

April 27 2021

Sammie Nunn III #1226304

SDCC

P.O. Box 208

Indian Springs, NV

89070

District Court  
State of Nevada  
Clark County

Electronically Filed  
May 14 2021 09:24 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Sammie Nunn III

Appellant

V.

The STATE OF NEVADA  
Respondant.

Case No. C-18-336184-1  
Dept No. XVIII

### Emergency Notice of Appeal

Notice is Hereby Given That I Sammie Nunn III, Appellant, Hereby Appeal To The Supreme Court of Nevada from the Eighth Judicial District Courts Violation of Contractual Plea Agreement on June 6, 2019, I, Sammie Nunn III have expired the entirety of the Stipulated Sentence agreed upon by the state and have done so without the opportunity for parole. I repeat the Maximum term of the Prison Sentence stipulated in the agreement from June 6, 2019 has expired and I do not owe Nevada anymore time. I am asking for an immediate release. If the Court doesn't accept this negotiation as valid, I, Petitioner, asks this court to vacate the agreement and remand this case back to trial court. Said Declarant subject to the Penalty of Perjury.

Respectfully Submitted,

Sammie Nunn III

Pocket 82901 Document 2021-13929

Case Number: C-18-336184-1

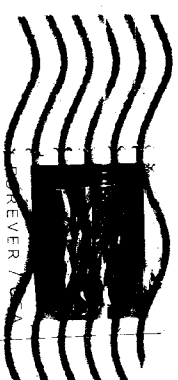
RECEIVED

MAY 10 2021

CLERK OF THE COURT

Samme Nunn #1226304  
SPCC  
P.O. Box 650  
Indian Springs, NV 89070

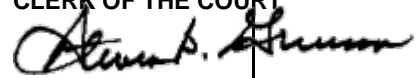
LAS VEGAS NV 890  
5 MAY 2021 PM 5 L



Steven D. Emerson  
Clerk of the Court  
200 LEWIS AVENUE  
3RD FLOOR  
Las Vegas NV 89155-1160

89101-630000

JUN 1 2021



1 ASTA

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5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 STATE OF NEVADA,

10 Plaintiff(s),

11 vs.

12 SAMMIE NUNN,

13 Defendant(s),

Case No: C-18-336184-1

Dept No: XXI

14  
15  
16 **CASE APPEAL STATEMENT**

17  
18 1. Appellant(s): Sammie Nunn

19 2. Judge: Tara Clark Newberry

20 3. Appellant(s): Sammie Nunn

21 Counsel:

22 Sammie Nunn #1226304  
23 P.O. Box 208  
24 Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.  
Las Vegas, NV 89101

(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: Yes

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: November 14, 2018

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Unknown

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 79219, 79264, 80061, 80121, 82859

12. Child Custody or Visitation: N/A

Dated This 10 day of May 2021.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Sammie Nunn

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. C-18-336184-1**

State of Nevada  
vs  
Sammie Nunn

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§  
§

Location: **Department 21**  
Judicial Officer: **Clark Newberry, Tara**  
Filed on: **11/14/2018**  
Case Number History:  
Cross-Reference Case Number: **C336184**  
Defendant's Scope ID #: **2751864**  
Grand Jury Case Number: **18AGJ145X**  
ITAG Case ID: **2119548**  
Supreme Court No.: **79219**  
**80121**

**CASE INFORMATION**

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	200.481.2e2	F	05/27/2018	Case Status:	<b>05/03/2021 Closed</b>
2. BATTERY WITH USE OF A DEADLY WEAPON	200.481.2e1	F	05/27/2018		

**Statistical Closures**

05/03/2021 Other Manner of Disposition - Criminal

**Warrants**

Indictment Warrant - Nunn, Sammie (Judicial Officer: Togliatti, Jennifer )

11/29/2018 10:59 AM Returned - Served

11/14/2018 11:00 AM Active

Hold Without Bond

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

Case Number	C-18-336184-1
Court	Department 21
Date Assigned	01/21/2021
Judicial Officer	Clark Newberry, Tara

**PARTY INFORMATION**

<b>Defendant</b>	<b>Nunn, Sammie</b>	<i>Lead Attorneys</i> <b>Jackson, Terrence Michael</b> <i>Retained</i> 702-386-0001(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)

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

11/14/2018

Indictment  
*Indictment*

11/14/2018
















Warrant  
*Indictment Warrant*

11/15/2018



Indictment Warrant Return

**CASE SUMMARY**  
**CASE NO. C-18-336184-1**

11/16/2018	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 1, November 6, 2018</i>
11/26/2018	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings, Grand Jury Hearing, Volume 2, November 13, 2018</i>
12/03/2018	 Ex Parte Motion Filed By: Plaintiff State of Nevada <i>Ex Parte Motion for Release of Certified Medical Records and Authorization for Related Witness Testimony</i>
12/03/2018	 Order Filed By: Plaintiff State of Nevada <i>Order Releasing Certified Medical Records and Authorization for Related Witness Testimony</i>
01/14/2019	Case Reassigned to Department 7 <i>Judicial Reassignment - From Judge Togliatti to Judge Bell</i>
01/15/2019	 Notice of Change of Hearing
01/24/2019	 Order of Commitment Pursuant to NRS 178.425 Filed By: Defendant Nunn, Sammie <i>Order of Commitment</i>
03/14/2019	 Order to Transport Defendant <i>Order to Transport Defendant from Southern Nevada Adult Health Rawson-Neal Psychiatric Hospital</i>
04/12/2019	 Findings of Competency Filed By: Plaintiff State of Nevada <i>Findings of Competency</i>
04/29/2019	 Motion to Dismiss Counsel Party: Defendant Nunn, Sammie
05/01/2019	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
05/06/2019	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
05/23/2019	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>State's Notice of Witnesses</i>
06/06/2019	 Guilty Plea Agreement
06/20/2019	 Judgment of Conviction <i>Judgment of Conviction</i>
07/15/2019	 Motion to Dismiss Counsel Party: Defendant Nunn, Sammie

**CASE SUMMARY**  
**CASE NO. C-18-336184-1**

*Motion to Dismiss Counsel and Appoint Alternate Counsel*

07/16/2019	 Notice of Appeal (Criminal) Party: Defendant Nunn, Sammie <i>Notice of Appeal</i>
07/17/2019	 Case Appeal Statement Filed By: Defendant Nunn, Sammie <i>Case Appeal Statement</i>
07/19/2019	 Probation Violation Report
08/08/2019	 Order Filed By: Defendant Nunn, Sammie <i>Order to Provide Cellular Telephone(s) from Inmate's Property to Anthony M. Goldstein, Esq.</i>
10/07/2019	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>
10/10/2019	 Motion for Post Conviction Relief Filed By: Defendant Nunn, Sammie <i>Post-Conviction Petition for Writ of Habeas Corpus</i>
10/10/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
10/16/2019	 Return Party: Plaintiff State of Nevada <i>State's Return to Defendant's Post-Conviction Petition for Writ of Habeas Corpus</i>
11/18/2019	 Amended Judgment of Conviction <i>Order for Revocation of Probation and Amended Judgment of Conviction</i>
11/20/2019	 Findings of Fact, Conclusions of Law and Order <i>Findings of Fact, Conclusions of Law, and Order</i>
11/21/2019	 Notice of Entry Filed By: Defendant Nunn, Sammie <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order</i>
11/21/2019	 Notice of Appeal (Criminal) <i>Notice of Appeal</i>
11/21/2019	 Motion Filed By: Defendant Nunn, Sammie <i>Motion to Withdraw Counsel and Motion to Appoint Appellant Counsel</i>
11/22/2019	 Case Appeal Statement Filed By: Defendant Nunn, Sammie <i>Case Appeal Statement</i>
12/11/2019	 Order for Production of Inmate Party: Plaintiff State of Nevada

**CASE SUMMARY**  
**CASE NO. C-18-336184-1**

*Order for Production of Inmates*

12/31/2019



Order for Production of Inmate  
*Order for Production of Inmate*

01/23/2020



Motion for Appointment of Attorney  
Filed By: Defendant Nunn, Sammie  
*Motion to Appoint Appellant Counsel*

01/24/2020



Motion for Production of Transcript  
Filed By: Defendant Nunn, Sammie

01/24/2020



Notice of Motion  
Filed By: Defendant Nunn, Sammie

01/24/2020



Petition for Writ of Habeas Corpus  
Filed by: Defendant Nunn, Sammie

01/28/2020



Order  
*Order Granting in Part and Denying in Part Defendant's Motion to Withdraw Counsel and Motion to Appoint Appellant Counsel*

02/04/2020



Order for Petition for Writ of Habeas Corpus  
*Order for Petition for Writ of Habeas Corpus*

02/18/2020



Order  
*Order Appointing Counsel*

02/25/2020



Response  
*State's Response and Motion to Dismiss Petition for Writ of Habeas Corpus*

02/26/2020



Exhibits  
Filed By: Defendant Nunn, Sammie  
*Exhibits A and B*

03/05/2020



Order  
Filed By: Plaintiff State of Nevada  
*Order Granting and Denying Defendant's Motion to Appoint Appellate Counsel and Defendant's Motion for Production of Transcript*

03/05/2020



Request  
Filed by: Defendant Nunn, Sammie  
*Request for Transcripts*

03/10/2020



Supplemental  
Filed by: Defendant Nunn, Sammie  
*Supplementary Motion for Evidentiary Hearing for Pro Per Petition for Sammie Nunn for Habeas Corpus Relief*

03/11/2020



Clerk's Notice of Hearing  
*Notice of Hearing*

03/31/2020



Response

**CASE SUMMARY**  
**CASE NO. C-18-336184-1**

*State's Response to Supplemental Motion for Evidentiary Hearing*

04/17/2020



Request

Filed by: Defendant Nunn, Sammie

*Defense Request for Appointment of Investigator*

04/20/2020



Clerk's Notice of Hearing

*Notice of Hearing*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Further Proceedings: Return from Competency Court - April 16, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Motion to Dismiss Counsel - May 14, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Status Check: Possible Negotiations or Sentencing - June 6, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Motion to Dismiss Counsel - May 14, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Motion to Dismiss Counsel - May 23, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Status Check: Possible Negotiations or Sentencing - June 6, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Sentencing - June 11, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Revocation of Probation - July 23, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Motion to Dismiss Counsel and Appoint Alternate Counsel/Status Check: Reset Revocation of Probation - August 6, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Motion to Dismiss Counsel and Appoint Alternate Counsel/Status Check - August 20, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Status Check: Motion to Withdraw Guilty Plea Agreement - September 5, 2019*

04/23/2020



Recorders Transcript of Hearing

*Recorder's Transcript Re: Status Check: Motion to Withdraw Guilty Plea Agreement - September 12, 2019*

04/23/2020




Recorders Transcript of Hearing

*Recorder's Transcript Re: Motion to Withdraw Guilty Plea - November 5, 2019*

**CASE SUMMARY**  
**CASE NO. C-18-336184-1**

04/23/2020	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript Re: Revocation of Probation - November 14, 2019</i>
04/23/2020	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript Re: Defendant's Post-Conviction Petition for Writ of Habeas Corpus - November 26, 2019</i>
04/23/2020	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript Re: Defendant's Post-Conviction Petition for Writ of Habeas Corpus/Motion to Withdraw Counsel and Motion to Appoint Appellate Counsel - December 17, 2019</i>
04/23/2020	 <b>Recorders Transcript of Hearing</b> <i>Recorder's Transcript Re: Motion to Withdraw Counsel and Motion to Appoint Appellant Counsel - January 14, 2020</i>
11/18/2020	 <b>Miscellaneous Filing</b>
01/21/2021	 <b>Notice of Department Reassignment</b> <i>Notice of Department Reassignment</i>
03/31/2021	 <b>NV Supreme Court Clerks Certificate/Judgment - Affirmed</b> <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>
04/29/2021	 <b>Notice of Appeal (Criminal)</b> <i>Notice of Appeal</i>
04/30/2021	 <b>Case Appeal Statement</b> Filed By: Defendant Nunn, Sammie <i>Case Appeal Statement</i>
05/03/2021	 <b>Criminal Order to Statistically Close Case</b> <i>CRIMINAL ORDER TO STATISTICALLY CLOSE CASE</i>
05/10/2021	 <b>Notice of Appeal (Criminal)</b> <i>Notice of Appeal</i>
05/10/2021	 <b>Case Appeal Statement</b> Filed By: Defendant Nunn, Sammie <i>Case Appeal Statement</i>

**HEARINGS**

11/14/2018	 <b>Grand Jury Indictment (11:00 AM)</b> (Judicial Officer: Togliatti, Jennifer)
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**MINUTES**

**Warrant**

11/14/2018 Inactive Indictment Warrant

Matter Heard;

Journal Entry Details:

*Russell Walker, 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 18AGJ145X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-336184-1, Department XXX. Based on representations made by Ms. Thompson regarding a companion case for Deft. COURT ORDERED, matter TRANSFERRED to Department IX. State requested*

**CASE SUMMARY****CASE NO. C-18-336184-1**

*a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, NO BAIL INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibits 1, 1a, 2 and 3 to be lodged with the Clerk of the Court. I.W. (CUSTODY (COC)) 11/20/18 9:00 A.M. INITIAL ARRAIGNMENT (DEPT IX) ;*

**SCHEDULED HEARINGS**

**Initial Arraignment** (11/20/2018 at 9:00 AM) (Judicial Officer: Togliatti, Jennifer)  
**11/20/2018, 11/29/2018, 12/13/2018**

11/20/2018

**Initial Arraignment** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)  
**11/20/2018, 11/29/2018, 12/13/2018**

Continued;  
 Continued;  
 Referred to Competency Court;  
 Continued;  
 Continued;  
 Referred to Competency Court;  
 Continued;  
 Continued;  
 Referred to Competency Court;

11/20/2018

**Indictment Warrant Return** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)  
**11/20/2018, 11/29/2018, 12/13/2018**

Continued;  
 Continued;  
 Referred to Competency Court;  
 Continued;  
 Continued;  
 Referred to Competency Court;  
 Continued;  
 Continued;  
 Referred to Competency Court;

11/20/2018



**All Pending Motions** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Matter Heard;  
 Journal Entry Details:  
*INDICTMENT WARRANT RETURN ... INITIAL ARRAIGNMENT Defendant not present. State noted the Defendant refused transport and the case is actually Mr. Goldstein's. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 11/29/18 9:00 AM CLERK'S NOTE: Mr. Goldstein notified of continuance date via e-mail 11/20/18. - amt;*

11/29/2018



**All Pending Motions** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Continued;  
 Journal Entry Details:  
*Mr. Goldstein advised this case included the event in C334308 and advised that case will be dismissed. Further, Mr. Goldstein requested arraignment be continued so that he may address competency concerns before the Defendant is arraigned. COURT ORDERED, C336184 CONTINUED and C334308 DISMISSED. CUSTODY CONTINUED TO: 12/13/18 9:00 AM;*

12/13/2018



**All Pending Motions** (9:00 AM) (Judicial Officer: Togliatti, Jennifer)

Matter Heard;  
 Journal Entry Details:  
*INDICTMENT WARRANT RETURN ... INITIAL ARRAIGNMENT COURT ORDERED, matter REFERRED to Competency Court. CUSTODY (COC) 1/4/19 9:00 AM FURTHER PROCEEDINGS: COMPETENCY;*

01/18/2019



**Further Proceedings: Competency** (10:00 AM) (Judicial Officer: Bell, Linda Marie)

Not Competent;  
 Journal Entry Details:  
*Appearances Continued: Denise Baker of the Specialty Courts also present. Court NOTED Drs. Colosimo and Krelstein indicate not competent; therefore, pursuant to the doctors'*

# CASE SUMMARY

CASE NO. C-18-336184-1

reports and the Dusky Standard, FINDS Defendant NOT COMPETENT as he is not capable of understanding the charges against his and is unable to assist counsel in his defense. Pursuant to NRS 178.425, COURT ORDERED, Defendant is REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, Defendant will be returned to this court for findings and referred back to the originating department for further proceedings. CUSTODY (L.C.) ;

03/22/2019



**Further Proceedings: Competency-Return From Stein** (10:00 AM) (Judicial Officer: Leavitt, Michelle)

## MINUTES

Continued;

Journal Entry Details:

Also present: Denise Baker of the Specialty Courts. Defendant not present. Ms. Romney requested a CONTINUANCE. COURT SO ORDERED. CUSTODY (R.N.) CONTINUED TO: 04/12/19 10:00 AM;

## SCHEDULED HEARINGS



**Further Proceedings: Competency** (04/12/2019 at 10:00 AM) (Judicial Officer: Bell, Linda Marie)

04/12/2019



**Further Proceedings: Competency** (10:00 AM) (Judicial Officer: Bell, Linda Marie)

## MINUTES

Found Competent;

Journal Entry Details:

APPEARANCES CONTINUED: Denise Baker of the Specialty Courts also present. 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 and is able to assist counsel in his defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings. . CUSTODY 04/16/19 9:00 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT (DEPT XVIII) ;

## SCHEDULED HEARINGS



**Further Proceedings: Return from Competency Court** (04/16/2019 at 9:00 AM) (Judicial Officer: Holthus, Mary Kay)

04/16/2019



**Further Proceedings: Return from Competency Court** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

Plea Entered;

Journal Entry Details:

Statements by Mr. Goldstein. DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED the SIXTY (60) DAY RULE. COURT ORDERED, trial date SET. CUSTODY 6/11/19 9:00 AM CALENDAR CALL 6/17/19 1:00 PM JURY TRIAL;

05/14/2019



**Motion** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

05/14/2019, 05/23/2019

Motion to Dismiss Counsel

Matter Continued;

Denied;

Journal Entry Details:

Mr. Goldstein indicated matter was on for fareta canvass and the State has given an offer which the Deft. rejected that offer and wants to go through with Fareta Canvass. Court noted if that is what Deft. wants to do. Deft. noted that was what he was being forced to do. Court advised Deft. that he had good counsel. Deft. inquired if had right to receive evidence; indicating he didn't have discovery and had counsel for eight months. Mr. Goldstein indicated he sent discovery to Deft. Court noted Deft.'s Motion didn't indicate a reason to dismiss counsel; advised counsel that matter would be set for status check discovery. Statements by Deft. Colloquy between parties regarding Ms. Thomson already modifying deal. CONFERENCE AT BENCH. Court advised Mr. Goldstein to find housing for Deft. MATTER

# CASE SUMMARY

CASE NO. C-18-336184-1

**TRAILED. MATTER RECALLED.** Upon Court's inquiry, Mr. Goldstein noted he would go over the Pre-Sentence Investigation (PSI) report with Deft. and see if he would accept deal. **COURT ORDERED**, Motion to Dismiss Counsel was hereby **DENIED**, and matter **SET** for status check for possible negotiations or possible sentencing. 6/6/19 9:00 AM **STATUS CHECK: NEGOTIATIONS/ SENTENCING**;

Matter Continued;

Denied;

Journal Entry Details:

Upon Court's inquiry, Mr. Goldstein noted this was Deft.'s second Motion in the instant matter. Mr. Goldstein further noted he visited with Deft. many times as well as visited alleged crime scene; therefore, he doesn't understand the reason for the Motion. Further statements by Mr. Goldstein. Court advised the Deft. he had an excellent attorney assigned to him and Court didn't see anything in Motion indicating otherwise; additionally, it didn't see where the complaints were coming from. Deft. indicated there was evidence that he didn't do the crime; however, Mr. Goldstein stated it didn't exist. Statements by Mr. Goldstein indicating there was a transcript. Deft. noted Mr. Goldstein didn't bring transcript into evidence. Court informed Deft. it was not the time to bring in evidence until trial. Following colloquy, Court advised it didn't see grounds to dismiss counsel; therefore, Deft. could retain his own counsel or Deft. proceed on his own. Deft. noted he would represent himself. **COURT DIRECTED** Deft. to think about it, and ask around; further, Deft. needed to be certain before Faretta Canvass. **COURT ORDERED**, matter **CONTINUED**. **CUSTODY 5/23/19 9:00 AM CONTINUED: MOTION TO DISMISS**;

06/06/2019



**Status Check (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

**STATUS CHECK: POSSIBLE NEGOTIATIONS OR SENTENCING**

Plea Entered;

Journal Entry Details:

**NEGOTIATIONS** are as contained in the Guilty Plea Agreement **FILED IN OPEN COURT**. **DEFENDANT NUNN ARRAIGNED AND PLED GUILTY to BATTERY WITH USE OF A DEADLY WEAPON (F)**. Court **ACCEPTED** plea, and Court agreed to use the Pre-sentence Investigation (PSI) Report from C334308. Mr. Goldstein requested Deft. be sentenced at the current hearing. **CONFERENCE AT BENCH**. Ms. Thomson advised she had no opposition to probation. **CONFERENCE AT BENCH. MATTER TRAILED. MATTER RECALLED. CONFERENCE AT BENCH**. Following colloquy, **COURT ORDERED**, trial **VACATED** and sentencing be **CONTINUED**. **CUSTODY 6/11/19 9:00 AM CONTINUED: SENTENCING**;

06/11/2019

**CANCELED Calendar Call (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

*Vacated - per Judge*

06/11/2019



**Sentencing (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Defendant Sentenced;

Journal Entry Details:


Upon Court's inquiry, Mr. Goldstein requested that the Court grant probation; additionally, Mr. Goldstein had been in contact with Deft.'s mom and she stated she made accommodations at a halfway house. Colloquy between parties and a representative from the One Day at a Time program halfway house. By virtue of Defendant's plea of guilty and by Order of the Court, **DEFT NUNN ADJUDGED GUILTY of BATTERY WITH USE OF A DEADLY WEAPON (F)**. Statements by Ms. Rose and Mr. Goldstein. **COURT ORDERED**, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, the \$150.00 DNA Analysis Fee, including testing to determine genetic markers, and to pay **RESTITUTION**, Deft. **SENTENCED** to a **MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS** and a **MINIMUM of FORTY-EIGHT (48) MONTHS** in the Nevada Department of Corrections (NDC); **SUSPENDED**; placed on **PROBATION** for an indeterminate period not to exceed **FIVE (5) YEARS**. **COURT FURTHER ORDERED**, Deft. to be placed on House arrest. **STANDARD CONDITIONS: 1. Reporting: You are to report in person to the Division of Parole and Probation (P&P) as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects. 2. Residence: You shall not change your place of residence without first obtaining permission from P&P, in each instance. 3. Intoxicants: You shall not consume any alcoholic beverages whatsoever. Upon order of P&P or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess. 4. Controlled Substances: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify P&P of any prescription received. You shall submit**

# CASE SUMMARY

CASE NO. C-18-336184-1

to drug testing as required by the Division or its agent. 5. Weapons: You shall not possess, have access to, or have under your control, any type of weapon. 6. Search: You shall submit your person, property (including cellular phones and / or computers), place of residence, vehicle or areas under your control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by P&P or its agent. 7. Associates: You must have prior approval by P&P to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution. 8. Directives and Conduct: You shall follow the directives of P&P and your conduct shall justify the opportunity granted to you by this community supervision. 9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances. 10. Out-of-State Travel: You shall not leave the state without first obtaining written permission from P&P. 11. Employment/Program: You shall seek and maintain legal employment, or maintain a program approved by P&P and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division. 12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by P&P. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge. SPECIAL CONDITIONS: 1. Def. shall submit digital storage media or any digital storage media that you have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent. 2. Def. to only be released to Parole and Probation and transported to One Day at a Time Program. 3. Def. to remain on House Arrest until interstate compact to California to live with his mother. 4. Complete mental health evaluation. 5. Consume any medication required. 6. Abide by any curfew imposed. 7. Maintain full-time employment, schooling or 16 hours community service a month. 8. No contact with victim. 9. Def. to pay RESTITUTION in the amount of \$22,042.00 to Prince Alidu. MATTER RECALLED. Colloquy between parties regarding Def. behavior post sentencing in the Courtroom. Mr. Goldstein informed the Court he explained to the Def. that probation was a privilege. BOND, if any, EXONERATED. O.R./H.A. ;

06/17/2019 CANCELED Jury Trial (11:00 AM) (Judicial Officer: Holthus, Mary Kay)  
Vacated - per Judge

07/23/2019  **Revocation of Probation** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)  
Matter Continued;  
Journal Entry Details:  
*Officer A. Marquez present on behalf of Parole and Probation (P&P). Upon Court's inquiry, Mr. Goldstein indicated no offer had been made; therefore, they would be stipulating and arguing for reinstatement. Further, Mr. Goldstein advised the Court, Def. filed a Motion to Dismiss counsel and Motion to Dismiss Previous Decision to Dismiss Attorney, and filed Motion to Appeal. Arguments by Ms. Thomson regarding Def.'s pre-sentence investigation (PSI) report. Ms. Thomson advised the Court they should address Def.'s basis for another attorney. Mr. Goldstein indicated he was prepared to go forward; however, the State wanted to address counsel. Court inquired if Def. still wanted to proceed with removing Mr. Goldstein from the case; which, Def. concurred. Court noted it would need a copy of the PSI and to look over it; therefore, COURT ORDERED, matter CONTINUED. CUSTODY 8/6/19 9:00 AM CONTINUED: REVOCATION OF PROBATION ;*

08/06/2019 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)  
**08/06/2019, 08/20/2019**  
*Motion to Dismiss Counsel and Appoint Alternate Counsel*  
Matter Continued;  
Matter Heard;  
Matter Continued;  
Matter Heard;

08/06/2019 **Status Check** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)  
**08/06/2019, 08/20/2019**  
*STATUS CHECK: RESET REVOCATION OF PROBATION*  
Matter Continued;  
Matter Heard;

**CASE SUMMARY**  
**CASE NO. C-18-336184-1**

Matter Continued;  
Matter Heard;

08/06/2019



**All Pending Motions (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Matter Continued;  
Journal Entry Details:

**MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL...STATUS CHECK: RESET REVOCATION OF PROBATION CONFERENCE AT BENCH.** Upon Court's inquiry, Deft. indicated there were things Mr. Goldstein was supposed to do which he didn't fulfil. Statements by Mr. Goldstein advising he spoke with witness. Deft. indicated he didn't want to take the deal and Mr. Goldstein told Deft. he wasn't going to use witness; therefore, Deft. was requesting an evidentiary hearing. Following colloquy, Court noted the only thing in front of the Court was Motion to Dismiss Counsel, which there was no basis to appoint alternative counsel; however, Deft. was free to represent himself. Deft. noted he would represent himself. Mr. Goldstein reminded the Court he was appointed with the Second Guilty Plea Agreement the Deft. pled guilty to. Statements by Deft. informing the Court he was coerced. Court noted there weren't any pending Motions. Following colloquy, Mr. Goldstein indicated there wasn't any legal grounds to file a Motion to Withdraw Plea, Deft. was aware of what he was signing. Deft. states there was conflict of interest. Court noted Mr. Goldstein stated he doesn't find a legal basis for Motion. Deft. noted there was new evidence of the victim confessing which was in his phone and on Facebook. Mr. Goldstein noted that was the first he had heard of it. Court noted it would sign Order to release phone to Mr. Goldstein. Court advised after Mr. Goldstein gets phone and reviews to see if there was anything on the phone it would be brought back to Court, if there isn't anything, the Revocation Hearing would be set. Further, if Deft. wanted to still represent himself the Court would do a Faretta Canvass. Mr. Goldstein advised he would go and visit Deft. and get Order signed. **COURT ORDERED, matter CONTINUED. CUSTODY 8/20/19 9:00 AM CONTINUED: MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL...STATUS CHECK: RESET REVOCATION OF PROBATION;**

08/20/2019



**All Pending Motions (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Matter Heard;  
Journal Entry Details:

**MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATIVE COUNSEL...STATUS CHECK: RESET REVOCATION OF PROBATION** Upon Court's inquiry, Mr. Goldstein indicated he did look at Deft.'s phone and reviewed evidence on there as well. Statements by Deft. Court noted Mr. Goldstein was already aware of information given and advised Deft. he had already pled guilty; therefore, revocation would be reset. Deft. advised he and his attorney were having a conflict of interest and indicated he wanted to withdraw his guilty plea. Colloquy between parties. **CONFERENCE AT BENCH. COURT ORDERED, Motion to Dismiss Counsel and Appoint Alternative Counsel was hereby GRANTED, with the understanding that Ms. Border was APPOINTED as counsel for the limited purpose to see if there were grounds for Deft. to withdraw his Guilty Plea Agreement. Additionally, Mr. Goldstein would be back on the instant case following that. Mr. Goldstein indicated he would give Deft.'s phone to Ms. Border along with discovery. COURT FURTHER ORDERED, matter CONTINUED for appointment of counsel. CUSTODY 9/5/19 9:00 AM STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA AGREEMENT;**

09/05/2019



**Status Check (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

**09/05/2019, 09/12/2019**

**STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA AGREEMENT**

Matter Continued;  
Briefing Schedule Set;  
Journal Entry Details:

Daniel Gilliam, Esq. present on behalf of Marisa Border, Esq. for Deft. Mr. Gilliam indicated a briefing schedule needed to be set. Court explained to Deft. what the briefing schedule entailed, noting Ms. Border must see some type of grounds to withdraw the guilty plea. **COURT ORDERED, the following Briefing Schedule: Ms. Border to file Motion by October 10, 2019, State to file Response by October 24, 2019, Ms. Border to file Reply by October 31, 2019, and matter CONTINUED for Hearing. Court noted if Motion was denied at that time, a sentencing date would be set. CUSTODY 11/5/19 9:00 AM HEARING- MOTION TO WITHDRAW GUILTY PLEA;**

Matter Continued;

# CASE SUMMARY

## CASE NO. C-18-336184-1

Briefing Schedule Set;

Journal Entry Details:

*Upon Court's inquiry, Ms. Border indicated she reviewed discovery and spoke with Mr. Goldstein; additionally, she noted she had the phone in possession, but needed to go through it. Further, Ms. Border advised there was another witness to speak with. Following colloquy, Ms. Border requested matter be continued for a week to check on basis to withdraw guilty plea agreement. COURT ORDERED, matter CONTINUED. CUSTODY 9/12/19 9:00 AM*  
**CONTINUED: STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA AGREEMENT;**

11/05/2019



**Hearing (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

**HEARING: MOTION TO WITHDRAW GUILTY PLEA**

Hearing Set;

Journal Entry Details:

*Arguments by counsel regarding the merits of the motion. COURT ORDERED, motion DENIED based on the State's opposition; Plaintiff to prepare the Order. COURT FURTHER ORDERED, Revocation of Probation SET. CUSTODY 11/14/19 9:00 AM REVOCATION OF PROBATION;*

11/14/2019



**Revocation of Probation (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Probation Revoked;

Journal Entry Details:

*Officer A. Martinez present on behalf of Parole and Probation (P&P). Upon Court's inquiry, Mr. Goldstein indicated there was no offer; therefore, they would be stipulating to the violation and arguing. Colloquy between parties regarding underlying sentence. CONFERENCE AT BENCH. DEFT. STIPULATED to being in violation of probation; Court ACCEPTED stipulation. Ms. Thomson agreed that the underlying sentence of four to ten years should be imposed. Arguments by Ms. Thomson. Statements by Deft. Mr. Goldstein requested that the underlying sentence be modified to a two to five year sentence. Following colloquy, Court FINDS that Deft. was in violation of probation and ORDERED, Deft. Nunn s PROBATION is REVOKED and a MODIFIED underlying sentence of a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC) would be IMPOSED, with FIVE HUNDRED TEN (510) DAYS credit for time served. NDC;*

11/26/2019



**Petition for Writ of Habeas Corpus (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

**11/26/2019, 12/17/2019**

*Defendant's Post-Conviction Petition for Writ of Habeas Corpus*

Matter Continued;

Denied;

Matter Continued;

Denied;

Journal Entry Details:

*Deft. not present. Mr. Goldstein informed the Court Deft. refused to be transported. Further, Mr. Goldstein indicated Deft. filed Notice of Appeal on his own and Motion to Dismiss Counsel as well. Mr. Goldstein requested matter be continued to be heard on December 17, 2019 with Deft.'s other Motion. COURT SO ORDERED. NDC 12/17/19 9:00 AM*  
**CONTINUED: DEFENDANT'S POST CONVICTION PETITION FOR WRIT OF HABEAS CORPUS;**

12/17/2019



**Motion (9:00 AM)** (Judicial Officer: Holthus, Mary Kay)

**12/17/2019, 01/14/2020**

*Motion to Withdraw Counsel and Motion to Appoint Appellant Counsel*




Matter Continued;

Granted in Part;

Journal Entry Details:

*Statements by Mr. Goldstein. Mr. Goldstein stated Deft. would be requesting for alternate counsel to be appointed, if not, he would like to represent himself for appeal. Upon Court's inquiry, Ms. Goodman indicated the State's position was that appeal had already been filed. COURT ORDERED, Motion to Withdraw Counsel and Motion to Appoint Appellant Counsel was hereby GRANTED IN PART/ DENIED IN PART. Court noted Motion was granted to the extent of withdrawing Mr. Goldstein; however, denied as to appointing new appellant counsel due to appeal already being filed. NDC;*

**CASE SUMMARY**  
**CASE NO. C-18-336184-1**

	Matter Continued; Granted in Part;
12/17/2019	 <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) Matter Continued; Journal Entry Details: <i>DEFENDANT'S POST CONVICTION PETITION FOR WRIT OF HABEAS CORPUS...MOTION TO WITHDRAW COUNSEL AND MOTION TO APPOINT APPELLANT COUNSEL</i> Deft. not present. Mr. Goldstein indicated there was an Order to Transport and Deft. should have been present. Mr. Jones noted the instant matter was on for post conviction; however, that Petition was argued at a previous hearing and set for revocation on November 14, 2019; COURT ORDERED, Defendant's Post Conviction Petition for Writ of Habeas Corpus was previously ruled on, and DENIED on November 5, 2019. CONFERENCE AT BENCH. Following colloquy, COURT FURTHER ORDERED, Motion to Withdraw Counsel and Motion to Appoint Appellant Counsel be CONTINUED for 30 days. COURT DIRECTED, the State to prepare a Transport Order. Colloquy between parties. Court noted it would give Deft. one more chance to be present; however, if Deft. was not present at the next hearing, Court would request that transport be, by any means necessary. NDC 1/14/20 9:00 AM CONTINUED: MOTION TO WITHDRAW COUNSEL AND MOTION TO APPOINT APPELLANT COUNSEL ;
02/18/2020	<b>Motion for Appointment of Attorney</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Motion to Appoint Appellant Counsel</i> Granted;
02/18/2020	<b>Motion for Production of Transcript</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) Denied;
02/18/2020	 <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) Matter Heard; Journal Entry Details: <i>Anthony Goldstein, Esq. present as previous counsel. Order Appointing Counsel FILED IN OPEN COURT. Deft. not present. Court noted Drew Christensen sent Mr. Jackson over to be appointed. Mr. Jackson concurred, indicating he was willing to accept the appellant appointment. Colloquy between parties requesting transcripts. Statements by Mr. Goldstein. Upon Court's inquiry, Mr. Jackson noted he was only appointed to handle the appeal. Following colloquy, COURT ORDERED, Motion to Appoint Appellant Counsel was hereby GRANTED and Motion for Production of Transcript was hereby DENIED, due to Deft. now having counsel. Mr. Jones to prepare the Orders. NDC 3/12/20 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS;</i>
03/12/2020	 <b>Petition for Writ of Habeas Corpus</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <b>03/12/2020, 04/14/2020, 06/16/2020</b> Matter Continued; Matter Continued; Stayed; Matter Continued; Matter Continued; Stayed; Matter Continued; Matter Continued; Stayed; Journal Entry Details: <i>Deft. not present. Mr. Jackson requested that matter be continued for one month. No objection by the State. Mr. Jackson further requested the matter be continued until April 16, 2020 and for Deft. to be present. Colloquy between parties. Mr. Jackson noted the matter could just be set for an argument. Court noted the State would get 30 days for a response, and Mr. Jackson would get time to reply. Mr. Jackson requested a Transport Order be prepared. Ms. Goodman concurred. COURT ORDERED the State to file Response by April 9, 2020, and matter CONTINUED for Argument. COURT FURTHER ORDERED, Petitioner's Supplementary Motion for Evidentiary Hearing on Pro Per Petition for Sammie Nunn for Habeas Corpus Relief was VACATED and RESET to be heard with the instant Petition. NDC 4/16/20 9:00 AM</i>

# CASE SUMMARY

CASE NO. C-18-336184-1

CONTINUED: PETITION FOR WRIT OF HABEAS CORPUS...ARGUMENT;

04/14/2020

**Motion** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

**04/14/2020, 06/16/2020**

*Petitioner's Supplementary Motion for Evidentiary Hearing for Pro Per Petition for Sammie Nunn for Habeas Corpus Relief*

Matter Continued;

Stayed;

Matter Continued;

Stayed;

04/14/2020



**All Pending Motions** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

Matter Continued;

Journal Entry Details:

*Terrence Jackson, Esq. present via conference call. PETITION FOR WRIT OF HABEAS CORPUS...PETITIONER'S SUPPLEMENTARY MOTION FOR EVIDENTIARY HEARING FOR PRO PER PETITION FOR SAMMIE NUNN FOR HABEAS CORPUS RELIEF Deft. not present. Court noted it was under the impression Deft. would be present. Colloquy between parties regarding Deft. being transported. Mr. Jackson advised the Court Deft. raised one issue regarding a witness Deft. states had information on case. Court noted that issue was already discussed in the first Writ. Statements by Mr. Jackson. Court noted it's understanding was that Deft. insists on being present. Following colloquy, Mr. Jackson inquired if the request for an investigator was being granted. Court advised Mr. Jackson it never looked at that request, which Mr. Jackson indicated it wasn't filed, but he could put it in writing. Court advised Mr. Jackson the Motion or request would need to put it in writing. Additionally, COURT ORDERED, both matters CONTINUED for 60 days for Deft.'s presence. NDC 6/16/20 9:00 AM CONTINUED: PETITION FOR WRIT OF HABEAS CORPUS...PETITIONER'S SUPPLEMENTARY MOTION FOR EVIDENTIARY HEARING FOR PRO PER PETITION FOR SAMMIE NUNN FOR HABEAS CORPUS RELIEF ;*

05/05/2020



**Motion** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

*Defense Request for Appointment of Investigator*

Denied Without Prejudice;

Journal Entry Details:

*Terrance Jackson, Esq. present via Bluejeans video conference. Deft. not present. Upon Court's inquiry, Ms. Thomson indicated it was unclear why an investigator was needed. Court inquired if the State was going to file an opposition, which Ms. Thomson noted they were not. Mr. Jackson advised the Court there was a hearing set on June 16, 2020 and they wanted an investigator to be able to go out and interview people. Further statements by Mr. Jackson. Court expressed it didn't understand why an investigator was needed to subpoena witnesses for an evidentiary hearing that hadn't been set. Mr. Jackson advised he would withdraw the Motion at that time and re-raise if needed. COURT ORDERED, Defense Request for Appointment of Investigator was hereby DENIED WITHOUT PREJUDICE. NDC 6/16/20 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS...PETITIONER'S SUPPLEMENTARY MOTION FOR EVIDENTIARY HEARING FOR PRO PER PETITION FOR SAMMIE NUNN FOR HABEAS CORPUS RELIEF;*

06/16/2020



**All Pending Motions** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

Matter Continued;

Journal Entry Details:

*Terrence Jackson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. PETITION FOR WRIT OF HABEAS CORPUS...PETITIONER'S SUPPLEMENTARY MOTION FOR EVIDENTIARY HEARING FOR PRO PER PETITION FOR SAMMIE NUNN FOR HABEAS CORPUS RELIEF Mr. Jackson indicated he prepared an appeal for Deft. at this time. Court noted it couldn't have both Deft. and Mr. Jackson doing things. Colloquy between parties. Following colloquy, Court noted Mr. Jackson was indicating the instant matter was in appeal; therefore, COURT ORDERED, matter SET for a status check in 60 days for decision on appeal. COURT FURTHER ORDERED, it would STAY the Petition for Writ of Habeas Corpus until parties got through the appeal and other things would be pending. NDC 8/18/0 9:00 AM STATUS CHECK: DECISION ON APPEAL ;*

08/18/2020



**Status Check** (12:00 PM) (Judicial Officer: Clark Newberry, Tara)

**CASE SUMMARY**

**CASE NO. C-18-336184-1**

**08/18/2020, 02/16/2021, 05/25/2021**

*STATUS CHECK: DECISION OF APPEAL*

Matter Continued;

Matter Continued;

Journal Entry Details:

*Court noted there was no ruling as of yet and ORDERED, MATTER CONTINUED. NDC CONTINUED TO: 5/25/21 1:30 AM;*

Matter Continued;

Matter Continued;

Journal Entry Details:

*Mr. Jackson and Deft. not present. Deft. was not transported. COURT ORDERED, matter CONTINUED for six months. NDC 2/16/21 9:00 AM CONTINUED: STATUS CHECK: DECISION OF APPEAL;*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 14, 2018**

C-18-336184-1      State of Nevada  
vs  
Sammie Nunn

**November 14, 2018      11:00 AM      Grand Jury Indictment**

**HEARD BY:** Togliatti, Jennifer

**COURTROOM:** RJC Courtroom 17A

**COURT CLERK:** Kimberly Estala

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

**PRESENT:**      State of Nevada      Plaintiff  
                 Thomson, Megan      Attorney

**JOURNAL ENTRIES**

- Russell Walker, 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 18AGJ145X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-336184-1, Department XXX.

Based on representations made by Ms. Thompson regarding a companion case for Deft. COURT ORDERED, matter TRANSFERRED to Department IX. State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, NO BAIL INDICTMENT WARRANT ISSUED, and matter SET for Arraignment.

COURT FURTHER ORDERED, Exhibits 1, 1a, 2 and 3 to be lodged with the Clerk of the Court.

I.W. (CUSTODY (COC))

11/20/18 9:00 A.M. INITIAL ARRAIGNMENT (DEPT IX)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 20, 2018**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**November 20, 2018      9:00 AM      All Pending Motions**

**HEARD BY:** Togliatti, Jennifer

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

**JOURNAL ENTRIES**

- INDICTMENT WARRANT RETURN ... INITIAL ARRAIGNMENT

Defendant not present.

State noted the Defendant refused transport and the case is actually Mr. Goldstein's. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 11/29/18 9:00 AM

CLERK'S NOTE: Mr. Goldstein notified of continuance date via e-mail 11/20/18. - amt

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 29, 2018**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**November 29, 2018      9:00 AM      All Pending Motions**

**HEARD BY:** Togliatti, Jennifer

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Albritton, Alicia A.	Attorney
	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Goldstein advised this case included the event in C334308 and advised that case will be dismissed. Further, Mr. Goldstein requested arraignment be continued so that he may address competency concerns before the Defendant is arraigned. COURT ORDERED, C336184 CONTINUED and C334308 DISMISSED.

**CUSTODY**

CONTINUED TO: 12/13/18 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 13, 2018**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**December 13, 2018      9:00 AM      All Pending Motions**

**HEARD BY:**    Togliatti, Jennifer

**COURTROOM:**    RJC Courtroom 10C

**COURT CLERK:**    Athena Trujillo

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	Rose, Laura Jean	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- INDICTMENT WARRANT RETURN ... INITIAL ARRAIGNMENT

COURT ORDERED, matter REFERRED to Competency Court.

CUSTODY (COC)

1/4/19 9:00 AM FURTHER PROCEEDINGS: COMPETENCY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 18, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**January 18, 2019      10:00 AM      Further Proceedings:  
Competency**

**HEARD BY:** Bell, Linda Marie

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Kimberly Estala

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	O'Brien, Glen	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Appearances Continued: Denise Baker of the Specialty Courts also present.

Court NOTED Drs. Colosimo and Krelstein indicate not competent; therefore, pursuant to the doctors' reports and the Dusky Standard, FINDS Defendant NOT COMPETENT as he is not capable of understanding the charges against his and is unable to assist counsel in his defense. Pursuant to NRS 178.425, COURT ORDERED, Defendant is REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, Defendant will be returned to this court for findings and referred back to the originating department for further proceedings.

CUSTODY (L.C.)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 22, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**March 22, 2019      10:00 AM      Further Proceedings:  
Competency-Return From  
Stein**

**HEARD BY:** Leavitt, Michelle

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Kimberly Estala

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	O'Brien, Glen	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Also present: Denise Baker of the Specialty Courts. Defendant not present.

Ms. Romney requested a CONTINUANCE. COURT SO ORDERED.

CUSTODY (R.N.)

CONTINUED TO: 04/12/19 10:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 12, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**April 12, 2019      10:00 AM      Further Proceedings:  
Competency**

**HEARD BY:** Bell, Linda Marie      **COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Kimberly Estala

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	O'Brien, Glen	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- APPEARANCES CONTINUED: Denise Baker of the Specialty Courts also present.

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 and is able to assist counsel in his defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings. .

CUSTODY

04/16/19 9:00 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT (DEPT XVIII)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 16, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**April 16, 2019      9:00 AM      Further Proceedings:  
Return from Competency  
Court**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**

Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Lacher, Ashley A.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Statements by Mr. Goldstein. DEFENDANT ARRAIGNED, PLED NOT GUILTY AND INVOKED the SIXTY (60) DAY RULE. COURT ORDERED, trial date SET.

CUSTODY

6/11/19 9:00 AM CALENDAR CALL

6/17/19 1:00 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 14, 2019**

C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

**May 14, 2019                      9:00 AM                      Motion**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Albritton, Alicia A.	Attorney
	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Goldstein noted this was Deft.'s second Motion in the instant matter. Mr. Goldstein further noted he visited with Deft. many times as well as visited alleged crime scene; therefore, he doesn't understand the reason for the Motion. Further statements by Mr. Goldstein. Court advised the Deft. he had an excellent attorney assigned to him and Court didn't see anything in Motion indicating otherwise; additionally, it didn't see where the complaints were coming from. Deft. indicated there was evidence that he didn't do the crime; however, Mr. Goldstein stated it didn't exist. Statements by Mr. Goldstein indicating there was a transcript. Deft. noted Mr. Goldstein didn't bring transcript into evidence. Court informed Deft. it was not the time to bring in evidence until trial. Following colloquy, Court advised it didn't see grounds to dismiss counsel; therefore, Deft. could retain his own counsel or Deft. proceed on his own. Deft. noted he would represent himself. COURT DIRECTED Deft. to think about it, and ask around; further, Deft. needed to be certain before Faretta Canvass. COURT ORDERED, matter CONTINUED.

**CUSTODY**

5/23/19 9:00 AM CONTINUED: MOTION TO DISMISS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 23, 2019**

C-18-336184-1      State of Nevada  
vs  
Sammie Nunn

**May 23, 2019      9:00 AM      Motion**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke

**RECORDER:** Michelle Ramsey  
Yvette G. Sison

**REPORTER:****PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

**JOURNAL ENTRIES**

- Mr. Goldstein indicated matter was on for faretta canvass and the State has given an offer which the Deft. rejected that offer and wants to go through with Faretta Canvass. Court noted if that is what Deft. wants to do. Deft. noted that was what he was being forced to do. Court advised Deft. that he had good counsel. Deft. inquired if had right to receive evidence; indicating he didn't have discovery and had counsel for eight months. Mr. Goldstein indicated he sent discovery to Deft. Court noted Deft.'s Motion didn't indicate a reason to dismiss counsel; advised counsel that matter would be set for status check discovery. Statements by Deft. Colloquy between parties regarding Ms. Thomson already modifying deal. CONFERENCE AT BENCH. Court advised Mr. Goldstein to find housing for Deft. MATTER TRAILED.

MATTER RECALLED. Upon Court's inquiry, Mr. Goldstein noted he would go over the Pre-Sentence Investigation (PSI) report with Deft. and see if he would accept deal. COURT ORDERED, Motion to Dismiss Counsel was hereby DENIED, and matter SET for status check for possible negotiations or possible sentencing.

6/6/19 9:00 AM STATUS CHECK: NEGOTIATIONS/ SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 06, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**June 06, 2019      9:00 AM      Status Check**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Goldstein, Anthony M.      Attorney  
                                 Nunn, Sammie      Defendant  
                                 State of Nevada      Plaintiff  
                                 Thomson, Megan      Attorney

**JOURNAL ENTRIES**

- NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT.  
DEFENDANT NUNN ARRAIGNED AND PLED GUILTY to BATTERY WITH USE OF A DEADLY WEAPON (F). Court ACCEPTED plea, and Court agreed to use the Pre-sentence Investigation (PSI) Report from C334308. Mr. Goldstein requested Deft. be sentenced at the current hearing.  
CONFERENCE AT BENCH. Ms. Thomson advised she had no opposition to probation.  
CONFERENCE AT BENCH. MATTER TRAILED.

MATTER RECALLED. CONFERENCE AT BENCH. Following colloquy, COURT ORDERED, trial VACATED and sentencing be CONTINUED.

CUSTODY

6/11/19 9:00 AM CONTINUED: SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 11, 2019**

C-18-336184-1      State of Nevada  
vs  
Sammie Nunn

**June 11, 2019      9:00 AM      Sentencing**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	Rose, Laura Jean	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Goldstein requested that the Court grant probation; additionally, Mr, Goldstein had been in contact with Deft.'s mom and she stated she made accommodations at a halfway house. Colloquy between parties and a representative from the One Day at a Time program halfway house. By virtue of Defendant's plea of guilty and by Order of the Court, DEFT NUNN ADJUDGED GUILTY of BATTERY WITH USE OF A DEADLY WEAPON (F). Statements by Ms. Rose and Mr. Goldstein. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, the \$150.00 DNA Analysis Fee, including testing to determine genetic markers, and to pay RESTITUTION, Deft. SENTENCED to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC); SUSPENDED; placed on PROBATION for an indeterminate period not to exceed FIVE (5) YEARS. COURT FURTHER ORDERED, Deft. to be placed on House arrest.

**STANDARD CONDITIONS:**

1. Reporting: You are to report in person to the Division of Parole and Probation (P&P) as instructed

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Minutes Date: November 14, 2018

by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects.

2. Residence: You shall not change your place of residence without first obtaining permission from P&P, in each instance.
3. Intoxicants: You shall not consume any alcoholic beverages whatsoever. Upon order of P&P or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess.
4. Controlled Substances: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify P&P of any prescription received. You shall submit to drug testing as required by the Division or its agent.
5. Weapons: You shall not possess, have access to, or have under your control, any type of weapon.
6. Search: You shall submit your person, property (including cellular phones and / or computers), place of residence, vehicle or areas under your control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by P&P or its agent.
7. Associates: You must have prior approval by P&P to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution.
8. Directives and Conduct: You shall follow the directives of P&P and your conduct shall justify the opportunity granted to you by this community supervision.
9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances.
10. Out-of-State Travel: You shall not leave the state without first obtaining written permission from P&P.
11. Employment/Program: You shall seek and maintain legal employment, or maintain a program approved by P&P and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division.
12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by P&P. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge.

#### SPECIAL CONDITIONS:

1. Deft. shall submit digital storage media or any digital storage media that you have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent.
2. Deft. to only be released to Parole and Probation and transported to One Day at a Time Program.
3. Deft. to remain on House Arrest until interstate compact to California to live with his mother.
4. Complete mental health evaluation.
5. Consume any medication required.
6. Abide by any curfew imposed.
7. Maintain full-time employment, schooling or 16 hours community service a month.
8. No contact with victim.

9. Deft. to pay RESTITUTION in the amount of \$22,042.00 to Prince Alidu.

MATTER RECALLED. Colloquy between parties regarding Deft. behavior post sentencing in the Courtroom. Mr. Goldstein informed the Court he explained to the Deft. that probation was a privilege.

BOND, if any, EXONERATED.

O.R./H.A.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 23, 2019**

C-18-336184-1      State of Nevada  
vs  
Sammie Nunn

**July 23, 2019      9:00 AM      Revocation of Probation**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

**JOURNAL ENTRIES**

- Officer A. Marquez present on behalf of Parole and Probation (P&P).

Upon Court's inquiry, Mr. Goldstein indicated no offer had been made; therefore, they would be stipulating and arguing for reinstatement. Further, Mr. Goldstein advised the Court, Deft. filed a Motion to Dismiss counsel and Motion to Dismiss Previous Decision to Dismiss Attorney, and filed Motion to Appeal. Arguments by Ms. Thomson regarding Deft.'s pre-sentence investigation (PSI) report. Ms. Thomson advised the Court they should address Deft.'s basis for another attorney. Mr. Goldstein indicated he was prepared to go forward; however, the State wanted to address counsel. Court inquired if Deft. still wanted to proceed with removing Mr. Goldstein from the case; which, Deft. concurred. Court noted it would need a copy of the PSI and to look over it; therefore, COURT ORDERED, matter CONTINUED.

CUSTODY

8/6/19 9:00 AM CONTINUED: REVOCATION OF PROBATION

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 06, 2019**

C-18-336184-1      State of Nevada  
vs  
Sammie Nunn

**August 06, 2019      9:00 AM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Lexis, Chad N.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL...STATUS CHECK:  
RESET REVOCATION OF PROBATION

CONFERENCE AT BENCH. Upon Court's inquiry, Deft. indicated there were things Mr. Goldstein was supposed to do which he didn't fulfil. Statements by Mr. Goldstein advising he spoke with witness. Deft. indicated he didn't want to take the deal and Mr. Goldstein told Deft. he wasn't going to use witness; therefore, Deft. was requesting an evidentiary hearing. Following colloquy, Court noted the only thing in front of the Court was Motion to Dismiss Counsel, which there was no basis to appoint alternative counsel; however, Deft. was free to represent himself. Deft. noted he would represent himself. Mr. Goldstein reminded the Court he was appointed with the Second Guilty Plea Agreement the Deft. pled guilty to. Statements by Deft. informing the Court he was coerced. Court noted there weren't any pending Motions. Following colloquy, Mr. Goldstein indicated there wasn't any legal grounds to file a Motion to Withdraw Plea, Deft. was aware of what he was signing. Deft. states there was conflict of interest. Court noted Mr. Goldstein stated he doesn't find a legal basis for Motion. Deft. noted there was new evidence of the victim confessing which was in his phone and on

Facebook. Mr. Goldstein noted that was the first he had heard of it. Court noted it would sign Order to release phone to Mr. Goldstein. Court advised after Mr. Goldstein gets phone and reviews to see if there was anything on the phone it would be brought back to Court, if there isn't anything, the Revocation Hearing would be set. Further, if Deft. wanted to still represent himself the Court would do a Faretta Canvass. Mr. Goldstein advised he would go and visit Deft. and get Order signed. COURT ORDERED, matter CONTINUED.

CUSTODY

8/20/19 9:00 AM CONTINUED: MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL...STATUS CHECK: RESET REVOCATION OF PROBATION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 20, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**August 20, 2019      9:00 AM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

**JOURNAL ENTRIES**

- MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATIVE COUNSEL...STATUS CHECK:  
RESET REVOCATION OF PROBATION

Upon Court's inquiry, Mr. Goldstein indicated he did look at Deft.'s phone and reviewed evidence on there as well. Statements by Deft. Court noted Mr. Goldstein was already aware of information given and advised Deft. he had already pled guilty; therefore, revocation would be reset. Deft. advised he and his attorney were having a conflict of interest and indicated he wanted to withdraw his guilty plea. Colloquy between parties. CONFERENCE AT BENCH. COURT ORDERED, Motion to Dismiss Counsel and Appoint Alternative Counsel was hereby GRANTED, with the understanding that Ms. Border was APPOINTED as counsel for the limited purpose to see if there were grounds for Deft. to withdraw his Guilty Plea Agreement. Additionally, Mr. Goldstein would be back on the instant case following that. Mr. Goldstein indicated he would give Deft.'s phone to Ms. Border along with discovery. COURT FURTHER ORDERED, matter CONTINUED for appointment of counsel.

**CUSTODY**

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9/5/19 9:00 AM STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA AGREEMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 05, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**September 05, 2019      9:00 AM      Status Check**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**    Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Lacher, Ashley A.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Upon Court's inquiry, Ms. Border indicated she reviewed discovery and spoke with Mr. Goldstein; additionally, she noted she had the phone in possession, but needed to go through it. Further, Ms. Border advised there was another witness to speak with. Following colloquy, Ms. Border requested matter be continued for a week to check on basis to withdraw guilty plea agreement. COURT ORDERED, matter CONTINUED.

CUSTODY

9/12/19 9:00 AM CONTINUED: STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA AGREEMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 12, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**September 12, 2019      9:00 AM      Status Check**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**    Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff
	Wong, Hetty O.	Attorney

**JOURNAL ENTRIES**

- Daniel Gilliam, Esq. present on behalf of Marisa Border, Esq. for Deft.

Mr. Gilliam indicated a briefing schedule needed to be set. Court explained to Deft. what the briefing schedule entailed, noting Ms. Border must see some type of grounds to withdraw the guilty plea. COURT ORDERED, the following Briefing Schedule: Ms. Border to file Motion by October 10, 2019, State to file Response by October 24, 2019, Ms. Border to file Reply by October 31, 2019, and matter CONTINUED for Hearing. Court noted if Motion was denied at that time, a sentencing date would be set.

CUSTODY

11/5/19 9:00 AM HEARING- MOTION TO WITHDRAW GUILTY PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

### Felony/Gross Misdemeanor

## COURT MINUTES

November 05, 2019

C-18-336184-1                      State of Nevada  
vs  
Sammie Nunn

**November 05, 2019      9:00 AM      Hearing**

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

## PARTIES

<b>PRESENT:</b>	Border, Marisa	Attorney
	Jones, Jr., John T.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff

## JOURNAL ENTRIES

- Arguments by counsel regarding the merits of the motion. COURT ORDERED, motion DENIED based on the State's opposition; Plaintiff to prepare the Order. COURT FURTHER ORDERED, Revocation of Probation SET.

## CUSTODY

11/14/19 9:00 AM REVOCATION OF PROBATION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 14, 2019**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**November 14, 2019      9:00 AM      Revocation of Probation**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

**JOURNAL ENTRIES**

- Officer A. Martinez present on behalf of Parole and Probation (P&P).

Upon Court's inquiry, Mr. Goldstein indicated there was no offer; therefore, they would be stipulating to the violation and arguing. Colloquy between parties regarding underlying sentence. CONFERENCE AT BENCH. DEFT. STIPULATED to being in violation of probation; Court ACCEPTED stipulation. Ms. Thomson agreed that the underlying sentence of four to ten years should be imposed. Arguments by Ms. Thomson. Statements by Deft. Mr. Goldstein requested that the underlying sentence be modified to a two to five year sentence. Following colloquy, Court FINDS that Deft. was in violation of probation and ORDERED, Deft. Nunn s PROBATION is REVOKED and a MODIFIED underlying sentence of a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC) would be IMPOSED, with FIVE HUNDRED TEN (510) DAYS credit for time served.

NDC

November 26, 2019

C-18-336184-1                      State of Nevada  
vs  
Sammie Nunn

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

12/17/19 9:00 AM CONTINUED: DEFENDANT'S POST CONVICTION PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 17, 2019**

C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

**December 17, 2019      9:00 AM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Jones, Jr., John T.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- DEFENDANT'S POST CONVICTION PETITION FOR WRIT OF HABEAS CORPUS...MOTION TO WITHDRAW COUNSEL AND MOTION TO APPOINT APPELLANT COUNSEL

Deft. not present. Mr. Goldstein indicated there was an Order to Transport and Deft. should have been present. Mr. Jones noted the instant matter was on for post conviction; however, that Petition was argued at a previous hearing and set for revocation on November 14, 2019; COURT ORDERED, Defendant's Post Conviction Petition for Writ of Habeas Corpus was previously ruled on, and DENIED on November 5, 2019. CONFERENCE AT BENCH. Following colloquy, COURT FURTHER ORDERED, Motion to Withdraw Counsel and Motion to Appoint Appellant Counsel be CONTINUED for 30 days. COURT DIRECTED, the State to prepare a Transport Order. Colloquy between parties. Court noted it would give Deft. one more chance to be present; however, if Deft. was not present at the next hearing, Court would request that transport be, by any means necessary.

NDC

1/14/20 9:00 AM CONTINUED: MOTION TO WITHDRAW COUNSEL AND MOTION TO

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APPOINT APPELLANT COUNSEL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 14, 2020**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**January 14, 2020      9:00 AM      Motion**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**    Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Goodman, Laura	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Statements by Mr. Goldstein. Mr. Goldstein stated Deft. would be requesting for alternate counsel to be appointed, if not, he would like to represent himself for appeal. Upon Court's inquiry, Ms. Goodman indicated the State's position was that appeal had already been filed. COURT ORDERED, Motion to Withdraw Counsel and Motion to Appoint Appellant Counsel was hereby GRANTED IN PART/ DENIED IN PART. Court noted Motion was granted to the extent of withdrawing Mr. Goldstein; however, denied as to appointing new appellant counsel due to appeal already being filed.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 18, 2020**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**February 18, 2020      9:00 AM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Jackson, Terrence   Michael      Attorney  
                         Jones, Jr., John T.      Attorney  
                         State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Anthony Goldstein, Esq. present as previous counsel.

Order Appointing Counsel FILED IN OPEN COURT.

Deft. not present. Court noted Drew Christensen sent Mr. Jackson over to be appointed. Mr. Jackson concurred, indicating he was willing to accept the appellant appointment. Colloquy between parties requesting transcripts. Statements by Mr. Goldstein. Upon Court's inquiry, Mr. Jackson noted he was only appointed to handle the appeal. Following colloquy, COURT ORDERED, Motion to Appoint Appellant Counsel was hereby GRANTED and Motion for Production of Transcript was hereby DENIED, due to Deft. now having counsel. Mr. Jones to prepare the Orders.

NDC

3/12/20 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 12, 2020**

C-18-336184-1      State of Nevada  
vs  
Sammie Nunn

**March 12, 2020      9:00 AM      Petition for Writ of Habeas  
Corpus**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Goodman, Laura	Attorney
	Jackson, Terrence Michael	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. not present. Mr. Jackson requested that matter be continued for one month. No objection by the State. Mr. Jackson further requested the matter be continued until April 16, 2020 and for Deft. to be present. Colloquy between parties. Mr. Jackson noted the matter could just be set for an argument. Court noted the State would get 30 days for a response, and Mr. Jackson would get time to reply. Mr. Jackson requested a Transport Order be prepared. Ms. Goodman concurred. COURT ORDERED the State to file Response by April 9, 2020, and matter CONTINUED for Argument. COURT FURTHER ORDERED, Petitioner's Supplementary Motion for Evidentiary Hearing on Pro Per Petition for Sammie Nunn for Habeas Corpus Relief was VACATED and RESET to be heard with the instant Petition.

NDC

4/16/20 9:00 AM CONTINUED: PETITION FOR WRIT OF HABEAS CORPUS...ARGUMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 14, 2020**

C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

**April 14, 2020      12:00 AM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Jackson, Terrence   Michael      Attorney  
                                 Merback, William J.      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Terrence Jackson, Esq. present via conference call.

PETITION FOR WRIT OF HABEAS CORPUS...PETITIONER'S SUPPLEMENTARY MOTION FOR EVIDENTIARY HEARING FOR PRO PER PETITION FOR SAMMIE NUNN FOR HABEAS CORPUS RELIEF

Deft. not present. Court noted it was under the impression Deft. would be present. Colloquy between parties regarding Deft. being transported. Mr. Jackson advised the Court Deft. raised one issue regarding a witness Deft. states had information on case. Court noted that issue was already discussed in the first Writ. Statements by Mr. Jackson. Court noted it's understanding was that Deft. insists on being present. Following colloquy, Mr. Jackson inquired if the request for an investigator was being granted. Court advised Mr. Jackson it never looked at that request, which Mr. Jackson indicated it wasn't filed, but he could put it in writing. Court advised Mr. Jackson the Motion or request would need to put it in writing. Additionally, COURT ORDERED, both matters CONTINUED for 60 days for Deft.'s presence.

NDC

6/16/20 9:00 AM CONTINUED: PETITION FOR WRIT OF HABEAS CORPUS...PETITIONER'S  
SUPPLEMENTARY MOTION FOR EVIDENTIARY HEARING FOR PRO PER PETITION FOR  
SAMMIE NUNN FOR HABEAS CORPUS RELIEF

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 05, 2020**

C-18-336184-1      State of Nevada  
vs  
Sammie Nunn

**May 05, 2020      12:00 AM      Motion**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Jackson, Terrence   Michael      Attorney  
State of Nevada      Plaintiff  
Thomson, Megan      Attorney

**JOURNAL ENTRIES**

- Terrance Jackson, Esq. present via Bluejeans video conference.

Deft. not present. Upon Court's inquiry, Ms. Thomson indicated it was unclear why an investigator was needed. Court inquired if the State was going to file an opposition, which Ms. Thomson noted they were not. Mr. Jackson advised the Court there was a hearing set on June 16, 2020 and they wanted an investigator to be able to go out and interview people. Further statements by Mr. Jackson. Court expressed it didn't understand why an investigator was needed to subpoena witnesses for an evidentiary hearing that hadn't been set. Mr. Jackson advised he would withdraw the Motion at that time and re-raise if needed. COURT ORDERED, Defense Request for Appointment of Investigator was hereby DENIED WITHOUT PREJUDICE.

NDC

6/16/20 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS...PETITIONER'S SUPPLEMENTARY MOTION FOR EVIDENTIARY HEARING FOR PRO PER PETITION FOR SAMMIE NUNN FOR HABEAS CORPUS RELIEF

PRINT DATE: 05/10/2021

Page 34 of 38

Minutes Date: November 14, 2018

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 16, 2020**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**June 16, 2020      12:00 AM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goodman, Laura	Attorney
	Jackson, Terrence Michael	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Terrence Jackson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

PETITION FOR WRIT OF HABEAS CORPUS...PETITIONER'S SUPPLEMENTARY MOTION FOR EVIDENTIARY HEARING FOR PRO PER PETITION FOR SAMMIE NUNN FOR HABEAS CORPUS RELIEF

Mr. Jackson indicated he prepared an appeal for Deft. at this time. Court noted it couldn't have both Deft. and Mr. Jackson doing things. Colloquy between parties. Following colloquy, Court noted Mr. Jackson was indicating the instant matter was in appeal; therefore, COURT ORDERED, matter SET for a status check in 60 days for decision on appeal. COURT FURTHER ORDERED, it would STAY the Petition for Writ of Habeas Corpus until parties got through the appeal and other things would be pending.

NDC

PRINT DATE: 05/10/2021

Page 35 of 38

Minutes Date: November 14, 2018

8/18/0 9:00 AM STATUS CHECK: DECISION ON APPEAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

### Felony/Gross Misdemeanor

## COURT MINUTES

August 18, 2020

C-18-336184-1                      State of Nevada  
vs  
Sammie Nunn

August 18, 2020      12:00 AM      Status Check

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

## PARTIES

**PRESENT:** State of Nevada Plaintiff  
Thomson, Megan Attorney

## JOURNAL ENTRIES

- Mr. Jackson and Deft. not present. Deft. was not transported. COURT ORDERED, matter CONTINUED for six months.

NDC

2/16/21 9:00 AM CONTINUED: STATUS CHECK: DECISION OF APPEAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 16, 2021**

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C-18-336184-1      State of Nevada  
                                 vs  
                                 Sammie Nunn

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**February 16, 2021      1:30 PM      Status Check**

**HEARD BY:** Clark Newberry, Tara

**COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Jill Chambers

**RECORDER:** Robin Page

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Jackson, Terrence Michael	Attorney
	Nunn, Sammie	Defendant
	State of Nevada	Plaintiff
	Thomas, Morgan B.A.	Attorney

**JOURNAL ENTRIES**

- Court noted there was no ruling as of yet and ORDERED, MATTER CONTINUED.

NDC

CONTINUED TO: 5/25/21 1:30 AM

CASE NO. C-18-336184-1 ✓  
DEPT. NO. ~~XXX~~ 1X  
CDDA MEGAN THOMSON (L-4)

Defendant(s): SAMMIE NUNN, #2751864

Case No(s): 18AGJ145X (RANDOMLY TRACKS TO DC XXIII & XXX)

Charge(s): (1) CT - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN  
SUBSTANTIAL BODILY HARM (Category B Felony - NRS 200.481 - NOC  
50226) and  
(1) CT - BATTERY WITH USE OF A DEADLY WEAPON (Category B  
Felony - NRS 200.481 - NOC 50223)

Def. Counsel(s): MICHAEL TROIANO, ESQ

WARRANT (1 WEEK) - No BAIL

DEFT IS IN CUSTODY @ CCDC (18F09747X - PH 11/14 IN JC 2)

Exhibits:

11/20 @ 9AM

- 1. Proposed Indictment
- 1A. New Proposed Indictment
- 2. Jury Instructions
- 3. Photo

Exhibits 1, 1A, 2 & 3 to be lodged with the Clerk of the Court. ✓

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

SAMMIE NUNN #1226304  
P.O. BOX 208  
INDAIN SPRINGS, NV 89070

DATE: May 10, 2021  
CASE: C-18-336184-1

RE CASE: STATE OF NEVADA vs. SAMMIE NUNN

NOTICE OF APPEAL FILED: May 10, 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

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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):

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

STATE OF NEVADA,

Plaintiff(s),

vs.

SAMMIE NUNN,

Defendant(s).

Case No: C-18-336184-1

Dept No: XXI

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 10 day of May 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk