

Ms. Strand advised the autopsy that was requested has been resolved. As to the crime stoppers data, Co-Defendant's jail calls and mail, a request has been sent to the DA's office and have not yet received those yet. Mr. Palal advised there is an ROC stating the Defense previously received the autopsy. As to the Co-Defendant's jail calls, Mr. Palal argued the Defendant can subpoena those items and the State is not in possession of those items as the State cannot use those items. Ms. Strand argued in her experience of subpoenaing jail calls, the jail usually directs the Defense to contact the State. Court directed the Defense to prepare a Court Order. Ms. Strand argued the State took the Co-Defendant's mail through a search warrant. Mr. Palal stated they will not be using the mail in their case and upon review, there was nothing in the mail that would exculpate this Defendant. The Defense argued the Defendant's involvement came from an anonymous call that happened after the letters were going back and forth. Court stated the State only needs to turn them over if they are using it in their case or if it is Brady material and the State has confirmed that it is not. State so confirmed. Court inquired as to the tips to crime stoppers. Mr. Palal advised he will look into that. Ms. Strand requested a settlement conference in this matter. COURT SO NOTED. CUSTODY;

02/07/2020



Settlement Conference (10:00 AM) (Judicial Officer: Bluth, Jacqueline M.)

02/07/2020, 02/21/2020

Matter Heard;

Not Settled;

Journal Entry Details:

Matter not settled. Calendar Call date STANDS. 3/3/20 8:30 AM CALENDAR CALL;

Matter Heard;

Not Settled;




Journal Entry Details:

Pursuant to the Judicial Executive Assistant (J.E.A.), the case did not settled and is CONTINUED to February 21st for ongoing negotiations. 2-21-20 9:30 AM SETTLEMENT





EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-16-316287-1

	<i>CONFERENCE;</i>
03/03/2020	 Calendar Call (8:30 AM) (Judicial Officer: Leavitt, Michelle) Plea Entered; Journal Entry Details: <i>Second Amended Superseding Indictment FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. MOORE ARRAIGNED AND PLED GUILTY TO COUNT 1 MURDER (SECOND DEGREE) (F), COUNT 2 CONSPIRACY TO COMMIT ROBBERY (F) and COUNT 3 ROBBERY (F). Court ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing; trial dates VACATED. CUSTODY 05/20/20 8:30 AM;</i>
03/09/2020	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - per Judge</i>
06/18/2020	 Motion to Dismiss (12:00 PM) (Judicial Officer: Leavitt, Michelle) 06/18/2020, 06/30/2020, 07/17/2020 Events: 05/28/2020 Motion to Dismiss Counsel <i>Defendant's Emergency Motion to Dismiss Counsel; Appoint Conflict Free Counsel</i> Matter Continued; Continued; Granted; Matter Continued; Continued; Granted; Journal Entry Details: <i>Defendant in quarantine. COURT ORDERED, matter CONTINUED 7/4/20 12:00PM. CUSTODY;</i> Matter Continued; Continued; Granted; Journal Entry Details: <i>Defendant not present; refused transport. COURT ORDERED, matter CONTINUED due to courtroom time constraints. CUSTODY CONTINUED TO: 06/30/20 8:30 AM OR 12:00 PM (DEPENDING ON PANDEMIC);</i>
07/17/2020	Sentencing (12:00 PM) (Judicial Officer: Leavitt, Michelle) Off Calendar;
07/17/2020	 All Pending Motions (12:00 PM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>DEFENDANT'S EMERGENCY MOTION TO DISMISS COUNSEL; APPOINT CONFLICT FREE COUNSEL ... SENTENCING Court stated the Defendant Motion was received and it appears the Defendant wants to withdraw his plea. Defendant confirmed the Court's representations and stated it is based upon the legal advice that he received. COURT SO NOTED and ORDERED, matter REFERRED to Mr. Christensen's Office and SET for Status Check regarding confirmation of counsel and Motion to Withdraw Plea; 07/21/20 Motion VACATED. CUSTODY 07/24/20 12:00 PM STATUS CHECK: CONFIRMATION OF COUNSEL ... STATUS CHECK: MOTION TO WITHDRAW PLEA CLERK'S NOTE: Matter referred to Mr. Christensen's Office by way of email. hvp/7/17/20;</i>
07/21/2020	CANCELED Motion to Dismiss (12:00 PM) (Judicial Officer: Leavitt, Michelle) <i>Vacated - Moot</i> <i>Defendant's Pro Per Emergency Motion to Dismiss Counsel: Appoint Conflict Free Counsel/Withdraw Plea</i>
07/24/2020	Status Check: Confirmation of Counsel (12:00 PM) (Judicial Officer: Leavitt, Michelle) 07/24/2020, 08/14/2020 <i>Status Check: Confirmation of Counsel (drew's office)</i> Matter Continued;


CASE SUMMARY
CASE NO. C-16-316287-1

	<p>Counsel Confirmed; Matter Continued; Counsel Confirmed;</p>
07/24/2020	<p> Status Check (12:00 PM) (Judicial Officer: Leavitt, Michelle) 07/24/2020, 08/14/2020, 09/18/2020, 10/09/2020 <i>Status Check: Motion to Withdraw Plea</i> Matter Continued; Matter Continued; Matter Continued; Briefing Schedule Set; Status Check: Motion to Withdraw Plea Journal Entry Details: <i>Mr. Weinstock confirmed the transcripts have been received and it is believed that there are grounds to withdraw the plea. COURT ORDERED, Opening Brief due 10/30/20; Response due 11/13/20; Reply due 11/20/20; matter SET for Hearing. CUSTODY 12/02/20 8:30 AM OR 12/04/20 12:00 PM (DEPENDING ON PANDEMIC) HEARING RE: MOTION TO WITHDRAW PLEA;</i> Matter Continued; Matter Continued; Matter Continued; Briefing Schedule Set; Status Check: Motion to Withdraw Plea Journal Entry Details: <i>Mr. Winder advised it is believed that there are grounds to file the Motion to Withdraw Plea and requested another Status Check as he needs to obtain the Plea Transcript, which was ordered on 09/08/20. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 10/07/20 8:30 AM OR 10/09/20 12:00 PM (DEPENDING ON PANDEMIC);</i> Matter Continued; Matter Continued; Matter Continued; Briefing Schedule Set; Status Check: Motion to Withdraw Plea Matter Continued; Matter Continued; Matter Continued; Briefing Schedule Set; Status Check: Motion to Withdraw Plea</p>
07/24/2020	<p> All Pending Motions (12:00 PM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>STATUS CHECK: CONFIRMATION OF COUNSEL (DREW'S OFFICE) STATUS CHECK: MOTION TO WITHDRAW PLEA Court noted Mr. Winder is going to take this case and ORDERED, matter CONTINUED for Mr. Winder's appearance. CUSTODY CONTINUED TO: 08/14/20 12:00 PM CLERK'S NOTE: Mr. Winder notified of continued hearing via email. hyp/7/24/20;</i></p>
08/14/2020	<p> All Pending Motions (12:00 PM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>STATUS CHECK: CONFIRMATION OF COUNSEL (DREW'S OFFICE) STATUS CHECK: MOTION TO WITHDRAW PLEA Mr. Weinstock accepted appointment. Mr. Weinstock requested 30 days to review the file and speak with the Defendant. COURT ORDERED, matter CONTINUED as to the Motion to Withdraw Plea. Defendant requested contact information. Mr. Weinstock provided phone number in open court. CUSTODY CONTINUED TO: 09/16/20 8:30 AM OR 09/18/20 12:00 PM (DEPENDING ON PANDEMIC);</i></p>
12/04/2020	<p> Hearing (12:00 PM) (Judicial Officer: Leavitt, Michelle) 12/04/2020, 02/19/2021 <i>Hearing Re: Motion to Withdraw Plea</i> Matter Continued; Denied; Matter Continued;</p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-16-316287-1

	<p>Denied; Journal Entry Details: <i>At request of Mr. Weinstock, COURT ORDERED, Opening brief due 01/11/21; Opposition due 02/01/21; any Reply due 02/08/21; matter CONTINUED for Hearing. CUSTODY CONTINUED TO: 02/17/21 8:30 AM OR 02/19/21 12:00 PM (DEPENDING ON PANDEMIC);</i></p>
02/19/2021	<p>Motion to Withdraw Plea (11:00 AM) (Judicial Officer: Leavitt, Michelle) <i>Defendant's Motion to Withdraw Guilty Plea and Proceed to Trial</i> Denied;</p>
02/19/2021	<p> All Pending Motions (11:00 AM) (Judicial Officer: Leavitt, Michelle) Matter Heard; Journal Entry Details: <i>DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AND PROCEED TO TRIAL ... HEARING Following arguments by counsel, COURT ORDERED, Motion to Withdraw Plea DENIED; matter SET for Sentencing; State to prepare the Order. CUSTODY 03/25/21 11:00 AM SENTENCING;</i></p>
03/25/2021	<p>Sentencing (11:00 AM) (Judicial Officer: Leavitt, Michelle)</p>

DATE

FINANCIAL INFORMATION

Defendant Moore, Arthur
Total Charges
Total Payments and Credits
Balance Due as of 4/7/2021

47.50
47.50
0.00

JOCP

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

ARTHUR MOORE
#2578207

Defendant.

CASE NO. C-16-316287-1

DEPT. NO. XII

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – MURDER (SECOND DEGREE) (Category A Felony) in violation of NRS 200.010, 200.030.2; COUNT 2 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480; and COUNT 3 – ROBBERY (Category B Felony) in violation of NRS 200.380; thereafter, on the 25th day March, 2021, the Defendant was present in court for sentencing with counsel ARNOLD WEINSTOCK, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment, \$8,281.93 Restitution payable to Victims of Crime and \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00 DNA

1 Collection Fee, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as
2 follows: COUNT 1 - a MAXIMUM of TWENTY-FIVE (25) YEARS with a MINIMUM
3 Parole Eligibility of TEN (10) YEARS; COUNT 2 – a MAXIMUM of SEVENTY-TWO (72)
4 MONTHS with a MINIMUM Parole Eligibility of TWENTY-EIGHT (28) MONTHS,
5 CONSECUTIVE to COUNT 1; and COUNT 3 – a MAXIMUM of FIFTEEN (15) YEARS with
6 a MINIMUM Parole Eligibility of SIX (6) YEARS, CONCURRENT with COUNT 2 and
7 CONSECUTIVE to COUNT 1; with ONE THOUSAND SEVEN HUNDRED FIFTY-NINE
8 (1,759) DAYS credit for time served. The AGGREGATE TOTAL sentence is FORTY (40)
9 YEARS MAXIMUM with a MINIMUM of SIXTEEN (16) YEARS.
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Dated this 1st day of April, 2021



0D8 EC4 1D4F D8E3
Michelle Leavitt
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-16-316287-1

7 vs

DEPT. NO. Department 12

8 Arthur Moore
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Judgment of Conviction was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 4/1/2021

15 Osvaldo Fumo

ozzie@fumolaw.com

16 Dept 12 Law Clerk

dept12lc@clarkcountycourts.us

17 Emily Strand

emily@fumolaw.com

18 Danielle Pieper

danielle.pieper@clarkcountyda.com

19 Dan Winder

winderdanatty@aol.com

20

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 07, 2016

C-16-316287-1 State of Nevada
vs
Arthur Moore

July 07, 2016 11:45 AM Grand Jury Indictment

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 10B

COURT CLERK: Shelley Boyle

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Mercer, Elizabeth A.	Attorney
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Grand Jury Foreperson, April Sanson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 15BGJ096A to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C316287-1, Department 11. The State requested a no bail warrant issue. COURT ORDERED, WARRANT ISSUED, NO BAIL. Exhibit(s) 1-41 lodged with Clerk of District Court.

I.W.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 12, 2016

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

July 12, 2016 10:30 AM Minute Order

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Matter placed on calendar for Initial Arraignment and Indictment Warrant Return on Wednesday, July 13, 2016.

I.W.

7-13-16 9:00 AM INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN

CLERK'S NOTE: A copy of the above minute order was distributed to Deputy District Attorneys Danielle Pieper and Binu Palal by electronic mail. As of this date Deft does not appear to have counsel. / dr

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 13, 2016

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

July 13, 2016

9:00 AM

All Pending Motions

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:

Gill, Adam L
Moore, Arthur
Palal, Binu G.
Pieper, Danielle K.
State of Nevada

Attorney
Defendant
Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN

Also present: Co-Deft Nadim Hiko, in custody, represented by Attorney Erick Ferran; Co-Deft Devonte Wash, in custody, represented by Attorney Kenneth Frizzell; Co-Deft Devon Phillips, in custody, represented by Attorney Craig Mueller; Deputy Special Public Defender Randall Pike, observing.

Counsel advised the charges have been discussed with the Defts and they can proceed today with entry of plea. Court inquired whether the State is filing a notice of intent to seek the death penalty. CONFERENCE AT BENCH, per Ms. Pieper's request. COURT ORDERED, based upon Ms. Pieper's representations, matter SET for status check on State's notice of intent to seek the death penalty for August 8, 2016.

Deft Moore WAIVED a formal reading of the Indictment. DEFT. MOORE ARRAIGNED and PLED

NOT GUILTY. Mr. Gill requested they reserve invocation of the 60-day rule until August 8th. COURT ORDERED, Deft will INVOKE for now and if he decides to waive he can tell the Court on August 8th. COURT ORDERED, matter set for trial. INDICTMENT WARRANT RETURNED.

CUSTODY

8-8-16	9:00 AM	STATUS CHECK: STATE'S NOTICE OF INTENT TO SEEK THE DEATH PENALTY
8-10-10	9:00 AM	CALENDAR CALL
8-29-16	1:00 PM	JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 08, 2016**

C-16-316287-1 State of Nevada
vs
Arthur Moore

August 08, 2016	9:00 AM	Status Check	Status Check: State's Notice of Intent to Seek the Death Penalty
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HEARD BY: Gonzalez, Elizabeth**COURTROOM:** RJC Courtroom 14C**COURT CLERK:** Tena Jolley**RECORDER:** Jill Hawkins**REPORTER:****PARTIES**

PRESENT:	Gill, Adam L	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- ALSO PRESENT: Co-Defendants Nadim Hiko by Erick Ferran, Esq., Devonte Wash by Kenneth G. Frizzell, Esq. and Davon Phillips by Craig A. Mueller, Esq.

Ms. Pieper advised that the State would not be filing a Notice of Death in this case. Counsel has also discussed the trial date as well as some Writs of Habeas Corpus that may be filed; that today is the 21 days and counsel was working on getting the death assessment and gathering that information; and that with the Court's permission, counsel stipulated to extending the deadline for filing of writs thirty days during which time the parties will agree on a briefing schedule regarding the Writs that may or may not be filed. Upon the Court's inquiry, all defendants WAIVED their right to a speedy trial. COURT ORDERED, Trial Dates VACATED and matter SET for Status Check regarding setting a briefing schedule and to reset the Trial.

Following a BENCH CONFERENCE, Court DIRECTED Mr. Mueller, if necessary, to file his motion.

CUSTODY

9/7/16 9:00 AM STATUS CHECK: SET WRITS BRIEFING SCHEDULE/RESET TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 07, 2016

C-16-316287-1 State of Nevada
vs
Arthur Moore

September 07, 2016 9:00 AM Status Check Briefing set on Writ.

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff
	Zaman, Waleed	Attorney

JOURNAL ENTRIES

- Also present: Co-Deft Nadim Hiko, in custody, represented by Atty. Erick Ferran; Co-Deft Devonte Wash, in custody, represented by Atty. Kenneth Frizzell, Esq.; and Co-Deft Davon Phillips, in custody, represented by Atty. John Parris.

Colloquy regarding briefing schedule and trial setting.

COURT ORDERED, briefing on writ petition SET as follows:

Defts' opening brief due November 2, 2016;

State's responsive brief due January 9, 2017;

Defts' reply DUE January 30, 2017.

Hearing SET for February 6, 2017.

Mr. Frizzell noted he has a jury trial before Judge Kephart on October 3rd, as well as a 12-week, multiple-Defendant trial before Judge Earley set to begin on February 19. Mr. Palal advised he is the prosecutor on the latter case and the chances are remote that it will go.

Per parties' agreement, COURT ORDERED, matter SET for trial on March 27, 2017. Trial estimated to last 2 weeks.

COURT FURTHER ORDERED, Law Clerk to contact Drew Christensen, Esq., of the Office of Appointed Counsel, for Deft Moore, with regards to the motion to withdraw set for Monday, September 12, 2016.

CUSTODY

9-12-16 9:00 AM ADAM L. GILL, ESQ.'S MOTION TO WITHDRAW AS
ATTORNEY OF RECORD - MOORE

2-6-17 9:00 AM HEARING: PETITION FOR WRIT OF HABEAS CORPUS

2-22-17 9:00 AM STATUS CHECK: TRIAL READINESS

3-22-17 9:00 AM CALENDAR CALL

3-27-17 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 12, 2016

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

**September 12, 2016 9:00 AM Motion to Withdraw as
Counsel**

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Katrina Hernandez

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted Mr. Gill moved to withdraw. Mr. Fumo confirmed as Counsel. Ms. Pieper to inform Mr. Fumo of briefing schedule.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 06, 2017

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

February 06, 2017

9:00 AM

Hearing

**HEARING:
PETITION FOR
WRIT OF HABEAS
CORPUS**

HEARD BY: Cory, Kenneth

COURTROOM: RJC Courtroom 16A

COURT CLERK: Louisa Garcia

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Danielle Pieper, Chief Deputy DA, present on behalf of the State; Dustin Marcello, Esq., present on behalf of Deft. Moore; Erick Ferran, Esq., present on behalf of Deft. Hiko; Kenneth Frizzell, Esq., present on behalf of Deft Wash and John Parris, Esq., present on behalf of Deft. Phillips.

Mr. Frizzell stated his client, Defendant Wash was not transported. Ms. Pieper stated Deft. Wash was recently denied parole so she was not sure if he was transferred to another area. It was her understanding a transport order was prepared. At the request of the parties, COURT ORDERED, Petition CONTINUED and any future dates VACATED; at that time the trial will be reset. CONFERENCE AT THE BENCH.

CUSTODY (MOORE)

CUSTODY (COC) (HIKO)

NIC (COC-NDC) (WASH)

NIC (COC-NDC) (PHILLIPS)

CONTINUED TO 4/24/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 24, 2017

C-16-316287-1 State of Nevada
vs
Arthur Moore

April 24, 2017

9:00 AM

All Pending Motions

HEARD BY: Cory, Kenneth

COURTROOM: RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:

Marcello, Dustin R.
Moore, Arthur
Pieper, Danielle K.
State of Nevada

Attorney
Defendant
Attorney
Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: RESET TRIAL DATE...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

Defendant Moore PRESENT in custody.

Following CONFERENCE AT THE BENCH, COURT ORDERED, Matters CONTINUED for all parties.

CUSTODY

CONTINUED TO: 5/15/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 28, 2017

C-16-316287-1 State of Nevada
vs
Arthur Moore

April 28, 2017

9:00 AM

**Further Proceedings:
Competency**

HEARD BY: Togliatti, Jennifer

COURTROOM: RJC Courtroom 10C

COURT CLERK: Athena Trujillo

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Nelson, Bruce William	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

-

Also present: Christina Greene of the Specialty Courts.

There being no challenge by Defense Counsel, COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him / her and is able to assist counsel in his / her defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings.

CUSTODY

5/8/17 9:00 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT DEPT. 1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 08, 2017

C-16-316287-1 State of Nevada
vs
Arthur Moore

**May 08, 2017 9:00 AM Further Proceedings:
Return from Competency
Court**

HEARD BY: Cory, Kenneth

COURTROOM: RJC Courtroom 16A

COURT CLERK: Michele Tucker
Cassidy Wagner

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant Moore PRESENT, IN CUSTODY

Ms. Pieper advised defense counsel would not be present, as he had it calendared for May 10, 2017. Ms. Pieper stated she believes the defendant has been found competent. COURT ORDERED, Matter CONTINUED.

CUSTODY

CONTINUED TO: 5/15/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 15, 2017

C-16-316287-1 State of Nevada
vs
Arthur Moore

May 15, 2017

9:00 AM

All Pending Motions

HEARD BY: Cory, Kenneth

COURTROOM: RJC Courtroom 16A

COURT CLERK: Michele Tucker
Cassidy Wagner

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: RESET TRIAL DATE... FURTHER PROCEEDINGS: RETURN FROM
COMPETENCY COURT...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS.

Defendant Moore PRESENT in Custody.

Ms. Pieper requested a continuance to respond to Defendant's Writ and set trial date at the next
hearing. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 07/17/17 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 18, 2017

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

July 18, 2017

9:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Pandukht, Taleen R	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Co-Def. Hiko present, in custody, represented by Erick Ferran, Esq.

Co-Def. Wash present, in custody, represented by Erick Ferran, Esq. standing in for Kenneth Frizzell, Esq.

Co-Def. Phillips present, in custody, represented by Dustin Marcello, Esq. standing in for John Parris, Esq.

PETITION FOR WRIT OF HABEAS CORPUS (ALL)...STATUS CHECK: RESET TRIAL DATE (ALL)

Ms. Pandukht advised matter is assigned to Ms. Pieper. Pursuant to EDCR 1.30 and 1.31 this court ORDERS the case and all co-defendants(C316287-1, C316287-2,C316287-3, & C316287-4) reassigned to Department 20. Upon Court's inquiry, counsel stated Petition is not fully briefed. COURT FURTHER ORDERED, Status Check SET, petition CONTINUED. Mr. Marcello stated he believes separate writs may be filed. Court stated parties may discuss further with Department 20, as well as, briefing schedule.

CUSTODY (MOORE)..CUSTODY(COC)HIKO..NIC(COC-NDC)(WASH & PHILLIPS)

8/08/17 8:30 AM PETITION FOR WRIT OF HABEAS CORPUS....STATUS CHECK: RESET TRIAL
DATE (DEPT. 20)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 08, 2017

C-16-316287-1 State of Nevada
vs
Arthur Moore

August 08, 2017 8:30 AM All Pending Motions

HEARD BY: Bonaventure, Joseph T. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	Pitaro, Thomas F.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: RESET TRIAL DATE

Mr. Pitaro appeared for Mr. Fumo and Mr. Frizzell appeared for Mr. Parris. Upon Court's inquiry, Mr. Pitaro advised this matter needs to be set for trial, preferable next year and a briefing schedule as to the writ. All counsel concurred. COURT ORDERED, the following briefing schedule:

Defendant's opening briefs due by 10/10;
Response by the State due by 11/13;
Defendant's replies due by 11/27 and matter SET for argument.

Further, COURT ORDERED, matter SET for trial early next year. Defendant complained that he has not seen Mr. Fumo. Following colloquy, Court directed that Mr. Fumo visit Defendant.

CUSTODY

10/12/17 8:30 AM STATUS CHECK: TRIAL

12/7/17 9:00 AM ARGUMENT: PETITION FOR WRIT OF HABEAS CORPUS

2/6/18 8:30 AM CALENDAR CALL

2/12/18 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 12, 2017

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

October 12, 2017 8:30 AM Status Check

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Fumo present for Deft Moore; Mr. Ferran present for Deft Hiko; Ms. Gerling appeared for Mr. Frizzell for Deft Wash and Mr. Fumo appeared for Mr. Parris for Deft Phillips. Conference at the Bench. Pursuant to that conference, COURT ORDERED, matter CONTINUED THREE (3) WEEKS as to Deft Moore, Deft Wash and Deft Phillips and ONE (1) WEEK as to Deft Hiko. Further, Deft Moore's Petition that is set on 10/24 is CONTINUED to coincide with co-defendants date.

CUSTODY

10/20/17 8:30 AM STATUS CHECK: TRIAL (HIKO)

10/30/17 8:30 AM STATUS CHECK: TRIAL (MOORE, WASH, PHILLIPS)

12/7/17 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS (MOORE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 30, 2017

C-16-316287-1 State of Nevada
vs
Arthur Moore

October 30, 2017 8:30 AM Status Check

HEARD BY: Johnson, Eric

COURTROOM: RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Palal appeared but was advised his presence was not needed. COURT ORDERED, Defendant to meet with his family and Mr. Fumo outside the presence of the State and the Court.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 07, 2017

C-16-316287-1 State of Nevada
vs
Arthur Moore

December 07, 2017 8:30 AM All Pending Motions

HEARD BY: Johnson, Eric

COURTROOM: RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Parris, John	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: HOMICIDE TRIAL...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

Mr. Parris appearing for Deft Phillips, for Mr. Marcello for Deft Moore and for Mr. Frizzell for Deft Wash. Mr. Ferran appeared for Deft Hiko. Conference at the Bench. Pursuant to that conference, COURT ORDERED, matter CONTINUED to January. Writs to also be continued to next date, to obtain a new date for argument.

CUSTODY

... CONTINUED 1/9/18 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2018

C-16-316287-1 State of Nevada
vs
Arthur Moore

January 09, 2018 8:30 AM All Pending Motions

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Albritton, Alicia A.	Attorney
	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Pitaro, Thomas F.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: HOMICIDE TRIAL...DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (PRE-TRIAL)

Court noted Mr. Frizzell was not present. Mr. Fumo advised offers have been extended and rejected and that the State needs to file a response to the Petitions. Following colloquy, Court directed the State file the response by 1/16 and ORDERED, Petition CONTINUED.

Mr. Parris advised that he and Mr. Frizzell may have an issue with the trial date. Following colloquy and as Mr. Frizzell is not present, Court advised this issue will be discussed next date.

CUSTODY

1/18/18 9:00 AM DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS (PRE-TRIAL)

CLERK'S NOTE: Mr. Frizzell appeared after matter called.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 18, 2018**

C-16-316287-1 State of Nevada
vs
Arthur Moore

**January 18, 2018 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Sandra Pruchnic**REPORTER:****PARTIES**

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Marcello appeared for Mr. Fumo for Deft Moore and Mr. Ferran appeared for Deft Hiko. Not present were Mr. Frizzell and Mr. Parris. Mr. Marcello advised that he and Mr. Ferran filed writs, that the State was making offers and because of this, the State did not respond to the writs. Mr. Marcello requested the writs be continued for the State to respond and then set for hearing. Court noted that Ms. Pieper contacted chambers advising that she would need a continuance to respond. Mr. Ferran advised he spoke to Mr. Frizzell, however, he is in Henderson. Mr. Marcello advised the parties had a meeting, Deft Moore does not want a continuance but it is apparent that the three other Defendants are not ready for trial and will need a continuance, as well as the Court having another trial. Court noted it can find someone to do the trial. Mr. Palal stated the issue is a defacto severance due to the felony murder theory. Mr. Marcello requested the matter be set for status check next week. COURT ORDERED, matter SET for status check with ALL counsel being present next date. FURTHER, the State to respond to the Petitions by 2/8. Mr. Ferran advised there have been extensive negotiations and he was going to request a trial date set out a few months. Court advised the trial date will be discussed next date.

CUSTODY

1/23/18 8:30 AM STATUS CHECK: WRIT / TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 23, 2018

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

January 23, 2018 8:30 AM Status Check

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Marcello appeared for Mr. Fumo for Deft Moore, Mr. Ferran appeared for Deft Hiko, Mr. Frizzell appeared for Deft Wash and appeared for Mr. Parris for Deft Phillips. Following colloquy as to the writs, Court ORDERED the following briefing schedule:

State is to respond by 2/8;

Defense to reply by 2/15 and matter SET for argument.

Colloquy as to trial date. Mr. Frizzell advised Mr. Parris will be in trial in Dept. 8 for at least two weeks. Following colloquy, COURT ORDERED, matter SET for trial in July.

As to discovery, Ms. Pieper advised all discovery has been turned over. COURT ORDERED, matter SET for status check.

CUSTODY

2/22/18 8:30 AM STATUS CHECK: HOMICIDE TRIAL

3/29/18 9:00 AM HEARING: DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

7/3/18 8:30 AM CALENDAR CALL

7/9/18 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 22, 2018

C-16-316287-1 State of Nevada
vs
Arthur Moore

February 22, 2018 8:30 AM Status Check

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner
Madalyn Kearney

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Luzaich, Elissa	Attorney
	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Dustin Marcello, Esq. appeared for Mr. Fumo, present for Deft. Moore and present on behalf of John Parris, Esq., for Co-Deft Phillips. Erick Ferran, Esq. present on behalf of Ken Frizzell, Esq., for Co-Deft. Wash and Co-Deft. Hiko. Co-Deft's Hiko, Wash and Phillips also present.

Following discussion as to case status and upcoming Writs and there being no issues as to discovery, COURT ORDERED, matter OFF CALENDAR.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 10, 2018

C-16-316287-1 State of Nevada
vs
Arthur Moore

April 10, 2018 8:30 AM Hearing

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Arguments by Mr. Fumo and Mr. Palal in support of their respective positions. Following, COURT ORDERED, Petition DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 04, 2018**

C-16-316287-1 State of Nevada
vs
Arthur Moore

June 04, 2018**8:00 AM****Minute Order****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Having considered Defendant's Motion for Discovery of Prosecution Files, Records, and Information Necessary to a Fair Trial, this Court notes there is no indication the parties have met and conferred concerning the discovery requests, and many of the requests are vague. This Court requires parties in making discovery motions to include an affidavit of counsel verifying the parties met and conferred regarding discovery and identifying the specific issues which remain unresolved. Defendant's counsel did not provide such an affidavit. Consequently, the Court issues its standard ORDER and requires the State to produce all discovery materials to defendant before trial as required by Nevada Revised Statutes, in particular NRS 174.233 to 174.295, inclusive, all exculpatory and witness impeachment evidence or information as required by Brady v. Maryland, 373 U.S. 83 (1963) and Giglio v. United States, 405 U.S. 150 (1972) and their progeny, and any other evidence or information required to be disclosed pursuant to applicable State of Nevada or federal appellate court opinions. The State has a continuing duty to disclose promptly any additional discovery materials which come to the attention of the State.

If Defendant or the State believes they are entitled to discovery which a party has not provided, counsel for the parties shall meet and in good faith confer regarding their discovery disputes. If disputes still remain, a party may then file a discovery motion with the Court including an affidavit of counsel stating when and where the parties met and conferred and specific nature of the discovery

remaining in dispute. The Court will then consider the party's motion and points and authorities related to the specific discovery issue. Therefore, COURT ORDERED, Motion set for 6/5/18 is VACATED and taken OFF CALENDAR.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 05, 2018

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

June 05, 2018 8:30 AM Motion to Sever

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted it did not receive an opposition from the State. Statements by Mr. Palal including that he has no objection to the Motion, would request this Defendant be severed from the others and would like to go to trial on this Defendant on 7/9 and reset the other 3 Defendants after that date. Court so noted. Upon Court's inquiry, Mr. Palal advised he is meeting with the Detective as to discovery. Following colloquy, COURT ORDERED, Motion GRANTED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 06, 2018**

C-16-316287-1 State of Nevada
vs
Arthur Moore

June 06, 2018 9:00 AM Status Check

HEARD BY: Johnson, Eric **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Fumo not present. Also present, Mr. Ferran for Deft Hiko (present), Mr. Frizzell for Deft. Wash (present) and Mr. Parris for Deft Phillips (not present).

Upon Court's inquiry, Mr. Palal advised he has spoken to Mr. Ferran and Mr. Parris to advise the Motion to Sever Deft Moore was granted, requested the trial date be vacated for co-defendants and set for status check after Deft. Moore's trial, which counsel agree to. Mr. Ferran and Mr. Parris concurred. Mr. Frizzell advised he spoke with Deft Wash, who is not happy, but agrees. Deft Moore stated he is unhappy as Mr. Fumo has not visited him, he does not know anything that is going on and does not feel ready for trial.

Conference at the Bench. Pursuant to that conference, Court noted it is not inclined to vacate the trial dates for the co-defendants at this time and noted it intends to move forward with Deft Moore's trial absent him filing any Motions.

Upon Court's inquiry, counsel advised there are no issues as to discovery. Mr. Palal advised he will be meeting with the Detective and if he receives anything new, will give it counsel. Court directed

Mr. Fumo reach out and speak with Defendant prior to the calendar call.

As Deft Wash's Pro Per Motion to Withdraw Counsel was not addressed, COURT ORDERED, matter CONTINUED to Calendar call date.

FURTHER, COURT ORDERED, CALENDAR CALL DATE MOVED UP AS TO ALL DEFENDANTS.

CUSTODY

6/26/18 8:30 AM CALENDAR CALL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 26, 2018

C-16-316287-1 State of Nevada
vs
Arthur Moore

June 26, 2018

8:30 AM

Calendar Call

HEARD BY: Johnson, Eric

COURTROOM: RJC Courtroom 12A

COURT CLERK: Linda Skinner

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Fumo advised he and the State met and conferred and that there was additional information that he did not have from 2009. Mr. Fumo stated he received the information today, however, is not sure he will be ready for trial on July 9th based on this additional information. Mr. Fumo stated that he understands Deft Moore needs to go to trial first and that the other 3 Defendants are trailing. Following colloquy, COURT ORDERED, matter CONTINUED ONE (1) WEEK for Mr. Fumo to see if the July 9th trial date will be viable. COURT ORDERED, trial dates VACATED as to the co-defendants and matter SET for status check as to trial setting.

CUSTODY

... CONTINUED 7/3/18 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 03, 2018**

C-16-316287-1 State of Nevada
vs
Arthur Moore

July 03, 2018 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Rubina Feda**REPORTER:****PARTIES**

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Marcello appeared for Mr. Fumo on behalf of Deft; and informed Court Mr. Fumo is in Federal Court this morning, and defense would request Court to trail the matter for Mr. Fumo to appear, if he cannot handle the matter without Mr. Fumo. Mr. Marcello added defense found out there is a file from 2009, there are discovery issues to explore and if there is not enough information in the file that defense needs, defense will need more time for trial. Additionally, Deft. filed a motion to dismiss counsel on his own, due to there being a breakdown in communication between Deft. and Mr. Fumo, and defense would not object. Mr. Marcello noted the new information does not seem much, and defense does not know whether there is more information out there. Ms. Pieper advised Mr. Palal is handling the discovery aspect, and she understands the motion by Deft. was filed. COURT ORDERED, Deft's motion to continue trial GRANTED; trial date VACATED; status check hearing SET. Court stated it was informed parties wanted this trial to go first as to this Deft. COURT FURTHER ORDERED, the motion scheduled for July 5, 2018 also CONTINUED.

CUSTODY

7/19/18 8:30 A.M. STATUS CHECK: RESET TRIAL DATE...DEFT'S PRO PER MOTION TO
DISMISS COUNSEL OSVALDO E. FUMO

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 19, 2018

C-16-316287-1 State of Nevada
vs
Arthur Moore

July 19, 2018

8:30 AM

All Pending Motions

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Madalyn Kearney

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	Pitaro, Thomas F.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL OSVALDO E. FUMO...STATUS
CHECK: RESET TRIAL DATE

Kenneth Frizzell, Esq., present on behalf of Erick Ferran, Esq., for Co-Deft. Hiko and present for Co-Deft Wash. John Parris, Esq., present for Co-Deft. Phillips. Co-Deft's Hiko and Wash also present.

Mr. Palal advised Deft. has been severed out and requested he be tried first. Mr. Frizzell confirmed that was the contemplation. Upon Court's inquiry, Mr. Parris advised there are no discovery related issues, file reviews have occurred and the biggest issue will be coordinating trial schedules. MATTER TRAILED.

MATTER RECALLED. Mr. Marcello and Mr. Parris present. Mr. Marcello advised Deft. would like to withdraw the Motion to Dismiss. COURT ORDERED, Defendant's Pro Per Motion to Dismiss

Counsel Osvaldo E. Fumo OFF CALENDAR. Upon Court's inquiry, Mr. Marcello advised he is ready to proceed to trial. COURT ORDERED, trial dates SET.

CUSTODY

1/29/19 8:30 AM CALENDAR CALL

2/5/19 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 11, 2018**

C-16-316287-1 State of Nevada
vs
Arthur Moore

December 11, 2018	8:30 AM	Motion for Own Recognizance Release/Setting Reasonable Bail	Defendant's Motion For Dismissal, Or In The Alternative, For Release And / Or Bail, And For Discovery
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HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Susan Botzenhart**RECORDER:** Kristine Santi**REPORTER:****PARTIES**

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Palal submitted on State's opposition to Deft's Motion addressing the release and / or bail request. Mr. Marcello stated he read the opposition and can argue on the current Motion to dismiss portion today; and defense would request to be heard on the statute of limitation issue and Deft's motion to dismiss today. Discussions as to State needing to research further on the other issues outlined in Deft's Motion. Mr. Palal requested the hearing on December 13, 2018 to stand, on the statute of limitation portion of Deft's other motion for dismissal, and for the release and / or bail request portion from today's Motion, for State to supplement. COURT ORDERED, the hearing on December 13, 2018 will STAND.

Mr. Marcello addressed the Motion to dismiss; and argued as investigation from 2009, there being no standardized or sufficient procedure in place as to when law enforcement turns investigation or Brady information over to the State, there being no assurance for defense to know if Brady material was turned over, and there being no recourse for defense. Mr. Palal argued interviews were done in 2016, everything from 2009 is basis of the investigation, the State went through Officer Cook's binder, the State did not review the 2009 investigation further until the scheduled meeting, the State wanted to make sure the whole file was turned over for State to review, Mr. Fumo had asked whether there was more information, the State had turned over information from two years prior to defense, the State also turned over additional information to defense just in case defense did not have it, the alleged sand bagging by State claim being made by defense counsel is nonsense, there is no extraordinary discovery issue, and Mr. Marcello was not the person the State was dealing with on this case either. Mr. Palal added two statements were turned over. Mr. Marcello confirmed that was correct; and stated he may have exaggerated the issue earlier during his arguments, however, there are files and discovery the State has, and the issue is systematic where someone has multiple files, there is no way for defense to ensure it can go in one file, there is no clear chain on how it makes it over to the State, as the file from 2009 is different from the file from 2016, and there is no procedure in place to ensure the Brady discovery is being turned over timely. COURT ORDERED, Motion to dismiss DENIED.

Mr. Palal stated he will let the Court know by tomorrow whether there will be a written opposition filed by State on Deft's remaining portion of the motion to dismiss. Discussions as to 2009 proceedings and Deft's custody status on another case. Deft. made statements to Court. Court stated it will not grant the motion for release or reasonable bail today; and it will address bail on Thursday, December 13, 2018, as there is not enough information before the Court, and the State may need to supplement.

CUSTODY

12/13/18 8:30 A.M. DEFT'S MOTION TO DISMISS CHARGES DUE TO VIOLATION OF THE STATUTE OF LIMITATIONS...DEFT'S MOTION FOR RELEASE AND / OR BAIL AND FOR DISCOVERY

1/29/19 8:30 A.M. CALENDAR CALL

2/05/19 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 13, 2018

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

December 13, 2018 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT'S MOTION TO DISMISS CHARGES DUE TO VIOLATION OF STATUTE OF LIMITATIONS

Discussions as to Deft's Motion to dismiss and request for own recognizance release or bail setting. Court stated it had allowed both sides to supplement on the Motion for bail, and counsel can address bail today. There being no objection by State, COURT ORDERED, Motion to dismiss GRANTED. Mr. Fumo to submit an order. State to file a Second Amended Indictment.

Mr. Fumo argued in support of reasonable bail being set in this matter; and further argued as to there being no proof of evidence, or proof that the presumption is great. Further arguments as to statistical percentages regarding African American males, and there being institutional bias. Mr. Fumo added there is family support present in the gallery. Upon Court's inquiry, Deft. stated he works at the Fashion Show Mall in sales. Mr. Fumo argued in support of Deft. having employment upon release, Deft. being innocent, and Deft's request for bail to be set in the amount of \$10,000.00. Mr. Fumo added if the bail is set higher than that, this would be prejudicial; the Court can also impose intensive supervision as a condition of bail, and Deft. is not a flight risk. Ms. Pieper opposed;

and argued regarding the alleged offenses, and Deft. and Co-Deft. having committed a series of robberies. Additional arguments were made by State in support of a higher bail; and Ms. Pieper requested bail be set at \$500,000.00, or no bail at all. COURT ORDERED, it will review the Grand Jury transcript further, and issue a decision by minute order.

CUSTODY

1/29/19 8:30 A.M. CALENDAR CALL

2/05/19 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 13, 2018

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

December 13, 2018 4:00 PM Minute Order

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Minute Order Re: Defendant's Motion for Bail

The Court having reviewed the pleadings submitted as well as the grand jury transcripts herein, DENIES Mr. Moore's request for bail. Based on the evidence reviewed, the proof is evident and the presumption is great. NRS 178.484(4). Accordingly, the Defendant is not entitled to bail.

CLERK'S NOTE: A copy of the above minute order has been forwarded to Attorney Osvaldo Fumo, Esq., and Chief Deputy District Attorney Danielle Pieper, Esq. /// sb

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 29, 2019

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

January 29, 2019 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Susan Botzenhart

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Marcello appeared for Mr. Fumo; and informed the Court the current trial falls on the legislative session, Mr. Fumo was elected and will be gone for the legislature, and pursuant to NRS 1.310, the trial in the case would be moved until the legislature ends in June, 2019; and defense would request trial be reset to July, 2019 for Mr. Fumo to be available. State made no opposition. COURT ORDERED, trial date VACATED AND RESET. No status check hearing will be set as Mr. Fumo will be gone for the legislature.

CUSTODY

7/02/19 8:30 A.M. CALENDAR CALL

7/09/19 10:30 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 04, 2019

C-16-316287-1 State of Nevada
vs
Arthur Moore

June 04, 2019

8:30 AM

All Pending Motions

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	DiGiacomo, Michael A.	Attorney
	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE USE OF PREJUDICIAL PHOTOGRAPHS DURING TRIAL ... DEFENDANT'S MOTION TO REQUIRE PROSECUTOR TO STATE REASONS FOR EXERCISING PEREMPTORY CHALLENGES UPON ANY MEMBER OF A PROTECTED CLASS

Mr. Marcello submitted. COURT ORDERED, Motion in Limine to Preclude DENIED WITHOUT PREJUDICE; objection can be made at the time of trial as deemed appropriate; as to Motion to Require Prosecutor, COURT ORDERED, Motion DENIED; State to prepare the Order. Mr. Marcello noted they are trying to resolve the issue as to the photos and may have stipulated photos at the time of trial. COURT SO NOTED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 02, 2019

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

July 02, 2019 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Fumo advised this is Defendant's Motion to Continue. State submitted and requested a status check regarding trial setting. COURT ORDERED, Motion to Continue GRANTED; matter SET for Status Check; trial date VACATED.

CUSTODY

07/18/19 8:30 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 18, 2019

C-16-316287-1 State of Nevada
vs
Arthur Moore

July 18, 2019

8:30 AM

All Pending Motions

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO FEDERALIZE ALL OBJECTIONS ... DEFENDANT'S MOTION TO PRECLUDE THE COURT FROM REHABILITATING POTENTIAL JURORS ... STATUS CHECK: TRIAL SETTING

Mr. Fumo advised he has not yet received the Oppositions and requested the Motions be continued. COURT SO ORDERED. Colloquy regarding potential trial dates. COURT ORDERED, matter SET for trial; matter SET for Status Check regarding trial readiness.

CUSTODY

CONTINUED TO: 08/07/19 8:30 AM

10/16/19 8:30 AM STATUS CHECK: TRIAL READINESS

C-16-316287-1

03/03/20 8:30 AM CALENDAR CALL

03/10/20 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 07, 2019

C-16-316287-1 State of Nevada
vs
Arthur Moore

August 07, 2019 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO FEDERALIZE ALL OBJECTIONS ... DEFENDANT'S MOTION TO PRECLUDE THE COURT FROM REHABILITATING POTENTIAL JURORS

Mr. Fumo argued as to the Motions on calendar. State submitted. COURT ORDERED, Motions DENIED; there is no problem with objections being made at the time of trial.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 16, 2019

C-16-316287-1 State of Nevada
vs
Arthur Moore

October 16, 2019 8:30 AM Status Check: Trial Readiness

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Dara Yorke

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Marcello indicated he spoke with Mr. Fumo and everything was on track for trial. COURT ORDERED, matter CONTINUED for 90 days.

CUSTODY

1/15/20 8:30 AM CONTINUED: STATUS CHECK: TRIAL READINESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2020

C-16-316287-1 State of Nevada
vs
Arthur Moore

January 09, 2020	8:30 AM	Motion to Compel	Defendant's Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution
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HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court inquired as to Mr. Hiko provided information from the State. State confirmed Mr. Hiko did not provide any information or any agreement to testify. COURT SO NOTED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 14, 2020

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

January 14, 2020 8:30 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT: Moore, Arthur Defendant
 Pieper, Danielle K. Attorney
 State of Nevada Plaintiff
 Stone, Kendall S. Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION FOR INDIVIDUALLY SEQUESTERED VOIR DIRE ... DEFENDANT'S MOTION FOR THE DEFENDANT TO APPEAR AT ALL TIMES WITHOUT RESTRAINTS

Parties submitted on the papers. As to the Motion to Sequester Voir Dire, COURT ORDERED, Motion DENIED unless there is a need for it that arises at the time of jury selection. As to the Motion to Appear Without Restraints, COURT FURTHER ORDERED, Motion GRANTED; State to prepare the Order.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 15, 2020

C-16-316287-1 State of Nevada
vs
Arthur Moore

January 15, 2020 8:30 AM Status Check: Trial
Readiness

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Marcello, Dustin R.	Attorney
	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Marcello advised this matter can be taken off calendar as the parties are on track for trial.
COURT SO ORDERED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 28, 2020**

C-16-316287-1 State of Nevada
vs
Arthur Moore

January 28, 2020 8:30 AM Motion for Discovery

HEARD BY: Leavitt, Michelle**COURTROOM:** RJC Courtroom 14D**COURT CLERK:** Haly Pannullo**RECORDER:** Sara Richardson**REPORTER:****PARTIES**

PRESENT:	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff
	Strand, Emily Katherine	Attorney

JOURNAL ENTRIES

- Ms. Strand advised the autopsy that was requested has been resolved. As to the crime stoppers data, Co-Defendant's jail calls and mail, a request has been sent to the DA's office and have not yet received those yet. Mr. Palal advised there is an ROC stating the Defense previously received the autopsy. As to the Co-Defendant's jail calls, Mr. Palal argued the Defendant can subpoena those items and the State is not in possession of those items as the State cannot use those items. Ms. Strand argued in her experience of subpoenaing jail calls, the jail usually directs the Defense to contact the State. Court directed the Defense to prepare a Court Order. Ms. Strand argued the State took the Co-Defendant's mail through a search warrant. Mr. Palal stated they will not be using the mail in their case and upon review, there was nothing in the mail that would exculpate this Defendant. The Defense argued the Defendant's involvement came from an anonymous call that happened after the letters were going back and forth. Court stated the State only needs to turn them over if they are using it in their case or if it is brady material and the State has confirmed that it is not. State so confirmed. Court inquired as to the tips to crime stoppers. Mr. Palal advised he will look into that. Ms. Strand requested a settlement conference in this matter. COURT SO NOTED.

C-16-316287-1

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 07, 2020

C-16-316287-1 State of Nevada
vs
Arthur Moore

February 07, 2020 10:00 AM Settlement Conference

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: De'Awna Takas

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pursuant to the Judicial Executive Assistant (J.E.A.), the case did not settled and is CONTINUED to February 21st for ongoing negotiations.

2-21-20 9:30 AM SETTLEMENT CONFERENCE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 21, 2020

C-16-316287-1 State of Nevada
vs
Arthur Moore

February 21, 2020 10:30 AM Settlement Conference

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Michaela Tapia

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Matter not settled. Calendar Call date STANDS.

3/3/20 8:30 AM CALENDAR CALL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 03, 2020

C-16-316287-1 State of Nevada
vs
Arthur Moore

March 03, 2020 8:30 AM Calendar Call

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Fumo, Osvaldo E	Attorney
	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff
	Strand, Emily Katherine	Attorney

JOURNAL ENTRIES

- Second Amended Superseding Indictment FILED IN OPEN COURT.

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. MOORE ARRAIGNED AND PLED GUILTY TO COUNT 1 MURDER (SECOND DEGREE) (F), COUNT 2 CONSPIRACY TO COMMIT ROBBERY (F) and COUNT 3 ROBBERY (F). Court ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing; trial dates VACATED.

CUSTODY

05/20/20 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 18, 2020

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

June 18, 2020 12:00 AM Motion to Dismiss

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Palal, Binu G. Attorney
 Pieper, Danielle K. Attorney
 State of Nevada Plaintiff
 Strand, Emily Katherine Attorney

JOURNAL ENTRIES

- Defendant not present; refused transport. COURT ORDERED, matter CONTINUED due to courtroom time constraints.

CUSTODY

CONTINUED TO: 06/30/20 8:30 AM OR 12:00 PM (DEPENDING ON PANDEMIC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 30, 2020

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

June 30, 2020 12:00 AM Motion to Dismiss

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Alice Jacobson

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Dunn, Ann Marie Attorney
 Fumo, Osvaldo E Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant in quarantine. COURT ORDERED, matter CONTINUED 7/14/20 12:00PM.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 17, 2020

C-16-316287-1 State of Nevada
vs
Arthur Moore

July 17, 2020

12:00 AM

All Pending Motions

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	State of Nevada	Plaintiff
	Stone, Kendall S.	Attorney

JOURNAL ENTRIES

- DEFENDANT'S EMERGENCY MOTION TO DISMISS COUNSEL; APPOINT CONFLICT FREE COUNSEL ... SENTENCING

Court stated the Defendant Motion was received and it appears the Defendant wants to withdraw his plea. Defendant confirmed the Court's representations and stated it is based upon the legal advice that he received. COURT SO NOTED and ORDERED, matter REFERRED to Mr. Christensen's Office and SET for Status Check regarding confirmation of counsel and Motion to Withdraw Plea; 07/21/20 Motion VACATED.

CUSTODY

07/24/20 12:00 PM STATUS CHECK: CONFIRMATION OF COUNSEL ... STATUS CHECK: MOTION TO WITHDRAW PLEA

CLERK'S NOTE: Matter referred to Mr. Christensen's Office by way of email. hvp/7/17/20

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 24, 2020

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

July 24, 2020 12:00 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Carolyn Jackson

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Moore, Arthur Defendant
 Palal, Binu G. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- STATUS CHECK: CONFIRMATION OF COUNSEL (DREW'S OFFICE) STATUS CHECK:
MOTION TO WITHDRAW PLEA

Court noted Mr. Winder is going to take this case and ORDERED, matter CONTINUED for Mr. Winder's appearance.

CUSTODY

CONTINUED TO: 08/14/20 12:00 PM

CLERK'S NOTE: Mr. Winder notified of continued hearing via email. hvp/7/24/20

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2020

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

August 14, 2020 12:00 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Moore, Arthur Defendant
 Palal, Binu G. Attorney
 State of Nevada Plaintiff
 Weinstock, Arnold Attorney

JOURNAL ENTRIES

- STATUS CHECK: CONFIRMATION OF COUNSEL (DREW'S OFFICE) STATUS CHECK: MOTION TO WITHDRAW PLEA

Mr. Weinstock accepted appointment. Mr. Weinstock requested 30 days to review the file and speak with the Defendant. COURT ORDERED, matter CONTINUED as to the Motion to Withdraw Plea. Defendant requested contact information. Mr. Weinstock provided phone number in open court.

CUSTODY

CONTINUED TO: 09/16/20 8:30 AM OR 09/18/20 12:00 PM (DEPENDING ON PANDEMIC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 18, 2020

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

September 18, 2020 12:00 AM Status Check

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff
	Winder, Dan M	Attorney

JOURNAL ENTRIES

- Mr. Winder advised it is believed that there are grounds to file the Motion to Withdraw Plea and requested another Status Check as he needs to obtain the Plea Transcript, which was ordered on 09/08/20. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 10/07/20 8:30 AM OR 10/09/20 12:00 PM (DEPENDING ON PANDEMIC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 09, 2020

C-16-316287-1 State of Nevada
vs
Arthur Moore

October 09, 2020

12:00 AM

Status Check

**Status Check: Motion
to Withdraw Plea**

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Palal, Binu G.	Attorney
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney

JOURNAL ENTRIES

- Mr. Weinstock confirmed the transcripts have been received and it is believed that there are grounds to withdraw the plea. COURT ORDERED, Opening Brief due 10/30/20; Response due 11/13/20; Reply due 11/20/20; matter SET for Hearing.

CUSTODY

12/02/20 8:30 AM OR 12/04/20 12:00 PM (DEPENDING ON PANDEMIC) HEARING RE: MOTION TO WITHDRAW PLEA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 04, 2020

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

December 04, 2020 12:00 AM Hearing

HEARD BY: Leavitt, Michelle

COURTROOM: RJC Courtroom 14D

COURT CLERK: Haly Pannullo

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney

JOURNAL ENTRIES

- At request of Mr. Weinstock, COURT ORDERED, Opening brief due 01/11/21; Opposition due 02/01/21; any Reply due 02/08/21; matter CONTINUED for Hearing.

CUSTODY

CONTINUED TO: 02/17/21 8:30 AM OR 02/19/21 12:00 PM (DEPENDING ON PANDEMIC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 19, 2021

C-16-316287-1 State of Nevada
 vs
 Arthur Moore

February 19, 2021 11:00 AM All Pending Motions

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 14D

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:	Moore, Arthur	Defendant
	Pieper, Danielle K.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney
	Winder, Dan M	Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AND PROCEED TO TRIAL ...
HEARING

Following arguments by counsel, COURT ORDERED, Motion to Withdraw Plea DENIED; matter
SET for Sentencing; State to prepare the Order.

CUSTODY

03/25/21 11:00 AM SENTENCING

CASE NO. C-16-316287-1, -2, -3, -4
DEPT. NO. XI
CDDA DANIELLE PIEPER (GCU)

Defendant(s): ARTHUR MOORE, #2578207
NADIN HIKO, #2705863
DEVONTE WASH, #2721553
DEVON PHILLIPS, # 3025541

Case No(s): 15BGJ096A-D (RANDOM TRACK BETWEEN ALL CRIMINAL DC DEPTS.)

Charge(s): (1) CT - MURDER WITH USE OF A DEADLY WEAPON (Category A Felony - NRS 200.010, 200.030, 193.165 - NOC 50001);
(1) CT - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.010, 200.030, 193.330, 193.165 - NOC 50031);
(3) CTS - ASSAULT WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.471 - NOC 50201);
(1) CT - CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147) and
(2) CTS - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138)

Def. Counsel(s): MOORE - UNKNOWN
HIKO - UNKNOWN
WASH - UNKNOWN
PHILLIPS - UNKNOWN

WARRANT (1 WEEK):

HIKO: No Bail

7.15 @ 9 DC 11

WARRANT (NO DATE):

MOORE:
WASH:
PHILLIPS:

}

DEFT HIKO IS IN CUSTODY @ CCDC ON UNRELATED CASE
DEFTS MOORE, WASH AND PHILLIPS ARE NOT IN CUSTODY

Exhibits:

1. Photo
2. Photo
3. Photo
4. Photo
5. Photo
6. Photo
7. Photo
8. Photo
9. Photo
10. Photo

11. Photo
12. Photo
13. Photo
14. Photo
15. Photo
16. Photo
17. Photo
18. Photo
19. Photo
20. Photo
21. Photo
22. Photo
23. Photo
24. Photo
25. Photo
26. Photo
27. Photo
28. Photo
29. Photo
30. Photo & Line-Up Instructions
31. Photo & Line-Up Instructions
32. Transcript 6-22-16
33. Photo & Line-Up Instructions
34. Photo & Line-Up Instructions
35. Photo & Line-Up Instructions
36. Photo
37. Death Certificate – Aric Michael
38. Drawing by Artur Moore
39. Photo
40. Indictment
41. Instructions

Exhibits 1 – 41 to be lodged with the Clerk of the Court.

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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; REQUEST FOR
TRANSCRIPT OF PROCEEDINGS; DISTRICT COURT DOCKET ENTRIES; JUDGMENT OF
CONVICTION (PLEA OF GUILTY); DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

ARTHUR MOORE,

Defendant(s).

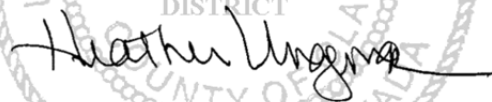
Case No: C-16-316287-1

Dept No: XII

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 7 day of April 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk