

**IN THE COURT OF APPEALS OF THE STATE OF NEVADA**

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DAINE ANTON CRAWLEY,

Appellant,

v.

BRIAN WILLIAMS, WARDEN, HIGH  
DESERT STATE PRISON,

Respondent.

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Electronically Filed  
Jan 13 2022 10:24 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Case No. 83136-COA

**RESPONDENT'S APPENDIX**

DAINE ANTON CRAWLEY,  
#1167447  
Warm Springs Correctional Center  
3301 E. 5<sup>th</sup> Street  
P.O. Box 7007  
Carson City, Nevada 89702  
(775) 977-5807

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
Office of the Clark County District Attorney  
Regional Justice Center  
200 Lewis Avenue  
Post Office Box 552212  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
State of Nevada

AARON D. FORD  
Nevada Attorney General  
Nevada Bar #0007704  
100 North Carson Street  
Carson City, Nevada 89701-4717  
(775) 684-1265

Pro Per Appellant

Counsel for Respondent

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## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on January 13, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD  
Nevada Attorney General

JOHN AFSHAR  
Deputy District Attorney

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

DAINE ANTON CRAWLEY, #1167447  
Warm Springs Correctional Center  
3301 E. 5<sup>th</sup> Street  
Post Office Box 7007  
Carson City, Nevada 89702

BY /s/ E. Davis  
Employee, District Attorney's Office

JA//ed

ORIGINAL

14

1 **GPA**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 DAVID STANTON  
6 Chief Deputy District Attorney  
7 Nevada Bar #003202  
8 200 Lewis Avenue  
9 Las Vegas, NV 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

JUL 15 2019

BY, Kristen Brown  
KRISTEN BROWN, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

C - 19 - 341735 - 1  
GPA  
Guilty Plea Agreement  
4849207



THE STATE OF NEVADA,

Plaintiff,

-vs-

DAINE ANTON CRAWLEY,  
#7031173

Defendant.

CASE NO: C-19-341735-1

DEPT NO: VI

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (Category C Felony - NRS 202.350 (1)(d)(3) - NOC 51459), as more fully alleged in the charging document attached hereto as Exhibit "1".

My decision to plead guilty is based upon the plea agreement in this case which is as follows:

The State retains the right to argue at sentencing. The State will not oppose Defendant's own recognizance release at entry of plea.

I agree to the forfeiture of any and all weapons or any interest in any weapons seized and/or impounded in connection with the instant case and/or any other case negotiated in whole or in part in conjunction with this plea agreement.

I understand and agree that, if I fail to interview with the Department of Parole and Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate, by affidavit review, confirms probable cause against me for new criminal charges including

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1 reckless driving or DUI, but excluding minor traffic violations, the State will have the  
2 unqualified right to argue for any legal sentence and term of confinement allowable for the  
3 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have  
4 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without  
5 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite  
6 twenty-five (25) year term with the possibility of parole after ten (10) years.

7 Otherwise I am entitled to receive the benefits of these negotiations as stated in this  
8 plea agreement.

9 CONSEQUENCES OF THE PLEA

10 I understand that by pleading guilty I admit the facts which support all the elements of  
11 the offense(s) to which I now plead as set forth in Exhibit "1".

12 I understand that as a consequence of my plea of guilty The Court must sentence me to  
13 imprisonment in the Nevada Department of Corrections for a minimum term of not less than  
14 ONE (1) year and a maximum term of not more than FIVE (5) years. The minimum term of  
15 imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I  
16 understand that I may also be fined up to \$10,000.00. I understand that the law requires me to  
17 pay an Administrative Assessment Fee.

18 I understand that, if appropriate, I will be ordered to make restitution to the victim of  
19 the offense(s) to which I am pleading guilty and to the victim of any related offense which is  
20 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to  
21 reimburse the State of Nevada for any expenses related to my extradition, if any.

22 I understand that I am eligible for probation for the offense to which I am pleading  
23 guilty. I understand that, except as otherwise provided by statute, the question of whether I  
24 receive probation is in the discretion of the sentencing judge.

25 I understand that I must submit to blood and/or saliva tests under the Direction of the  
26 Division of Parole and Probation to determine genetic markers and/or secretor status.

27 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,  
28 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or

1 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation  
2 and may receive a higher sentencing range.

3 I understand that if more than one sentence of imprisonment is imposed and I am  
4 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order  
5 the sentences served concurrently or consecutively.

6 I understand that information regarding charges not filed, dismissed charges, or charges  
7 to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

8 I have not been promised or guaranteed any particular sentence by anyone. I know that  
9 my sentence is to be determined by the Court within the limits prescribed by statute.

10 I understand that if my attorney or the State of Nevada or both recommend any specific  
11 punishment to the Court, the Court is not obligated to accept the recommendation.

12 I understand that if the offense(s) to which I am pleading guilty was committed while I  
13 was incarcerated on another charge or while I was on probation or parole that I am not eligible  
14 for credit for time served toward the instant offense(s).

15 I understand that if I am not a United States citizen, any criminal conviction will likely  
16 result in serious negative immigration consequences including but not limited to:

- 17 1. The removal from the United States through deportation;
- 18 2. An inability to reenter the United States;
- 19 3. The inability to gain United States citizenship or legal residency;
- 20 4. An inability to renew and/or retain any legal residency status; and/or
- 21 5. An indeterminate term of confinement, with the United States Federal  
22 Government based on my conviction and immigration status.

23 Regardless of what I have been told by any attorney, no one can promise me that this  
24 conviction will not result in negative immigration consequences and/or impact my ability to  
25 become a United States citizen and/or a legal resident.

26 I understand that the Division of Parole and Probation will prepare a report for the  
27 sentencing judge prior to sentencing. This report will include matters relevant to the issue of  
28 sentencing, including my criminal history. This report may contain hearsay information

1 regarding my background and criminal history. My attorney and I will each have the  
2 opportunity to comment on the information contained in the report at the time of sentencing.  
3 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also  
4 comment on this report.

### 5 WAIVER OF RIGHTS

6 By entering my plea of guilty, I understand that I am waiving and forever giving up the  
7 following rights and privileges:

- 8 1. The constitutional privilege against self-incrimination, including the right  
9 to refuse to testify at trial, in which event the prosecution would not be  
10 allowed to comment to the jury about my refusal to testify.
- 11 2. The constitutional right to a speedy and public trial by an impartial jury,  
12 free of excessive pretrial publicity prejudicial to the defense, at which  
13 trial I would be entitled to the assistance of an attorney, either appointed  
14 or retained. At trial the State would bear the burden of proving beyond  
15 a reasonable doubt each element of the offense(s) charged.
- 16 3. The constitutional right to confront and cross-examine any witnesses who  
17 would testify against me.
- 18 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 19 5. The constitutional right to testify in my own defense.
- 20 6. The right to appeal the conviction with the assistance of an attorney,  
21 either appointed or retained, unless specifically reserved in writing and  
22 agreed upon as provided in NRS 174.035(3). I understand this means I  
23 am unconditionally waiving my right to a direct appeal of this conviction,  
24 including any challenge based upon reasonable constitutional,  
25 jurisdictional or other grounds that challenge the legality of the  
26 proceedings as stated in NRS 177.015(4). However, I remain free to  
27 challenge my conviction through other post-conviction remedies  
28 including a habeas corpus petition pursuant to NRS Chapter 34.

### 22 VOLUNTARINESS OF PLEA

23 I have discussed the elements of all of the original charge(s) against me with my  
24 attorney and I understand the nature of the charge(s) against me.

25 I understand that the State would have to prove each element of the charge(s) against  
26 me at trial.

27 I have discussed with my attorney any possible defenses, defense strategies and  
28 circumstances which might be in my favor.

1 All of the foregoing elements, consequences, rights, and waiver of rights have been  
2 thoroughly explained to me by my attorney.

3 I believe that pleading guilty and accepting this plea bargain is in my best interest, and  
4 that a trial would be contrary to my best interest.

5 I am signing this agreement voluntarily, after consultation with my attorney, and I am  
6 not acting under duress or coercion or by virtue of any promises of leniency, except for those  
7 set forth in this agreement.

8 I am not now under the influence of any intoxicating liquor, a controlled substance or  
9 other drug which would in any manner impair my ability to comprehend or understand this  
10 agreement or the proceedings surrounding my entry of this plea.

11 My attorney has answered all my questions regarding this guilty plea agreement and its  
12 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

13 DATED this 15 day of July, 2019.

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15  
16   
DAINE ANTON CRAWLEY  
Defendant

17 AGREED TO BY:

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20 DAVID STANTON  
Chief Deputy District Attorney  
21 Nevada Bar #003202  
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1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court  
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the  
5 charge(s) to which guilty pleas are being entered.  
6 2. I have advised the Defendant of the penalties for each charge and the restitution  
7 that the Defendant may be ordered to pay.  
8 3. I have inquired of Defendant facts concerning Defendant's immigration status  
9 and explained to Defendant that if Defendant is not a United States citizen any  
10 criminal conviction will most likely result in serious negative immigration  
11 consequences including but not limited to:  
12 a. The removal from the United States through deportation;  
13 b. An inability to reenter the United States;  
14 c. The inability to gain United States citizenship or legal residency;  
15 d. An inability to renew and/or retain any legal residency status; and/or  
16 e. An indeterminate term of confinement, by with United States Federal  
17 Government based on the conviction and immigration status.

18 Moreover, I have explained that regardless of what Defendant may have been  
19 told by any attorney, no one can promise Defendant that this conviction will not  
20 result in negative immigration consequences and/or impact Defendant's ability  
21 to become a United States citizen and/or legal resident.

- 22 4. All pleas of guilty offered by the Defendant pursuant to this agreement are  
23 consistent with the facts known to me and are made with my advice to the  
24 Defendant.  
25 5. To the best of my knowledge and belief, the Defendant:  
26 a. Is competent and understands the charges and the consequences of  
27 pleading guilty as provided in this agreement,  
28 b. Executed this agreement and will enter all guilty pleas pursuant hereto  
voluntarily, and  
c. Was not under the influence of intoxicating liquor, a controlled  
substance or other drug at the time I consulted with the Defendant as  
certified in paragraphs 1 and 2 above.

Dated: This 15th day of July, 2019.

  
DEFENSE ATTY. NAME

rmj/L3

*Steven D. Grierson*

INFM  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
DAVID STANTON  
Chief Deputy District Attorney  
Nevada Bar #003202  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

I.A. 7/15/19  
10:00 A.M.  
PD BALLOU

THE STATE OF NEVADA,  
  
Plaintiff,

CASE NO: C-19-341735-1

-vs-

DEPT NO: VI

DAINE ANTON CRAWLEY,  
#7031173  
  
Defendant.

INFORMATION

STATE OF NEVADA }  
COUNTY OF CLARK } ss.

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That DAINE ANTON CRAWLEY, the Defendant(s) above named, having committed the crime of CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (Category C Felony - NRS 202.350 (1)(d)(3) - NOC 51459), on or about the 12th day of June, 2019, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada, did then and there willfully, unlawfully and feloniously carry concealed upon his

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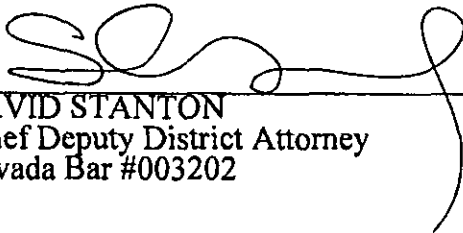
**EXHIBIT "1"**

W:\2019\2019F\11843\19F11843-INFM-(CRAWLEY\_\_DAINE)-001.DOCX

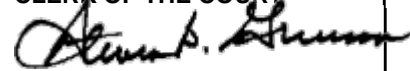
1 person, a firearm or other deadly weapon, to wit: a knife.

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

5 BY

6   
7 DAVID STANTON  
8 Chief Deputy District Attorney  
9 Nevada Bar #003202

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**MEMO**

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
DAVID STANTON  
Chief Deputy District Attorney  
Nevada Bar #003202  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-VS-

DAINE ANTON CRAWLEY,  
#7031173

Defendant.

CASE NO: C-19-341735-1

DEPT NO: VI

**SENTENCING MEMORANDUM**

DATE OF HEARING: MARCH 4, 2020  
TIME OF HEARING: 9:00 A.M.

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through DAVID STANTON, Chief Deputy District Attorney, and hereby submits this Memorandum for the Court's consideration.

**STATEMENT OF THE CASE**

"Defendant has ten (10) prior felony convictions – he is 33 years old. His felony criminal resume spans three (3) state and almost twenty (20) years. More careful analysis of his prior convictions reveals that many also involve the use of or threat to use force. As such, he represents a significant and ongoing threat to this, or any other community that he resides.

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## STATEMENT OF FACTS

### NEVADA CASES

In April 2016 CRAWLEY stole a woman's purse while using a diversionary technique. The adult female victim ran after CRAWLEY and notified security. CRAWLEY stated a series of elaborate lies to both security personnel and Metro officers upon their arrival. CRAWLEY claimed that the victim's purse "looked like his girlfriends" and he took it to find the ID inside of it to confirm his belief.

Additionally, CRAWLEY insisted that his true and correct name was "William James Thomas Harris." Ultimately CCDC personnel were able to correctly identify CRAWLEY via fingerprint identification. Ultimately, CRAWLEY was convicted of Attempted Grand Larceny for this offense before Judge Villani in September 2016. It should be noted that the PSI was an FTA-PSI since CRAWLEY failed to interview with Parole & Probation.

In June 2019 police responded to the Excalibur and Luxor casinos in reference to CRAWLEY threatening pedestrians with a knife. Witnesses described to police that CRAWLEY began verbally threatening several pedestrians. Soon after those verbal threats, CRAWLEY pulled out a knife from his backpack and then threatened to kill/injure them. CRAWLEY then approached a vehicle with three (3) female occupants. CRAWLEY attempted to rip open the door while holding a knife. The occupants were so afraid that they sped off. CRAWLEY then walked up to another vehicle and repeatedly struck the car's window in an attempt to gain entry.

When police arrived, CRAWLEY denied having a knife on his person, however, police found a knife on his person during a search incident to his arrest. CRAWLEY, prior to his sentencing, committed several misdemeanor offense but also another felony (C19-342881 – Grand Larceny).

In that case, committed on August 9, 2019, CRAWLEY stole in excess of \$3,500.00 at Neiman Marcus. It took 3 loss prevention officers to take CRAWLEY into custody based upon his physical resistance to being placed under arrest.

1 ARGUMENT

2 CRAWLEY has had his probation revoked four (4) times under felony sentences. He  
3 has repeatedly been arrested for criminal acts while felony charges are pending. CRAWLEY  
4 has also been revoked from parole on several occasions. CRAWLEY has served four (4)  
5 distinct and separate felony prison terms. He has eight (8) misdemeanor convictions for theft  
6 and violence related crimes.

7 CONCLUSION

8 For the reasons set forth above, the State is asking this Court to adjudicate CRAWLEY  
9 as a habitual offender and sentence him accordingly.

10 DATED this 2 day of March, 2020.

11 Respectfully submitted,

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

15 BY 

16 DAVID STANTON  
17 Chief Deputy District Attorney  
18 Nevada Bar #003202

19 CERTIFICATE OF ELECTRONIC FILING

20 I hereby certify that service of Enter document, was made this 3<sup>rd</sup> day of March 2020,  
21 by Electronic Filing to:

22 CARL ARNOLD, ESQ.  
23 Lvcegal@yahoo.com

24 

25 Secretary for the District Attorney's Office

26  
27  
28 DS/rmj/L3

Felony/Gross Misdemeanor

COURT MINUTES

April 01, 2020

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C-19-341735-1      State of Nevada  
                                 vs  
                                 Daine Crawley

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April 01, 2020      10:15 AM      Sentencing

HEARD BY:      Bluth, Jacqueline M.      COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Reed, Keith

RECORDER:      Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Daine Anton Crawley	Defendant
David L. Stanton	Attorney for Plaintiff
Roger Bailey	Attorney for Defendant
State of Nevada	Plaintiff

**JOURNAL ENTRIES**

Statement by Defendant regarding issues with his Presentence Investigation (PSI) Report and desire to speak with Carl Arnold. Colloquy between Court, counsel and Defendant regarding Defendant's issues with the PSI. Upon inquiry of the Court, Mr. Stanton and Mr. Bailey stated they're comfortable going forward. Statement by Defendant. Argument in support of small habitual criminal treatment by Mr. Stanton. Argument in opposition by Mr. Bailey. Pursuant to the Small Habitual Criminal Statute, Defendant CRAWLEY ADJUDGED GUILTY OF CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee WAIVED, \$3.00 DNA Collection fee and \$250.00 Indigent Defense Civil Assessment fee, Defendant SENTENCED to a MINIMUM OF EIGHTY-FOUR (84) MONTHS AND A MAXIMUM OF TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC). Defendant stated he has 261 days credit. Colloquy regarding credit for time served. COURT ORDERED, SIXTY-SEVEN (67) DAYS credit for time served; counsel is to place the matter back on calendar should there be any issues.

NDC