

Electronically Filed
Apr 12 2021 08:57 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOASC
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
200 Lewis Street
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,
v.
MARGAUX ORNELAS,
Defendant.

Case No. C-19-340051-2
Dept. No. XXIV

NOTICE OF APPEAL

TO: MARGAUX ORNELAS, Defendant; and
TO: MICHAEL TROIANO, Attorney for Defendant; and
TO: ERIKA BALLOU, District Judge, Eighth Judicial District Court,
Dept. No. XXIV

NOTICE IS HEREBY GIVEN THAT THE STATE OF NEVADA, Plaintiff in the
above entitled matter, appeals to the Supreme Court of Nevada, pursuant to NRS 177.015(2)
from the order the district court filed APRIL 8, 2021, granting Defendant's Motion to
Suppress.

Dated this 9th day of April, 2021.

STEVEN B. WOLFSON,
Clark County District Attorney

BY /s/ Karen Mishler
KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730

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CERTIFICATE OF ELECTRONIC TRANSMISSION

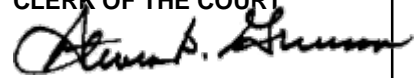
I hereby certify that service of the above and foregoing NOTICE OF APPEAL was made April 9, 2021, by electronic transmission to:

MICHAEL TROIANO
Email: mike@troianovegaslaw.com

JUDGE ERIKA BALLOU
Email: Dept24LC@clarkcountycourts.us

BY /s/ J. Garcia
Employee, District Attorney's Office

KM//jg



ASTA
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
200 Lewis Street
Las Vegas, Nevada 89155-2212
(702) 671-2750
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,
Plaintiff,

v.

MARGAUX ORNELAS,
Defendant.

Case No. C-19-340051-2
Dept. No. XXIV

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

The State of Nevada

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

Judge Erika Ballou

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

Margaux Ornelas

The State of Nevada

4. Identify all parties involved in this appeal:

Margaux Ornelas

The State of Nevada

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

KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2750

MICHAEL TROIANO
601 South 7th Street
Las Vegas, Nevada 89101
(702) 843-5500

Counsel for Appellant
State of Nevada

Counsel for Respondent
Margaux Ornelas

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

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

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

9. Date proceedings commenced in the district court:

Indictment, filed May, 3, 2019.

DATED this 9th day of April, 2021.

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

BY /s/ Karen Mishler

KAREN MISHLER
Chief Deputy District Attorney
Nevada Bar #013730
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-19-340051-2**

State of Nevada
vs
Margaux Ornelas

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§
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§
§

Location: **Department 24**
Judicial Officer: **Ballou, Erika**
Filed on: **05/03/2019**
Case Number History:
Cross-Reference Case Number: **C340051**
Defendant's Scope ID #: **7032495**
Grand Jury Case Number: **18CGJ056B**
ITAG Case ID: **2294241**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CONSPIRACY TO COMMIT BURGLARY Arrest: 05/03/2019	205.060.2	G	12/08/2018	Case Status:	05/07/2019 Reactivated
2. BURGLARY	205.060.2	F	12/08/2018		
3. BURGLARY	205.060.2	F	12/08/2018		
4. BURGLARY	205.060.2	F	12/08/2018		
5. GRAND LARCENY	205.222.3	F	12/08/2018		
6. CONSPIRACY TO COMMIT BURGLARY	205.060.2	G	12/11/2018		
7. BURGLARY	205.060.2	F	12/11/2018		

Related Cases

C-19-340051-1 (Multi-Defendant Case)
C-19-340051-3 (Multi-Defendant Case)
C-19-340051-4 (Multi-Defendant Case)

Warrants

Indictment Warrant - Ornelas, Margaux (Judicial Officer: Leavitt, Michelle)

05/22/2019 2:16 PM Returned - Served

05/03/2019 11:00 AM Active

Fine: \$0

Bond: **\$100,000.00**

Any


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

Case Number C-19-340051-2
Court Department 24
Date Assigned 01/04/2021
Judicial Officer Ballou, Erika

PARTY INFORMATION

		Lead Attorneys
Defendant	Ornelas, Margaux	Troiano, Michael <i>Retained</i> 702-843-5500(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

05/03/2019  Indictment

05/03/2019  Warrant

CASE SUMMARY
CASE NO. C-19-340051-2

Indictment Warrant

05/07/2019	 Indictment Warrant Return
05/14/2019	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, May 2, 2019</i>
12/27/2019	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>State's Notice of Expert Witnesses</i>
11/10/2020	 Notice of Witnesses Party: Defendant Ornelas, Margaux <i>Defendant's Notice of Witnesses</i>
11/11/2020	 Supplemental Witness List Filed by: Defendant Ornelas, Margaux <i>Defendant's Supplemental Notice of Witnesses</i>
01/04/2021	Case Reassigned to Department 24 <i>Judicial Reassignment to Judge Erika D. Ballou</i>
01/18/2021	 Motion Filed By: Defendant Ornelas, Margaux <i>Motion for Own Recognizance Release with Intensive Supervision</i>
01/21/2021	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/03/2021	 Joinder To Motion Filed By: Defendant Ornelas, Margaux <i>Defendant Margaux Ornelas Joinder To Co-Defendant Dustin Lewis Motion To Suppress Evidence Based On Fourth Amendment Violation And Fruit Of The Poisonous Tree Doctrince</i>
04/05/2021	 Motion for Own Recognizance Release/Setting Reasonable Bail Filed By: Defendant Ornelas, Margaux <i>Motion for an Own Recognizance Release with Intensive Supervision</i>
04/06/2021	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
04/08/2021	 Order <i>Order Granting Defendant Dustin Lewis Motion to Suppress Evidence based on Fourth Amendment Violations and Fruit of The Poisonous Tree Doctrine</i>
04/09/2021	 Opposition <i>State's Opposition to Defendant's Motion For Own Recognizance Release/Setting Reasonable Bail</i>
04/09/2021	 Reply Filed by: Defendant Ornelas, Margaux <i>Reply to State's Opposition to Defendant's Motion for an Own Recognizance Release</i>
04/09/2021	 Notice of Appeal (criminal)

CASE SUMMARY**CASE NO. C-19-340051-2**

Party: Plaintiff State of Nevada
Notice of Appeal

04/09/2021



Case Appeal Statement
Case Appeal Statement

HEARINGS

05/03/2019



Grand Jury Indictment (11:00 AM) (Judicial Officer: Leavitt, Michelle)

MINUTES**Warrant**

05/03/2019 Inactive Indictment Warrant

Matter Heard;

Journal Entry Details:

Lawrence Holmes, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 18CGJ056B to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-19-340051-2, Department XXIII. State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$100,000.00 BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. Upon Court's inquiry, the State advised there are no material witness warrants to quash. COURT FURTHER ORDERED, Exhibits 1-67 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 19F00933B DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done. I.W. (NIC (COC-NDC)) 05/22/18 9:30 A.M. INITIAL ARRAIGNMENT (DEPT XXIII) ;

SCHEDULED HEARINGS

Initial Arraignment (05/22/2019 at 9:30 AM) (Judicial Officer: Miley, Stefany)

05/22/2019

Initial Arraignment (9:30 AM) (Judicial Officer: Miley, Stefany)

Trial Date Set;

05/22/2019

Indictment Warrant Return (9:30 AM) (Judicial Officer: Miley, Stefany)

Matter Heard;

05/22/2019



All Pending Motions (9:30 AM) (Judicial Officer: Miley, Stefany)

Initial Arraignment; Indictment Warrant Return

Trial Date Set; Initial Arraignment; Indictment Warrant Return

Journal Entry Details:

Deft. present in custody on the returned warrant. DEFT. ORNELAS ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. Parties advised trial length of one week. COURT ORDERED, matter SET for trial. FURTHER, counsel has 21 days from today's date. CUSTODY 01-22-20 9:30 AM CALENDAR CALL 01-27-20 1:00 PM TRIAL BY JURY;

01/22/2020



Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany)

MINUTES

Trial Date Set;

Journal Entry Details:

Also present: Co-Deft. Herod with counsel John Parris, Esq. and Co-Deft. Lewis with counsel Caesar Almase, Esq. Mr. Parris advised offers have been extended to the Co-Defts. and they are contingent; however, one Deft. not accepted the offer from the State and therefore Mr. Parris requested trial date be vacated and reset. At the request of Mr. Parris and Mr. Almase, COURT ORDERED, trial date VACATED and RESET. FURTHER, matter SET for status check. CUSTODY 2/19/20 9:30 AM STATUS CHECK: TRIAL READINESS 4/1/20 9:30 AM CALENDAR CALL 4/6/20 1:00 PM JURY TRIAL;

SCHEDULED HEARINGS

CANCELED Jury Trial (01/27/2020 at 1:00 PM) (Judicial Officer: Miley, Stefany)

Vacated - per Judge



Status Check: Trial Readiness (02/19/2020 at 9:30 AM) (Judicial Officer: Miley, Stefany)

CASE SUMMARY

CASE NO. C-19-340051-2

	<p>CANCELED Calendar Call (04/01/2020 at 9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i></p> <p>CANCELED Jury Trial (04/06/2020 at 1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i></p>
01/27/2020	<p>CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated - per Judge</i></p>
02/19/2020	<p> Status Check: Trial Readiness (9:30 AM) (Judicial Officer: Miley, Stefany) Matter Heard; Journal Entry Details: <i>State announced ready for trial. Counsel noted there had been an offer, which is contingent and stated Deft. wanted to accept the offer. COURT SO NOTED and ORDERED, trial date STANDS. CUSTODY;</i></p>
04/01/2020	<p>CANCELED Calendar Call (9:30 AM) (Judicial Officer: Miley, Stefany) <i>Vacated</i></p>
04/06/2020	<p>CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i></p>
06/17/2020	<p> Calendar Call (3:30 PM) (Judicial Officer: Miley, Stefany) Trial Date Set; Journal Entry Details: <i>Marshal Dean advised Deft. was not present due to health issue. COURT SO NOTED. Pursuant to Administrative Order due to COVID 19, COURT ORDERED, trial date VACATED and RESET. CUSTODY 01-13-21 9:30 AM CALENDAR CALL 01-19-21 1:00 PM TRIAL BY JURY;</i></p>
06/22/2020	<p>CANCELED Jury Trial (1:00 PM) (Judicial Officer: Miley, Stefany) <i>Vacated</i></p>
01/13/2021	<p> Calendar Call (8:30 AM) (Judicial Officer: Ballou, Erika) Matter Heard; Journal Entry Details: <i>Yu Meng, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference. The Court noted Deft. waived his right to a speedy trial. Colloquy regarding trial dates. Following colloquy, COURT ORDERED, trial dates VACATED and RESET. CUSTODY 05/17/2021 8:30 AM CALENDAR CALL 05/24/2021 9:00 AM JURY TRIAL;</i></p>
01/19/2021	<p>CANCELED Jury Trial (1:00 PM) (Judicial Officer: Lilly-Spells, Jasmin) <i>Vacated - per Judge</i></p>
01/25/2021	<p> Motion for Own Recognizance Release/Setting Reasonable Bail (8:30 AM) (Judicial Officer: Ballou, Erika) <i>Defendant's - Motion for Own Recognizance Release with Intensive Supervision</i> Granted in Part; Journal Entry Details: <i>David Stanton, Esq. and Michael Troiano, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference. Arguments by counsel. Following arguments, COURT STATED IT'S FACTS AND FINDINGS, ORDERED, Own Recognizance Release (O.R.) with High Level Electronic Monitoring. O.R./HLEMP;</i></p>
03/08/2021	<p> Opposition and Countermotion (10:00 AM) (Judicial Officer: Ballou, Erika) <i>Defendant Margaux Ornelas Joinder To Co-Defendant Dustin Lewis Motion To Suppress Evidence Based On Fourth Amendment Violation And Fruit Of The Poisonous Tree Doctrince</i> Matter Heard; Journal Entry Details: <i>David Stanton, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference. Colloquy regarding case law. Following colloquy, COURT</i></p>

CASE SUMMARY

CASE NO. C-19-340051-2

ORDERED, Mr. Almase to file a reply with case law; matter SET for argument. CUSTODY 03.17.2021 8:30 AM ARGUMENT;

03/17/2021



Argument (8:30 AM) (Judicial Officer: Ballou, Erika)

03/17/2021, 03/31/2021, 04/05/2021

Matter Continued;

Matter Continued;

Matter Heard;

Journal Entry Details:

David Stanton, Esq. and Michael Troiano, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference. The Court noted it read all pleadings. Mr. Almase submitted on pleadings. Arguments by Mr. Stanton. Following arguments, COURT ORDERED, Motion GRANTED in entirety; advised Mr. Almase to prepare the Order. CUSTODY;

Matter Continued;

Matter Continued;

Matter Heard;

Journal Entry Details:

Michael Troiano, Esq. and David Stanton, Esq. present via Bluejeans video conference. Caesar Almase, Esq. present for Co-Deft. (Dustin Lewis). Deft. present in-custody via Bluejeans video conference. Mr. Almase indicated he filed a response of pleadings. COURT ORDERED, matter CONTINUED to review pleadings. CUSTODY CONTINUED TO 04.05.2021 8:30 AM;

Matter Continued;

Matter Continued;

Matter Heard;

Journal Entry Details:

Caesar V. Almase, Esq., appearing for Michael Troiano, Esq., for the Defendant. COURT NOTED this matter was Mr. Troiano's joinder to Mr. Almase's motion. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 03/30/21 8:30 AM;

04/12/2021

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

Defendant's Motion for an Own Recognizance Release with Intensive Supervision

05/17/2021

Calendar Call (8:30 AM) (Judicial Officer: Ballou, Erika)

05/24/2021

Jury Trial (9:00 AM) (Judicial Officer: Ballou, Erika)

MICHAEL A. TROIANO, ESQ.,
Nevada Bar No. 11300
601 S. 7th St.
Las Vegas, NV 89101
(702) 843-5500
Attorney for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,)	
)	
Plaintiff,)	Case Nos.: C-19-340051-2
)	
v.)	Dept. No.: XXIV
)	
MARGAUX ORNELAS,)	ORDER GRANTING DEFENDANT DUSTIN
)	LEWIS MOTION TO SUPPRESS EVIDENCE
)	BASED ON FOURTH AMENDMENT
Defendants.)	VIOLATION AND FRUIT OF THE
)	POISONOUS TREE DOCTRINE

THIS MATTER, having come before this Honorable Court on April 5, 2021, for hearing on DEFENDANT DUSTIN LEWIS MOTION TO SUPPRESS EVIDENCE BASED ON FOURTH AMENDMENT VIOLATION AND FRUIT OF THE POISONOUS TREE DOCTRINE; the parties present through counsel, CAESAR ALMASE on behalf of DUSTIN LEWIS, MICHAEL TROIANO on behalf of MARGAUX ORNELAS, having filed a Joinder, and DAVID STANTON on behalf of the STATE OF NEVADA, having filed an Opposition and Response; that based on the pleadings, argument of counsel on April 5, 2021, prior argument made in court, and good cause shown,

IT IS HEREBY ORDERED SUPRESSED,

All tangible property and physical evidence recovered from the tent of DEFENDANT LEWIS AND ORNELAS and the surrounding area, as these items were seized in violation of the Fourth Amendment of the United States Constitution, *US v. Gooch*, 6 F.3d. 673 (9th Cir.

1993), *US v. Sandoval*, 200 F.3d 659 (2000), and *State v. Alward*, 112 Nev. 141 (1996);

FURTHER ORDERED SUPPRESSED,

Under the Fruit of the Poisonous Tree doctrine and *Segura v. United States*, 468 U.S. 796, 804 (1984), is the hand print of Mr. LEWIS; the interview of Mr. LEWIS; any statements attributed to Mr. LEWIS and Ms. ORNELAS; all documents, statements, and any other tangible or physical evidence relating to the identity of Mr. LEWIS and Ms. ORNELAS; any evidence derived from the Lincoln Navigator that the State intends to use against Mr. LEWIS and Ms. ORNELAS; and any evidence derived from the Fun City Motel that the State intends to use against Mr. LEWIS.

DATED this 8 day of April 2021.

Dated this 8th day of April, 2021



ERIKA D. BALLOU
DISTRICT COURT JUDGE
148 A0E 2CC9 60D2
Erika Ballou
District Court Judge

Submitted By: /s/ Michael A. Troiano
MICHAEL A. TROIANO, ESQ.
Nevada Bar No. 11300
601 South 7th Street
Las Vegas, Nevada 89101
(702) 843-5500

1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

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6 State of Nevada

CASE NO: C-19-340051-2

7 vs

DEPT. NO. Department 24

8 Margaux Ornelas
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10 **AUTOMATED CERTIFICATE OF SERVICE**

11 Electronic service was attempted through the Eighth Judicial District Court's
12 electronic filing system, but there were no registered users on the case. The filer has been
13 notified to serve all parties by traditional means.
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 03, 2019

C-19-340051-2 State of Nevada
 vs
 Margaux Ornelas

May 03, 2019 11:00 AM Grand Jury Indictment

HEARD BY: Leavitt, Michelle **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Kimberly Estala

RECORDER: Trisha Garcia

REPORTER:

PARTIES

PRESENT: Stanton, David L. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Lawrence Holmes, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 18CGJ056B to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-19-340051-2, Department XXIII.

State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$100,000.00 BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment.

Upon Court's inquiry, the State advised there are no material witness warrants to quash. COURT FURTHER ORDERED, Exhibits 1-67 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 19F00933B DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done.

I.W. (NIC (COC-NDC))

05/22/18 9:30 A.M. INITIAL ARRAIGNMENT (DEPT XXIII)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 22, 2019

C-19-340051-2 State of Nevada
 vs
 Margaux Ornelas

**May 22, 2019 9:30 AM All Pending Motions Initial Arraignment;
Indictment Warrant
Return**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Ornelas, Margaux	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff
	Troiano, Michael	Attorney

JOURNAL ENTRIES

- Deft. present in custody on the returned warrant. DEFT. ORNELAS ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. Parties advised trial length of one week. COURT ORDERED, matter SET for trial. FURTHER, counsel has 21 days from today's date.

CUSTODY

01-22-20 9:30 AM CALENDAR CALL

01-27-20 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 22, 2020

C-19-340051-2 State of Nevada
 vs
 Margaux Ornelas

January 22, 2020 9:30 AM Calendar Call

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Michaela Tapia

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Ornelas, Margaux	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff
	Troiano, Michael	Attorney

JOURNAL ENTRIES

- Also present: Co-Deft. Herod with counsel John Parris, Esq. and Co-Deft. Lewis with counsel Caesar Almase, Esq.

Mr. Parris advised offers have been extended to the Co-Defts. and they are contingent; however, one Deft. not accepted the offer from the State and therefore Mr. Parris requested trial date be vacated and reset. At the request of Mr. Parris and Mr. Almase, COURT ORDERED, trial date VACATED and RESET. FURTHER, matter SET for status check.

CUSTODY

2/19/20 9:30 AM STATUS CHECK: TRIAL READINESS

4/1/20 9:30 AM CALENDAR CALL

4/6/20 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 19, 2020

C-19-340051-2 State of Nevada
vs
Margaux Ornelas

**February 19, 2020 9:30 AM Status Check: Trial
Readiness**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:	Ornelas, Margaux	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff
	Troiano, Michael	Attorney

JOURNAL ENTRIES

- State announced ready for trial. Counsel noted there had been an offer, which is contingent and stated Deft. wanted to accept the offer. COURT SO NOTED and ORDERED, trial date STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 17, 2020

C-19-340051-2 State of Nevada
 vs
 Margaux Ornelas

June 17, 2020 3:30 PM Calendar Call

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT: Stanton, David L. Attorney
 State of Nevada Plaintiff
 Troiano, Michael Attorney

JOURNAL ENTRIES

- Marshal Dean advised Deft. was not present due to health issue. COURT SO NOTED. Pursuant to Administrative Order due to COVID 19, COURT ORDERED, trial date VACATED and RESET.

CUSTODY

01-13-21 9:30 AM CALENDAR CALL

01-19-21 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 13, 2021

C-19-340051-2 State of Nevada
vs
Margaux Ornelas

January 13, 2021 8:30 AM Calendar Call

HEARD BY: Ballou, Erika

COURTROOM: RJC Courtroom 12C

COURT CLERK: Ro'Shell Hurtado

RECORDER: Angelica Michaux

REPORTER:

PARTIES

PRESENT:	Meng, Yu	Attorney
	Ornelas, Margaux	Defendant
	State of Nevada	Plaintiff
	Troiano, Michael	Attorney

JOURNAL ENTRIES

- Yu Meng, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

The Court noted Deft. waived his right to a speedy trial. Colloquy regarding trial dates. Following colloquy, COURT ORDERED, trial dates VACATED and RESET.

CUSTODY

05/17/2021 8:30 AM CALENDAR CALL

05/24/2021 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 25, 2021

C-19-340051-2 State of Nevada
vs
Margaux Ornelas

**January 25, 2021 8:30 AM Motion for Own
Recognizance
Release/Setting Reasonable
Bail**

HEARD BY: Ballou, Erika

COURTROOM: RJC Courtroom 12C

COURT CLERK: Ro'Shell Hurtado

RECORDER: Toshiana Pierson

REPORTER:

PARTIES

PRESENT:	Ornelas, Margaux	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff
	Troiano, Michael	Attorney

JOURNAL ENTRIES

- David Stanton, Esq. and Michael Troiano, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

Arguments by counsel. Following arguments, COURT STATED IT'S FACTS AND FINDINGS, ORDERED, Own Recognizance Release (O.R.) with High Level Electronic Monitoring.

O.R./HLEMP

March 08, 2021

Minutes Date: May 03, 2019

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 17, 2021

C-19-340051-2 State of Nevada
 vs
 Margaux Ornelas

March 17, 2021 8:30 AM Argument

HEARD BY: Ballou, Erika

COURTROOM: RJC Courtroom 12C

COURT CLERK: Natalie Ortega

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Clowers, Shanon	Attorney
	Ornelas, Margaux	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Caesar V. Almase, Esq., appearing for Michael Troiano, Esq., for the Defendant.

COURT NOTED this matter was Mr. Troiano's joinder to Mr. Almase's motion. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 03/30/21 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 31, 2021

C-19-340051-2 State of Nevada
vs
Margaux Ornelas

March 31, 2021 8:30 AM Argument

HEARD BY: Ballou, Erika

COURTROOM: RJC Courtroom 12C

COURT CLERK: Ro'Shell Hurtado

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Ornelas, Margaux	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff
	Troiano, Michael	Attorney

JOURNAL ENTRIES

- Michael Troiano, Esq. and David Stanton, Esq. present via Bluejeans video conference. Caesar Almase, Esq. present for Co-Deft. (Dustin Lewis). Deft. present in-custody via Bluejeans video conference.

Mr. Almase indicated he filed a response of pleadings. COURT ORDERED, matter CONTINUED to review pleadings.

CUSTODY

CONTINUED TO 04.05.2021 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 05, 2021

C-19-340051-2 State of Nevada
 vs
 Margaux Ornelas

April 05, 2021 8:30 AM Argument

HEARD BY: Ballou, Erika **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Ro'Shell Hurtado

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Almase, Caesar V.	Attorney
	Ornelas, Margaux	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff
	Troiano, Michael	Attorney

JOURNAL ENTRIES

- David Stanton, Esq. and Michael Troiano, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

The Court noted it read all pleadings. Mr. Almase submitted on pleadings. Arguments by Mr. Stanton. Following arguments, COURT ORDERED, Motion GRANTED in entirety; advised Mr. Almase to prepare the Order.

CUSTODY

CASE NO. C-19-340051-1, -2, -3, -4
DEPT. NO. XXIII
DDA BRANDON ALBRIGHT (L-3)

Defendant(s): DUSTIN LEWIS, #7030601
MARGAUX ORNELAS, aka, Margaux Shannon Ornelas, #7032495
TYREE FAULKNER, #7067032
THOMAS HEROD, #7052832

Case No(s): 18CGJ056A-D (RANDOMLY TRACKS TO DC XXIII & XXX)

Charge(s): As to Deft's Lewis & Ornelas
(2) CTS - CONSPIRACY TO COMMIT BURGLARY (Gross Misdemeanor - NRS 205.060, 199.480 - NOC 50445);
(4) CTS - BURGLARY (Category B Felony - NRS 205.060 - NOC 50424) and
(1) CT - GRAND LARCENY (Category B Felony - NRS 205.220.1, 205.222.3 - NOC 56008)

As to Deft's Faulker & Herod
(1) CT - CONSPIRACY TO COMMIT BURGLARY (Gross Misdemeanor - NRS 205.060, 199.480 - NOC 50445) and
(1) CT - BURGLARY (Category B Felony - NRS 205.060 - NOC 50424)

Def. Counsel(s): LEWIS - CAESAR ALMASE
ORNELAS - MICHAEL TROIANO
FAULKNER - PD
HEROD - JOHN PARRIS

5/22 930
0623

WARRANTS (3 WEEKS):

LEWIS - 500
ORNELAS - 100
FAULKNER - SUMMONS
HEROD - SUMMONS

DEFT LEWIS IS IN CUSTODY @ NDOC (19F00933A - PH 5/13 IN JC 2)
DEFT ORNELAS IS IN CUSTODY @ CCDC (19F00933B PH 5/13 IN JC 2)
DEFT FAULKNER IS NOT IN CUSTODY (18F23275X DISM'D 4/19)
DEFT HEROD IS NOT IN CUSTODY (19F01352X - PH 5/13 IN JC 2)

LVJC CASE TO BE DISM'D: 19F00933A-B & 19F01352X

Exhibits:

pg 1. Proposed Indictment
pg 2. CD/DVD
pg 3. Photo
pg 4. Photo
pg 5. Photo
pg 6. Photo
pg 7. Spreadsheet
pg 8. Report

pg 9. Report
pg 10. Report
pg 11. Photo
pg 12. Photo
pg 13. Map
pg 14. Photo
pg 15. Photo
pg 16. Photo

17. Photo
18. Photo
19. Photo
20. Photo
21. Photo
22. Photo
23. Photo
24. Photo
25. Photo
26. Photo
27. Photo
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57. Photo
58. Photo
59. Photo
60. Photo
61. Photo
62. Photo
63. Photo
64. Photo
65. Photo
66. Report
67. Report

Exhibits 1 - 67 to be lodged with the Clerk of the Court.



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

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

DATE: April 12, 2021
CASE: C-19-340051-2

RE CASE: STATE OF NEVADA vs. MARGAUX ORNELAS aka MARGAUX SHANNON ORNELAS

NOTICE OF APPEAL FILED: April 9, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER GRANTING DEFENDANT DUSTIN LEWIS MOTION TO SUPPRESS EVIDENCE BASED ON FOURTH AMENDMENT VIOLATION AND FRUIT OF THE POISONOUS TREE DOCTRINE; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

MARGAUX ORNELAS
aka MARGAUX SHANNON ORNELAS,

Defendant(s).


Case No: C-19-340051-2

Dept No: XXIV

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 12 day of April 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk