

8 *SMI
CLERK: "Please" return me a filed stamped copy of this "NOTICE OF APPEAL" ☺

Electronically Filed
7/6/2021 2:19 PM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

1 Samuel McDonald #89628
2 Petitioner, In Propria Personam
3 Post Office Box 208, S.D.C.C.
4 Indian Springs, Nevada ~~89018~~ 89070-0208

Electronically Filed
Jul 12 2021 03:36 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

5 IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

6 IN AND FOR THE COUNTY OF CLARK

7
8
9 SAMUEL McDONALD,
10 Petitioner ~~Plaintiff~~,
11 vs.
12 DIRECTOR NEVADA DEPT
13 OF CORRECTIONS, et al.,
14 Respondents Defendant.

Case No. 6334954

Dept. No. _____

Docket _____

16 **NOTICE OF APPEAL**

17 NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,
18 SAMUEL McDONALD #89628, in and through his proper person, hereby
19 appeals to the Supreme Court of Nevada from the ~~ORDER denying and/or~~
20 ~~dismissing the~~ ORAL ORDER dismissing Petitioner's
21 "NRS 34.320 Petition For writ of Prohibition" on/about

22 _____
23 ~~filed on~~ the 7th day of JUNE, 2021.

24 Dated this 30th day of JUNE, 2021.

25 *Per NRS 239B.030, I
26 certify this NOTICE OF
27 APPEAL does not contain
28 the social security number
of any person.

Respectfully Submitted,

BY: Samuel McDonald

Samuel McDonald #89628

PETITIONER PRO-SE

JUL - 6 2021

RECEIVED

CERTIFICATE OF SERVICE BY MAILING

I, SAMUEL McDONALD #89628, hereby certify, pursuant to NRCP 5(b), that on this 30th day of JUNE, 2021, I mailed a true and correct copy of the foregoing, "

NOTICE OF APPEAL"

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the United State Mail addressed to the following:

Clark County Court Clerk

POB 551160

LV NV 89155-1160

NV Attorney General

100 N. Carson St #100

Carson City NV 89701-4717

CC:FILE

DATED: this 30th day of JUNE, 2021.

BY: Samuel McDonald

SAMUEL McDONALD

#89628

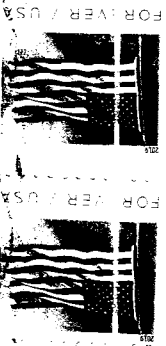
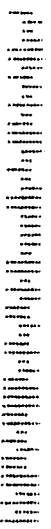
Petitioner /In Propria Personam

Post Office Box 208, S.D.C.C.

Indian Springs, Nevada 89018

89070-0208

IN FORMA PAUPERIS:



* Mailed: 6-30-21 (ME)

* Petition for writ of Prohibition

* Notices of Appeal (8 Cases below)

- 1) Case # C332985
- 2) Case # C156246
- 3) Case # C161246
- 4) Case # C169550
- 5) Case # C189650
- 6) Case # C262523
- 7) Case # C270333
- 8) Case # C334954

* LEGAL MAIL / ~~CONFIDENTIAL~~ *

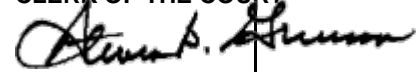
Las Vegas P&DC 89199
THU 01 JUL 2021 PM

FROM:

George Luster #57587
SDCC / POB 208
IS NV 89070-0208

TO:

Clark County Court Clerk
NOTICES OF APPEAL
CRIMINAL DESK
POB 551160
LV NV 89153-1160



1 ASTA
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6

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

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 SAMUEL CRAIG MCDONALD,

14 Defendant(s),
15

Case No: C-18-334954-1

Dept No: X

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Samuel McDonald

20 2. Judge: Tierra Jones

21 3. Appellant(s): Samuel McDonald

22 Counsel:

23 Samuel McDonald #89628
24 P.O. Box 208
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: September 19, 2018

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

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 8 day of July 2021.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Samuel McDonald

CASE SUMMARY**CASE NO. C-18-334954-1**

State of Nevada
vs
Samuel McDonald

§
§
§
§
§
§
§

Location: **Department 10**
Judicial Officer: **Jones, Tierra**
Filed on: **09/19/2018**
Cross-Reference Case Number: **C334954**
Defendant's Scope ID #: **1753770**
Grand Jury Case Number: **18AGJ050X**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. SEXUAL ASSAULT <i>Filed As:</i> SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Arrest: 09/19/2018	200.366.2b F	F 9/19/2018	12/28/2001	Case Status:	06/17/2021 Closed
2. SEXUAL ASSAULT <i>Filed As:</i> SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.2b F	F 9/19/2018	12/28/2001		

Statistical Closures

06/17/2021 Other Manner of Disposition - Criminal
02/11/2020 Guilty Plea with Sentence (before trial) (CR)

Warrants

Indictment Warrant - McDonald, Samuel C (Judicial Officer: Bell, Linda Marie)

10/10/2018 11:03 AM Returned - Served
09/19/2018 11:00 AM Active

Fine: \$0

Bond: **\$300,000.00** Any


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


Case Number C-18-334954-1
Court Department 10
Date Assigned 09/19/2018
Judicial Officer Jones, Tierra

PARTY INFORMATION

		Lead Attorneys
Defendant	McDonald, Samuel Craig	Public Defender Public Defender
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

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












09/19/2018  Warrant
Indictment Warrant

09/19/2018  Indictment
Indictment

CASE SUMMARY
CASE NO. C-18-334954-1

09/21/2018	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate Samuel McDonald, BAC #89628</i>
09/29/2018	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporter's Transcript of Proceedings - Grand Jury - Hearing - 09/18/18</i>
10/29/2018	 Petition for Writ of Habeas Corpus Filed by: Defendant McDonald, Samuel Craig <i>Petition for Writ of Habeas Corpus</i>
11/01/2018	 Return Party: Plaintiff State of Nevada <i>State's Return to Writ of Habeas Corpus</i>
11/01/2018	 Notice of Motion Filed By: Plaintiff State of Nevada <i>State's Notice of Motion and Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses</i>
11/09/2018	 Order Filed By: Defendant McDonald, Samuel Craig <i>Order for Writ of Habeas Corpus</i>
11/13/2018	 Writ of Habeas Corpus Party: Defendant McDonald, Samuel Craig <i>Writ of Habeas Corpus</i>
11/13/2018	 Opposition to Motion Filed By: Defendant McDonald, Samuel Craig <i>Opposition to State's Motion to Admit Evidence of Other Crimes, Wrongs, or Acts</i>
11/27/2018	 Motion to Dismiss Filed By: Defendant McDonald, Samuel Craig <i>Motion to Dismiss Due to Statute of Limitations</i>
11/29/2018	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Dismiss Due to Statute of Limitations</i>
12/03/2018	 Receipt of Copy <i>Receipt of Copy for Discovery Provided</i>
12/03/2018	 Notice Filed By: Defendant McDonald, Samuel Craig <i>Notice Of Withdrawal Of Motion</i>
01/03/2019	 Notice of Motion Filed By: Plaintiff State of Nevada <i>State's Renewed Notice of Motion and Motion in Limine to Admit Evidence of Separate Sexual Offenses for Propensity Purposes</i>
01/08/2019	 Opposition to Motion in Limine

CASE SUMMARY
CASE NO. C-18-334954-1

	Filed By: Defendant McDonald, Samuel Craig <i>Opposition to State's Renewed Motion in Limine</i>
02/05/2019	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>State's Notice of Witnesses and/or Expert Witnesses</i>
02/12/2019	 Motion to Continue Trial Filed By: Defendant McDonald, Samuel Craig <i>Motion to Continue Trial Date [unopposed]</i>
02/27/2019	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy for Discovery Provided</i>
03/12/2019	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy for Discovery Provided</i>
05/03/2019	 Motion to Continue Trial Filed By: Defendant McDonald, Samuel Craig <i>Motion to Continue Trial Date</i>
11/18/2019	 Notice of Expert Witnesses Filed By: Defendant McDonald, Samuel Craig <i>Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2)</i>
11/18/2019	 Filed Under Seal Filed By: Plaintiff State of Nevada <i>Ex Parte Motion and Order for Release of Certified Medical Records and Order to File Under Seal</i>
11/20/2019	 Motion to Compel Filed By: Defendant McDonald, Samuel Craig <i>Motion to Compel Production of Discovery & Brady Material</i>
11/20/2019	 Motion to Strike Filed By: Defendant McDonald, Samuel Craig <i>Motion to Strike Proposed Experts Michael Zbiegien and Peggy McCoy</i>
11/20/2019	 Motion to Dismiss Filed By: Defendant McDonald, Samuel Craig <i>Motion to Dismiss</i>
11/20/2019	 Motion to Dismiss Filed By: Defendant McDonald, Samuel Craig <i>Motion to Dismiss for Failure to Preserve Evidence, Motion for Special Jury Instruction [Sanborn Motion], or Motion in Limine to Exclude Scan Examination</i>
11/27/2019	 Opposition to Motion to Dismiss Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant s Motion To Dismiss</i>
11/27/2019	 Response <i>State's Response to Defendant s Motion to Compel Production of Discovery and Brady Material</i>

CASE SUMMARY
CASE NO. C-18-334954-1

11/27/2019	 Opposition to Motion to Dismiss Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant s Motion to Dismiss for Failure to Preserve Evidence, Motion for Special Jury Instruction [Sanborn Motion], or Motion in Limine to Exclude Scan Examination</i>
11/27/2019	 Notice of Expert Witnesses Filed By: Defendant McDonald, Samuel Craig <i>Defendant's Notice of Rebuttal Expert Witnesses, Pursuant to NRS 174.234</i>
11/27/2019	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant s Motion to Strike State s Notice of Expert Witness</i>
12/02/2019	 Notice of Witnesses Party: Defendant McDonald, Samuel Craig <i>Defendant's Notice of Witnesses, Pursuant to NRS 174.234</i>
12/02/2019	 Audiovisual Transmission Equipment Appearance Request Party: Defendant McDonald, Samuel Craig <i>Audiovisual Transmission Equipment Appearance Request</i>
12/04/2019	 Amended Indictment
12/04/2019	 Guilty Plea Agreement
01/22/2020	 PSI
02/11/2020	 Judgment of Conviction <i>Judgment of Conviction (Plea of Guilty)</i>
04/17/2020	Judgment of Conviction Prepared by Clerk
04/20/2020	 Judgment of Conviction
05/17/2021	 Petition Filed by: Defendant McDonald, Samuel Craig <i>Petition for Writ of Prohibition</i>
05/24/2021	 Opposition <i>State s Opposition to Defendant s NRS 34.320 Petition for Writ of Prohibition</i>
06/17/2021	 Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Petition for Writ of Prohibition</i>
07/06/2021	 Notice of Appeal (Criminal) <i>Notice of Appeal</i>
07/08/2021	 Case Appeal Statement Filed By: Defendant McDonald, Samuel Craig <i>Case Appeal Statement</i>

CASE SUMMARY
CASE NO. C-18-334954-1

DISPOSITIONS

12/04/2019 **Plea** (Judicial Officer: Jones, Tierra)

1. SEXUAL ASSAULT
Guilty
PCN: Sequence:
2. SEXUAL ASSAULT
Guilty
PCN: Sequence:

02/05/2020 **Disposition** (Judicial Officer: Jones, Tierra)

1. SEXUAL ASSAULT
Guilty
PCN: Sequence:
2. SEXUAL ASSAULT
Guilty
PCN: Sequence:

02/05/2020 **Adult Adjudication** (Judicial Officer: Jones, Tierra)

1. SEXUAL ASSAULT
12/28/2001 (F) 200.366.2b (DC50095)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Life with the possibility of parole after:10 Years

02/05/2020 **Adult Adjudication** (Judicial Officer: Jones, Tierra)

2. SEXUAL ASSAULT
12/28/2001 (F) 200.366.2b (DC50095)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Life with the possibility of parole after:10 Years
Consecutive: Charge 1 Case Number C217360
Credit for Time Served: 0 Day

Condition

1. Register As A Sex Offender
2. Lifetime Supervision


Other Fees

1. , \$947.89 To Clark County Social Services

Fee Totals:

Administrative Assessment Fee	25.00
\$25 DNA Analysis Fee	250.00
\$150 Genetic Marker Analysis AA Fee	3.00
\$3 Indigent Defense Civil Assessment	250.00
Fee - ASK	
Fee Totals \$	528.00

HEARINGS

09/19/2018  **Grand Jury Indictment** (11:00 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES

CASE SUMMARY
CASE NO. C-18-334954-1

Warrant

09/19/2018 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 18AGJ050X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-334954-1, Department X. State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$300,000.00 BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibits 1-4 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F07303X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done. I.W. (CUSTODY COC-NDC) 10/10/18 8:30 A.M. INITIAL ARRAIGNMENT (DEPT X) CLERK'S NOTE: This Minute Order was corrected to reflect the correct Justice Court case number to be dismissed.//ke 10/11/18;

SCHEDULED HEARINGS



Initial Arraignment (10/10/2018 at 8:30 AM) (Judicial Officer: Jones, Tierra)

10/10/2018



Initial Arraignment (8:30 AM) (Judicial Officer: Jones, Tierra)

Plea Entered;

Journal Entry Details:

Upon Court's inquiry, deft. stated he cannot afford to hire an attorney. COURT ORDERED, Public Defender APPOINTED. Matter trailed. Later matter recalled. DEFT. MCDONALD ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. Court noted if the PD has a conflict they can put the matter on calendar and notify the State, so they can do an order to transport deft. CUSTODY (COC-NDC) 12/10/18 8:30 A.M. CALENDAR CALL 12/17/18 10:30 A.M. JURY TRIAL ;

11/14/2018

Petition for Writ of Habeas Corpus (8:30 AM) (Judicial Officer: Jones, Tierra)

Denied;

11/14/2018

Motion in Limine (8:30 AM) (Judicial Officer: Jones, Tierra)

State's Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses
Denied;

11/14/2018



All Pending Motions (8:30 AM) (Judicial Officer: Jones, Tierra)

Matter Heard;

Journal Entry Details:

Petition for Writ of Habeas Corpus...State's Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses Following arguments by counsel, Court advised it will issue a minute order by Friday, 11-16-18. Ms. Machmich requested to vacate the trial date. Upon Court's inquiry, deft. WAIVED his right to trial within 60 days. Mr. Villani stated no opposition to a continuance. COURT ORDERED, trial date VACATED and RE-SET on the date given. CUSTODY (COC-NDC) 02/25/19 8:30 A.M. CALENDAR CALL 03/04/19 10:30 A.M. JURY TRIAL;

11/16/2018



Decision (8:30 AM) (Judicial Officer: Jones, Tierra)

Petition for Writ of Habeas Corpus...State's Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses

Minute Order - No Hearing Held;

Journal Entry Details:

Petition for Writ of Habeas Corpus....State's Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses Following review of the papers and pleadings on file herein, and arguments of counsel, COURT ORDERS, Petition of Writ of Habeas Corpus DENIED. The State presented sufficient evidence to establish probable cause at the grand jury proceeding. Further, the State instructed the grand jurors to ignore the allegations regarding another case and that it had nothing to do with this case. The COURT FURTHER ORDERS, State's Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses is DENIED. While NRS 48.045(3) does not prevent the admission of other sexual offenses, the statute does not require the admission of said offenses. Here, the probative value of admission of the other sexual acts is outweighed by the prejudicial nature of the admission of the other sexual acts. ;

11/19/2018

CANCELED Decision (8:30 AM) (Judicial Officer: Jones, Tierra)

Vacated

Petition for Writ of Habeas Corpus....State's Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that

CASE SUMMARY

CASE NO. C-18-334954-1

Constitute Separate Sexual Offenses

12/10/2018	CANCELED Calendar Call (8:30 AM) (Judicial Officer: Jones, Tierra) <i>Vacated</i>
12/10/2018	CANCELED Motion to Dismiss (8:30 AM) (Judicial Officer: Jones, Tierra) <i>Vacated</i> <i>Defendant's Motion to Dismiss Due to Statute of Limitations</i>
12/17/2018	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Jones, Tierra) <i>Vacated</i>
01/14/2019	 Motion in Limine (8:30 AM) (Judicial Officer: Jones, Tierra) <i>State's Renewed Notice of Motion and Motion in Limine to Admit Evidence of Separate Sexual Offenses for Propensity Purposes</i> Granted; Journal Entry Details: <i>Defendant not present, in Nevada Department of Corrections. Court advised it did not believe an order for transport was done. Court advised this Court reviewed the Motion and response and noted a better title for the State's motion would have been a motion to reconsider. State advised either title would have been appropriate and advised the State would submit. Ms. Machnich advised she would like the opportunity to brief the Lamay factors further if the Court was inclined to entertain it. Court advised it would issue a Minute Order by the end of the week with regard to the Lamay factors and everything this Court would consider in making a decision.;</i>
01/18/2019	 Decision (3:00 AM) (Judicial Officer: Jones, Tierra) <i>DECISION: STATE'S RENEWED NOTICE OF MOTION AND MOTION IN LIMINE TO ADMIT EVIDENCE OF SEPARATE SEXUAL OFFENSES FOR PROPENSITY PURPOSE (Do not transport deft.)</i> Decision Made; Journal Entry Details: <i>State s Renewed Motion in Limine to Admit Evidence of Separate Sexual Offenses for Propensity Purposes is GRANTED. Pursuant to NRS 48.045(3) and Franks v. State, 135 Nev. Advance Opinion 1 (2019), the evidence of Defendant s other sexual offenses is admissible for propensity purposes. The Court has considered the reasoning in United States v. LeMay, 260 F.3d 1018 (9th Cir. 2001), and finds that the probative value is not outweighed by the danger of unfair prejudice. This Court finds, similar to the court in Franks, that the evidence of other sexual acts is almost identical to the acts charged in the instant case, with the exception that the instant case also alleges oral penetration of the victim. As Such, the Motion is GRANTED. ;</i>
02/25/2019	Calendar Call (8:30 AM) (Judicial Officer: Jones, Tierra)
02/25/2019	Motion (8:30 AM) (Judicial Officer: Jones, Tierra) <i>Defendant's Motion to Continue Trial Date (Unopposed)</i> Granted;
02/25/2019	 All Pending Motions (8:30 AM) (Judicial Officer: Jones, Tierra) Matter Heard; Journal Entry Details: <i>Defendant's Motion to Continue Trial Date (Unopposed)...Calendar Call There being no opposition, COURT ORDERED, Defendant's Motion to Continue Trial Date, GRANTED. FURTHER COURT ORDERED, trial date VACATED and RE-SET on the date given. CUSTODY (COC - NDC) 07/15/19 8:30 A.M. CALENDAR CALL 07/22/19 10:30 A.M. JURY TRIAL ;</i>
03/04/2019	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Jones, Tierra) <i>Vacated</i>
05/22/2019	 Motion to Continue Trial (8:30 AM) (Judicial Officer: Jones, Tierra) <i>Defendant's Motion to Continue Trial Date</i> Granted; Journal Entry Details: <i>Deft. not present and in the Nevada Department of Corrections. Upon Court's inquiry, Ms. Machnich advised she visited deft. last week at the prison and he knows about this motion. Following arguments by counsel, COURT</i>


CASE SUMMARY

CASE NO. C-18-334954-1

ORDERED, Defendant's Motion to Continue trial date, GRANTED. FURTHER COURT ORDERED, trial date VACATED and RE-SET on the date given. CUSTODY (COC) 12/02/19 8:30 A.M. CALENDAR CALL 12/09/19 10:30 A.M. JURY TRIAL ;

07/15/2019 **CANCELED Calendar Call** (8:30 AM) (Judicial Officer: Jones, Tierra)
Vacated

07/22/2019 **CANCELED Jury Trial** (10:30 AM) (Judicial Officer: Jones, Tierra)
Vacated

12/02/2019  **Calendar Call** (8:30 AM) (Judicial Officer: Jones, Tierra)
12/02/2019, 12/04/2019

Continued;
Plea Entered;

Journal Entry Details:

Counsel advised the matter is negotiated. Ms. Machnich submitted the attachment opposing counsel referenced at the last hearing. Court noted that is a Moot issue now since the matter is resolved. Negotiations are contained in the GUILTY PLEA AGREEMENT FILED IN OPEN COURT. Court canvassed Deft. on the AMENDED INDICTMENT FILED IN OPEN COURT, charging COUNT -1 SEXUAL ASSAULT (F), and COUNT - 2 SEXUAL ASSAULT (F). Deft. pled guilty. Court accepted plea and referred the matter to the Division of Parole and Probation for a presentencing report (PSI) and set for sentencing on the date given. COURT FURTHER ORDERED, trial date VACATED. Representations made by Ms. Machnich regarding negotiations and that after the last hearing Deft. stated he wanted to accept the offer. Further, representations regarding back and forth emails and the State rescinding the offer. Court noted it can't interject in negotiations, and noted communication between counsel could have remedied this issue. CUSTODY (COC-NDC) 02/05/20 8:30 A.M. SENTENCING;


Continued;
Plea Entered;

12/02/2019 **Motion to Compel** (8:30 AM) (Judicial Officer: Jones, Tierra)
Defendant's Motion to Compel Production of Discovery & Brady Material

12/02/2019 **Motion to Strike** (8:30 AM) (Judicial Officer: Jones, Tierra)
Defendant's Motion to Strike Proposed Experts Michael Zbiegien and Peggy McCoy
Matter Heard;

12/02/2019 **Motion to Dismiss** (8:30 AM) (Judicial Officer: Jones, Tierra)
Defendant's Motion to Dismiss
Denied;

12/02/2019 **Motion** (8:30 AM) (Judicial Officer: Jones, Tierra)
Defendant's Motion to Dismiss for Failure to Preserve Evidence, Motion for Special Jury Instruction (Sanborn Motion) or Motion in Limine to Exclude Scan Examination
Denied;

12/02/2019  **All Pending Motions** (8:30 AM) (Judicial Officer: Jones, Tierra)

Matter Heard;




Journal Entry Details:

Calendar Call...Defendant's Motion to Dismiss for Failure to Preserve Evidence, Motion for Special Jury Instruction (Sanborn Motion) or Motion in Limine to Exclude Scan Examination...Defendant's Motion to Dismiss...Defendant's Motion to Strike Proposed Experts Michael Zbiegien and Peggy McCoy...Defendant's Motion to Compel Production of Discovery & Brady Material Following arguments by counsel, COURT ORDERED, As to Defendant's Motion to Dismiss, DENIED; As to Defendant's Motion to Dismiss for Failure to Preserve Evidence, Motion for Special Jury Instruction (Sanborn Motion) or Motion in Limine to Exclude Scan Examination, DENIED; As to Defendant's Motion to Strike Proposed Experts Michael Zbiegien and Peggy McCoy, Motion MOOT as to Peggy McCoy, and Limited to as to Michael Zbiegien, in that he can testify as to what is in his report and his findings. As to Defendant's Motion to Compel Production of Discovery & Brady Material, State to comply with their Statutory obligations. As to Defense request to Voir dire Dr. Norah Rudin outside the presence of the Jury, GRANTED. Court directed Ms. Machnich, to file the Audiovisual Transmission equipment Appearance Request, today, with the notarized attachment. State has no opposition to the request or taking Dr. Norah Rudin, out of order. Matter trailed. Later matter recalled. Ms. Machnich advised the case may be resolved and requested to pass the calendar call. COURT ORDERED, calendar call CONTINUED to the date given. CUSTODY 02/04/19 8:30 A.M. CONTINUED CALENDAR CALL...NEGOTIATIONS ;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-18-334954-1

12/09/2019	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Jones, Tierra) <i>Vacated</i>
02/05/2020	 Sentencing (8:30 AM) (Judicial Officer: Jones, Tierra) Defendant Sentenced; Journal Entry Details: <i>DEFT. MCDONALD ADJUDGED GUILTY of COUNT -1 SEXUAL ASSAULT (F) and COUNT - 2 SEXUAL ASSAULT (F). Arguments by counsel. Court noted it read Deft's letter. Matter submitted. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$250.00 Indigent Defense Civil Assessment fee, \$947.89 Restitution to the Clark County Social Services, a \$150.00 DNA Analysis fee including testing to determine genetic markers, if not done already, and \$3.00 DNA Collection fee, Deft. SENTENCED As to COUNT - 1 to LIFE in the Nevada Department of Corrections (NDC), with the possibility of Parole after (TEN) 10 YEARS; As to COUNT - 2 LIFE in the Nevada Department of Corrections (NDC), with the possibility of Parole after (TEN) 10 YEARS in the Nevada Department of Corrections (NDC), CONSECUTIVE to COUNT -1; and this case to run CONSECUTIVE to C217360, with ZERO (0) DAYS credit for time served. FURTHER COURT ORDERED, an AGGREGATE total of LIFE in the Nevada Department of Corrections (NDC), with the possibility of Parole after TWENTY (20) YEARS. COURT FURTHER ORDERED, Register as a sex offender in accordance with NRS 179D.460 within 48 hours of release from custody. COURT ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment. Ms. Machnich requested to aggregate the two cases. Court noted it cannot aggregate a case that the Court didn't sentence defendant on. Mr. Villani agreed. NDC ;</i>
04/16/2020	 Minute Order (2:45 PM) (Judicial Officer: Jones, Tierra) Minute Order - No Hearing Held; Journal Entry Details: <i>No parties present. Pursuant to NRS 176.035.1, this offense was committed on or before July 1, 2014, so there is no requirement that the sentence be aggregated. As such, the Court is removing the aggregated sentence from the Judgment of Conviction. The Clerk s Office is ordered to prepare an Amended Judgment of Conviction without the aggregated sentence. NDC;</i>
06/07/2021	 Petition (8:30 AM) (Judicial Officer: Bonaventure, Joseph T.) Petition for Writ of Prohibition Motion Denied; Journal Entry Details: <i>Defendant not present; in the custody of the Nevada Department of Corrections. Court noted this matter is on for hearing of a Petition; the Stated filed its opposition. COURT stated it FINDS the Petition for Writ of Prohibition is the incorrect remedy for such a request and this Court lacks jurisdiction to consider the claim, which has no relation to the sentence or conviction in this case. Further, the Court stated if the Defendant wishes to challenge the seizure of funds in his inmate account by the Nevada Department of Corrections (NDC), he may do so through other remedies. COURT ORDERED, Petition DENIED. State to prepare and submit the Order. CUSTODY (COC-NDC) CLERK'S NOTE: The above minute order has been distributed to: Samuel Craig McDonald, #89628, Southern Desert Correctional Center, P.O. Box 208, Indian Springs, NV 89070-0208. //cj 06/11/21;</i>

DATE

FINANCIAL INFORMATION

Defendant McDonald, Samuel Craig	
Total Charges	528.00
Total Payments and Credits	0.00
Balance Due as of 7/8/2021	528.00

Heather B. Linn

CLERK OF THE COURT

ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
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-

SAMUEL CRAIG MCDONALD,
#1753770

Defendant.

CASE NO: C-18-334954-1

DEPT NO: X

ORDER DENYING DEFENDANT'S PETITION FOR WRIT OF PROHIBITION

DATE OF HEARING: June 7, 2021
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 7th day of June, 2021, the Defendant not being present, PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through KRISTINA RHOADES, Chief Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

///

///

///

///

///

Dated this 17th day of June, 2021

IT IS HEREBY ORDERED that the Defendant's Motion, shall be, and it is DENIED.

DATED this _____ day of June, 2021.



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

EEB CA6 AAE8 03AC
Tierra Jones
District Court Judge

BY

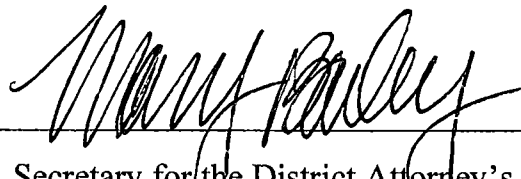


KRISTINA RHOADES
Chief Deputy District Attorney
Nevada Bar #012480

CERTIFICATE OF SERVICE

I certify that on the 17th day of June, 2021, I mailed a copy of the foregoing Order
to: SAMUEL CRAIG MCDONALD, BAC#89628
P.O. BOX 208 (SDCC)
INDIAN SPRINGS, NEV 89070-0208

BY



Secretary for the District Attorney's Office

18F07303X/mlb/SVU

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-18-334954-1

7 vs

DEPT. NO. Department 10

8 Samuel McDonald
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: 6/17/2021

15 Dept 10 Law Clerk

Dept10LC@clarkcountycourts.us

16 howard conrad

howard.conrad@clarkcountyda.com

17 linda mason

linda.mason@clarkcountyda.com

18 Ann McMahan

mcmahaae@clarkcountynv.gov

19 Jennifer Georges

jennifer.georges@clarkcountyda.com

20 Tegan Machnich

tegan.machnich@clarkcountynv.gov

21
22
23
24
25
26
27
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 19, 2018

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

September 19, 2018 11:00 AM Grand Jury Indictment

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 17A

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: State of Nevada Plaintiff
 Villani, Jacob J. 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 18AGJ050X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-334954-1, Department X.

State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$300,000.00 BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment.

COURT FURTHER ORDERED, Exhibits 1-4 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F07303X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done.

I.W. (CUSTODY COC-NDC)

10/10/18 8:30 A.M. INITIAL ARRAIGNMENT (DEPT X)

CLERK'S NOTE: This Minute Order was corrected to reflect the correct Justice Court case number to

be dismissed.//ke 10/11/18

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 10, 2018

C-18-334954-1 State of Nevada
vs
Samuel McDonald

October 10, 2018 8:30 AM Initial Arraignment

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

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT:	Jones, Jr., John T.	Attorney
	McDonald, Samuel	Defendant
	State of Nevada	Plaintiff
	WALKENSHAW, TALIA	Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, deft. stated he cannot afford to hire an attorney. COURT ORDERED, Public Defender APPOINTED. Matter trailed. Later matter recalled. DEFT. MCDONALD ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. Court noted if the PD has a conflict they can put the matter on calendar and notify the State, so they can do an order to transport deft.

CUSTODY (COC-NDC)

12/10/18 8:30 A.M. CALENDAR CALL

12/17/18 10:30 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 14, 2018

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

November 14, 2018 8:30 AM All Pending Motions

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

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT:	Machnich, Tegan	Attorney
	McDonald, Samuel	Defendant
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

JOURNAL ENTRIES

- Petition for Writ of Habeas Corpus...State's Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses

Following arguments by counsel, Court advised it will issue a minute order by Friday, 11-16-18. Ms. Machnich requested to vacate the trial date. Upon Court's inquiry, deft. WAIVED his right to trial within 60 days. Mr. Villani stated no opposition to a continuance. COURT ORDERED, trial date VACATED and RE-SET on the date given.

CUSTODY (COC-NDC)

02/25/19 8:30 A.M. CALENDAR CALL

03/04/19 10:30 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 16, 2018

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

November 16, 2018 8:30 AM Decision

HEARD BY: Jones, Tierra

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Petition for Writ of Habeas Corpus....State's Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses

Following review of the papers and pleadings on file herein, and arguments of counsel, COURT ORDERS, Petition of Writ of Habeas Corpus DENIED. The State presented sufficient evidence to establish probable cause at the grand jury proceeding. Further, the State instructed the grand jurors to ignore the allegations regarding another case and that it had nothing to do with this case.

The COURT FURTHER ORDERS, State s Motion in Limine to Admit Evidence of Other Crimes, Wrongs or Acts that Constitute Separate Sexual Offenses is DENIED. While NRS 48.045(3) does not prevent the admission of other sexual offenses, the statute does not require the admission of said offenses. Here, the probative value of admission of the other sexual acts is outweighed by the prejudicial nature of the admission of the other sexual acts.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 14, 2019

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

January 14, 2019 8:30 AM Motion in Limine

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

COURT CLERK: Teri Berkshire
 Lauren Kidd

RECORDER: Rubina Feda

REPORTER:

PARTIES

PRESENT: Machnich, Tegan Attorney

JOURNAL ENTRIES

- Defendant not present, in Nevada Department of Corrections. Court advised it did not believe an order for transport was done. Court advised this Court reviewed the Motion and response and noted a better title for the State's motion would have been a motion to reconsider. State advised either title would have been appropriate and advised the State would submit. Ms. Machnich advised she would like the opportunity to brief the Lamay factors further if the Court was inclined to entertain it. Court advised it would issue a Minute Order by the end of the week with regard to the Lamay factors and everything this Court would consider in making a decision.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 18, 2019**

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

January 18, 2019 3:00 AM Decision

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

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- State s Renewed Motion in Limine to Admit Evidence of Separate Sexual Offenses for Propensity Purposes is GRANTED. Pursuant to NRS 48.045(3) and Franks v. State, 135 Nev. Advance Opinion 1 (2019), the evidence of Defendant s other sexual offenses is admissible for propensity purposes. The Court has considered the reasoning in United States v. LeMay, 260 F.3d 1018 (9th Cir. 2001), and finds that the probative value is not outweighed by the danger of unfair prejudice. This Court finds, similar to the court in Franks, that the evidence of other sexual acts is almost identical to the acts charged in the instant case, with the exception that the instant case also alleges oral penetration of the victim. As Such, the Motion is GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 25, 2019

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

February 25, 2019 8:30 AM All Pending Motions

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

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT:	Machnich, Tegan	Attorney
	McDonald, Samuel	Defendant
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

JOURNAL ENTRIES

- Defendant's Motion to Continue Trial Date (Unopposed)...Calendar Call

There being no opposition, COURT ORDERED, Defendant's Motion to Continue Trial Date, GRANTED. FURTHER COURT ORDERED, trial date VACATED and RE-SET on the date given.

CUSTODY (COC - NDC)

07/15/19 8:30 A.M. CALENDAR CALL

07/22/19 10:30 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 22, 2019

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

May 22, 2019 8:30 AM Motion to Continue Trial

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

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT: Craggs, Genevieve C. Attorney
 Machnich, Tegan Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Deft. not present and in the Nevada Department of Corrections. Upon Court's inquiry, Ms. Machnich advised she visited deft. last week at the prison and he knows about this motion. Following arguments by counsel, COURT ORDERED, Defendant's Motion to Continue trial date, GRANTED. FURTHER COURT ORDERED, trial date VACATED and RE-SET on the date given.

CUSTODY (COC)

12/02/19 8:30 A.M. CALENDAR CALL

12/09/19 10:30 A.M. JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 02, 2019

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

December 02, 2019 8:30 AM All Pending Motions

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

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT:	Craggs, Genevieve C.	Attorney
	Machnich, Tegan	Attorney
	McDonald, Samuel	Defendant
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

JOURNAL ENTRIES

- Calendar Call...Defendant's Motion to Dismiss for Failure to Preserve Evidence, Motion for Special Jury Instruction (Sanborn Motion) or Motion in Limine to Exclude Scan Examination...Defendant's Motion to Dismiss...Defendant's Motion to Strike Proposed Experts Michael Zbiegien and Peggy McCoy...Defendant's Motion to Compel Production of Discovery & Brady Material

Following arguments by counsel, COURT ORDERED, As to Defendant's Motion to Dismiss, DENIED;

As to Defendant's Motion to Dismiss for Failure to Preserve Evidence, Motion for Special Jury Instruction (Sanborn Motion) or Motion in Limine to Exclude Scan Examination, DENIED;

As to Defendant's Motion to Strike Proposed Experts Michael Zbiegien and Peggy McCoy, Motion MOOT as to Peggy McCoy, and Limited to as to Michael Zbiegien, in that he can testify as to what is

in his report and his findings.

As to Defendant's Motion to Compel Production of Discovery & Brady Material, State to comply with their Statutory obligations.

As to Defense request to Voir dire Dr. Norah Rudin outside the presence of the Jury, GRANTED. Court directed Ms. Machnich, to file the Audiovisual Transmission equipment Appearance Request, today, with the notarized attachment. State has no opposition to the request or taking Dr. Norah Rudin, out of order.

Matter trailed. Later matter recalled. Ms. Machnich advised the case may be resolved and requested to pass the calendar call. COURT ORDERED, calendar call CONTINUED to the date given.

CUSTODY

02/04/19 8:30 A.M. CONTINUED CALENDAR CALL...NEGOTIATIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 04, 2019**

C-18-334954-1 State of Nevada
vs
Samuel McDonald

December 04, 2019 8:30 AM Calendar Call

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

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT:	Craggs, Genevieve C.	Attorney
	Jones, Jr., John T.	Attorney
	Machnich, Tegan	Attorney
	McDonald, Samuel	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Counsel advised the matter is negotiated. Ms. Machnich submitted the attachment opposing counsel referenced at the last hearing. Court noted that is a Moot issue now since the matter is resolved. Negotiations are contained in the GUILTY PLEA AGREEMENT FILED IN OPEN COURT. Court canvassed Deft. on the AMENDED INDICTMENT FILED IN OPEN COURT, charging COUNT -1 SEXUAL ASSAULT (F), and COUNT - 2 SEXUAL ASSAULT (F). Deft. pled guilty. Court accepted plea and referred the matter to the Division of Parole and Probation for a presentencing report (PSI) and set for sentencing on the date given. COURT FURTHER ORDERED, trial date VACATED. Representations made by Ms. Machnich regarding negotiations and that after the last hearing Deft. stated he wanted to accept the offer. Further, representations regarding back and forth emails and the State rescinding the offer. Court noted it can't interject in negotiations, and noted communication between counsel could have remedied this issue.

CUSTODY (COC-NDC)

02/05/20 8:30 A.M. SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-18-334954-1 State of Nevada
vs
Samuel McDonald

February 05, 2020 8:30 AM Sentencing

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

COURT CLERK: Teri Berkshire

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT:	Machnich, Tegan	Attorney
	McDonald, Samuel Craig	Defendant
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

JOURNAL ENTRIES

- DEFT. MCDONALD ADJUDGED GUILTY of COUNT -1 SEXUAL ASSAULT (F) and COUNT - 2 SEXUAL ASSAULT (F). Arguments by counsel. Court noted it read Deft's letter. Matter submitted. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$250.00 Indigent Defense Civil Assessment fee, \$947.89 Restitution to the Clark County Social Services, a \$150.00 DNA Analysis fee including testing to determine genetic markers, if not done already, and \$3.00 DNA Collection fee, Deft. SENTENCED As to COUNT - 1 to LIFE in the Nevada Department of Corrections (NDC), with the possibility of Parole after (TEN) 10 YEARS; As to COUNT - 2 LIFE in the Nevada Department of Corrections (NDC), with the possibility of Parole after (TEN) 10 YEARS in the Nevada Department of Corrections (NDC), CONSECUTIVE to COUNT -1; and this case to run CONSECUTIVE to C217360, with ZERO (0) DAYS credit for time served. FURTHER COURT ORDERED, an AGGREGATE total of LIFE in the Nevada Department of Corrections (NDC), with the possibility of Parole after TWENTY (20) YEARS. COURT FURTHER ORDERED, Register as a sex offender in accordance with NRS 179D.460 within 48 hours of release from custody. COURT ORDERED, a special SENTENCE OF LIFETIME

SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment. Ms. Machnich requested to aggregate the two cases. Court noted it cannot aggregate a case that the Court didn't sentence defendant on. Mr. Villani agreed.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 16, 2020

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

April 16, 2020

2:45 PM

Minute Order

HEARD BY: Jones, Tierra

COURTROOM: Chambers

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- No parties present. Pursuant to NRS 176.035.1, this offense was committed on or before July 1, 2014, so there is no requirement that the sentence be aggregated. As such, the Court is removing the aggregated sentence from the Judgment of Conviction. The Clerk s Office is ordered to prepare an Amended Judgment of Conviction without the aggregated sentence.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 07, 2021

C-18-334954-1 State of Nevada
 vs
 Samuel McDonald

June 07, 2021

8:30 AM

Petition

HEARD BY: Bonaventure, Joseph T.

COURTROOM: RJC Courtroom 14B

COURT CLERK: Carolyn Jackson

RECORDER: Angelica Michaux

REPORTER:

PARTIES

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

JOURNAL ENTRIES

- Defendant not present; in the custody of the Nevada Department of Corrections.

Court noted this matter is on for hearing of a Petition; the Stated filed its opposition.

COURT stated it FINDS the Petition for Writ of Prohibition is the incorrect remedy for such a request and this Court lacks jurisdiction to consider the claim, which has no relation to the sentence or conviction in this case. Further, the Court stated if the Defendant wishes to challenge the seizure of funds in his inmate account by the Nevada Department of Corrections (NDC), he may do so through other remedies. COURT ORDERED, Petition DENIED. State to prepare and submit the Order.

CUSTODY (COC-NDC)

CLERK'S NOTE: The above minute order has been distributed to: Samuel Craig McDonald, #89628, Southern Desert Correctional Center, P.O. Box 208, Indian Springs, NV 89070-0208. //cj 06/11/21

**GRAND JURY INDICTMENTS RETURNED IN OPEN COURT SEPTEMBER 19, 2018
(From Grand Jury sessions held on SEPTEMBER 18, 2018)**

**JUDGE LINDA MARIE BELL
DEPUTY FOREPERSON RUSSELL WALKER**

**CHIEF DEPUTY DISTRICT ATTORNEY JACOB VILLANI (11732)
DEPUTY DISTRICT ATTORNEY MICHAEL DICKERSON (13476)
CHIEF DEPUTY DISTRICT ATTORNEY RICHARD SCOW (09182)**

**CASE NO. C-18-334954-1
DEPT. NO. X
CDDA JACOB VILLANI (SVU)**

Defendant(s): SAMUEL MCDONALD, aka, Samuel Craig Mcdonald, #1753770

Case No(s): 18AGJ050X (RANDOMLY TRACKS TO DC IX & X)

**Charge(s): (2) CTS – SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105)**

Def. Counsel(s): UNKNOWN

WARRANT (3 WEEKS)

DEFT IN CUSTODY @ NDOC (18F07303X – AW ISSD 5/1 IN JC 3)

LVJC CASE TO BE DSM'D: 18F07303X

Exhibits:

- WA 1. Proposed Indictment**
- WA 2. Jury Instructions**
- WA 3. Photo**
- WA 4. Photo Sheet**

Exhibits 1 - 4 to be lodged with the Clerk of the Court.



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

SAMUEL MCDONALD #89628
P.O. BOX 208
INDIAN SPRINGS, NV 89070

DATE: July 8, 2021
CASE: C-18-334954-1

RE CASE: STATE OF NEVADA vs. SAMUEL CRAIG MCDONALD

NOTICE OF APPEAL FILED: July 6, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

☐

Case Appeal Statement

- NRAP 3 (a)(1), Form 2

☐

Order

☒

Notice of Entry of Order

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; ORDER DENYING DEFENDANT'S PETITION FOR WRIT OF PROHIBITION;
DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

SAMUEL CRAIG MCDONALD,

Defendant(s).

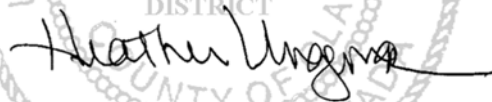
Case No: C-18-334954-1

Dept No: X

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 8 day of July 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk