

NOASC
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Electronically Filed
May 19 2021 08:54 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA FOR THE COUNTY OF CLARK

GENARO RICHARD PERRY,)	Case No.: C298879-1
)	
Petitioner,)	Dept No.: VI
)	
vs.)	
)	
RENEE BAKER, WARDEN)	
)	
Lovelock Correctional Center,)	
)	
Respondent.)	
)	
)	

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that GENARO RICHARD PERRY, defendant above named, hereby appeals to the Supreme Court of Nevada from the denial of his **MOTION REQUESTING ORDER DIRECTING THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT TO CONDUCT GENETIC MARKER AND LATENT PRINT ANALYSIS OF EVIDENCE IMPOUNDED AT CRIME SCENE** entered in this action on the 16th day of April, 2021.

DATED this 14th day of May, 2021.

/s/ Jean J. Schwartzter
JEAN J. SCHWARTZER, ESQ.
Nevada Bar No. 11223
LAW OFFICE OF JEAN J. SCHWARTZER
Counsel for Appellant

1 **CERTIFICATE OF SERVICE**

2
3 **IT IS HEREBY CERTIFIED** by the undersigned that on 14th day of
4 May, 2021, I served a true and correct copy of the foregoing **NOTICE OF APPEAL** on the parties
5 listed on the attached service list via one or more of the methods of service described below as
6 indicated next to the name of the served individual or entity by a checked box:

7 **VIA U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon
8 fully prepaid, in the United States mail at Las Vegas, Nevada.

9 **VIA FACSIMILE:** by transmitting to a facsimile machine maintained by the attorney or the party
10 who has filed a written consent for such manner of service.

11 **BY PERSONAL SERVICE:** by personally hand-delivering or causing to be hand delivered by such
12 designated individual whose particular duties include delivery of such on behalf of the firm,
13 addressed to the individual(s) listed, signed by such individual or his/her representative accepting on
14 his/her behalf. A receipt of copy signed and dated by such an individual confirming delivery of the
15 document will be maintained with the document and is attached.

16 **BY E-MAIL:** by transmitting a copy of the document in the format to be used for attachments to the
17 electronic-mail address designated by the attorney or the party who has filed a written consent for
18 such manner of service.

19 By:

20 /s/ Jean J. Schwartzer
21 JEAN J. SCHWARTZER, ESQ.
22 Nevada Bar No. 11223
23 LAW OFFICE OF JEAN J. SCHWARTZER
24 10620 Southern Highlands Parkway, Suite 110-473
25 Las Vegas, Nevada 89141
26 (702) 979-9941
27 Counsel for Appellant
28

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SERVICE LIST

ATTORNEYS OF RECORD	PARTIES REPRESENTED	METHOD OF SERVICE
CLARK COUNTY DISTRICT ATTORNEY’S OFFICE 200 E. Lewis Ave Las Vegas, NV 89101 pdmotions@clarkcountyda.com	State of Nevada	<input type="checkbox"/> Personal service <input checked="" type="checkbox"/> Email service <input type="checkbox"/> Fax service <input type="checkbox"/> Mail service

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-14-298879-1**

State of Nevada
vs
Genaro Perry

§
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Location: **Department 6**
Judicial Officer: **Bluth, Jacqueline M.**
Filed on: **06/19/2014**
Case Number History:
Cross-Reference Case Number: **C298879**
Defendant's Scope ID #: **1456173**
ITAG Booking Number: **1400025770**
ITAG Case ID: **1599129**
Lower Court Case # Root: **14F07966**
Lower Court Case Number: **14F07966X**
Supreme Court No.: **69139**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	05/01/2014	Case Status: 05/12/2021 Closed	
2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON	200.460.3b	F	05/01/2014		
3. GRAND LARCENY AUTO	205.228.3	F	05/01/2014		
4. ASSAULT WITH A DEADLY WEAPON	200.471.2b	F	05/01/2014		
5. COERCION	207.190.2a	F	05/01/2014		
6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE	200.481	F	05/01/2014		
7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION	199.305	F	05/01/2014		

Statistical Closures

05/12/2021 Other Manner of Disposition - Criminal
01/07/2016 Bench Trial - Conviction - Criminal

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

Case Number C-14-298879-1
Court Department 6
Date Assigned 04/29/2019
Judicial Officer Bluth, Jacqueline M.


















PARTY INFORMATION

Defendant	Perry, Genaro Richard	<i>Lead Attorneys</i> Schwartz, Jean <i>Retained</i> 702-979-9941(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)



















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

06/19/2014  Criminal Bindover
Criminal Bindover

CASE SUMMARY
CASE NO. C-14-298879-1

06/25/2014	 Information <i>Information</i>
06/25/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Expert Witnesses</i>
06/29/2014	 Reporters Transcript <i>Reporter's Transcript of Waiver of Preliminary Hearing 06-19-14</i>
07/03/2014	 Supplemental Witness List <i>Supplemental Notice of Expert Witnesses</i>
07/03/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
07/09/2014	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses</i>
09/23/2014	 Stipulation and Order <i>Stipulation and Order to Continue Trial</i>
10/16/2014	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
10/16/2014	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
10/17/2014	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
10/17/2014	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
10/17/2014	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
10/17/2014	 Order to Release Medical Records <i>Order Releasing Medical Records</i>
01/08/2015	 Supplemental Witness List <i>Supplemental Notice of Witnesses</i>
05/14/2015	 Supplemental Witness List <i>Second Supplemental Notice of Expert Witnesses</i>
06/15/2015	 Motion <i>Motion to Admit Evidence Pursuant to NRS 48.045</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>

CASE SUMMARY
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07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/01/2015	 Ex Parte Motion <i>Ex Parte Motion for Release of Medical Records</i>
07/01/2015	 Order <i>Order Releasing Medical Records</i>
07/20/2015	 Opposition <i>State's Opposition to Defendant's Motion to Admit Evidence Pursuant to NRS 48.045</i>
08/05/2015	 Notice of Motion <i>State's Notice of Motion and Motion to Admit Evidence Pursuant to NRS 48.045</i>
08/11/2015	 Opposition to Motion <i>Opposition to State's Motion to Admit Evidence Pursuant to NRS 48.045</i>
10/01/2015	 Verdict
10/01/2015	 Stipulation and Order Filed by: Plaintiff State of Nevada <i>Stipulation and Order</i>
10/01/2015	 Instructions to the Jury
11/04/2015	 Notice of Appeal (Criminal)

CASE SUMMARY
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Notice of Appeal

11/10/2015	 PSI
11/10/2015	 PSI - Victim Impact Statements
01/05/2016	 Memorandum <i>Sentencing Memorandum on Behalf of Genaro Perry</i>
01/07/2016	 Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>
01/22/2016	 Judgment of Conviction <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>
02/26/2016	 Request <i>Request for Rough Draft Transcript</i>
03/31/2016	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript of Hearing: Defendant's Motion to Admit Evidence Pursuant to NRS 48.045, August 31, 2015</i>
03/31/2016	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript of Hearing: Sentencing, January 6, 2016</i>
03/31/2016	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript of Hearing: Calendar Call, July 21, 2014</i>
03/31/2016	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript of Hearing: Sentencing, November 16, 2015</i>
03/31/2016	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript of Hearing: Sentencing, November 23, 2015</i>
03/31/2016	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript of Hearing: Defendant's Motion to Admit Evidence Pursuant to NRS 48.045 Petrocelli Hearing, September 17, 2015</i>
03/31/2016	 Recorders Transcript of Hearing <i>Recorder's Rough Draft Transcript of Hearing: Calendar Call, September 21, 2015</i>
04/13/2016	 Transcript of Proceedings <i>Recorder's Rough Draft Transcript of Proceedings Bench Trial Day 1 September 29, 2015</i>
04/13/2016	 Reporters Transcript <i>2015 Recorder's Rough Draft Transcript of Proceedings Bench Trial Day 2 Wednesday, September 30,</i>
04/13/2016	 Transcript of Proceedings <i>Recorder's Rough Draft Transcript of Proceedings Bench Trial Day 3 Thursday, October 1, 2015</i>
04/13/2016	 Transcript of Proceedings <i>Recorder's Rough Draft Transcript of Proceedings Jury Trial Day 1 Wednesday, May 6, 2015</i>

CASE SUMMARY

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04/13/2016	 Transcript of Proceedings <i>Recorder's Rough Draft Transcript of Proceedings Jury Trial Day 2 Thursday, May 7, 2015</i>
01/18/2017	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
02/01/2017	 Application to Proceed in Forma Pauperis Filed By: Defendant Perry, Genaro Richard
02/01/2017	 Filed Under Seal Filed By: Defendant Perry, Genaro Richard <i>Financial Certificate</i>
02/07/2017	 Motion <i>Motion To Appoint Counsel</i>
02/07/2017	 Petition for Writ of Habeas Corpus <i>Evidentiary Hearing Petition for Writ of Habeas Corpus (Post-Conviction)</i>
02/07/2017	 Motion <i>Motion To Withdraw Counsel</i>
02/07/2017	 Motion for New Trial Filed By: Defendant Perry, Genaro Richard <i>Motion for a New Trial with Newly Discovered Evidence. Motion to Vacate</i>
02/24/2017	 Order for Petition for Writ of Habeas Corpus
02/24/2017	 Notice of Hearing
03/01/2017	 Order to Proceed In Forma Pauperis Granted for: Defendant Perry, Genaro Richard
03/22/2017	 Motion <i>Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i>
04/07/2017	 Response <i>State's Response to Defendant's Petition for Writ of Habeas Corpus, Request for an Evidentiary Hearing, and Motion to Appoint Counsel</i>
04/07/2017	 Opposition <i>State's Opposition to Defendant's Motion for New Trial With Newly Discovered Evidence and Motion to Vacate</i>
04/28/2017	 Amended Judgment of Conviction <i>AMENDED JUDGMENT OF CONVICTION (NUNC PRO TUNC) (JURY TRIAL)</i>
05/15/2017	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
08/08/2017	 Amended Judgment of Conviction

CASE SUMMARY
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Amended Judgment of Conviction (Jury Trial)

02/15/2018	 Stipulation and Order Filed by: Defendant Perry, Genaro Richard <i>Stipulation and Order to Extend Time</i>
09/04/2018	 Stipulation and Order Filed by: Defendant Perry, Genaro Richard <i>Stipulation and Order to Extend Time</i>
11/20/2018	 Stipulation and Order Filed by: Defendant Perry, Genaro Richard <i>Stipulation and Order to Extend Time</i>
01/02/2019	 Motion Filed By: Defendant Perry, Genaro Richard <i>Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference</i>
04/29/2019	Administrative Reassignment - Judicial Officer Change <i>To Judge Jacqueline M. Bluth</i>
02/03/2021	 Motion for Order Filed By: Defendant Perry, Genaro Richard <i>Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Print Analysis of Evidence Impounded at Crime Scene</i>
02/04/2021	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
02/11/2021	 Response Filed by: Plaintiff State of Nevada <i>State's Response to Defendant's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Fingerprint Analysis of Evidence Impounded at Crime Scene</i>
04/16/2021	 Order <i>Order Denying Motion Requesting Order Directing the LVMPD to Conduct Genetic Marker and Latent Fingerprint Analysis of Evidence Impounded at Crime Scene</i>
05/12/2021	 Criminal Order to Statistically Close Case <i>Criminal Order to Statistically Close Case</i>
05/14/2021	 Notice of Appeal (Criminal) Party: Defendant Perry, Genaro Richard <i>Notice of Appeal</i>

DISPOSITIONS

10/01/2015	Plea (Judicial Officer: Cadish, Elissa F.) 1. ROBBERY WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence: 2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:
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CASE SUMMARY
CASE NO. C-14-298879-1

3. GRAND LARCENY AUTO

Guilty

PCN: Sequence:

4. ASSAULT WITH A DEADLY WEAPON

Guilty

PCN: Sequence:

5. COERCION

Guilty

PCN: Sequence:

6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE

Guilty

PCN: Sequence:

7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION

Guilty

PCN: Sequence:

01/06/2016 **Disposition** (Judicial Officer: Cadish, Elissa F.)

1. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

3. GRAND LARCENY AUTO

Guilty

PCN: Sequence:

4. ASSAULT WITH A DEADLY WEAPON

Guilty

PCN: Sequence:

5. COERCION

Guilty

PCN: Sequence:

6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE

Guilty

PCN: Sequence:

7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION

Guilty

PCN: Sequence:

01/06/2016 **Adult Adjudication** (Judicial Officer: Cadish, Elissa F.)

1. ROBBERY WITH USE OF A DEADLY WEAPON

05/01/2014 (F) 200.380 (DC50138)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:36 Months, Maximum:120 Months

Consecutive Enhancement:for Use of Deadly Weapon, Minimum:36 Months, Maximum:120 Months


CASE SUMMARY**CASE NO. C-14-298879-1**


01/06/2016	Adult Adjudication (Judicial Officer: Cadish, Elissa F.) 2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON 05/01/2014 (F) 200.460.3b (DC50185) PCN: Sequence:												
	Sentenced to Nevada Dept. of Corrections Term: Minimum:18 Months, Maximum:60 Months Concurrent: Charge 1												
01/06/2016	Adult Adjudication (Judicial Officer: Cadish, Elissa F.) 3. GRAND LARCENY AUTO 05/01/2014 (F) 205.228.3 (DC56014) PCN: Sequence:												
	Sentenced to Nevada Dept. of Corrections Term: Minimum:24 Months, Maximum:96 Months Consecutive: Charge 1 & 2												
01/06/2016	Adult Adjudication (Judicial Officer: Cadish, Elissa F.) 4. ASSAULT WITH A DEADLY WEAPON 05/01/2014 (F) 200.471.2b (DC50201) PCN: Sequence:												
	Sentenced to Nevada Dept. of Corrections Term: Minimum:18 Months, Maximum:60 Months Concurrent: Charge 3												
01/06/2016	Adult Adjudication (Judicial Officer: Cadish, Elissa F.) 5. COERCION 05/01/2014 (F) 207.190.2a (DC53159) PCN: Sequence:												
	Sentenced to Nevada Dept. of Corrections Term: Minimum:18 Months, Maximum:60 Months Concurrent: Charge 4												
01/06/2016	Adult Adjudication (Judicial Officer: Cadish, Elissa F.) 6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE 05/01/2014 (F) 200.481 (DC57937) PCN: Sequence:												
	Sentenced to Nevada Dept. of Corrections Term: Minimum:18 Months, Maximum:48 Months Concurrent: Charge 5												
01/06/2016	Adult Adjudication (Judicial Officer: Cadish, Elissa F.) 7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION 05/01/2014 (F) 199.305 (DC52996) PCN: Sequence:												
	Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:36 Months Concurrent: Charge 6 Credit for Time Served: 597 Days Comments: Aggregate total 96/336 months in NDC Fee Totals: <table> <tr> <td>AA Fee - Battery</td><td></td></tr> <tr> <td>Domestic Violence</td><td>35.00</td></tr> <tr> <td>\$35</td><td></td></tr> <tr> <td>Administrative</td><td></td></tr> <tr> <td>Assessment Fee</td><td>25.00</td></tr> <tr> <td>\$25</td><td></td></tr> </table>	AA Fee - Battery		Domestic Violence	35.00	\$35		Administrative		Assessment Fee	25.00	\$25	
AA Fee - Battery													
Domestic Violence	35.00												
\$35													
Administrative													
Assessment Fee	25.00												
\$25													

CASE SUMMARY**CASE NO. C-14-298879-1**


DNA Analysis Fee	150.00
\$150	
Genetic Marker	
Analysis AA Fee	3.00
\$3	
Indigent Defense	
Civil Assessment	250.00
Fee - ASK	
Fee Totals \$	463.00
Other Fees	
1. , \$18,103.28	

HEARINGS


06/26/2014  **Initial Arraignment** (1:00 PM) (Judicial Officer: De La Garza, Melisa)
Plea Entered;
Journal Entry Details:
DEFT. PERRY ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. CUSTODY (COC) 7/21/2014 9:30 A.M. Calendar Call (Dept. 6) 7/28/2014 10:00 A.M. Jury Trial (Dept. 6) ;

07/21/2014  **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
Matter Heard;
Journal Entry Details:
Mr. Stephens advised he has provided discovery to defense counsel, the Clark County Detention Center (CCDC) records and jail phone calls; the victim is still seeking treatment for the injuries, so all of the medical records are not available to be provided to defense counsel; the State is ready for trial, but if the defense would like a continuance due to all the discovery not being disclosed, and discovery is ongoing, the State is not opposed if the defense needs a continuance. Mr. Smillie advised he has discussed matters with the Deft. in regards to the lack of medical records; the injury to the eye is significant and may be important for use prior to going to trial; the Deft. has invoked, but counsel does not wish to proceed to trial until the records are received and the Deft. is being detained on other matters. Colloquy regarding the continuance of the over flow eligible trial to the September stack. Court noted that in light of the short trial setting and discovery being provided, the defense would like a continuance with the understanding the Deft. will waive to allow the setting. Upon the inquiry of the Court, the Deft. stated he will WAIVE speedy to allow the September 29th setting. COURT ORDERED, trial VACATED and CONTINUED. CUSTODY 9-22-14 9:30 AM CALENDAR CALL 9-29-14 10:00 AM JURY TRIAL ;

07/28/2014 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)
Vacated - per Judge

09/22/2014  **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
Matter Heard;
Journal Entry Details:
Mr. Shetler advised they are not ready for trial, and there is a stipulation for a continuance of the trial as there are outstanding medical issues and they don't have the victim's medical records. Colloquy regarding the continuance of the over flow eligible trial. There being no opposition, COURT ORDERED, trial VACATED and CONTINUED. CUSTODY 11-24-14 9:30 AM CALENDAR CALL 12-1-14 10:00 AM JURY TRIAL ;




09/29/2014 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)
Vacated - per Judge

11/24/2014  **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)
Matter Heard;
Journal Entry Details:
Ms. Digiacoia advised there is no opposition to the requested continuance by the defense. Mr. Smiley requested a continuance advising they've tried, and continue to try working with the approved county vendor list for a medical expert which is needed on the case; one has yet to be obtained, and which is necessary due to the substantial bodily injury charge. Court stated, good cause is found for the continuance. Colloquy regarding the continuation of the trial. COURT ORDERED, trial CONTINUED. CUSTODY 2-9-15 9:30 AM CALENDAR CALL 2-17-15 10:00 AM JURY TRIAL ;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-14-298879-1

12/01/2014	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
02/09/2015	 Calendar Call (9:30 AM) (Judicial Officer: Cadish, Elissa F.) Matter Heard; Journal Entry Details: <i>Mr. Shelter advised he has a doctor authorized to do work on the exact extent of the victims injuries, he does not yet have the report, or a date for when the report will be complete, parties have discussed a trial setting in early May, and a 7-10 day status check is requested to attempt to resolve things. Mr. Stephens advised the case is over flow eligible. COURT ORDERED, trial CONTINUED; proceedings SET for status check. CUSTODY 2-18-15 8:30 AM STATUS CHECK: NEGOTIATIONS 4-27-15 9:30 AM CALENDAR CALL 5-4-15 10:00 AM JURY TRIAL ;</i>
02/17/2015	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
02/18/2015	 Status Check (8:30 AM) (Judicial Officer: Cadish, Elissa F.) 02/18/2015, 02/23/2015 <i>Status Check Negotiations</i> Matter Heard; Matter Heard; Journal Entry Details: <i>Defendant not present At the request of Mr. Shetler and there being no opposition, COURT ORDERED, proceedings STAND as calendared; matters may be re calendared for entry of plea should an agreement be reached. CUSTODY 4-27-15 9:30 AM CALENDAR CALL 5-4-15 10:00 AM JURY TRIAL ;</i> Matter Heard; Matter Heard; Journal Entry Details: <i>Mr. Shetler advised there is an agreement that needs to be finalized in writing and signed. COURT ORDERED, matter CONTINUED CUSTODY 2-23-15 8:30 AM STATUS CHECK: NEGOTIATIONS ;</i>
04/27/2015	 Calendar Call (9:30 AM) (Judicial Officer: Cadish, Elissa F.) 04/27/2015, 04/29/2015 Matter Heard; Matter Heard; Journal Entry Details: <i>Mr. Shetler announced he is ready to proceed to trial and advised he has spoken with Ms. Baharav and there's a doctor they will both use for testimony, but he will not be available until Friday and the CSI will not be available until Thursday; it's requested the trial begin Wednesday and will be done by Friday. Ms. Sudano stated she and Ms. Baharav have trials next week and they are looking at getting the trial done. Colloquy regarding trial logistics. COURT ORDERED, case to trial May 5th @ 1:30 PM; by Friday counsel are to provide proposed jury instructions in Word to Judicial Executive Assistant (J.E.A.), and unless there are an unusual number of exhibits they can be brought in at time of trial to be marked. CUSTODY 5-5-15 1:30 PM JURY TRIAL ;</i> Matter Heard; Matter Heard; Journal Entry Details: <i>Mr. Stephens announced the State is ready to proceed to trial; 7-9 witnesses, 4-5 days, zero out of state witnesses, and the trial is Overflow eligible. Mr. Shetler announced the defense is ready. COURT ORDERED, proceedings CONTINUED to determine if this case will be heard by this Court, or if it will be sent to Overflow. CUSTODY 4-29-15 8:30 AM CALENDAR CALL 5-4-15 10:00 AM JURY TRIAL ;</i>
05/04/2015	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>
05/06/2015	 Jury Trial (1:30 PM) (Judicial Officer: Cadish, Elissa F.) 05/06/2015-05/07/2015 Trial Continues; Trial Date Set; Trial date reset. Journal Entry Details: <i>OUTSIDE THE PRESENCE OF THE JURORS: Ms. Baharav advised the State is down to five witnesses. Mr. Shetler advised the expert doctor is not available and he asked to continue the matter to have a doctor present to testify. Ms.</i>

CASE SUMMARY**CASE NO. C-14-298879-1**

Baharav advised the State is prepared to go forward without the doctor and the Defense was going to use their doctor. Mr. Shetler stated there is two sides to the argument, his client is more comfortable to have a doctor take the stand and he wanted the doctor to review the medical records. Ms. Baharav stated she is comfortable for no doctor to take the stand and they can use the medical records; also they have agreed to use the records as they are and Mr. Shetler would discuss this with his client. Court noted if they don't stipulate for the records to come in without the doctor then the State may have a problem. Mr. Shetler advised he would to review this with his client. Court reviewed the time of the case and noted the Deft has been in custody close to a year; therefore, if this case continues her next criminal stack is June/July and September. Court advised she will step out and reminded counsel this case is overflow eligible. Mr. Shetler stated he will be on vacation in July. Matter trailed. MATTER RECALLED: Mr. Shetler asked to continue the trial to have an expert witness. Court indicated to Mr. Shetler that he knew his doctor would not be available and that he would be using the State's witness but he also cannot be here for the trial and Deft understands that he will be four months more in custody. Court suggested counsel talk about another negotiation. Upon Court's inquiry, Defendant advised he agreed to continue the trial date because of not having a doctor present and he understands that counsel has a vacation scheduled in July but he would like to keep this Judge. Court advised this case may go to overflow and that this case is scheduled the same week as her trial for War Machine. COURT ORDERED, Trial VACATED and Trial date RESET. State's exhibits returned to Ms. Baharav. Court asked the Marshal to advised the jury panel they are dismissed. CUSTODY 9/21/15 9:30 AM CALENDAR CALL 9/28/15 10:00 AM JURY TRIAL ;


Trial Continues;

Trial Date Set;

Trial date reset.

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Colloquy regarding scheduling, witness testimony, and proceedings going forward. Ms. Baharav stated parties have discussed the potential stipulation to the medical records in lieu of live testimony, and noted concerns by defense counsel that they would like to be heard prior to the witnesses. Court stated the issue will be discussed at the end of the day. Colloquy regarding instructions, peremptory challenges, the jury selection process and alleged relationship between the Defendant and victim. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Introductory comments by the Court. Roll of prospective jurors called and sworn by the Clerk. Introductions on behalf of the State by Ms. Baharav and on behalf of the Defendant by Mr. Shetler as to the names of prospective witnesses to be called and the general nature of the case. General voir dire of prospective jurors by the Court. COURT ORDERED, matter CONTINUED to May 7th @ 1 PM.;

08/31/2015  **Motion to Admit Evidence (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

08/31/2015, 09/17/2015*Motion to Admit Evidence Pursuant to NRS 48.045*

Continued;

Granted;

Continued;

Granted;


Journal Entry Details:

Court noted the State's motion did not make the calendar, but it can be addressed. Mr. Shetler stated he spoke about it with the State. Colloquy. Arguments by counsel. Ms. Sudano moved for a Petrocelli hearing. COURT SO ORDERED; State's motion will not be heard as it's contingent on the door being opened, and should it come up will be taken up outside the presence. Court stated this will be the only matter calendared and requested counsel be on time.

CUSTODY 9-17-15 8:30 AM PETROCELLI HEARING...DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045 ;

09/17/2015 **Petrocelli Hearing (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

Off Calendar;

09/17/2015  **All Pending Motions (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

Matter Heard;

Journal Entry Details:

DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045...PETROCELLI HEARING Colloquy regarding calendared matters and the lack of a need for the Petrocelli Hearing. Arguments by counsel. Court stated findings and ORDERED, motion GRANTED in the limited extent described in connection with the self defense defense. Mr. Shetler stated he has spoken with the Defendant and they are comfortable with a Bench Trial. Colloquy regarding the scheduling of the trial. Ms. Sudano stated the State is ready to go forward; and barring any emergency, there should be no issues. COURT ORDERED, request for Bench Trial GRANTED; matters to be discussed further at the calendar call. 9-21-15 9:30 AM CALENDAR CALL 9-28-15 10:00 AM JURY TRIAL ;

09/21/2015  **Calendar Call (9:30 AM)** (Judicial Officer: Cadish, Elissa F.)

Matter Heard;

Journal Entry Details:

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-14-298879-1

Parties announced ready. Ms. Sudano advised four to five days, seven to nine witnesses and one out of state witness. COURT ORDERED, trial date STANDS. Mr. Shetler advised Deft. requested that he inquire as to waiving jury panel. Ms. Sudano advised the State will not stipulate to waive jury panel. Colloquy. Court instructed counsel to have jury instructions to chambers by Wednesday. CUSTODY 9/28/15 1:30 PM JURY TRIAL ;

09/28/2015 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)
Vacated - per Judge

09/29/2015  **Bench Trial** (1:30 PM) (Judicial Officer: Cadish, Elissa F.)

09/29/2015-10/01/2015

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

Stipulation and Order FILED IN OPEN COURT Ms. Sudano requested the Stipulation and Order be signed as both parties agree to WAIVE a trial by jury; Stipulation and Order SIGNED IN OPEN COURT. Argument by counsel regarding the self-defense instructions. Instructions settled. Upon Court's inquiry, Mr. Shetler made no objection to the Verdict Form, stating he reviewed it with Deft. Colloquy regarding the parties agreeing to the Court reading the Instructions in-chambers. Instructions read in-chambers. Closing statements by Ms. Sudano. Closing arguments by Mr. Shetler. At the hour of 12:00 p.m. the Court retired to deliberate. At the hour of 12:58 p.m. the Court returned with its VERDICT in accordance with the written Verdict Form which was FILED IN OPEN COURT. COURT FINDS Deft. GUILTY as follows: COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON, COUNT 2 - FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON, COUNT 3 - GRAND LARCENY AUTO, COUNT 4 - ASSAULT WITH A DEADLY WEAPON, COUNT 5 - COERCION, COUNT 6 - BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE, and COUNT 7 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION. COURT ORDERED Deft. REMANDED into CUSTODY WITHOUT BAIL, matter REFERRED to the Division of Parole and Probation (P&P) and SET for Sentencing. CUSTODY 11/16/15 8:30 A.M. SENTENCING CLERK'S NOTE: This Minute Order was corrected to reflect seven guilty charges. sb/ 11/04/15;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

Colloquy regarding scheduling. Testimony and exhibits presented, (see worksheets). State rests. Court advised Deft. of his right not to testify. Colloquy regarding instructions and scheduling. Defense rests. Further colloquy regarding scheduling. COURT ORDERED, Matter CONTINUED. CUSTODY CONTINUED TO: 10/01/15 10:00 A.M. ;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

Court noted parties have agreed to a Non-Jury Trial with this Court as the trier of fact, rather than a Jury. Ms. Sudano and Mr. Shetler concurred. Court noted the Defendant is in custody, and a ruling will be issued based upon the facts of the law; proceedings were continued previously due to the unavailability of the doctor, who is now available. Ms. Sudan concurred. Colloquy regarding proceedings going forward. Opening statement on behalf of the State by Ms. Sudano, and on behalf of the Defendant by Mr. Shetler. Mr. Shetler advised parties have stipulated to the admission of State's Exhibits 1-37. COURT SO ORDERED. Exclusionary Rule INVOKED. Testimony and Exhibits presented (See Worksheet). Colloquy regarding proceedings going forward. Court advised the Defendant as to his constitutional rights as to any testimony. COURT ORDERED, matter CONTINUED TO September 30th @ 10:30 AM.;

11/16/2015  **Sentencing** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

11/16/2015, 11/23/2015, 01/06/2016

Continued;

Continued;

Defendant Sentenced;

Journal Entry Details:

Court noted the receipt of the Presentence Investigation Report (PSI), and Sentencing Memorandum, and the review of several of the Defendant's certificates of completion of various programs. Upon the inquiry of the Court, Mr. Shetler stated he decided not to provide a letter to the Court. By virtue of the findings from the Non Jury Trial, Defendant PERRY ADJUDGED GUILTY OF COUNT I, ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT II, FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON (F), COUNT III, GRAND LARCENY AUTO (F), COUNT IV, ASSAULT WITH A DEADLY WEAPON (F), COUNT V, COERCION (F), COUNT VI, BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE (F), AND COUNT VII, PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING

CASE SUMMARY

CASE NO. C-14-298879-1

PROSECUTION (F). Arguments by counsel. Statement by Defendant. COURT ORDERED, in addition t to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, \$3.00 DNA Collection fee, \$250.00 Indigent Defense Civil Assessment fee, and \$35.00 Domestic Violence fee, as to COUNT I, Defendant SENTENCED to a MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS, AND A MINIMUM OF THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC), PLUS A CONSECUTIVE 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) for the use of a deadly weapon, and Restitution of \$18,103.28, as to COUNT II, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT I, as to COUNT III, a MAXIMUM OF NINETY-SIX (96) MONTHS, AND A MINIMUM OF TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNTS I, AND II, as to COUNT IV, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT III, as to COUNT V, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT IV, and as to COUNT VI, a MAXIMUM OF FORTY-EIGHT (48) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT V, and as to COUNT VII, a MAXIMUM OF THIRTY-SIX (36) MONTHS, AND A MINIMUM OF TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT VI ; for an AGGREGATE sentence of a MAXIMUM OF THREE HUNDRED THIRTY-SIX (336) MONTHS, AND A MINIMUM OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC), WITH FIVE HUNDRED NINETY-SEVEN (597) DAYS credit for time served. NDC ;

Continued;

Continued;

Defendant Sentenced;

Journal Entry Details:

Mr. Shetler advised he received the Pre-Sentence Investigation Report (PSI) on November 12th, the Deft. wants more time to discuss matters, and requested a continuance for the preparation of the sentencing memorandum. Argument in opposition of continuance by Ms. Sudano; understand Mr. Shetler was ill, and he was allowed to recover, but there is a speaker present. Upon inquiry of Ms. Sudano, Mr. Shetler stated he is not opposed to allowing the victim to speak today. Speaker SWORN and TESTIFIED. Colloquy regarding continuing sentencing, COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 1/6/16 8:30 AM ;

Continued;

Continued;

Defendant Sentenced;

Journal Entry Details:

Ms. Coccamo moved for a continuance on behalf of Mr. Shetler. Mr. Hamner noted the presence of a speaker. COURT ORDERED, matter CONTINUED. CUSTODY 11-23-15 8:30 AM SENTENCING;

04/24/2017 **Petition for Writ of Habeas Corpus (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

04/24/2017, 05/01/2017, 06/02/2017

Events: 02/07/2017 Petition for Writ of Habeas Corpus

Defendant s Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)

MINUTES



Petition for Writ of Habeas Corpus

Evidentiary Hearing Petition for Writ of Habeas Corpus (Post-Conviction)

Continued;

Continued;

Continued;

Continued;

04/24/2017 **Motion for New Trial (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

Events: 02/07/2017 Motion for New Trial

Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence. Motion to Vacate

Denied;

04/24/2017 **Motion to Withdraw as Counsel (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

Events: 02/07/2017 Motion

Defendant's Pro Per Motion to Withdraw Counsel




Granted;

04/24/2017 **Motion for Appointment (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

Events: 02/07/2017 Motion

CASE SUMMARY




CASE NO. C-14-298879-1

	<p><i>Defendant's Pro Per Motion to Appoint Counsel</i> Granted;</p>
04/24/2017	<p>Motion (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i> Denied;</p>
04/24/2017	<p> All Pending Motions (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Matter Heard; Journal Entry Details: <i>Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)...Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence. Motion to Vacate...Defendant's Pro Per Motion to Withdraw Counsel...Defendant's Pro Per Motion to Appoint Counsel...Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference Defendant not present. Court stated findings and ORDERED, Defendant's Pro Per Motion to Withdraw Counsel GRANTED; Defendant's Pro Per Motion to Appoint Counsel GRANTED to supplement the Petition For Writ of Habeas Corpus; Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference DENIED to the extent it seeks to have the Defendant transported for today's proceedings, and Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence DENIED; matter SET for confirmation of counsel. FURTHER ORDERED, pursuant to the receipt of communication from the Nevada Department of Corrections, the Judgment of Conviction is to be amended to remove the aggregate sentence imposed due to the offense date of May 1, 2014, which is prior to the aggregation point of July 1, 2014. NDC 5-1-17 8:30 AM Confirmation of Counsel...Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)... CLERK'S NOTE: Drew Christensen notified of calendared proceedings.;</i></p>
05/01/2017	<p>Confirmation of Counsel (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Confirmed;</p>
05/01/2017	<p> All Pending Motions (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Matter Heard; Journal Entry Details: <i>Confirmation of Counsel...Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)(Evidentiary Hearing) Ms. Anderlik stated Ms. Schwartzer will confirm as counsel, and requested a continuance to obtain the file. COURT ORDERED, Gene Schwartzer CONFIRMED as counsel; matte SET for status check. NDC 5-31-17 8:30 AM Status Check...Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)(Evidentiary Hearing) ;</i></p>
06/02/2017	<p> Status Check (8:30 AM) (Judicial Officer: Cadish, Elissa F.) 06/02/2017, 06/28/2017, 08/30/2017, 11/01/2017 Continued; Continued; Matter Heard; Matter Heard; Journal Entry Details: <i>Defendant not present. Appearing on behalf of the Defendant, Lance Hendron Esq. Court noted proceedings were calendared for status check on the habeas briefing schedule. Mr. Hendron stated there are ongoing investigations and requested 60 days to file a supplement. COURT ORDERED, Defendant's supplement is due January 15, 2018, State's response March 15, 2018, Defendant's reply April 16, 2018; matter SET for argument, and at which time it will be determined if an evidentiary hearing is needed; Defendant is to be transported at the request of Mr. Hendron; State to prepare the transport order unless otherwise is heard from Mr. Hendron. NDC 4-30-18 8:30 AM ARGUMENT ;</i> Continued; Continued; Matter Heard; Matter Heard; Journal Entry Details: <i>Defendant not present. Court noted proceedings were calendared to set a briefing schedule on the post conviction matter. Ms. Allen requested 60 days for investigative purposes and matters that need to be completed prior to setting briefing. COURT ORDERED, proceedings CONTINUED. NDC 11-1-17 8:30 AM STATUS CHECK ;</i> Continued; Continued; Matter Heard;</p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-14-298879-1

	<p>Matter Heard; Journal Entry Details: <i>Defendant not present. Present on behalf of the Defendant, Deputy Public Defender Maxwell Berkley. Mr. Berkley stated he will stand in for this case, and his understanding is attorney Schwartzter will ask for a 60 day status check, and for which there is no objection by the state. Mr. Rose concurred. COURT ORDERED, matter CONTINUED. NDC 8-30-17 8:30 AM STATUS CHECK;</i> Continued; Continued; Matter Heard; Matter Heard; Journal Entry Details: <i>Mr. Gallo requested a continuance to determine what investigation needs to be done. Mr. Zadrowski concurred. COURT ORDERED, matter CONTINUED. NDC CONTINUED TO 6/28/17 8:30 AM;</i></p>
10/15/2018	<p>CANCELED Argument (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Stipulation and Order</i></p>
01/30/2019	<p> Motion (8:30 AM) (Judicial Officer: Bixler, James) 01/30/2019, 02/11/2019 <i>Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference</i> Continued; Matter Heard; Journal Entry Details: <i>Defendant not present. Ms. Schwartzter requested additional time for briefing and the transport of the Defendant. COURT ORDERED, briefing schedule AMENDED; Defendant's brief is due May 13th, State's response July 15th, Defendant's response August 15th, hearing CONTINUED to September 9th. Ms. Schwartzter stated she will be arguing for an evidentiary hearing. COURT ORDERED, Defendant WILL NOT be transported for the argument on the writ. NDC 9-9-19 8:30 AM ARGUMENT: WRIT OF HABEAS CORPUS;</i> Continued; Matter Heard; Journal Entry Details: <i>Defendant not present. Mr. Turner stated Ms. Schwartzter is appellant counsel. Court noted the history of proceedings. Colloquy regarding the grounds for the writ and counsel. Mr. Turner stated all he has is the Defendant's Pro Per motion and he does not have the procedural status of the case now. COURT ORDERED, proceedings CONTINUED for the presence of counsel. NDC 2-11-19 8:30 AM Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference CLERK'S NOTE: Attorney Jean Schwartzter notified of calendared proceedings.;</i></p>
09/09/2019	<p> Argument (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) Off Calendar; Journal Entry Details: <i>Defendant not present. Record made by Ms. Schwartzter in regards to stipulation and order to extend time. Colloquy regarding Motion to Compel as to Metro. COURT ORDERED, matter OFF CALENDAR. NDC;</i></p>
03/11/2020	<p>CANCELED Argument (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) <i>Vacated - On in Error</i></p>
02/17/2021	<p> Motion for Order (11:00 AM) (Judicial Officer: Bluth, Jacqueline M.) <i>Petitioner's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Print Analysis of Evidence Impounded at Crime Scene</i> Denied; Journal Entry Details: <i>Argument by Ms. Schwartzter and Ms. Mishler. Court stated findings and ORDERED, Petitioner's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Print Analysis of Evidence Impounded at Crime Scene DENIED. Colloquy regarding ruling. NDC ;</i></p>

DATE

FINANCIAL INFORMATION

Defendant Perry, Genaro Richard
Total Charges
Total Payments and Credits

464.50
1.50

CASE SUMMARY

CASE NO. C-14-298879-1

Balance Due as of 5/17/2021

463.00

ORDR

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

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

GENARO RICHARD PERRY,
#1456173

Defendant.

CASE NO: C-14-298879-1

DEPT NO: VI

**ORDER DENYING DEFENDANT'S MOTION REQUESTING ORDER
DIRECTING THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT
TO CONDUCT GENETIC MARKER AND LATENT FINGERPRINT ANALYSIS
OF EVIDENCE IMPOUNDED AT CRIME SCENE**

DATE OF HEARING: February 17, 2021

TIME OF HEARING: 11:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 17th day of February, 2021, the Defendant not being present, represented by JEAN SCHWARTZER, ESQ., the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through KAREN MISHLER, Chief Deputy District Attorney, and the Court having heard the arguments of counsel, based on the pleadings, and good cause appearing therefore, the Court hereby RULES as follows:

The instant Motion was made pursuant to NRS 176.0918. The Court has waived the requirement contained in NRS 176.0918(3) that a petition filed pursuant to this statute must contain a declaration under penalty of perjury.

1 As to the Defendant's request for fingerprint analysis, NRS 176.0918 does not
2 authorize a court to order testing or analysis of latent fingerprints. No other statute or legal
3 basis was offered to support the request for latent fingerprint analysis.

4 Furthermore, even if the victim's fingerprints were found on the knife, this would not
5 be exculpatory, because the victim testified at trial that she owned the knife and had used it
6 the evening before.

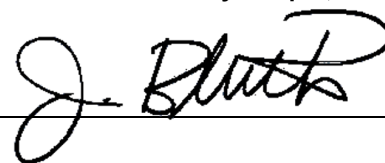
7 Accordingly, the request for an order directing the Las Vegas Metropolitan Police
8 Department to conduct latent fingerprint analysis of the evidence impounded in this case is
9 denied.

10 As to the request for genetic marker analysis, the Court finds that if such testing were
11 conducted, and the results anticipated by Defendant were obtained, such results would not
12 rise to a reasonable possibility that the Defendant would not have been prosecuted or
13 convicted. See NRS 176.0918(3)(b).

14 Even if the blood on the knife and the blood samples matched Defendant's genetic
15 markers, at most it would show that Defendant left his blood at the scene. Such results would
16 not exculpate him of guilt as to the crimes for which he was convicted.

17 Accordingly, the request for an order directing the Las Vegas Metropolitan Police
18 Department to conduct genetic marker analysis of the evidence impounded in this case is
19 denied.

20 Dated this 16th day of April, 2021

21 
22

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

DEB D87 89BA ACD2
Jacqueline M. Bluth
District Court Judge

MT

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

28 jg/DVU

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-14-298879-1

7 vs

DEPT. NO. Department 6

8 Genaro Perry
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 4/16/2021

15 Clark County District Attorney's Office .

PDMotions@clarkcountyda.com

16 Patricia Pinotti .

plpinotti@gmail.com

17 Travis Shetler .

travisssetler@gmail.com

18 Jean Schwartzer

jean.schwartzzer@gmail.com

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21
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25
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 21, 2014**

C-14-298879-1 State of Nevada
vs
Genaro Perry

July 21, 2014 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

PRESENT:	Perry, Genaro Richard	Defendant
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

JOURNAL ENTRIES

- Mr. Stephens advised he has provided discovery to defense counsel, the Clark County Detention Center (CCDC) records and jail phone calls; the victim is still seeking treatment for the injuries, so all of the medical records are not available to be provided to defense counsel; the State is ready for trial, but if the defense would like a continuance due to all the discovery not being disclosed, and discovery is ongoing, the State is not opposed if the defense needs a continuance. Mr. Smillie advised he has discussed matters with the Deft. in regards to the lack of medical records; the injury to the eye is significant and may be important for use prior to going to trial; the Deft. has invoked, but counsel does not wish to proceed to trial until the records are received and the Deft. is being detained on other matters. Colloquy regarding the continuance of the over flow eligible trial to the September stack. Court noted that in light of the short trial setting and discovery being provided, the defense would like a continuance with the understanding the Deft. will waive to allow the setting. Upon the inquiry of the Court, the Deft. stated he will WAIVE speedy to allow the September 29th setting. COURT ORDERED, trial VACATED and CONTINUED.

CUSTODY

PRINT DATE: 05/17/2021

Page 2 of 36

Minutes Date: June 26, 2014

9-22-14 9:30 AM CALENDAR CALL

9-29-14 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 22, 2014

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

September 22, 2014 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Brown, Colleen R.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Shetler advised they are not ready for trial, and there is a stipulation for a continuance of the trial as there are outstanding medical issues and they don't have the victim's medical records. Colloquy regarding the continuance of the over flow eligible trial. There being no opposition, COURT ORDERED, trial VACATED and CONTINUED.

CUSTODY

11-24-14 9:30 AM CALENDAR CALL

12-1-14 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 24, 2014

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

November 24, 2014 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	DiGiacomo, Sandra	Attorney
	Perry, Genaro Richard	Defendant
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Digiacomo advised there is no opposition to the requested continuance by the defense. Mr. Smiley requested a continuance advising they've tried, and continue to try working with the approved county vendor list for a medical exert which is needed on the case; one has yet to be obtained, and which is necessary due to the substantial bodily injury charge. Court stated, good cause is found for the continuance. Colloquy regarding the continuation of the trial. COURT ORDERED, trial CONTINUED.

CUSTODY

2-9-15 9:30 AM CALENDAR CALL

2-17-15 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 09, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

February 09, 2015 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

JOURNAL ENTRIES

- Mr. Shelter advised he has a doctor authorized to do work on the exact extent of the victims injuries, he does not yet have the report, or a date for when the report will be complete, parties have discussed a trial setting in early May, and a 7-10 day status check is requested to attempt to resolve things. Mr. Stephens advised the case is over flow eligible. COURT ORDERED, trial CONTINUED; proceedings SET for status check.

CUSTODY

2-18-15 8:30 AM STATUS CHECK: NEGOTIATIONS

4-27-15 9:30 AM CALENDAR CALL

5-4-15 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 18, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

February 18, 2015 8:30 AM Status Check

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Cannizzaro, Nicole J.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Shetler advised there is an agreement that needs to be finalized in writing and signed. COURT ORDERED, matter CONTINUED

CUSTODY

2-23-15 8:30 AM STATUS CHECK: NEGOTIATIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 23, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

February 23, 2015 8:30 AM Status Check

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed
 Adrienne Theeck

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Brown, Colleen R.	Attorney
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present

At the request of Mr. Shetler and there being no opposition, COURT ORDERED, proceedings STAND as calendared; matters may be re calendared for entry of plea should an agreement be reached.

CUSTODY

4-27-15 9:30 AM CALENDAR CALL

5-4-15 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 27, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

April 27, 2015 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

JOURNAL ENTRIES

- Mr. Stephens announced the State is ready to proceed to trial; 7-9 witnesses, 4-5 days, zero out of state witnesses, and the trial is Overflow eligible. Mr. Shetler announced the defense is ready. COURT ORDERED, proceedings CONTINUED to determine if this case will be heard by this Court, or if it will be sent to Overflow.

CUSTODY

4-29-15 8:30 AM CALENDAR CALL

55-4-15 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 29, 2015

C-14-298879-1 State of Nevada
vs
Genaro Perry

April 29, 2015 8:30 AM Calendar Call

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- Mr. Shetler announced he is ready to proceed to trial and advised he has spoken with Ms. Baharav and there's a doctor they will both use for testimony, but he will not be available until Friday and the CSI will not be available until Thursday; it's requested the trial begin Wednesday and will be done by Friday. Ms. Sudano stated she and Ms. Baharav have trials next week and they are looking at getting the trial done. Colloquy regarding trial logistics. COURT ORDERED, case to trial May 5th @ 1:30 PM; by Friday counsel are to provide proposed jury instructions in Word to Judicial Executive Assistant (J.E.A.), and unless there are an unusual number of exhibits they can be brought in at time of trial to be marked.

CUSTODY

5-5-15 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 06, 2015**

C-14-298879-1 State of Nevada
vs
Genaro Perry

May 06, 2015**1:30 PM****Jury Trial****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

PRESENT:	Brown, Colleen R.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Colloquy regarding scheduling, witness testimony, and proceedings going forward. Ms. Baharav stated parties have discussed the potential stipulation to the medical records in lieu of live testimony, and noted concerns by defense counsel that they would like to be heard prior to the witnesses. Court stated the issue will be discussed at the end of the day. Colloquy regarding instructions, peremptory challenges, the jury selection process and alleged relationship between the Defendant and victim. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Introductory comments by the Court. Roll of prospective jurors called and sworn by the Clerk. Introductions on behalf of the State by Ms. Baharav and on behalf of the Defendant by Mr. Shetler as to the names of prospective witnesses to be called and the general nature of the case. General voir dire of prospective jurors by the Court. COURT ORDERED, matter CONTINUED to May 7th @ 1 PM.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 07, 2015**

C-14-298879-1 State of Nevada
vs
Genaro Perry

May 07, 2015**1:00 PM****Jury Trial****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Nora Pena**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Brown, Colleen R.	Attorney
Perry, Genaro Richard	Defendant
Shetler, Travis E	Attorney
State of Nevada	Plaintiff
Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURORS: Ms. Baharav advised the State is down to five witnesses. Mr. Shetler advised the expert doctor is not available and he asked to continue the matter to have a doctor present to testify. Ms. Baharav advised the State is prepared to go forward without the doctor and the Defense was going to use their doctor. Mr. Shetler stated there is two sides to the argument, his client is more comfortable to have a doctor take the stand and he wanted the doctor to review the medical records. Ms. Baharav stated she is comfortable for no doctor to take the stand and they can use the medical records; also they have agreed to use the records as they are and Mr. Shetler would discuss this with his client. Court noted if they don't stipulate for the records to come in without the doctor then the State may have a problem. Mr. Shetler advised he would to review this with his client. Court reviewed the time of the case and noted the Deft has been in custody close to a year; therefore, if this case continues her next criminal stack is June/July and September. Court advised she will step out and reminded counsel this case is overflow eligible. Mr. Shetler stated he will be on vacation in July. Matter trailed.

MATTER RECALLED: Mr. Shetler asked to continue the trial to have an expert witness. Court indicated to Mr. Shetler that he knew his doctor would not be available and that he would be using the State's witness but he also cannot be here for the trial and Deft understands that he will be four months more in custody. Court suggested counsel talk about another negotiation. Upon Court's inquiry, Defendant advised he agreed to continue the trial date because of not having a doctor present and he understands that counsel has a vacation scheduled in July but he would like to keep this Judge. Court advised this case may go to overflow and that this case is scheduled the same week as her trial for War Machine. COURT ORDERED, Trial VACATED and Trial date RESET. State's exhibits returned to Ms. Baharav. Court asked the Marshal to advised the jury panel they are dismissed.

CUSTODY

9/21/15 9:30 AM CALENDAR CALL

9/28/15 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 31, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

August 31, 2015 8:30 AM Motion to Admit Evidence

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- Court noted the State s motion did not make the calendar, but it can be addressed. Mr. Shetler stated he spoke about it with the State. Colloquy. Arguments by counsel. Ms. Sudano moved for a Petrocelli hearing. COURT SO ORDERED; State s motion will not be heard as it s contingent on the door being opened, and should it come up will be taken up outside the presence. Court stated this will be the only matter calendared and requested counsel be on time.

CUSTODY

9-17-15 8:30 AM PETROCELLI HEARING...DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 17, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

September 17, 2015 8:30 AM

All Pending Motions

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Caccamo, Anais-Marie H.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045...PETROCELLI HEARING

Colloquy regarding calendared matters and the lack of a need for the Petrocelli Hearing. Arguments by counsel. Court stated findings and ORDERED, motion GRANTED in the limited extent described in connection with the self defense defense. Mr. Shetler stated he has spoken with the Defendant and they are comfortable with a Bench Trial. Colloquy regarding the scheduling of the trial. Ms. Sudano stated the State is ready to go forward; and barring any emergency, there should be no issues. COURT ORDERED, request for Bench Trial GRANTED; matters to be discussed further at the calendar call.

9-21-15 9:30 AM CALENDAR CALL

PRINT DATE: 05/17/2021

Page 15 of 36

Minutes Date: June 26, 2014

C-14-298879-1

9-28-15 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 21, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

September 21, 2015 9:30 AM Calendar Call

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- Parties announced ready. Ms. Sudano advised four to five days, seven to nine witnesses and one out of state witness. COURT ORDERED, trial date STANDS. Mr. Shetler advised Deft. requested that he inquire as to waiving jury panel. Ms. Sudano advised the State will not stipulate to waive jury panel. Colloquy. Court instructed counsel to have jury instructions to chambers by Wednesday.

CUSTODY

9/28/15 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 29, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

September 29, 2015 1:30 PM Bench Trial

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney
	Turner, Robert B.	Attorney

JOURNAL ENTRIES

- Court noted parties have agreed to a Non-Jury Trial with this Court as the trier of fact, rather than a Jury. Ms. Sudano and Mr. Shetler concurred. Court noted the Defendant is in custody, and a ruling will be issued based upon the facts of the law; proceedings were continued previously due to the unavailability of the doctor, who is now available. Ms. Sudan concurred. Colloquy regarding proceedings going forward. Opening statement on behalf of the State by Ms. Sudano, and on behalf of the Defendant by Mr. Shetler. Mr. Shetler advised parties have stipulated to the admission of State's Exhibits 1-37. COURT SO ORDERED. Exclusionary Rule INVOKED. Testimony and Exhibits presented (See Worksheet). Colloquy regarding proceedings going forward. Court advised the Defendant as to his constitutional rights as to any testimony. COURT ORDERED, matter CONTINUED TO September 30th @ 10:30 AM.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 30, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

September 30, 2015 1:00 PM Bench Trial

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Shelley Boyle

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney
	Turner, Robert B.	Attorney

JOURNAL ENTRIES

- Colloquy regarding scheduling. Testimony and exhibits presented, (see worksheets). State rests. Court advised Deft. of his right not to testify. Colloquy regarding instructions and scheduling. Defense rests. Further colloquy regarding scheduling. COURT ORDERED, Matter CONTINUED.

CUSTODY

CONTINUED TO: 10/01/15 10:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 01, 2015**

C-14-298879-1 State of Nevada
vs
Genaro Perry

October 01, 2015 10:00 AM Bench Trial

HEARD BY: Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Shelley Boyle**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

PRESENT:	Caccamo, Anais-Marie H.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- Stipulation and Order FILED IN OPEN COURT

Ms. Sudano requested the Stipulation and Order be signed as both parties agree to WAIVE a trial by jury; Stipulation and Order SIGNED IN OPEN COURT. Argument by counsel regarding the self-defense instructions. Instructions settled. Upon Court's inquiry, Mr. Shetler made no objection to the Verdict Form, stating he reviewed it with Deft. Colloquy regarding the parties agreeing to the Court reading the Instructions in-chambers. Instructions read in-chambers. Closing statements by Ms. Sudano. Closing arguments by Mr. Shetler. At the hour of 12:00 p.m. the Court retired to deliberate. At the hour of 12:58 p.m. the Court returned with its VERDICT in accordance with the written Verdict Form which was FILED IN OPEN COURT. COURT FINDS Deft. GUILTY as follows: COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON, COUNT 2 - FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON, COUNT 3 - GRAND LARCENY AUTO, COUNT 4 - ASSAULT WITH A DEADLY WEAPON, COUNT 5 - COERCION, COUNT 6 - BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE, and

COUNT 7 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION. COURT ORDERED Deft. REMANDED into CUSTODY WITHOUT BAIL, matter REFERRED to the Division of Parole and Probation (P&P) and SET for Sentencing.

CUSTODY

11/16/15 8:30 A.M. SENTENCING

CLERK'S NOTE: This Minute Order was corrected to reflect seven guilty charges. sb/ 11/04/15

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 16, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

November 16, 2015 8:30 AM Sentencing

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed
 Natalie Ortega

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Caccamo, Anais-Marie H.	Attorney
	Perry, Genaro Richard	Defendant
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- Ms. Coccamo moved for a continuance on behalf of Mr. Shetler. Mr. Hamner noted the presence of a speaker. COURT ORDERED, matter CONTINUED.

CUSTODY

11-23-15 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 23, 2015

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

November 23, 2015 8:30 AM Sentencing

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed
 Natalie Ortega

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- Mr. Shetler advised he received the Pre-Sentence Investigation Report (PSI) on November 12th, the Deft. wants more time to discuss matters, and requested a continuance for the preparation of the sentencing memorandum. Argument in opposition of continuance by Ms. Sudano; understand Mr. Shetler was ill, and he was allowed to recover, but there is a speaker present. Upon inquiry of Ms. Sudano, Mr. Shetler stated he is not opposed to allowing the victim to speak today. Speaker SWORN and TESTIFIED. Colloquy regarding continuing sentencing, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 1/6/16 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 06, 2016**

C-14-298879-1 State of Nevada
vs
Genaro Perry

January 06, 2016 8:30 AM Sentencing

HEARD BY: Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

PRESENT:	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

JOURNAL ENTRIES

- Court noted the receipt of the Presentence Investigation Report (PSI), and Sentencing Memorandum, and the review of several of the Defendant's certificates of completion of various programs. Upon the inquiry of the Court, Mr. Shetler stated he decided not to provide a letter to the Court. By virtue of the findings from the Non Jury Trial, Defendant PERRY ADJUDGED GUILTY OF COUNT I, ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT II, FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON (F), COUNT III, GRAND LARCENY AUTO (F), COUNT IV, ASSAULT WITH A DEADLY WEAPON (F), COUNT V, COERCION (F), COUNT VI, BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE (F), AND COUNT VII, PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION (F). Arguments by counsel. Statement by Defendant. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, \$3.00 DNA Collection fee, \$250.00 Indigent Defense Civil Assessment fee, and \$35.00 Domestic Violence fee, as to COUNT I, Defendant SENTENCED to a MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS, AND A MINIMUM OF THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC), PLUS A

CONSECUTIVE 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) for the use of a deadly weapon, and Restitution of \$18,103.28, as to COUNT II, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT I, as to COUNT III, a MAXIMUM OF NINETY-SIX (96) MONTHS, AND A MINIMUM OF TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNTS I, AND II, as to COUNT IV, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT III, as to COUNT V, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT IV, and as to COUNT VI, a MAXIMUM OF FORTY-EIGHT (48) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT V, and as to COUNT VII, a MAXIMUM OF THIRTY-SIX (36) MONTHS, AND A MINIMUM OF TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT VI ; for an AGGREGATE sentence of a MAXIMUM OF THREE HUNDRED THIRTY-SIX (336) MONTHS, AND A MINIMUM OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC), WITH FIVE HUNDRED NINETY-SEVEN (597) DAYS credit for time served.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 24, 2017

C-14-298879-1 State of Nevada
vs
Genaro Perry

April 24, 2017

8:30 AM

All Pending Motions

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed
Aja Brown

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT: Beverly, Leah C Attorney
Shetler, Travis E
State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)...Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence. Motion to Vacate...Defendant's Pro Per Motion to Withdraw Counsel...Defendant's Pro Per Motion to Appoint Counsel...Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference

Defendant not present.

Court stated findings and ORDERED, Defendant's Pro Per Motion to Withdraw Counsel GRANTED; Defendant's Pro Per Motion to Appoint Counsel GRANTED to supplement the Petition For Writ of Habeas Corpus; Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference DENIED to the extent it seeks to have the Defendant transported for today's proceedings, and Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence DENIED; matter SET for confirmation of counsel. FURTHER ORDERED, pursuant to the receipt of communication from the Nevada

Department of Corrections, the Judgment of Conviction is to be amended to remove the aggregate sentence imposed due to the offense date of May 1, 2014, which is prior to the aggregation point of July 1, 2014.

NDC

5-1-17 8:30 AM Confirmation of Counsel...Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)...

CLERK'S NOTE: Drew Christensen notified of calendared proceedings.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 01, 2017

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

May 01, 2017

8:30 AM

All Pending Motions

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

Anderlik, Elizabeth J.	Attorney
State of Nevada	Plaintiff
Zadrowski, Bernard B.	Attorney

JOURNAL ENTRIES

- Confirmation of Counsel...Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)(Evidentiary Hearing)

Ms. Anderlik stated Ms. Schwartzer will confirm as counsel, and requested a continuance to obtain the file. COURT ORDERED, Gene Schwartzer CONFIRMED as counsel; matte SET for status check.

NDC

5-31-17 8:30 AM Status Check...Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)(Evidentiary Hearing)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 02, 2017

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

June 02, 2017 8:30 AM Status Check

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Louisa Garcia

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT: Gallo, James C Attorney
 Perry, Genaro Richard Defendant
 State of Nevada Plaintiff
 Zadrowski, Bernard B. Attorney

JOURNAL ENTRIES

- Mr. Gallo requested a continuance to determine what investigation needs to be done. Mr. Zadrowski concurred. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO 6/28/17 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 28, 2017

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

June 28, 2017 8:30 AM Status Check

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT: Rose, Steven Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present.

Present on behalf of the Defendant, Deputy Public Defender Maxwell Berkley. Mr. Berkley stated he will stand in for this case, and his understanding is attorney Schwartzer will ask for a 60 day status check, and for which there is no objection by the state. Mr. Rose concurred. COURT ORDERED, matter CONTINUED.

NDC

8-30-17 8:30 AM STATUS CHECK

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 30, 2017

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

August 30, 2017 8:30 AM Status Check

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT: Allen, Betsy Attorney
 O'Halloran, Rachel Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present.

Court noted proceedings were calendared to set a briefing schedule on the post conviction matter. Ms. Allen requested 60 days for investigative purposes and matters that need to be completed prior to setting briefing. COURT ORDERED, proceedings CONTINUED.

NDC

11-1-17 8:30 AM STATUS CHECK

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 01, 2017

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

November 01, 2017 8:30 AM Status Check

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Paula Walsh

REPORTER:

PARTIES

PRESENT: Holthus, Mary Kay Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present.

Appearing on behalf of the Defendant, Lance Hendron Esq. Court noted proceedings were calendared for status check on the habeas briefing schedule. Mr. Hendron stated there are ongoing investigations and requested 60 days to file a supplement. COURT ORDERED, Defendant's supplement is due January 15, 2018, State's response March 15, 2018, Defendant's reply April 16, 2018; matter SET for argument, and at which time it will be determined if an evidentiary hearing is needed; Defendant is to be transported at the request of Mr. Hendron; State to prepare the transport order unless otherwise is heard from Mr. Hendron.

NDC

4-30-18 8:30 AM ARGUMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 30, 2019

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

January 30, 2019 8:30 AM Motion

HEARD BY: Bixler, James **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT: State of Nevada Plaintiff
 Turner, Robert B. Attorney

JOURNAL ENTRIES

- Defendant not present.

Mr. Turner stated Ms. Schwartzer is appellant counsel. Court noted the history of proceedings. Colloquy regarding the grounds for the writ and counsel. Mr. Turner stated all he has is the Defendant's Pro Per motion and he does not have the procedural status of the case now. COURT ORDERED, proceedings CONTINUED for the presence of counsel.

NDC

2-11-19 8:30 AM Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference

CLERK'S NOTE: Attorney Jean Schwartzer notified of calendared proceedings.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 11, 2019

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

February 11, 2019 8:30 AM Motion

HEARD BY: Bixler, James **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT: Rhoades, Kristina A. Attorney
 Schwartzer, Jean Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present.

Ms. Schwartzer requested additional time for briefing and the transport of the Defendant. COURT ORDERED, briefing schedule AMENDED; Defendant's brief is due May 13th, State's response July 15th, Defendant's response August 15th, hearing CONTINUED to September 9th. Ms. Schwartzer stated she will be arguing for an evidentiary hearing. COURT ORDERED, Defendant WILL NOT be transported for the argument on the writ.

NDC

9-9-19 8:30 AM ARGUMENT: WRIT OF HABEAS CORPUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 09, 2019

C-14-298879-1 State of Nevada
 vs
 Genaro Perry

September 09, 2019 9:30 AM Argument

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Keith Reed
 Shannon Reid

RECORDER: Trisha Garcia

REPORTER:

PARTIES

PRESENT:	Schwartzter, Jean	Attorney
	State of Nevada	Plaintiff
	Turner, Robert B.	Attorney

JOURNAL ENTRIES

- Defendant not present.

Record made by Ms. Schwartzter in regards to stipulation and order to extend time. Colloquy regarding Motion to Compel as to Metro. COURT ORDERED, matter OFF CALENDAR.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 17, 2021

C-14-298879-1 State of Nevada
vs
Genaro Perry

February 17, 2021 11:00 AM Motion for Order

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Keith Reed

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT:	Mishler, Karen	Attorney
	Schwartz, Jean	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Argument by Ms. Schwartz and Ms. Mishler. Court stated findings and ORDERED, Petitioner's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Print Analysis of Evidence Impounded at Crime Scene DENIED. Colloquy regarding ruling.

NDC

STATE'S

EXHIBITS

CASE NO. C298879

Date Offered OBJ Admitted Date

1	PHOTOGRAPH	9/29/15	✓	STP	✓	9/29/15
2	"	"	✓	"	✓	"
3	"	"	✓	"	✓	"
4	"	"	✓	"	✓	"
5	"	"	✓	"	✓	"
6	"	"	✓	"	✓	"
7	"	"	✓	"	✓	"
8	"	"	✓	"	✓	"
9	"	"	✓	"	✓	"
10	"	"	✓	"	✓	"
11	"	"	✓	"	✓	"
12	"	"	✓	"	✓	"
13	"	"	✓	"	✓	"
14	"	"	✓	"	✓	"
15	"	"	✓	"	✓	"
16	"	"	✓	"	✓	"
17	"	"	✓	"	✓	"
18	"	"	✓	"	✓	"
19	"	"	✓	"	✓	"
20	"	"	✓	"	✓	"
21	"	"	✓	"	✓	"
22	"	"	✓	"	✓	"
23	"	"	✓	"	✓	"
24	PHOTOGRAPH	9/29/15	✓	STP	✓	9/29/15

EXHIBITS

CASE NO

Date	Offered	OBJ	Admitted	Date
10/1/80	10/1/80	10/1/80	10/1/80	10/1/80
10/2/80	10/2/80	10/2/80	10/2/80	10/2/80
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10/30/80	10/30/80	10/30/80	10/30/80	10/30/80
10/31/80	10/31/80	10/31/80	10/31/80	10/31/80

[illegible]

* Exhibits originally marked for 5/6/15. Judge ordered all exhibits returned. See minutes for 5/7/15. Exhibits are now marked as 9/29/15.



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

JEAN J. SCHWARTZER, ESQ.
170 S. GREEN VALLEY PKWY., #300
HENDERSON, NV 89012

DATE: May 17, 2021
CASE: C-14-298879-1

RE CASE: STATE OF NEVADA vs. GENARO RICHARD PERRY

NOTICE OF APPEAL FILED: May 14, 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; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S MOTION REQUESTING ORDER DIRECTING THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT TO CONDUCT GENETIC MARKER AND LATENT FINGERPRINT ANALYSIS OF EVIDENCE IMPOUNDED AT CRIME SCENE; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

GENARO RICHARD PERRY,

Defendant(s).

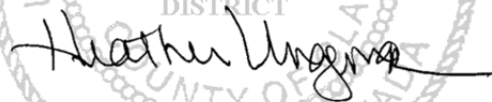
Case No: C-14-298879-1

Dept No: VI

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 17 day of May 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk