

Steven D. Grierson

Electronically Filed
Nov 22 2021 08:44 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Jayon Anderson #199691

In Proper Person
P.O. Box 650 H.D.S.P.
Indian Springs, Nevada 89018

8th DISTRICT COURT
Clark COUNTY NEVADA

Jayon Anderson,

Plaintiff,

-v-

The State of Nevada,

Defendant,

Case No.

C-19-344266-1

Dept. No.

XVII

Docket

NOTICE OF APPEAL

Notice is hereby given that the

Plaintiff

Jayon

Anderson

, by and through himself in proper person, does now appeal

to the Supreme Court of the State of Nevada, the decision of the District

Court from a order Denying Plaintiffs Motion To Reconsider Judgment

For Credit Time Served, which was filed Oct 21, 2021 and

Denied on Nov 16, 2021.

Dated this date,

Nov 16, 2021

Respectfully Submitted,

[Signature]
In Proper Person

RECEIVED

CLERK OF THE COURT

CERTIFICATE OF SERVICE BY MAILING

I, Jayon Anderson, hereby certify, pursuant to NRCP 5(b), that on this 16th day of November, 2021, I mailed a true and correct copy of the foregoing, "Notice of appeal To Reconsider Judgment for Credit Time Served", by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid, addressed as follows:

Attorney General of Nevada

100 North Carson Street
Carson City, Nevada 89701

Steven D. Grierson, Clerk of the Court
700 Lewis Avenue 3rd Floor
Las Vegas, NV 89155

Clark County District Attorneys office
700 Lewis Avenue
Las Vegas, Nevada 89155

DATED: this 16 day of November, 2021.


/In Propria Persona
Post Office box 650 [HDSP]
Indian Springs, Nevada 89018

1199691

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Notice of appeal
(Title of Document)

filed in District Court Case number C-19-344266-1

☒ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

(State specific law)

-or-

B. For the administration of a public program or for an application
for a federal or state grant.


Signature

11-16-21
Date

Jayen Anderson
Print Name

Title

Jayen Anderson #1144591
H.D.S.P
P.O. Box 650

Indian Springs, NV 89470

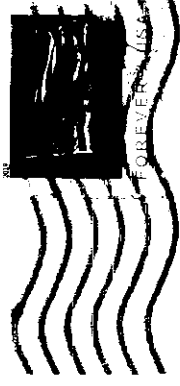
116th U.S. AIRCRAFT

NOV 11 5

UNIT 3 C/D

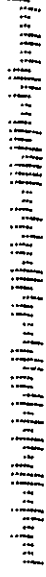
LAS VEGAS NV 890

12 NOV 2021 PM 4 L



10: Clerk of The Court
200 Lewis Avenue
Las Vegas, NV 89155

89101-830000





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

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 JAYON ANDERSON,

14 Defendant(s),
15

Case No: C-19-344266-1

Dept No: XIX

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Jayon Anderson

20 2. Judge: Crystal Eller

21 3. Appellant(s): Jayon Anderson

22 Counsel:

23 Jayon Anderson #1199691
24 P.O. Box 650
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: October 24, 2019

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 18 day of November 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: Jayon Anderson

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-19-344266-1**

State of Nevada
vs
Jayon Anderson

§
§
§
§
§
§
§
§

Location: **Department 19**
Judicial Officer: **Eller, Crystal**
Filed on: **10/24/2019**
Case Number History:
Cross-Reference Case Number: **C344266**
Defendant's Scope ID #: **2864329**
Grand Jury Case Number: **19BGJ015x**
ITAG Case ID: **2238197**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM	200.508.2a2	F	04/01/2017	Case Status:	08/30/2021 Closed
<i>Filed As:</i> SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	F		10/24/2019		
Arrest: 10/24/2019					
2. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	04/01/2017		
3. LEWDNESS WITH A CHILD UNDER THE AGE OF 14	201.230.2	F	04/01/2017		
4. LEWDNESS WITH A CHILD UNDER THE AGE OF 14	201.230.2	F	04/01/2017		

Statistical Closures

08/30/2021 Other Manner of Disposition - Criminal
02/25/2021 Guilty Plea with Sentence (before trial) (CR)
02/03/2021 Other Manner of Disposition - Criminal

Warrants

Indictment Warrant - Anderson, Jayon (Judicial Officer: Bell, Linda Marie)
12/10/2019 4:03 PM Returned - Served
10/24/2019 11:00 AM Active
Hold Without Bond


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

Case Number C-19-344266-1
Court Department 19
Date Assigned 09/07/2021
Judicial Officer Eller, Crystal

PARTY INFORMATION

Defendant	Anderson, Jayon	<i>Lead Attorneys</i>
Plaintiff	State of Nevada	Pro Se Wolfson, Steven B 702-671-2700(W)















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

10/24/2019  Warrant

In















CASE SUMMARY

CASE NO. C-19-344266-1

	<i>[1] Indictment warrant</i>	#1
10/24/2019	 Indictment <i>[2]</i>	In #2
10/31/2019	 Consent <i>[3] Consent to Service by Electronic Means</i>	In #3
11/09/2019	 Transcript of Proceedings <i>[4] Reporter's Transcript of Proceedings, Grand Jury Hearing, October 23, 2019</i>	In #4
11/13/2019	 Motion Filed By: Defendant Anderson, Jayon <i>[5] Motion to Proceed Pro Se/Dismiss Counsel</i>	In #5
11/18/2019	 Motion Filed By: Defendant Anderson, Jayon <i>[6] Motion to Withdraw Counsel</i>	In #6
11/21/2019	 Order for Production of Inmate <i>[7] Order for Production of Inmate</i>	In #7
12/31/2019	 Petition for Writ of Habeas Corpus Filed by: Defendant Anderson, Jayon <i>[8] Pretrial Petition for Writ of Habeas Corpus</i>	In #8
01/02/2020	 Clerk's Notice of Hearing <i>[9] Notice of Hearing</i>	In #9
01/07/2020	 Order <i>[10] Order PWHC</i>	In #10
01/07/2020	 Writ <i>[11] Writ of Habeas Corpus</i>	In #11
02/19/2020	 Motion Filed By: Defendant Anderson, Jayon <i>[12] Motion to Withdraw Counsel for Ineffective Assistance</i>	In #12
04/17/2020	 Guilty Plea Agreement <i>[13] Guilty Plea Agreement</i>	In #13
04/21/2020	 Amended Indictment <i>[14] Amended Indictment</i>	In #14
05/14/2020	 PSI <i>[15]</i>	In #15

CASE SUMMARY

CASE NO. C-19-344266-1

05/14/2020	 PSI - Victim Impact Statements [16]	In #1
06/17/2020	 Order for Production of Inmate [17] <i>Order to Produce Inmate for Video Visit</i>	In #1
07/07/2020	 Memorandum [18] <i>Defendant's Sentencing Memorandum</i>	In #1
07/24/2020	 Motion for Withdrawal Filed By: Defendant Anderson, Jayon [19] <i>Motion to Withdraw Counsel for Ineffective Assistance</i>	In #1
08/11/2020	 Recorders Transcript of Hearing [20] <i>Recorder's Transcript of Hearing: Motion to Withdraw Counsel for Ineffective Assistance Heard on April 21, 2020</i>	In #2
09/23/2020	 Motion to Withdraw Plea Filed By: Defendant Anderson, Jayon [21] <i>Motion to Withdraw Guilty Plea and Points and Authorities</i>	In #2
09/23/2020	 Motion to Withdraw Plea Filed By: Defendant Anderson, Jayon [22] <i>Amended Motion To Withdraw Plea</i>	In #2
10/13/2020	 Opposition [23] <i>State's Response to Defendant s Motion to Withdraw Guilty Plea and Points and Authorities</i>	In #2
02/03/2021	 Order Denying Motion [24] <i>Order Denying Motion to Withdraw Guilty Plea</i>	In #2
02/25/2021	 Judgment of Conviction [26] <i>Judgement of Conviction</i>	In #2
02/25/2021	 Notice of Withdrawal [27] <i>Notice of Withdrawal of Counsel</i>	In #2
06/08/2021	 Motion to Dismiss Counsel Party: Defendant Anderson, Jayon [28] <i>Motion to Dismiss Counsel to Proceed In Pro Se</i>	In #2
07/15/2021	 Motion to Amend Judgment Filed By: Defendant Anderson, Jayon [29] <i>Motion to Amend JOC and to or Credit Time Served</i>	In #2
07/15/2021	 Affidavit Filed By: Defendant Anderson, Jayon	In #2

CASE SUMMARY
CASE NO. C-19-344266-1

	[30]	
07/30/2021	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[31] State's Opposition to Defendant's Motion to Withdraw Guilty Plea and Points and Authorities</i>	In #2
08/17/2021	 Response Filed by: Defendant Anderson, Jayon <i>[32] Response to State's Opposition for Motion for Amendment of JOC and or Credit Time Served</i>	In #2
08/30/2021	 Order Filed By: Plaintiff State of Nevada <i>[33] Order Denying Defendant's Motion to Amend Judgment of Conviction to and/or Credit for Time Served</i>	In #2
09/07/2021	Case Reassigned to Department 19 <i>From Judge Michael Villani to Judge Crystal Eller</i>	
09/09/2021	 Motion to Amend Judgment Filed By: Defendant Anderson, Jayon <i>[34] Motion to Amend Judgment To And or Grant Credit Time Served</i>	In #2
09/16/2021	 Motion for Judgment Filed By: Defendant Anderson, Jayon <i>[35] Motion for Judgment on Motion to Amend JOC and or Credit for Time Served</i>	In #2
09/30/2021	 Opposition <i>[36] State s Opposition to Defendant s Motion to Amend J.O.C and/or Credit Time Served, et al</i>	In #2
10/21/2021	 Motion to Reconsider Filed By: Defendant Anderson, Jayon <i>[37] Motion to Reconsider Judgment for Credit Time Served</i>	In #2
10/22/2021	 Order Filed By: Plaintiff State of Nevada <i>[38] Order Denying Defendant's Motion for Judgment on Motion to Amend JOC And Or Credit for Time Served</i>	In #2
10/27/2021	 Opposition <i>[39] State's Opposition to Defendant s Motion to Reconsider Judgment for Credit Time Served</i>	In #2
11/17/2021	 Notice of Appeal (Criminal) <i>[40] Notice of Appeal</i>	In #4
11/18/2021	 Case Appeal Statement Filed By: Defendant Anderson, Jayon <i>Case Appeal Statement</i>	In #4
	<u>DISPOSITIONS</u>	
04/17/2020	Plea (Judicial Officer: Villani, Michael) 1. CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM Guilty	

CASE SUMMARY**CASE NO. C-19-344266-1**

PCN: Sequence:

04/21/2020

Disposition (Judicial Officer: Villani, Michael)

2. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

3. LEWDNESS WITH A CHILD UNDER THE AGE OF 14

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

4. LEWDNESS WITH A CHILD UNDER THE AGE OF 14

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

02/18/2021

Disposition (Judicial Officer: Villani, Michael)

1. CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM

Guilty

PCN: Sequence:

02/18/2021

Adult Adjudication (Judicial Officer: Villani, Michael)

1. CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM

04/01/2017 (F) 200.508.2a2 (DC55236)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:42 Months, Maximum:120 Months

Credit for Time Served: 209 Days

Other Fees

1. , \$2,304.60

Fee Totals:

Administrative

Assessment Fee

25.00

\$25

Genetic Marker

Analysis AA Fee

3.00

\$3

Indigent Defense

Civil Assessment

250.00

Fee - ASK

Fee Totals \$

278.00

\$150 Waived

HEARINGS

10/24/2019

**Grand Jury Indictment** (11:00 AM) (Judicial Officer: Bell, Linda Marie)**MINUTES****Warrant**

10/24/2019 Inactive Indictment Warrant

Matter Heard;

Journal Entry Details:

Steve Lurvey, 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 19BGJ015X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-19-344266-1, Department XVII. State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, NO BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. Upon Court's inquiry, the State advised there are no material witness warrants to quash. COURT FURTHER ORDERED, Exhibits 1-4 to be

CASE SUMMARY

CASE NO. C-19-344266-1

lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F11574X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done. I.W. (NIC (COC-NDC)) 11/14/19 8:30 A.M. INITIAL ARRAIGNMENT (DEPT XVII) ;

SCHEDULED HEARINGS



Initial Arraignment (11/14/2019 at 8:30 AM) (Judicial Officer: Villani, Michael)

11/14/2019



Initial Arraignment (8:30 AM) (Judicial Officer: Villani, Michael)

Matter Continued;

Journal Entry Details:

Defendant not present. Counsel noted Defendant was not transported. COURT ORDERED, matter CONTINUED. Court instructed the State to prepare a Transport Order. NIC (COC-NDC) 12/03/19 8:30 AM ARRAIGNMENT CONTINUED;

12/10/2019

Motion (8:30 AM) (Judicial Officer: Villani, Michael)

Motion to Proceed Pro Se/Dismiss Counsel

Matter Heard;

12/10/2019



Arraignment Continued (8:30 AM) (Judicial Officer: Villani, Michael)

12/10/2019, 12/12/2019

Matter Continued;

Matter Heard;

Journal Entry Details:

Mr. Savage stated he had reviewed the Indictment with the Defendant and requested a Status Check in 30 days to discuss the case further with the Defendant. DEFENDANT ANDERSON ARRAIGNED AND PLED NOT GUILTY, and WAIVED the 60 Day Rule. COURT ORDERED, matter SET for Status Check. CUSTODY (COC-NDC) 01/14/2020 8:30 AM STATUS CHECK: TRIAL SETTING;

Matter Continued;

Matter Heard;

12/10/2019

Motion (8:30 AM) (Judicial Officer: Villani, Michael)

Motion to Withdraw Counsel

Denied;

12/10/2019



All Pending Motions (8:30 AM) (Judicial Officer: Villani, Michael)

Matter Heard;

Journal Entry Details:

ARRAIGNMENT CONTINUED...MOTION TO PROCEED PRO SE/DISMISS COUNSEL...MOTION TO WITHDRAW COUNSEL Statement from the Defendant regarding not being present at the Grand Jury Indictment and communication issues with Ms. Coffee. Colloquy regarding timeliness of Motions to be filed. Ms. Coffee advised she had tried to visit the Defendant at High Desert State Prison but could not due to the prison being on lockdown, noting there had been issues with cooperation from the Defendant and wasn't sure how to go forward given his behavior. Colloquy regarding the Defendant. Court advised it did not see a conflict at this time and ORDERED, request to withdraw counsel DENIED. Upon Court's inquiry, the Defendant expressed if another attorney would not be appointed, then he wished to represent himself. MATTER TRAILED for the Court to Faretta Canvass the Defendant. MATTER RECALLED. Statement from the Defendant regarding the request for a different attorney and not being present at the Grand Jury Indictment. Colloquy regarding procedural Preliminary Hearing dismissal. Court FINDS no conflict to dismiss Ms. Coffee from the case. Upon Court's inquiry, Ms. Coffee advised the Defendant was wishing to make adverse decisions against her advice and to what she believed would be his detriment, noting there was a valid issue of Marcum Notice as well as issues with legal mail getting to the prison in a timely manner. Upon Court's further inquiry, Ms. Coffee stated there may be someone else from the Special Public Defender's office that could represent the Defendant. COURT ORDERED, arraignment CONTINUED for the Defendant's new counsel from the Special Public Defender's office to be present. CONTINUED TO: 12/12/2019 8:30 AM;

01/14/2020

CANCELED Status Check: Trial Setting (8:30 AM) (Judicial Officer: Villani, Michael)

Vacated - per Law Clerk

01/16/2020

CANCELED Petition for Writ of Habeas Corpus (8:30 AM) (Judicial Officer: Villani, Michael)

Vacated - per Law Clerk

Defendant's Pretrial Petition for Writ of Habeas Corpus

CASE SUMMARY**CASE NO. C-19-344266-1**

01/30/2020

**Status Check: Negotiations/Trial Setting (8:30 AM)** (Judicial Officer: Villani, Michael)**01/30/2020, 02/14/2020**

Matter Continued;

Trial Date Set;

Journal Entry Details:

Deft. present in Nevada Dept. of Corrections custody. Mr. Savage stated the matter had been resolved; advised the Deft. would be pleading guilty, to one count of child abuse, neglect, endangerment, causing bodily or mental harm, pursuant to the Alford plea, and summarized the negotiations. Colloquy regarding interlineating the term. Upon Court's inquiry, Deft. acknowledged he wanted to accept the negotiations. Upon Court's plea canvass, DEFT. ANDERSON ARRAIGNED AND PLED GUILTY to CHILD ABUSE, NEGLECT OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM (F). PURSUANT TO THE ALFORD DECISION. COURT ADVISED, it would not go above the twelve years and it was not saying it would give the Deft. twelve years. State gave an offer of proof. Mr. Savage stated the plea to some extent was fiction; therefore, he was waiving any defects. Colloquy regarding whether the Deft. read the grand jury transcript, was advised of the witness testimony, whether Mr. Savage had gone over the police reports with the Deft., and whether the Deft. was filing pro per motions from the inception of the case. Mr. Savage stated he and another attorney from his office had visited the Deft. four times in prison about this matter. COURT ADVISED, it was NOT going to accept the plea, if the Deft. was saying no one had gone over the facts of the case with the Deft. Deft. stated he had talked about it. Ms. Luzaich stated this plea could not be accepted. COURT ADVISED, if the Deft. did not remember, Mr. Savage could go back up to the prison to speak to the Deft., and ORDERED, matter SET for trial. CUSTODY (COC-NDC) 6/9/20 - 8:30 AM - CALENDAR CALL 6/15/20 - 9:00 AM - JURY TRIAL;

Matter Continued;

Trial Date Set;

Journal Entry Details:

Mr. Savage advised Deft. was not transported, matter is close to resolving and requested to continue. COURT ORDERED, matter CONTINUED. CUSTODY (COC-NDC) CONTINUED TO: 2/7/2020 8:30 AM;

03/12/2020

**Motion (8:30 AM)** (Judicial Officer: Villani, Michael)**03/12/2020, 04/21/2020***Motion to Withdraw Counsel for Ineffective Assistance*

Matter Continued;

Plea Entered;

Journal Entry Details:

Mr. Savage advised the Defendant would be requesting to withdraw the Motion to Withdraw Counsel for Ineffective Assistance. Upon Court's inquiry as to whether he wanted to proceed with Mr. Savage as counsel, Defendant concurred. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED on April 17, 2020. DEFT. ANDERSON ARRAIGNED AND PLED GUILTY PURSUANT TO THE ALFORD DECISION TO CHILD ABUSE. Offer of proof by the State. Court ACCEPTED plea, and ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for sentencing. CUSTODY 06/04/2020 8:30 AM SENTENCING ;

Matter Continued;

Plea Entered;

Journal Entry Details:

Defendant not present. Ms. Luzaich advised that the Defendant wasn't transported despite the Order being filed and requested to continue the matter, noting that she was told he was going to accept negotiations. Ms. Bush advised she was standing in for assigned counsel and wasn't sure as to whether the Defendant would accept negotiations. COURT ORDERED, matter CONTINUED; State to prepare another transport Order. CUSTODY (COC-NDC) CONTINUED TO: 03/24/2020 8:30 AM;

06/09/2020

CANCELED Calendar Call (8:30 AM) (Judicial Officer: Villani, Michael)*Vacated*

06/15/2020

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Villani, Michael)*Vacated*

07/09/2020

**Sentencing (10:15 AM)** (Judicial Officer: Villani, Michael)**07/09/2020, 08/06/2020**

Matter Continued;

Matter Heard;

Journal Entry Details:

Mr. Savage advised a Motion was filed by Defendant alleging ineffective assistance of counsel and seeking to withdraw his guilty plea. Ms. Luzaich requested a Young hearing. Statement from Defendant. COURT ORDERED, Defendant's Pro Per Motion to Withdraw Counsel for Ineffective Assistance scheduled for 08/18/2020 OFF

CASE SUMMARY

CASE NO. C-19-344266-1

CALENDAR and Martin Hart, ESQ. APPOINTED to see if there was a legal or factual basis for a plea withdrawal. MATTER TRAILED. MATTER RECALLED. Mr. Hart now present. Mr. Hart CONFIRMED as Counsel and requested Entry of Plea transcripts be produced. Ms. Luzaich requested copy of transcript be sent to her as well. COURT SO ORDERED, and matter SET for Status Check. CUSTODY 08/27/2020 10:15 AM STATUS CHECK: PLEA WITHDRAWAL;


Matter Continued;

Matter Heard;

Journal Entry Details:

Ms. Savage advised Defendant had informed him he wanted to withdraw his plea, that he hadn't mailed the Pre Sentence Investigation (PSI) report to him and hadn't reviewed the PSI or sentencing memo with him. Upon Court's inquiry, Defendant confirmed wanting to speak to Mr. Savage to clear up any issues. Ms. Luzaich noted Defendant's current sentence at Nevada Department of Corrections (NDC) was about to expire and request he be remanded. COURT ORDERED, Defendant REMANDED if not already in custody on this case and matter CONTINUED. CUSTODY (COC-NDC) CONTINUED TO: 08/06/2020 10:15 AM;

08/18/2020 **CANCELED Motion for Withdrawal** (10:15 AM) (Judicial Officer: Villani, Michael)
Vacated - per Judge
Defendant's Pro Per Motion to Withdraw Counsel for Ineffective Assistance

08/27/2020  **Status Check: Status of Case** (10:15 AM) (Judicial Officer: Villani, Michael)
08/27/2020, 09/08/2020, 09/24/2020

Status Check: Plea Withdrawal

Matter Continued;

Matter Continued;

Matter Heard;

Journal Entry Details:

Mr. Hart advised an Amended Motion to Withdraw Guilty Plea was filed last night. Ms. Luzaich requested time to file an opposition. COURT ORDERED, State's Opposition due by 10/08/2020 and matter SET for Argument. CUSTODY 10/15/2020 10:15 AM AMENDED MOTION TO WITHDRAW GUILTY PLEA;

Matter Continued;

Matter Continued;

Matter Heard;

Journal Entry Details:

Upon Court's inquiry, Mr. Hart advised Defendant may want to represent himself. Upon Court's inquiry, Mr. Anderson stated he wants to keep Mr. Hart as his counsel. COURT ORDERED, matter CONTINUED for Mr. Hart to discuss the plea withdrawal with Defendant. CUSTODY CONTINUED TO: 09/24/2020 10:15 AM;


Matter Continued;

Matter Continued;

Matter Heard;

Journal Entry Details:

Due to time constraints with Clark County Detention Center's Bluejeans videoconferencing, COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 09/08/2020 10:15 AM ;

10/15/2020  **Motion for Withdrawal** (10:15 AM) (Judicial Officer: Villani, Michael)
10/15/2020, 10/20/2020

Amended Motion to Withdraw Guilty Plea

Matter Continued;

Denied;

Journal Entry Details:

Arguments by Counsel regarding the merits and opposition of the Motion. COURT ORDERED, matter UNDER ADVISEMENT. CUSTODY ;

Matter Continued;

Denied;

Journal Entry Details:

Counsel not present. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 10/20/2020 10:15 AM
CLERK'S NOTE: Counsel notified via email /SR 10/15/2020;

01/11/2021  **Minute Order** (3:00 AM) (Judicial Officer: Villani, Michael)

Minute Order - No Hearing Held;

Journal Entry Details:

Defendant's Amended Motion to Withdraw Guilty Plea came before this Court, whereupon the Court took the matter

CASE SUMMARY

CASE NO. C-19-344266-1

under further advisement. After considering all pleadings and arguments, the Court renders its decision as follows: After reviewing the historical record and guilty plea canvass, the Court provides the following decision: Defendant entered his guilty plea pursuant to North Carolina v. Alford, 91 S.Ct. 160 (1970). The record is clear that Defendant has had ample opportunities to discuss his case with counsel before entering his plea. At entry of plea, the Court provided a thorough plea-canvas and found Defendant entered into his plea freely and voluntarily. Also, the guilty plea agreement informed Defendant of his constitutional rights. **THIS COURT FINDS**, based upon the totality of the circumstances, Defendant entered into the guilty plea freely and voluntarily. The basis of an Alford plea is that a defendant, although not accepting responsibility for the charged conduct, agrees with a negotiation to resolve his case by pleading to a lesser charge and avoiding a harsher penalty. Here, Defendant fails to present any fair and just reason to allow the withdrawal of his plea. Therefore, **COURT ORDERED**, Amended Motion to Withdraw Guilty Plea **DENIED**. **COURT ORDER'S**, Sentencing set for January 21, 2021, at 8:30 AM. **CLERK'S NOTE**: The above minute order has been distributed to: Lisa Luzaich <Lisa.Luzaich@clarkcountyda.com>; Martin Hart <MH@martinhartlaw.com> hvp/1/11/21;

01/21/2021



Sentencing (8:30 AM) (Judicial Officer: Villani, Michael)

01/21/2021, 02/18/2021

Matter Continued;

Per State's Request

Defendant Sentenced;

Journal Entry Details:

Upon Court's inquiry, Mr. Hart advised they were ready to proceed with Sentencing. **DEFENDANT ANDERSON ADJUDGED GUILTY OF CHILD ABUSE NEGLECT OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM (F)**. Ms. Luzaich stated, pursuant to the negotiations, that the State would not argue for more than 12 years on the top and 4 years on the bottom. Ms. Luzaich stated the Defendant beat the six year old with a belt and was charged with child abuse and after she was placed in the care of her maternal grandparents she revealed she was sexually abused by the Defendant as well. Ms. Luzaich noted that the victim's older brother had seen a similar situation. Ms. Luzaich argued that Defendant was violent, unable to follow court orders, and was released after being incarcerated, at which time he fled to Michigan. Statement by Defendant. Upon Court's inquiry, Ms. Luzaich stated the issue of the illness of the child is not significant and noted she was born with the sexually transmitted disease (STD). Mr. Hart stated the Defendant tested negative for the STD. Mr. Hart noted this was an alford plea and the mother had written letters in support of the Defendant. Mr. Hart stated Defendant was on the low end according to Dr. Chamber's assessment, has tons of support, and traveled back to Michigan due to a death in the family. Upon Court's inquiry, Defendant stated his sentence expired on 6/20/2020. Ms. Luzaich clarified that Defendant's sentence expired on 7/28/2020 and he was eligible for credit after that date. Mr. Hart concurred and stated Defendant has 209 days credit for time served. Court noted these kind of cases are always difficult and noted it had reviewed the assessment. Pursuant to NRS 176.063, **COURT ORDERED**, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, **WAIVED** as previously taken, \$250.00 Indigent Defense Civil Assessment fee, and extradition costs in the amount of \$2,304.60, Defendant **SENTENCED** to a **MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS AND A MINIMUM OF FORTY-TWO (42) MONTHS** in the Nevada Department of Corrections (NDC), with **TWO HUNDRED NINE (209) DAYS** credit for time served. **BOND**, if any, **EXONERATED**. **NDC**;

Matter Continued;

Per State's Request

Defendant Sentenced;

Journal Entry Details:

Court noted that the Deft. was in quarantine and **ORDERED**, **MATTER CONTINUED**. **CUSTODY CONTINUED TO: 2/11/21 8:30 AM**;

02/12/2021



Minute Order (3:00 AM) (Judicial Officer: Villani, Michael)

Minute Order - No Hearing Held;

Journal Entry Details:

By stipulation and agreement by Parties via communications with Court's Law Clerk. **COURT ORDERED**, matter **SET** for February 11, 2021 **VACATED** and **RESET** to February 18, 2021 at 8:30 AM. **CLERK'S NOTE**: A copy of this Minute Order was distributed via e-mail to counsel. 2/12/2021 sa;

06/29/2021



Motion to Dismiss (8:30 AM) (Judicial Officer: Villani, Michael)

Motion to Dismiss Counsel to Proceed In Pro Se






Granted;

Journal Entry Details:

Defendant not transported. **COURT ORDERED**, Motion **GRANTED** and directed Mr. Hart to forward a copy of the file to the Defendant. Mr. Hart confirmed he had already sent a copy to the Defendant. **NDC CLERK'S NOTE**: A copy of this Minute Order mailed to: Jayon Anderson #1199691 HDSP PO Box 650 Indian Springs, Nv 89070 (6/30/2021 sa);

CASE SUMMARY

CASE NO. C-19-344266-1

08/04/2021	 Minute Order (3:00 AM) (Judicial Officer: Villani, Michael) Minute Order - No Hearing Held; Journal Entry Details: <i>By stipulation and agreement by Parties via email communications with Dept. 17 Law Clerk, COURT ORDERS, matter SET for August 5, 2021, VACATED and RESET to August 19, 2021, at 8:30 AM. CLERK'S NOTE: A copy of this Minute Order was provided to counsel by e-mail and mailed to: Jayon Anderson #1199691 HDSP PO BOX 650 Indian Springs, NV 89070 (8/4/2021 sa);</i>
08/05/2021	CANCELED Motion to Amend Judgment (8:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Law Clerk</i> <i>Motion to Amend JOC and to or Credit Time Served</i>
08/18/2021	 Minute Order (1:35 PM) (Judicial Officer: Leavitt, Michelle) <i>Minute Order Motion to Amend Judgment of Conviction to and/or Credit Time Served</i> Minute Order - No Hearing Held; Minute Order Motion to Amend Judgment of Conviction to and/or Credit Time Served Journal Entry Details: <i>The court having reviewed the pleadings submitted herein, denies Defendant s Motion to Amend. The defendant was given the appropriate credit towards his sentence as provided in NRS 176.055 (2) (b), and therefore, his motion is denied. Ms. Luzaich, Esq. to prepare the order for the court. The hearing on August 19, 2021 is vacated. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl;</i>
08/19/2021	CANCELED Motion to Amend Judgment (8:30 AM) (Judicial Officer: Leavitt, Michelle) <i>Vacated</i> <i>Motion to Amend JOC and to or Credit Time Served</i>
09/30/2021	 Motion to Amend Judgment (11:00 AM) (Judicial Officer: Eller, Crystal) 09/30/2021, 10/07/2021 <i>Motion to Amend Judgment To And or Grant Credit Time Served</i> Matter Continued; Denied; Matter Continued; Denied; Journal Entry Details: <i>Counsel appeared via BlueJeans. Ms. Wyse requested this matter be continued until 10/7/21 as there was another motion for the instant case to be heard that day. COURT SO ORDERED. NDC MATTER CONTINUED TO: 10/07/21 11:00 A.M.;</i>
10/07/2021	Motion for Judgment (11:00 AM) (Judicial Officer: Eller, Crystal) <i>Motion for Judgment on Motion to Amend JOC and or Credit for Time Served</i> Denied;
10/07/2021	 All Pending Motions (11:00 AM) (Judicial Officer: Eller, Crystal) Matter Heard; Journal Entry Details: <i>Ms. Luzaich, appeared via BlueJeans. MOTION TO AMEND JUDGMENT TO AND OR GRANT CREDIT TIME SERVED...MOTION FOR JUDGMENT ON MOTION TO AMEND JOC AND OR CREDIT FOR TIME SERVED</i> <i>Defendant not present. Ms. Luzaich indicated she had titled her opposition incorrectly and apologized to the Court. COURT NOTED this matter had been ruled upon by Judge Villani, which he had denied on 8/18/21. COURT stated its findings and ORDERED, motions DENIED. Ms. Luzaich to prepare the order. CLERK'S NOTE: A copy of this minute order was mailed to Jayon Anderson #1199691, HDSP, PO Box 650, Indian Springs, NV 89070. clm 10/7/21;</i>
11/16/2021	 Motion to Reconsider (11:00 AM) (Judicial Officer: Eller, Crystal) <i>Motion to Reconsider Judgment for Credit Time Served</i> Denied; Journal Entry Details: <i>Ms. Dunn, Deputy District Attorney appeared via BlueJeans. Defendant not present. COURT NOTED it had read the motion and the opposition, stated its findings and ORDERED, motion DENIED. Ms. Dunn to prepare the order.</i>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-19-344266-1

CLERK'S NOTE: A copy of this minute order was mailed to Jayon Anderson #1199691, High Desert State Prison, PO Box 650, Indian Springs, NV 89070;

DATE

FINANCIAL INFORMATION

Defendant Anderson, Jayon

Total Charges

278.00

Total Payments and Credits

0.00

Balance Due as of 11/18/2021

278.00

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 24, 2019

C-19-344266-1 State of Nevada
vs
Jayon Anderson

October 24, 2019 11:00 AM Grand Jury Indictment

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 16C

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Luzaich, Elissa Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Steve Lurvey , 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 19BGJ015X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-19-344266-1, Department XVII.

State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, NO BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment.

Upon Court's inquiry, the State advised there are no material witness warrants to quash. COURT FURTHER ORDERED, Exhibits 1-4 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F11574X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done.

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

11/14/19 8:30 A.M. INITIAL ARRAIGNMENT (DEPT XVII)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 14, 2019

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

November 14, 2019 8:30 AM Initial Arraignment

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black
 Carolyn Jackson

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Coffee, Amy A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present. Counsel noted Defendant was not transported. COURT ORDERED, matter CONTINUED. Court instructed the State to prepare a Transport Order.

NIC (COC-NDC)

12/03/19 8:30 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 10, 2019

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

December 10, 2019 8:30 AM

All Pending Motions

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black
 Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Coffee, Amy A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- ARRAIGNMENT CONTINUED...MOTION TO PROCEED PRO SE/DISMISS
COUNSEL...MOTION TO WITHDRAW COUNSEL

Statement from the Defendant regarding not being present at the Grand Jury Indictment and communication issues with Ms. Coffee. Colloquy regarding timeliness of Motions to be filed. Ms. Coffee advised she had tried to visit the Defendant at High Desert State Prison but could not due to the prison being on lockdown, noting there had been issues with cooperation from the Defendant and wasn't sure how to go forward given his behavior. Colloquy regarding the Defendant. Court advised it did not see a conflict at this time and ORDERED, request to withdraw counsel DENIED. Upon Court's inquiry, the Defendant expressed if another attorney would not be appointed, then he wished to represent himself. MATTER TRAILED for the Court to Faretta Canvass the Defendant.

MATTER RECALLED.

Statement from the Defendant regarding the request for a different attorney and not being present at the Grand Jury Indictment. Colloquy regarding procedural Preliminary Hearing dismissal. Court FINDS no conflict to dismiss Ms. Coffee from the case. Upon Court's inquiry, Ms. Coffee advised the Defendant was wishing to make adverse decisions against her advice and to what she believed would be his detriment, noting there was a valid issue of Marcum Notice as well as issues with legal mail getting to the prison in a timely manner. Upon Court's further inquiry, Ms. Coffee stated there may be someone else from the Special Public Defender's office that could represent the Defendant. COURT ORDERED, arraignment CONTINUED for the Defendant's new counsel from the Special Public Defender's office to be present.

CONTINUED TO: 12/12/2019 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 12, 2019

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

December 12, 2019 8:30 AM Arraignment Continued

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Overly, Sarah	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage stated he had reviewed the Indictment with the Defendant and requested a Status Check in 30 days to discuss the case further with the Defendant. DEFENDANT ANDERSON ARRAIGNED AND PLED NOT GUILTY, and WAIVED the 60 Day Rule. COURT ORDERED, matter SET for Status Check.

CUSTODY (COC-NDC)

01/14/2020 8:30 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 30, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**January 30, 2020 8:30 AM Status Check:
Negotiations/Trial Setting**

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: April Watkins

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Albright, Brandon B.	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage advised Deft. was not transported, matter is close to resolving and requested to continue. COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC)

CONTINUED TO: 2/7/2020 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-19-344266-1 State of Nevada
vs
Jayon Anderson

February 14, 2020**10:00 AM**

Status Check:
Negotiations/Trial Setting

HEARD BY: Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Andrea Natali**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES**

PRESENT:	Anderson, Jayon	Defendant
	Luzaich, Elissa	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Deft. present in Nevada Dept. of Corrections custody. Mr. Savage stated the matter had been resolved; advised the Deft. would be pleading guilty, to one count of child abuse, neglect, endangerment, causing bodily or mental harm, pursuant to the Alford plea, and summarized the negotiations. Colloquy regarding interlineating the term. Upon Court's inquiry, Deft. acknowledged he wanted to accept the negotiations. Upon Court's plea canvass, DEFT. ANDERSON ARRAIGNED AND PLED GUILTY to CHILD ABUSE, NEGLECT OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM (F). PURSUANT TO THE ALFORD DECISION. COURT ADVISED, it would not go above the twelve years and it was not saying it would give the Deft. twelve years. State gave an offer of proof. Mr. Savage stated the plea to some extent was fiction; therefore, he was waiving any defects. Colloquy regarding whether the Deft. read the grand jury transcript, was advised of the witness testimony, whether Mr. Savage had gone over the police reports with the Deft., and whether the Deft. was filing pro per motions from the inception of the case. Mr. Savage stated he and another attorney from his office had visited the Deft. four times in prison about this matter. COURT ADVISED, it was NOT going to accept the plea, if the Deft. was

saying no one had gone over the facts of the case with the Deft. Deft. stated he had talked about it. Ms. Luzaich stated this plea could not be accepted. COURT ADVISED, if the Deft. did not remember, Mr. Savage could go back up to the prison to speak to the Deft., and ORDERED, matter SET for trial.

CUSTODY (COC-NDC)

6/9/20 - 8:30 AM - CALENDAR CALL

6/15/20 - 9:00 AM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 12, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

March 12, 2020 8:30 AM Motion

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT: Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present. Ms. Luzaich advised that the Defendant wasn't transported despite the Order being filed and requested to continue the matter, noting that she was told he was going to accept negotiations. Ms. Bush advised she was standing in for assigned counsel and wasn't sure as to whether the Defendant would accept negotiations. COURT ORDERED, matter CONTINUED; State to prepare another transport Order.

CUSTODY (COC-NDC)

CONTINUED TO: 03/24/2020 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 21, 2020

C-19-344266-1 State of Nevada
vs
Jayon Anderson

April 21, 2020

10:15 AM

Motion

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Luzaich, Elissa	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage advised the Defendant would be requesting to withdraw the Motion to Withdraw Counsel for Ineffective Assistance. Upon Court's inquiry as to whether he wanted to proceed with Mr. Savage as counsel, Defendant concurred.

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED on April 17, 2020. DEFT. ANDERSON ARRAIGNED AND PLED GUILTY PURSUANT TO THE ALFORD DECISION TO CHILD ABUSE. Offer of proof by the State. Court ACCEPTED plea, and ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for sentencing.

CUSTODY

06/04/2020 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 09, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

July 09, 2020 10:15 AM Sentencing

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Luzaich, Elissa	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Savage advised Defendant had informed him he wanted to withdraw his plea, that he hadn't mailed the Pre Sentence Investigation (PSI) report to him and hadn't reviewed the PSI or sentencing memo with him. Upon Court's inquiry, Defendant confirmed wanting to speak to Mr. Savage to clear up any issues. Ms. Luzaich noted Defendant's current sentence at Nevada Department of Corrections (NDC) was about to expire and request he be remanded. COURT ORDERED, Defendant REMANDED if not already in custody on this case and matter CONTINUED.

CUSTODY (COC-NDC)

CONTINUED TO: 08/06/2020 10:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 06, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

August 06, 2020 10:15 AM Sentencing

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage advised a Motion was filed by Defendant alleging ineffective assistance of counsel and seeking to withdraw his guilty plea. Ms. Luzaich requested a Young hearing. Statement from Defendant. COURT ORDERED, Defendant's Pro Per Motion to Withdraw Counsel for Ineffective Assistance scheduled for 08/18/2020 OFF CALENDAR and Martin Hart, ESQ. APPOINTED to see if there was a legal or factual basis for a plea withdrawal. MATTER TRAILED.

MATTER RECALLED.

Mr. Hart now present. Mr. Hart CONFIRMED as Counsel and requested Entry of Plea transcripts be produced. Ms. Luzaich requested copy of transcript be sent to her as well. COURT SO ORDERED, and matter SET for Status Check.

CUSTODY

C-19-344266-1

08/27/2020 10:15 AM STATUS CHECK: PLEA WITHDRAWAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 27, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**August 27, 2020 10:15 AM Status Check: Status of
Case**

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Clowers, Shanon	Attorney
	Hart, Martin W	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Due to time constraints with Clark County Detention Center's Bluejeans videoconferencing, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 09/08/2020 10:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 08, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**September 08, 2020 10:15 AM Status Check: Status of
Case**

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Hart advised Defendant may want to represent himself. Upon Court's inquiry, Mr. Anderson stated he wants to keep Mr. Hart as his counsel. COURT ORDERED, matter CONTINUED for Mr. Hart to discuss the plea withdrawal with Defendant.

CUSTODY

CONTINUED TO: 09/24/2020 10:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 24, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**September 24, 2020 10:15 AM Status Check: Status of
Case**

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Hart advised an Amended Motion to Withdraw Guilty Plea was filed last night. Ms. Luzaich requested time to file an opposition. COURT ORDERED, State's Opposition due by 10/08/2020 and matter SET for Argument.

CUSTODY

10/15/2020 10:15 AM AMENDED MOTION TO WITHDRAW GUILTY PLEA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 15, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

October 15, 2020 10:15 AM Motion for Withdrawal

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT: Anderson, Jayon Defendant

JOURNAL ENTRIES

- Counsel not present. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 10/20/2020 10:15 AM

CLERK'S NOTE: Counsel notified via email /SR 10/15/2020

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 20, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

October 20, 2020 10:15 AM Motion for Withdrawal

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Arguments by Counsel regarding the merits and opposition of the Motion. COURT ORDERED, matter UNDER ADVISEMENT.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 11, 2021

C-19-344266-1	State of Nevada
	vs
	Jayon Anderson

January 11, 2021

3:00 AM

Minute Order

HEARD BY: Villani, Michael

COURTROOM: Chambers

COURT CLERK: Haly Pannullo

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Defendant's Amended Motion to Withdraw Guilty Plea came before this Court, whereupon the Court took the matter under further advisement. After considering all pleadings and arguments, the Court renders its decision as follows:

After reviewing the historical record and guilty plea canvass, the Court provides the following decision:

Defendant entered his guilty plea pursuant to North Carolina v. Alford, 91 S.Ct. 160 (1970). The record is clear that Defendant has had ample opportunities to discuss his case with counsel before entering his plea. At entry of plea, the Court provided a thorough plea-canvas and found Defendant entered into his plea freely and voluntarily. Also, the guilty plea agreement informed Defendant of his constitutional rights.

THIS COURT FINDS, based upon the totality of the circumstances, Defendant entered into the guilty plea freely and voluntarily. The basis of an Alford plea is that a defendant, although not accepting responsibility for the charged conduct, agrees with a negotiation to resolve his case by pleading to a lesser charge and avoiding a harsher penalty. Here, Defendant fails to present any fair and just reason to allow the withdrawal of his plea.

Therefore, COURT ORDERD, Amended Motion to Withdraw Guilty Plea DENIED. COURT ORDER'S, Sentencing set for January 21, 2021, at 8:30 AM.

CLERK'S NOTE: The above minute order has been distributed to:

Lisa Luzaich <Lisa.Luzaich@clarkcountyda.com>; Martin Hart <MH@martinhartlaw.com>
hvp/1/11/21

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 21, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

January 21, 2021 8:30 AM Sentencing

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Jill Chambers

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

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

JOURNAL ENTRIES

- Court noted that the Deft. was in quarantine and ORDERED, MATTER CONTINUED.

CUSTODY

CONTINUED TO: 2/11/21 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 12, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

February 12, 2021 3:00 AM Minute Order

HEARD BY: Villani, Michael

COURTROOM: Chambers

COURT CLERK: Samantha Albrecht

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- By stipulation and agreement by Parties via communications with Court s Law Clerk. COURT ORDERED, matter SET for February 11, 2021 VACATED and RESET to February 18, 2021 at 8:30 AM.

CLERK'S NOTE: A copy of this Minute Order was distributed via e-mail to counsel. 2/12/2021 sa

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 18, 2021**

C-19-344266-1 State of Nevada
vs
Jayon Anderson

February 18, 2021 8:30 AM Sentencing

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Samantha Albrecht

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Hart advised they were ready to proceed with Sentencing. DEFENDANT ANDERSON ADJUDGED GUILTY OF CHILD ABUSE NEGLECT OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM (F). Ms. Luzaich stated, pursuant to the negotiations, that the State would not argue for more than 12 years on the top and 4 years on the bottom. Ms. Luzaich stated the Defendant beat the six year old with a belt and was charged with child abuse and after she was placed in the care of her maternal grandparents she revealed she was sexually abused by the Defendant as well. Ms. Luzaich noted that the victim's older brother had seen a similar situation. Ms. Luzaich argued that Defendant was violent, unable to follow court orders, and was released after being incarcerated, at which time he fled to Michigan. Statement by Defendant.

Upon Court's inquiry, Ms. Luzaich stated the issue of the illness of the child is not significant and noted she was born with the sexually transmitted disease (STD). Mr. Hart stated the Defendant tested negative for the STD. Mr. Hart noted this was an alford plea and the mother had written letters in support of the Defendant. Mr. Hart stated Defendant was on the low end according to Dr. Chamber's

assessment, has tons of support, and traveled back to Michigan due to a death in the family.

Upon Court's inquiry, Defendant stated his sentence expired on 6/20/2020. Ms. Luzaich clarified that Defendant's sentence expired on 7/28/2020 and he was eligible for credit after that date. Mr. Hart concurred and stated Defendant has 209 days credit for time served.

Court noted these kind of cases are always difficult and noted it had reviewed the assessment. Pursuant to NRS 176.063, COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, WAIVED as previously taken, \$250.00 Indigent Defense Civil Assessment fee, and extradition costs in the amount of \$2,304.60, Defendant SENTENCED to a MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS AND A MINIMUM OF FORTY-TWO (42) MONTHS in the Nevada Department of Corrections (NDC), with TWO HUNDRED NINE (209) DAYS credit for time served.

BOND, if any, EXONERATED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 29, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

June 29, 2021 8:30 AM Motion to Dismiss

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Samantha Albrecht

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

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

JOURNAL ENTRIES

- Defendant not transported.

COURT ORDERED, Motion GRANTED and directed Mr. Hart to forward a copy of the file to the Defendant. Mr. Hart confirmed he had already sent a copy to the Defendant.

NDC

CLERK'S NOTE: A copy of this Minute Order mailed to:

Jayon Anderson #1199691
HDSP
PO Box 650
Indian Springs, Nv 89070 (6/30/2021 sa)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 04, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

August 04, 2021 3:00 AM Minute Order

HEARD BY: Villani, Michael **COURTROOM:** Chambers

COURT CLERK: Samantha Albrecht

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- By stipulation and agreement by Parties via email communications with Dept. 17 Law Clerk,
COURT ORDERS, matter SET for August 5, 2021, VACATED and RESET to August 19, 2021, at 8:30
AM.

CLERK'S NOTE: A copy of this Minute Order was provided to counsel by e-mail and mailed to:
Jayon Anderson #1199691
HDSP
PO BOX 650
Indian Springs, NV 89070 (8/4/2021 sa)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 18, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

August 18, 2021

1:35 PM

Minute Order

**Minute Order
Motion to Amend
Judgment of
Conviction to and/or
Credit Time Served**

HEARD BY: Leavitt, Michelle

COURTROOM: No Location

COURT CLERK: Jennifer Lott

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The court having reviewed the pleadings submitted herein, denies Defendant s Motion to Amend. The defendant was given the appropriate credit towards his sentence as provided in NRS 176.055 (2) (b), and therefore, his motion is denied. Ms. Luzaich, Esq. to prepare the order for the court. The hearing on August 19, 2021 is vacated.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 30, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**September 30, 2021 11:00 AM Motion to Amend
Judgment**

HEARD BY: Eller, Crystal

COURTROOM: RJC Courtroom 03E

COURT CLERK: Cynthia Moleres

RECORDER: Brittany Amoroso

REPORTER:

PARTIES

PRESENT: State of Nevada Plaintiff
 Wyse, Seleste A Attorney

JOURNAL ENTRIES

- Counsel appeared via BlueJeans.

Ms. Wyse requested this matter be continued until 10/7/21 as there was another motion for the instant case to be heard that day. COURT SO ORDERED.

NDC

MATTER CONTINUED TO: 10/07/21 11:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 07, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

October 07, 2021 11:00 AM All Pending Motions

HEARD BY: Eller, Crystal **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Cynthia Moleres

RECORDER: Brittany Amoroso

REPORTER:

PARTIES

PRESENT: Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Luzaich, appeared via BlueJeans.

MOTION TO AMEND JUDGMENT TO AND OR GRANT CREDIT TIME SERVED...MOTION FOR JUDGMENT ON MOTION TO AMEND JOC AND OR CREDIT FOR TIME SERVED

Defendant not present. Ms. Luzaich indicated she had titled her opposition incorrectly and apologized to the Court. COURT NOTED this matter had been ruled upon by Judge Villani, which he had denied on 8/18/21. COURT stated its findings and ORDERED, motions DENIED. Ms. Luzaich to prepare the order.

CLERK'S NOTE: A copy of this minute order was mailed to Jayon Anderson #1199691, HDSP, PO Box 650, Indian Springs, NV 89070. clm 10/7/21

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 16, 2021

C-19-344266-1 State of Nevada
vs
Jayon Anderson

November 16, 2021 11:00 AM Motion to Reconsider

HEARD BY: Eller, Crystal

COURTROOM: RJC Courtroom 03E

COURT CLERK: Cynthia Moleres

RECORDER: Brittany Amoroso

REPORTER:

PARTIES

PRESENT: Dunn, Ann Marie Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Dunn, Deputy District Attorney appeared via BlueJeans.

Defendant not present. COURT NOTED it had read the motion and the opposition, stated its findings and ORDERED, motion DENIED. Ms. Dunn to prepare the order.

CLERK'S NOTE: A copy of this minute order was mailed to Jayon Anderson #1199691, High Desert State Prison, PO Box 650, Indian Springs, NV 89070

CASE NO. C-19-344266-1
DEPT. NO. XVII
CDDA LISA LUZAICH (SVU)

Defendant(s): JAYON ANDERSON, #2864329

Case No(s): 19BGJ015X (RANDOMLY TRACKS TO DC VI & XVII)

Charge(s): (2) CT - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105)
(2) CT - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975)

Def. Counsel(s): SPECIAL PUBLIC DEFENDER

WARRANT (3 WEEKS)

DEFT IS IN CUSTODY @ NDOC (18F11574X – PH 10/28 IN JC7)

LVJC CASE TO BE DSM'D 18F11574X

Exhibits:

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

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

JAYON ANDERSON #1199691
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: November 18, 2021
CASE: C-19-344266-1

RE CASE: STATE OF NEVADA vs. JAYON ANDERSON

NOTICE OF APPEAL FILED: November 17, 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; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

JAYON ANDERSON,

Defendant(s).

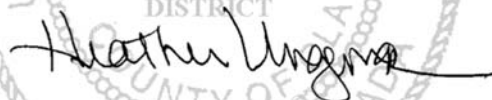
Case No: C-19-344266-1

Dept No: XIX

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 18 day of November 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

