

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

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Elizabeth A. Brown  
Clerk of Supreme Court

THE STATE OF NEVADA, ,

PLAINTIFF,

vs.

BRENDAN DUNCKLEY,

DEFENDANT.

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Sup. Ct. Case No. 83867

Case No. CR07-1728

Dept. 4

RECORD ON APPEAL

VOLUME 7 OF 14

DOCUMENTS

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Washoe County  
MFFRMAN

# EXHIBIT 2

# EXHIBIT 2



Dear District Attorney Gamache,

In recent research I came across an interesting piece of information. With regards to the American Bar Association Model Rules and Standards. Namely Standard 3-2.5 entitled "Prosecutor's Handbook. Especially of interest is subsection (b) second sentence "This handbook" should be available to the public, except for subject matters declared "Confidential",...."

You see I would be greatly interested in obtaining a copy of that handbook. If needed I will make sure it is promptly returned..

You may even be able to shed some light on the very reason that I wish to view the handbook that as subsection (a) states "The objectives of these policies as to discretion and procedures should be to achieve a fair, efficient, and effective enforcement of the criminal law".

I find it of real importance that the ABA used the term discretion in this paragraph. Webster's dictionary defines discretion as being "Tactful; Prudent." So maybe you can help me understand why it was felt to be tactful or prudent to allow release of a criminal complaint directly pertaining to a case that at the time of release had not yet been before a court, to render its decision as to guilt. There fore lending the accused the right of presumption of innocence until proven guilty.

That is a serious fundamental right anyone accused of a crime is automatically granted just for being an American citizen. Just the simple mistake of accidentally releasing such information in itself could be rendered a "harmless error" not to be considered a intentional violation of the accused Sixth Amendment right to a "fair and just trial"

But unfortunately, that is not the case here. The fact that a Detective working the case in which the criminal complaints were pertained to intentionally released the material to a third party attorney dealing with a Civil matter. The release of that evidence and entering it into a Civil Matter now made all the complaints that of Public Record. Being, that the detective who released the confidential paperwork was a member of the Reno Police Department and the lead detective in the same referenced Criminal Matter he is considered a member of the prosecutorial investigation team, and subsequently all his actions has direct bearing on your office.

I also am curious as to what would warrant a detective to intentionally violate the accused right of innocence and release the said documents to the accused ex-wife's attorney, who at the time was in a nine year custody battle. That would under normal scrutiny constitute in the least malice intent on hindering the constitutional rights of the accused to a fair and just trial. Having such confidential information in the public I am sure you could agree would definitely prejudice the accused.

Also, knowing your impeccable reputation and that of your colleagues in your charge for striving to ensure that justice is done, I am sure you are familiar with the Standard set forth by the American Bar Association 4.41 which states "Effective investigation by the lawyer has an important bearing on competent representation at trial, for without adequate investigation the lawyer is not in a position to make the best use of such mechanisms as cross-examination or impeachment of adverse witnesses at trial." I understand the premise of this Standard is geared towards the defense counsel, but it can and also does apply to you the State.

The reason for that line of reference is to bring up the fact that the "Prosecution's duty is never to merely

convict, but to see that justice is done by seeking truth of the matter, and to ensure that jury tries cases solely on basis of actual facts presented to them." (People v. Martin)

The fact that the opinion stated above used the words "seeking" and "actual facts" renders the fact that the prosecution investigated the charge, not simply taking the word of the complainant. That is the fact of severe relevance in the same case involving the forementioned detective and accused.

In (State v. Estes) it states "Prosecutor is expected to be diligent and leave no stone unturned, but nevertheless expected to be fair" (State v. Estes 725 P.2d, 1120, 111 10Amu 423). That brings up the other reason to my letter. Which I would like to express my appreciation for your taking the time to read. But I digress.

In the referenced case that your office filed and subsequently obtained a plea deal or as referred to a Guilty Plea Memorandum. The case no is CR07-1728. Upon review you will notice that the record has charge 1 happening in the time frame of August 14, 1998 to August 13, 2000. As you will notice from the transcripts in the Preliminary Hearing the "victim" in count 1 stated she was sure it was when she was (12) twelve years old, as affirmed by your Adla Victoria in the Sentencing Transcript (Pg 13; 19-21). "But he calls Ashley 14 years old at the time. ~~for~~ when we all know she was 12." She is the representation of the state and therefore making it the states contention to her age of the attack being 12 years old. (August 14, 1998 to August 13, 1999). Again supported by record of sentencing hearing (Pg 11; 24-Pg 12; 1, Pg 16; 17, Pg 17; 12) The reason for bringing you this letter is this: Had your office and including the police department, as well as my own attorney appointed to me by your office done even the simplest basic investigation in the allegation you would have seen that in actuality I was not even a resident in the state of Nevada until 2000. And in 1998 at the time

the alleged incident occurred I was attending college in New York at the Culinary Institute of America in Hyde Park, NY. From 11/11/96 until 2/23/99. The information is easily verified by the college. That would have surely come up in a residential history search. Then that leaves 2/23/99 until the "victim's" thirteenth birthday 8/14/99. Well how amazed would you be to know that during that time frame I resided in Oakhurst, Ca with my former wife. And in August 1999 she filed for divorce and I was served papers in Fresno Ca. Again extremely simple information to have obtained if a due diligent investigation was in fact done. In the matter of the location of the alleged incident the said vehicle would have shown that I had not purchased and registered the said vehicle till 6/8/00. Therefore how could a crime have been committed by me in a state 3,000 miles away from my location in a vehicle I won't purchase for two years. If any evidence was deemed relevant I think this would. Not to mention "relevant in the favor of the accused" as mentioned in Brady vs. Maryland. Now if you did not actually know including all members of your team including the police in the least we have a warranted example of prosecutorial misconduct. But if your office actually did know and still attempted to prosecute the case would warrant a serious case of malicious prosecution, and Brady violation, due process violation, Sixth, Fourteenth Amendment violation to say the least.

But still pursuing a conviction the ADA proceeded to bring forward a deal that to my knowledge and belief was for probation as noted in the Guilty Plea Memorandum pg. 4:25 & ps 5:2 both sites with initials of myself, my counsel and ADA Velazquez. But the fact that the state fought hard to obtain the max bears a problem in regards



the validity of the original plea bargain. Especially when your ADA stated in the sentencing hearing transcripts "We did craft this creative plea bargain so this defendant could have the right to posture himself to ask the Court for sentencing. That's what he required before he came to you and admitted his conduct and entered his plea of guilt." (Pg 12; 6-9 sentencing hearing transcripts)

You see the problem is that plea bargains are in fact protected under contract law. In a basic breakdown the agreement should be of benefit to both parties involved. Example; a defendant looking at the death penalty for a capital crime signs a deal and it takes the death penalty off the table. All sides benefited the State gained a conviction and saved the tax payers the expense and the accused was not to be put to death. In my case if I went to trial I would be facing 10 to life and 2 to 20 years. I got 30 to life and 2 to 10. But the state fought and argued to 2 to 20 (Pg 94 17:35-5) Therefore I gave up four protected rights 1) Remain silent 2) Bring witnesses on my own behalf. 3) Face my accusers and cross examine them 4) Right to a trial by my peers. I gave it all up and I feel that had the attorneys involved on both sides of the case been even slightly competent to have exercised due diligence in pre-trial investigation and entered the relevant evidence it would have seriously changed my mind in accepting the deal and had demanded going to trial.

You I am sure would agree that once you verify the information I have given you so as to meet the Giles standards could be considered substantial evidence. Black's dictionary defines Substantial evidence as "evidence that a reasonable person could accept as adequate and sufficient to support a conclusion of defendant's guilt or innocence beyond

a reasonable doubt."

All the information I have given to you as to the Diles Standards I had handed over to my appointed attorney of record. For that and all the information in this letter along with documented evidence ~~etc~~; the released police complaints with R.P.D. Detective Tom Brown's signature on each in addition to the clerk stamp of Superior Court of California Madera County in reference to Dumchley v Dumchley, College transcripts, court documentation of the location of residency, divorce paperwork, Department of Motor Vehicles record of registration. Just think how I easily obtained all this information and documentation independently how much more so should all involved in this case have done so as well.

I will leave you with a final citation of due relevance to the point at hand: "Though the system of criminal justice is adversarial in nature and prosecutors have a duty and are expected to be diligent and leave no stone unturned, he is required to be fair and has a duty to avoid any misrepresentation of the facts and unnecessary inflammatory tactics." (State v. Griffiths 610 P.2d 522, 101 IDemo 163)

With my stating all that I wished, in order to help me process my next step in filing all this information by means of a Post Conviction Writ of Habeas Corpus. Which I have no reason to believe will be denied due to serious relevant evidence and dare I say, respectfully though your total lack of any physical evidence to the allegations. Which I did not commit. I just wanted to allow you the opportunity to view this information which I truly believe you to feel is a gross miscarriage of justice that demands an immediate remedy of. Once again as I stated earlier I am respectfully appreciative of your taking the time to read my letter. I am a learner and I apologize if at any time I unknowingly bastardized the legal field of

references and records. Your response is greatly appreciated..

Cordially Yours.

Brendan Duncley

Brendan Duncley  
Inmate # 1023236  
L.C.C.  
1200 Prison Road  
Love Lock, Nevada. 89419

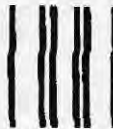
Case Reference NO: CV07-1728  
Case Reference NO: 52383

P.S. Copies of this letter are as follows.

C.C.: Brendan Duncley  
Morgan Duncley  
Nevada Supreme Court Clerk  
David O'Mara Esq.  
District Attorney Richard Hammick

Documents included:

C.I.A. transcripts  
Driver Registration information  
RPO reports 07-12-07, 03/10/07 AND 8/20/05 Evidence Stamped 5/25/07 (RP) (re: 2002)  
Nevada Supreme Court minutes, notes, reports  
Proof of Service of Summons Dated 8/16/07 At Residence in Fresno, CA.



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Brendan Dunchley (1023236)

L.C.C.

1200 Prison Road

Lovelock, Nevada 89419

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MR. Richard Gammich  
Washoe County District Attorney  
P.O. Box 30083  
Reno, Nevada 89520

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X Thomas J. Frugal ☐ Agent ☐ Addressee

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Richard Gammick W.C.D.A.  
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or PO Box No. P.O. Box 30038  
City, State, ZIP+4 RENO, NV 89520

PS Form 3800, August 2005

See Reverse for Instructions

V7. 84274

Dear Mr. Hatlestad;

June 15, 2009

First of all allow me to congratulate you on your victory in having my conviction affirmed by the State Supreme Court. With that being respectfully and genuinely stated I feel that some information needs desperately to be conveyed to you.

You see on April 21, 2009 a gentleman by the name of Thomas J. Frugoli accepted a certified letter from me. With Id number (7007-0710-0005-2300-2620). For your edification I have enclosed the letter (a copy that is) also the documents that originally were enclosed with the said letter.

As you read the letter you will see that in comparison to the alleged testimony of Ashley V. at the preliminary hearing she claims that the incident in Count 1 of the order of conviction occurred when she was twelve years old. Specific windows of offense would place it August 14, 1998 until her thirteenth birthday of August 14, 1999. The State argued repeatedly (SDA Victoria) that the crime occurred on a twelve year old little girl. (Sentencing Transcript pg 12/line 1; pg 13/line 19(b) to 21; pg 16/line 17; and again on pg 17/line 17). No allegation or contention was ever made by the state that any other act occurred except during her twelfth year of life.

Except there is a serious flaw and problem with that allegation, I have mentioned this to my attorney but he failed to fix it or use the evidence I presented him. Also unfortunate is the fact that the State too had in its possession evidence to show not only that the testimony of Ashley V. was perjured but that the State had evidence proving the absolute impossibility of the crime occurring.

For the record allow me to detail and break down the allegation to you. Ashley testified that after spending

the night at my house with my girlfriend/wife  
Morgan (in Reno) I drove her home the following  
morning. While driving her home on Longly Lane (Reno)  
I pulled over into a parking lot and she and I  
had consensual sex in the back seat of my Ford  
Taurus, then I drove her home. The second incident  
occured (by her testimony) shortly afterward at the  
Atlantis Hotel & Casino (Reno) in an elevator. When asked  
by Mr. David Clifton how old she was when these  
incidents occurred, she responded she was twelve years  
old, asked if she is certain she answered in the affirmative.  
Meaning, with a birth date of August 14, 1986 her twelfth  
year would consist of August 14, 1998 until August 13, 1999.  
With that being said here where the problem lies and  
again I told this to my attorney and recently sent  
the enclosed letter and documents.

First you will see a letter/transcript from  
the Culinary Institute of America located in Hyde Park,  
New York. There you will see the time I was in  
fact enrolled in college, dated 11/11/96 - 02/23/1999.  
So there is documented proof up until February 23, 1999  
I was in fact in Hyde Park, New York attending college. So  
that would rule out 8/14/98 until 2/23/99 by the rules  
of Gile. (Evidence that proves I could not have committed the  
crime due to being in a location so far away that under  
normal circumstances I could not have been in the location  
of the crime.)

Next you will find a DMV print out dated  
December, 05, 2008 showing that the vehicle in the  
allegation my Ford Taurus was in fact not even purchased,  
or registered until 6/5/00. So how did we have  
consensual sex in it in 1998-99 when I did not  
even own it until 2000.



Third, you will see that the State in fact knew that I was not even in the area of Reno when Ashley alleges that the incident occurred. Enclosed you will find a Reno Police Department 'draft' dated 4/19/07. Created by Detective Tom Broome of RPD Sex crimes division. Please note the second page with the conversation between Detective Tom Broome and my ex-wife Jenny Drachley. She mentioned we met in N.Y. then later moved to Madera California, our marriage broke up in July of 1999 while living in Oakhurst California. A allegation and investigation was done by Madera County Sheriff's department with me. A copy of that Detective Broome obtained. So Detective Broome knew that I was in fact residing in Madera County California in 1999 at least until July with my wife Jenny. Not an alleged resident in Washoe County, Reno with Magan. Yet the State never corrected known perjured testimony and continued to allow it to go uncorrected all the way up to sentencing, and beyond. (letter 4/21/08). As a note you will see a 'EXHIBIT D' stamp on the back of the report, that is because that was one of four criminal reports Detective Tom Broome released to my ex-wife's attorney Kenneth Ballard in Oakhurst Co. to use for an ongoing custody case. That was released 5/25/07. A full six weeks before my preliminary hearing proving the State had knowledge that I was in fact innocent of counts alleged from Ashley. But Nobody fixed it not the State nor my attorney who also had the reports released by Detective Broome. (The hearing for the exhibit was June 22, 2007, Prelim. hearing was 7/21/07).

Finally enclosed in the original letter is a copy of a Summons of Family Law & Proof of Service for divorce dated 8/16/99. Notice I was served at my residency at 2:45pm at 255 East Neese, #257, FRESNO, CALIFORNIA. Two days

after Ashley turned thirteen. Again proving beyond a reasonable doubt that I could not have committed the crime as testified by the "Victim". Since her testimony is in fact all the evidence the State has that these incidents even occurred and I proved by documented, verifiable evidence to the contrary, the conviction can not stand. It would continue to allow a manifest injustice to go uncorrected.

As an added area of interest I did not mention in the previous letter, Ashley testified that Morgan my girlfriend/wife was pregnant as was her friend Michelle Anthony. Yet Michelle daughter Brooklyn was born September 25, 2000 and our son Jacob was born January 12, 2001. Either they both had really long pregnancies or again the allegations could not have occurred.

Please take notice that even Dr. Story vacates report on page 3 second paragraph shows I did not move to Reno until 2000. And in the PSI report page 3 under education I graduated H.S. in 1994 and attended the Culinary Institute of America until 1999.

I hope that you see the gross manifest injustice, prosecutorial misconduct, Brady violations, and gross bad faith negligence that has occurred here. I humbly request that the DA do their duty and set the record straight and request a reversal and vacating of Court 1 and allowing me to reverse and set aside my Guilty Plea Memorandum, and plea over to Court 2. I hope you realize I am going to include both letters in my writ of Habeas Corpus. I just felt it necessary to once again bring to the DA's attention so they can take it upon yourselves to fix and correct this problem. Doves, the courts have

and in the interest of justice.

Besides is it not the ultimate duty of the Prosecutor to not seek a conviction by any and all means but to see that justice is done and obtained. Is it not why the Prosecutors are held to a higher standard to be diligent and leave no stone unturned. After all you the DA represent the State and all its people.

So, Mr. Hatlestad. can you in good conscience and good faith simply ignore this information as David Clifton, Kelli Anne Villoria, and Thomas S. Frusoli not to mention also Detective Tom Broome have all done on repeated and numerous occasions. I included Detective Tom Broome because as you are I'm sure aware the misconducts by an investigating law enforcement agent is indistinguishable from misconduct by prosecuting attorneys.

Please know I truly respected your brief for the Supreme Court. I know you did not know about this information, because for my attorney to have added it in appeal would have meant admitting his ineffectiveness in acting as an advocate. But it does not excuse his actions or that of Mr Clifton and especially Mrs Victoria. As you are aware being the Chief Appellate Deputy it is the duty and obligation of a prosecuting attorney to obtain Brady evidence (evidence favorable to the defendant). Even if she is not in direct possession of said evidence, she had and still has a duty to learn of any favorable evidence known to other government agents, including the Police (ie Det. Broome, report 4/19/07) if those agents are involved in the investigation. Detective Broome was the lead detective.

I pray that you will do the right thing and allow an innocent man to return to his family. I again request that you vacate/dismiss and expunge Court I and allow the Guilty Plea to be reversed and allow



me to plead anew for Count 2. You can see that had my attorney done his job and investigated the crime, interviewed Ashley or Jossiah, he would see it was impossible to commit Count 1. Therefore he could not give adequate and accurate legal advice. So... I plan on having the Guilty Plea reversed on that and numerous other grounds.

I just felt in the interest of justice you would do what is right and fix this SERIOUS situation. This is the second letter bringing the evidence to light I am humbly requesting you set the record straight.

I Thank you for taking the time in reading my letter, and once again congratulations on a well written and eloquent Brief. Please note after reviewing my records the letter 4/21/08 was the second a first was mailed 1/16/08 regular first class mail w/ Brown ship (Ndoc receipt) #1421887

Sincerely,



Brendan Dunkley #1023236  
L.C.C.

1200 Prison Road  
Love Lock, Nevada 89419.

Case No: CRO7-1728

cc: Unit of Habeas Corpus  
Personal copy.  
Catherine Carter, Maito NV. ATTORNEY.

Enclosed: CIA Transcript  
DMV Printout.  
RPD. Draft. 4/19/07  
Summons of Family Law  
Proof of Service <sup>\$16100</sup>  
Letter to DA Garrison  
Copy of Certif. Receipt  
of Thomas J. Fugoli: sig.



Continuation:

As an additional side note to help the courts and the taxpayers further court expense and time, I would like to make a humble request and possible solution. As of June 8, 2009 I represent myself pro per. Because I know that the overwhelming evidence I am in possession of will almost certainly in the least reverse my guilty plea memorandum. But prove blatant and obvious malicious disregard for my constitutional rights on the part of ADA Victoria as well as Detective Tom Browne. There is a total of 150-160 pages of documentation proving malice, prosecutorial misconduct, ineffective assistance of counsel, police harassment, Miranda violations, inappropriately obtaining evidence, perjured testimony, Brady violations, and that's just with the few pages I have given to you in this letter. Any of which will grant reversal of the deal and prove actual innocence in regards to Count 1.

So here as the chief appellate counsel you are aware that I only need to prove it with probable preponderance, except I can prove it all beyond a reasonable doubt. Or create enough reasonable doubt to a jury. So I propose the following deal for the States consideration: Guilty Plea reversed and set aside Count 1 (NRS. 201.230) dismissed on ground of insufficient evidence and actual and factual innocence. Count 2 (NRS 193.330) be amended to Assault (due to the fact the "victim" Jessica has yet to come forward since the prelim, and her testimony is inconsistent from 3/26/07 to 7/2/07 lacking credibility), So Amend Count 2 to Assault Gross Misdemeanor or at most a 'E' felony with credit for time served. I am released and allowed to leave Nevada (Reno) forever. In exchange I do not sue federally the County or D.A.'s office for the blatant Civil rights and Constitutional violations on the part of the O.A.D. office.

If that deal is accepted as a binding agreement w/ the judges signature. I will agree to sign it. Preventing your office from being flooded with appeals that ADA Victoria and Detective Tom Browne handled. Dist  
and I am happy to see other innocent people who have been  
V7.849 81

(Cont)

or in the alternative:

Reverse the Guilty plea Memorandum and dismiss count 1 on grounds of actual/factual innocence. Allowing me to plead anew for Count 2 and we proceed to trial. I would retain the right to file a lawsuit in regards to count 1's violations. Did you know my seven year old is in therapy because of the sentence I was given for a charge the state knew I could not have committed. But I digress, back to the proposed deal:

#1 - Guilty Plea Memorandum Reversed, Count 1 dismissed on grounds of insufficient evidence and Actual/factual innocence. Count 2 (NRS 193.330) Amended to Assault (G.M. or 'E' Felony) with Credit for time served (as of 6/15/09 = 419 Days = 14259 Days as per AR 520 stat calculation %). Released and record is expunged for count 1 (NRS 201.230). In exchange defendant (me) will agree to obtain from suing the State, County and DA office, for civil rights and constitutional violations. Binding Agreement with sentence to be credit time served. (No Surprises).

(Or)

#2 Guilty Plea Memorandum reversed, Count 1 (NRS 201.230) dismissed on grounds of insufficient evidence and actual/factual innocence, Count 2 Allowed to plead anew to (NRS, 193.330) And return to a not guilty stage. Bail being allowed. And proceeding with trial -

I look forward to your response in this matter.



CR07-1728 DC-09900082155-008  
STATE VS. BRENDAN DUNCKLEY 3 Pages  
District Court 11/07/2016 04:21 PM  
Washoe County 3565  
MFRNAND

# EXHIBIT 3

# EXHIBIT 3

V7. 852

Jim Gibbons  
Governor



Ginny Lewis  
Director

555 Wright Way  
Carson City, Nevada 89711-0900  
Telephone (775) 684-4368  
www.dmvnv.com

December 05, 2008

BRENDAN DUNCKLEY  
1200 PRISON RD  
LOVELOCK NV 89419

This is to certify that the records have been searched for the following;

VIN; 1FALP5244PG247860  
Year/Make; 1993 FORD TAURUS GL 4 DR SEDAN  
Plate; 631KWM

The records of the Dept of Motor Vehicles indicate that the above referenced  
Was registered in Nevada State. We show this vehicle has been register from  
06-05-2000 to 06-05-2001 under the name of Brendan Dunkley.

If you have any further questions regarding this request please feel free to  
contact me at the above listed phone number.

Sincerely,

Pam Mendoza  
Record Section

V7. 852

STATE OF NEVADA  
DEPARTMENT OF MOTOR VEHICLES  
CENTRAL SERVICES - RECORDS DIVISION  
555 Wright Way  
Carson City, Nevada 89711-0250  
(775) 684-4590

REQUEST DATE : 12/05/2008

SUP. TRAN. ID : 45905961

BRENDAN DUNCHLEY  
1200 PRISON RD  
LOVELOCK NV 89419-5110

## VEHICLE REGISTRATION DATA

## I - VEHICLE DATA

YEAR : 1993 MAKE : FORD MODEL : TAG CYL : 06  
VIN : 1FALP5244PG247860 VEHCL TYPE : VEH-SEDAN 4 DR

## II - REGISTRATION INFORMATION

EXPIRATION DATE : 06/05/2001  
PLATE NUMBER : 631KWM DECAL NUMBER : M39555

OWNER TYPE : REGISTERED COMBN TYPE : NONE  
NAME : BRENDAN THOMAS DUNCKLEY  
MAIL ADDRESS : 4458 HIGHPLAINS DR  
CITY/STATE : RENO NV 89523-9176  
PHYS ADDRESS : 4458 HIGHPLAINS DR  
CITY/STATE : RENO NV 89523-9176

LAST TRANSACTION DATE: 06/06/2001

-----  
NAME/ADDRESS AT THE TIME OF REGISTRATION

NAME : BRENDAN T DUNCKLEY  
MAIL ADDRESS : 811 PLUMAS ST  
CITY/STATE : RENO NV 89509-1739

END DT : 06/13/2002

\*\*\*\*\*

PAGE NO: 1\*\* LAST PAGE \*\*

CR07-172B  
STATE VS. BRENDAN DUNKLEY  
District Court  
Washoe County  
DC-09900082155-009  
2 Pages  
11/07/2016 04:21 PM  
3565  
MFFRNIAND

# EXHIBIT 4

# EXHIBIT 4



## The Culinary Institute of America

1946 Campus Dr, Hyde Park, NY 12538-1499 Phone 845.451.1267 Fax 845.905.4032 www.ciachef.edu

## UNOFFICIAL

CEEB Code: 003301

DUNCKLEY, BRENDAN, T  
44782 SILVER SPUR CT  
AHWAHNEE, CA 93601

Student ID: 36556  
Birth Date: 07/04/1976  
Date Issued: Dec 8, 2006

Page 1 of 2

Major: Culinary Arts

Degree(s) Conferred:

Assoc. in Occupational Studies in Culinary Arts awarded Jan 22, 1999

Course Number	Section	Course Title	Cred Course	Cred Ernd	Grd	Rep	Abs
Semester 0 (11/11/1996 - 02/23/1999)							
A1D-2B	1A	- CULINARY MATH	1.5	1.5	C-	0	
A1K-2B	0Q	- INTRO. TO GASTRONOMY	1.5	1.5	C-	0	
B1C-2B	1B	- CUL. FRENCH	0.0	0.0	B	0	
B1E-2B	17	- FOOD PURCHASING	1.5	1.5	C-	1	
B1G-2B	0Q	- SANITATION	1.5	1.5	B-	0	
C1A-2B	1D	- MEAT FABRICATION	1.5	1.5	A-	0	
C1F-2B	0Q	- MEAT IDENTIFICATION	1.5	1.5	B-	0	
B1F-2B	0Q	- NUTRITION	1.5	1.5	B+	0	
D1A-2B	1D	- SKILL DEV. I	3.0	3.0	B	0	
E1A-2B	1F	- SKILL DEV. II	3.0	3.0	A-	0	
F2A-2B	1I	- INTRO. HOT FOODS	3.0	3.0	C+	0	
F2B-2A	0V	- SUPERVISORY DEV.	1.5	1.5	C	0	
G2B-2B	1L	- AMERICAN CUISINE	1.5	1.5	D	0	
G2A-2B	1J	- SEAFOOD COOKERY	1.5	1.5	C	0	
H2C-2B	0X	- CHARCUTERIE	1.5	1.5	D	1	
H2B-2B	0X	- ORIENTAL	1.5	1.5	B	0	
I2F-2B	0Y	- LUNCH COOKERY	1.5	1.5	D	0	
I2E-2B	0X	- BREAKFAST COOKERY	1.5	1.5	C-	0	
J2A-2B	1O	- GARDE MANGER	3.0	3.0	C	0	
J2B-2B	0X	- TERM. II PRACTICAL	0.0	0.0	P	0	
00-2B	31	- EXTERNSHIP	6.0	6.0	C	0	
L4G-A	18	- BREAD BAKING	1.5	1.5	B	0	
L4C-A	1J	- COST CONTROL	1.5	1.5	D	1	
L4F-A	18	- PASTRY SKILLS DEV	1.5	1.5	B+	0	
M4A-A	24	- PATISSERIE	3.0	3.0	B+	0	
N4D-A	1S	- MENUS/FAC. PLANNING	1.5	1.5	B	0	
N4E-A	1R	- MGMT. WINES&SPIRITS	3.0	3.0	D	0	
N4F-A	1J	- RESTAURANT LAW	0.0	0.0	B+	0	
P4A-A	28	- INT'L COOKERY	1.5	1.5	B+	0	
P4D-A	1T	- ADV. CUL. PRINCIPLES	1.5	1.5	C	0	
CA5Q01-A	04	- CLAS BANQUET CUISINE	1.5	1.5	D	0	
CA5Q03-A	04	- INTRO TO CATERING	0.0	0.0	B	0	
CA5Q02-A	04	- INTRO TO TABLE SERV	1.5	1.5	A	0	
CA5R01-A	04	- A' LA CARTE SERVICE	1.5	1.5	B-	0	
CA5R02-A	04	- ST. ANDREW'S KITCHEN	1.5	1.5	C	0	
CA5S02-A	04	- 5TH SEM COSTING EXAM	0.0	0.0	P	0	
CA5S01-A	04	- DE MEDICI KITCHEN	1.5	1.5	D	0	
CA5S04-A	04	- 5TH SEM COOKING EXAM	0.0	0.0	P	0	
CA5S03-A	04	- TABLE D'HOTE SERVICE	1.5	1.5	C	0	
CA5T01-A	04	- FORMAL SERVICE	1.5	1.5	C+	1	
CA5T02-A	04	- ESCOFFIER KITCHEN	1.5	1.5	C-	1	
CA5U02-A	05	- AM BOUNTY SERVICE	1.5	1.5	C	0	
CA5U01-A	06	- AM BOUNTY KITCHEN	1.5	1.5	D	0	

# EXHIBIT 5

# EXHIBIT 5

CR07-1728  
STATE VS. BRENDAN DUNCKLEY  
District Court  
Washoe County  
DC-09900082155-010  
10 Pages  
04:21 PM  
11/07/2016  
3585  
MERNAND  
CXA



09860549222000000000

\*(TY2000)

PAGE 0005 OF 0006

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN T DUNCKLEY  
800 GENTRY WAY, #10  
RENO  
STATE: NV ZIP: 89502-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 880402426  
RENO HILTON RESORT INC  
2500 E SECOND STREE  
RENO NV 89595

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$6,828+  
TX WITHELD.....\$816+  
FICA TX WH.....\$423+  
T FICA WAG.....\$6,828+  
MEDCARE WH.....\$99+  
MEDCARE WG.....\$6,828+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

09860549222000000000

\*(TY2000)

PAGE 0006 OF 0006

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN T DUNCKLEY  
811 PLUMAS ST.  
RENO  
STATE: NV ZIP: 89509-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 952858475  
SUPERSTORES OF AMERICA IN  
60 8996 MIRAMAR RD STE  
SAN DIEGO CA 92126

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$1,634+  
TX WITHELD.....\$84+  
FICA TX WH.....\$101+  
T FICA WAG.....\$1,634+  
MEDCARE WH.....\$23+  
MEDCARE WG.....\$1,634+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

09860549221999000000

\*(TY1999)

PAGE 0001 OF 0006

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDON T DUNCKLEY  
44782 SILVER SPUR CT.  
AHWAHNEE  
STATE: CA ZIP: 93601-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 770039563  
ELDERBERRY HOUSE INC  
P O BOX 2413  
OAKHURST CA 93644

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$150+  
FICA TX WH.....\$9+  
T FICA WAG.....\$150+  
MEDCARE WH.....\$2+  
MEDCARE WG.....\$150+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

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\*(TY1999)

PAGE 0002 OF 0006

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
B DUNCKLEY

STATE: \*\* ZIP: 00000-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 770160750  
CASTILLOS MEXICAN RESTAURANT

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$343+  
TX WITHELD.....\$10+  
FICA TX WH.....\$21+  
T FICA WAG.....\$343+  
MEDCARE WH.....\$4+  
MEDCARE WG.....\$343+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

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PAGE 0005 OF 0006

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN DUNCKLEY  
455 E NEES #112  
FRESNO  
STATE: CA ZIP: 93720-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 940481510  
FORT WASHINGTON GOLF & COUNTRY  
10272 N MILLBROOK  
FRESNO CA 937203499

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$411+  
FICA TX WH.....\$25+  
T FICA WAG.....\$411+  
MEDCARE WH.....\$5+  
MEDCARE WG.....\$411+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

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\*(TY1999)

PAGE 0006 OF 0006

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN T DUNCKLEY  
455 E. NESS APT. 112  
FRESNO,  
STATE: CA ZIP: 93720-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 941272509  
HARRIS FARMS INC.  
ROUTE 1 BOX 400  
COALINGA CA 93210

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$415+  
TX WITHELD.....\$31+  
FICA TX WH.....\$25+  
T FICA WAG.....\$415+  
MEDCARE WH.....\$6+  
MEDCARE WG.....\$415+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

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\*(TY1998)

PAGE 0001 OF 0007

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN T DUNCKLEY  
RR4 BOX 74  
RED HOOK NY  
STATE: \*\* ZIP: 00000-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 060653264  
THE CULINARY INSTITUTE OF AMERICA  
433 ALBANY POST RD  
HYDE PARK NY 12538

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$229+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

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\*(TY1998)

PAGE 0002 OF 0007

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN T DUNCKLEY  
RR4 BOX 73  
RED HOOK  
STATE: NY ZIP: 12571-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 141709328  
GUIDO RESTAURANT CORP  
RR 3 BOX 409M DBA MARINER S HARBOR  
RED HOOK NY 12571

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$2,806+  
TX WITHELD.....\$20+  
FICA TX WH.....\$173+  
T FICA WAG.....\$2,806+  
MEDCARE WH.....\$40+  
MEDCARE WG.....\$2,806+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

09860549221998000000

\*(TY1998)

PAGE 0003 OF 0007

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN T DUNCKLEY  
44782 SILVER SPUR CT  
AHWAHNEE  
STATE: CA ZIP: 93601-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 770039563  
ELDERBERRY HOUSE INC  
P O BOX 2413  
OAKHURST CA 93644

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS

WAGES.....\$983+  
TX WITHELD.....\$6+  
FICA TX WH.....\$60+  
T FICA WAG.....\$983+  
MEDCARE WH.....\$14+  
MEDCARE WG.....\$983+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

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\*(TY1998)

PAGE 0004 OF 0007

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
B T DUNCKLEY

STATE: \*\* ZIP: 00000-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 770394564  
YOGESHWAR INVESTMENT CORP

PENSION INDICATOR: UNCHK (UNRELIABLE)

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS

WAGES.....\$1,162+  
FICA TX WH.....\$72+  
T FICA WAG.....\$1,162+  
MEDCARE WH.....\$16+  
MEDCARE WG.....\$1,162+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

09860549221998000000

\*(TY1998)

PAGE 0005 OF 0007

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN DUNCKLEY

STATE: \*\* ZIP: 00000-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 770403314  
OKA JAPANESE RESTAURANT  
OAKHURST, CA.

PENSION INDICATOR: UNCHK(UNRELIABLE)

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$768+  
TX WITHELD.....\$41+  
FICA TX WH.....\$47+  
T FICA WAG.....\$588+  
T FICA TIP.....\$180+  
MEDCARE WH.....\$11+  
MEDCARE WG.....\$768+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

09860549221998000000

\*(TY1998)

PAGE 0006 OF 0007

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN DUNCKLEY  
44782 SILVER SPUR CO  
AHWAHNEE

STATE: CA ZIP: 93601-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 770438661  
GOLD CREEK CHEVRON FOOD MART  
P O BOX 997 P O BOX 997  
COARSEGOLD CA 93614

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$786+  
FICA TX WH.....\$48+  
T FICA WAG.....\$786+  
MEDCARE WH.....\$11+  
MEDCARE WG.....\$786+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*



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\*(TY1998)

PAGE 0007 OF 0007

DOCUMENT TYPE: 1098-T

PAYEE ENTITY DATA:

DUNKLEY BRENDAN T

44782 SILVER SPUR CT

AHWAHNEE

STATE: CA ZIP: 93601-0000

GRTR THAN OR EQ TO HALF TIME STUDENT  
NOT A GRADUATE STUDENT

ACCOUNT NUMBER: N/A

PAYER ENTITY DATA: 06-0653264

THE CULINARY INSTITUTE OF AMERICA

433 ALBANY POST RD

HYDE PARK NY12538

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

09860549221997000000

\*(TY1997)

PAGE 0001 OF 0004

DOCUMENT TYPE: W-2

PAYEE ENTITY DATA:

BRENDAN T DUNKLEY

RR4 BOX 74

RED HOOK NY

STATE: \*\* ZIP: 00000-0000

ACCOUNT NUMBER: N/A

PAYER ENTITY DATA: 060653264

THE CULINARY INSTITUTE OF AMERICA

651 SOUTH ALBANY POST ROA

HYDE PARK NY 12538

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS

WAGES.....\$585+

TX WITHHELD.....\$4+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

09860549221997000000

\*(TY1997)

PAGE 0002 OF 0004

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN DUNCKLEY  
RR4 BOX OLD RT 199  
REDHOOK  
STATE: NY ZIP: 12571-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 141766034  
SUMMIT INNS OPERATING CORP.  
DBA BEST WESTERN INN 679 SOUTH ROAD  
POUGHKEEPSIE NY 12601

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$99+  
TX WITHELD.....\$7+  
FICA TX WH.....\$6+  
T FICA WAG.....\$99+  
MEDCARE WH.....\$1+  
MEDCARE WG.....\$99+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*

09860549221997000000

\*(TY1997)

PAGE 0003 OF 0004

DOCUMENT TYPE: W-2  
PAYEE ENTITY DATA:  
BRENDAN T DUNCKLEY  
RR4 BOX 73  
RED HOOK NY  
STATE: \*\* ZIP: 00000-0000

ACCOUNT NUMBER: N/A  
PAYER ENTITY DATA: 363747040  
GUINNESS HLDS MNCHSTR PRPTY C&P VT  
PO BOX 46  
MANCHESTER VILLAG (VT) 0525

PENSION INDICATOR: UNANSWERED

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS  
WAGES.....\$1,817+  
TX WITHELD.....\$160+  
FICA TX WH.....\$112+  
T FICA WAG.....\$1,817+  
MEDCARE WH.....\$26+  
MEDCARE WG.....\$1,817+

\*\*\*\*\* TAXPAYER COPY \*\*\*\*\*



09860549221997000000

\*(TY1997)

PAGE 0004 OF 0004

DOCUMENT TYPE: W-2

PAYEE ENTITY DATA:

BRENDAN T DUNCKLEY44782 SILVER SPUR CTAHWAHNEESTATE: CA ZIP: 93601-0000

ACCOUNT NUMBER: N/A

PAYER ENTITY DATA:

770039563

PENSION INDICATOR: UNANSWERED

ELDERBERRY HOUSE INCP O BOX 2413OAKHURST CA 93644

STATUTORY EMPLOYEE IND: NO

TYPE OF EMPLOYMENT: ALL OTHERS

WAGES.....\$3,708+

TX WITHELD.....\$48+

FICA TX WH.....\$229+

T FICA WAG.....\$3,708+

MEDCARE WH.....\$53+

MEDCARE WG.....\$3,708+

\*\*\*\*\*

TAXPAYER COPY

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# EXHIBIT 6

CR07-1728 DC-09900082155-011  
STATE VS. BRENDAN DUNCXLEY 3 Pages  
District Court 11/07/2016 04:21 PM  
Washoe County 3565  
MFRN01010

# EXHIBIT 6

**Reno Police Department**

P.O. Box 1900  
RENO, NV 89505  
Sex Crimes/Child Abuse Unit  
Phone 775-785-8605  
Fax 775-785-8607



DATE: April 18, 2007 *Flom*  
TO: Madera County Sheriff  
Madera, CA  
Fax: 559-675-7605  
FROM: Mary Lou Mullins, Police Assistant for  
Detective Tom Broome *TO*  
SUBJECT: 1999-10667  
Brendan Dunckley  
dob 7/4/76

SS:

NUMBER OF PAGES SENT (Including cover sheet):

This document contains confidential material not of a public nature and is not to be disseminated without the express permission of the office of the Chief of Police of the Reno Police Department. Any unlawful dissemination of this material could result in criminal, civil or administrative sanction.

Rita

Detective Tom Broome is investigating a sexual assault case involving Brendan Dunckley

Understand there was a Fraud case investigated by your agency. Please forward a copy of your report 1999-10667 as soon as possible.

If you have any questions, please call.

Thank you for your assistance

Mary Lou Mullins

*9 pages  
total*

99010667

REPORT NUMBER

**Madera County  
Sheriff's Department  
INCIDENT REPORT**



## NARRATIVE

REPORTED BY 9504

REPORT FILED

This copy was disposed by the Madera County  
Sheriff's Office on: APR 18 2007  
for the official use of: PROD. 2  
DA: Kew 10

\*\*\*\*\* THE FOLLOWING NARRATIVE IS CONVERTED FROM A PREVIOUS AS400 CASE

DESCRIPTION: ORIGINAL NARRATIVE/H.WEAVER

Reporting Officer: HARDIN O. WEAVER #9504

Date of this Report: 07-19-99

ON THE ABOVE DATE AT APPROXIMATELY 2110 HOURS I WAS DISPATCHED TO 44782 SILVER SPUR TRAIL IN AHWAHNEE IN REGARDS TO A POSSIBLE CREDIT CARD FRAUD. WHEN I ARRIVED I CONTACTED THE R/P, LYNN HAYS, WHO TOLD ME THE FOLLOWING.

SHE HAD BEEN RECEIVING PHONE CALLS FROM PEOPLE WHO HAS STAYED AT HER BED AND BREAKFAST INN, TELL HER THAT THERE WERE CHARGES ON THEIR CREDIT CARDS THAT WERE NOT THEIRS. ONE OF THE CARD HOLDERS WAS DAVE KEVANE. HIS CREDIT CARD ACCOUNT WAS TURNED OVER TO CREDIT CARD SERVICES, 1-800-542-2255, FOR INVESTIGATION. AN INVESTIGATOR THERE WAS ABLE TO LINK A TRAIL OF CREDIT CARD NUMBERS AND PHONE NUMBERS BACK TO BRENDAN DUNCKLEY. LYNN SAID WHEN SHE CONFRONTED BRENDAN, BRENDAN ADMITTED TO UTILIZING THE FORMER CUSTOMER'S CREDIT CARD ACCOUNT NUMBERS WITHOUT THEIR KNOWLEDGE. HE CHARGED TO THESE ACCOUNTS SEVERAL DIFFERENT PAID PHONE SERVICES AND PAID INTERNET SERVICE SITES. NEXT I CONTACTED BRENDAN.

AFTER READING HIM HIS MIRANDA WARNING HE ADMITTED TO ME THAT HE OBTAINED AND USED THE CREDIT CARD ACCOUNT NUMBERS OF SEVERAL ACCOUNTS WITHOUT THE KNOWLEDGE OR PERMISSION OF THE CARD HOLDER. I TRANSPORTED BRENDAN TO THE OAKHURST SUB-STATION TO BE FURTHER INTERVIEWED. HE GAVE ME HIS E-MAIL ADDRESS, b\_lewis42@hotmail.com and b\_lewis43@hotmail.com WITH THE PASSWORDS OF allen and culinary. I REQUESTED THAT DEPUTY ADKINS ATTEMPT TO OBTAIN ANY INFORMATION FROM THESE E-MAIL ADDRESSES HE COULD. WITH THE PERMISSION OF BRENDAN DEPUTY ADKINS PRINTED THE MAIL FROM BOTH ADDRESSES. THE PRINTOUTS WERE OF INTERNET BILLING COMPANY RECEIPTS. NEXT I RECONTACTED THE R/P.

I ASKED LYNN TO PUT TOGETHER INFORMATION OF ALL THE CREDIT CARD ACCOUNT NUMBERS THAT WERE REPORTED TO HER AS BEING UTILIZED WITHOUT THE CARD HOLDERS PERMISSION. SHE SAID TOMORROW SHE WOULD BE ABLE TO SUPPLY ME WITH THE ACCOUNT NUMBERS, CARD HOLDER'S NAMES, ADDRESSES, AND PHONE NUMBERS. IN SOME CASES EVEN THE AMOUNT THAT WAS FRAUDULENTLY CHARGED.

AT THIS TIME I HAVE NOT SPOKEN WITH A CARD HOLDER OR A CREDIT CARD COMPANY TO SEE IF THEY WANT TO PURSUE CHARGES AGAINST BRENDAN. HARD COPIES OF THE INTERNET SERVICES RECEIPTS ARE BOOKED INTO PROPERTY AS POSSIBLE EVIDENCE AND PLACED INTO THE MAILBOX.

END OF NARRATIVE.

H.WEAVER #9504

# EXHIBIT 7

CR07-1728 DC-09900082155-012  
STATE VS. BRENDAN DUNKLEY 4 Pages  
District Court 11/07/2016 04:21 PM  
Washoe County 3565  
EX7 MFRNAND

# EXHIBIT 7



**SUMMONS - FAMILY LAW**

CITACION JUDICIAL--DERECHO DE FAMILIA

**NOTICE TO RESPONDENT (Name):** BRENDAN THOMAS  
**AVISO AL DEMANDADO (Nombre):** DUNCKLEY

You are being sued. A usted le estan demandando.

**PETITIONER'S NAME IS:** JENNY ANN DUNCKLEY  
**EL NOMBRE DEL DEMANDANTE ES:**

FOR COURT USE ONLY  
 (SOLO PARA USO DE LA CORTE)

**FILED**  
 MADERA SUPERIOR COURT

AUG 18 1999

CLERK

CASE NUMBER (Numero del Caso)

Cv03749

Jenny Ochoa

DEPUTY

You have **30 CALENDAR DAYS** after this Summons and Petition are served on you to file a Response (form 1282) at the court and serve a copy on the petitioner. A letter or phone call will not protect you.

If you do not file your Response on time, the court may make orders affecting your marriage, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. If you cannot pay the filing fee, ask the clerk for a fee waiver form.

If you want legal advice, contact a lawyer immediately.

Usted tiene **30 DIAS CALENDARIOS** despues de recibir oficialmente esta citacion judicial y peticion, para completar y presentar su formulario de Respuesta (Response form 1282) ante la corte. Una carta o una llamada telefonica no le ofrecera proteccion.

Si usted no presenta su Respuesta a tiempo, la corte puede expedir ordenes que afecten su matrimonio, su propiedad y que ordenen que usted pague mantencion, honorarios de abogado y las costas. Si no puede pagar las costas por la presentacion de la demanda, pida al actuario de la corte que le de un formulario de exoneracion de las mismas (Waiver of Court Fees and Costs).

Si desea obtener consejo legal, comuníquese de inmediato con un abogado.

**NOTICE** The restraining orders on the back are effective against both husband and wife until the petition is dismissed, a judgment is entered, or the court makes further orders. These orders are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

**AVISO** Las prohibiciones judiciales que aparecen al reverso de esta citacion son efectivas para ambos conyuges, tanto el esposo como la esposa, hasta que la peticion sea rechazada, se dicte una decision final o la corte expida instrucciones adicionales. Dichas prohibiciones pueden hacerse cumplir en cualquier parte de California por cualquier agente del orden publico que las haya recibido o que haya visto una copia de ellas.

- The name and address of the court is: (El nombre y direccion de la corte es)  
 Superior Court of California, County of Madera  
 209 West Yosemite Ave.  
 Madera, CA 93637
- The name, address, and telephone number of petitioner's attorney, or petitioner without an attorney, is:  
 (El nombre, la direccion y el numero de telefono del abogado del demandante, o del demandante que no tiene abogado, es)  
 KENNETH R. BALLARD  
 Attorney at Law  
 40327 Stagecoach Road, #1  
 Oakhurst, CA 96344  
 559-683-2122

(SEAL)



Date (Fecha) <sup>50062</sup> **AUG 16 1999** Clerk (Actuario), by **Janet M. Gallagher** Deputy **Dianna Ochoa**

**NOTICE TO THE PERSON SERVED: You are served**

- a. ☐ as an individual.
- b. ☐ on behalf of respondent  
 under: ☐ CCP 416.60 (minor) ☐ CCP 416.90 (individual)  
☐ CCP 416.70 (ward or conservatee) ☐ other:
- c. ☐ by personal delivery on (date):

(Read the reverse for important information)  
 (Lea el reverso para obtener informacion de importancia)

**WARNING:** California law provides that, for purposes of division of property upon dissolution of marriage or legal separation, property acquired by the parties during marriage in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language of how title is held in the deed (i.e., joint tenancy, tenants in common, or community property) will be controlling and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

**ADVERTENCIA:** Para los efectos de la division de bienes al momento de una separacion legal o de la disolucion de un matrimonio, las leyes de California disponen que se presuman como bienes de la sociedad conyugal aquellos adquiridos en forma conjunta por las partes durante el matrimonio. Si cualquiera de las partes de esta accion muriese antes de que se dividan los bienes en tenencia conjunta de la sociedad conyugal, prevalecera el lenguaje relativo a la tenencia de los derechos de propiedad contenido en la escritura -- como, por ejemplo, copropiedad con derechos de sucesion (joint tenancy), tenencia en comun (tenants in common) o bienes de la sociedad conyugal (community property) -- y no la presuncion de que los bienes son de la sociedad conyugal. Usted debe consultar a su abogado o abogada si desea que la presuncion de que los bienes son de la sociedad conyugal se especifique en el titulo de propiedad inscrito.

## **STANDARD RESTRAINING ORDERS--FAMILY LAW**

### **PROHIBICIONES JUDICIALES ESTANDARES--DERECHO DE FAMILIA**

#### **STANDARD FAMILY LAW RESTRAINING ORDERS**

**Starting immediately, you and your spouse are restrained from**

1. removing the minor child or children of the parties, if any, from the state without the prior written consent of the other party or an order of the court;
2. cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage including life, health, automobile, and disability held for the benefit of the parties and their minor child or children; and
3. transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, nothing in the restraining orders shall preclude you from using community property to pay reasonable attorney fees in order to retain legal counsel in the action.

### **PROHIBICIONES JUDICIALES ESTANDARES--DERECHO DE FAMILIA**

**A usted y a su conyuge se les prohíbe**

1. que saquen del estado al hijo o hijos menores de las partes, si los hay, sin el consentimiento previo por escrito de la otra parte o sin una orden de la corte; y
2. que cobren en efectivo, usen como colateral para prestamos, cancelen, transfieran, descontinuen o cambien los beneficiarios de, cualquier poliza de seguro u otras coberturas de seguro, inclusive los de vida, salud, automovil e incapacidad mantenido para el beneficio de las partes y su hijo o hijos menores; y
3. que transfieran, graven, hipotequen, escondan o de cualquier otra manera enajenen cualquier propiedad mueble o inmueble, ya sean bienes de la sociedad conyugal, quasi conyugales o bienes propios de los conyuges, sin el consentimiento por escrito de la otra parte o sin una orden de la corte, excepto en el curso normal de los negocios o para atender a las necesidades de la vida.

Ustedes deben notificarse entre si sobre cualquier gasto extraordinario propuesto, por lo menos con cinco dias de antelacion a la fecha en que se van a incurrir dichos gastos extrordinarios y responder ante la corte por todo gasto extraordinario hecho despues de que estas prohibiciones judiciales entren en vigor. Sin embargo, nada de lo contenido en las prohibiciones judiciales le impedira que use bienes de la sociedad conyugal para pagar honorarios razonables de abogados con el fin de obtener representacion legal durante el proceso.



MARRIAGE OF (last name, first name of parties)  
DUNCKLEY, Jenny and Brendan

Case NUMBER:

CV03749

Serve a copy of the documents on the person to be served. Complete the proof of service. Attach it to the original documents. File them with the court.

### PROOF OF SERVICE OF SUMMONS (Family Law)

1. I served the Summons with Standard Restraining Orders (Family Law), **blank Response**, and Petition (Family Law) on respondent (name): **BRENDAN THOMAS DUNCKLEY**

- a. with (1) ☐ blank Confidential Counseling Statement  
(2) ☐ Order to Show Cause and Application  
(3) ☒ blank Responsive Declaration

- (4) ☒ completed and blank Income and Expense Declarations  
(5) ☐ completed and blank Property Declarations  
(6) ☐ Other (specify):

b. ☐ By leaving copies with (name and title or relationship to person served):

- c. ☒ By delivery at ☒ home ☐ business  
(1) Date of: 8/16/99  
(2) Time of: 2:45 p.m.

- (3) Address:  
455 E. Ness, #257  
Fresno, CA  
(2) Place of:

d. ☐ By mailing (1) Date of:

2. Manner of service: (Check proper box)

a. ☒ **Personal service.** By personally delivering copies to the person served. (CCP 415.10)

b. ☐ **Substituted service on natural person, minor, incompetent.** By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(b)) **(Attach separate declaration stating acts relied on to establish reasonable diligence in first attempting personal service.)**

c. ☐ **Mail and acknowledge service.** By mailing (by first-class mail or airmail) copies to the person served, together with two copies of the form of notice and acknowledgment and a return envelope, postage prepaid, addressed to the sender. (CCP 415.30) **(Attach completed acknowledgment of receipt.)**

d. ☐ **Certified or registered mail service.** By mailing to address outside California (by registered or certified airmail with return receipt requested) copies to the person served. (CCP 415.40) **(Attach signed return receipt or other evidence of actual delivery to the person served.)**

e. ☐ Other (specify code section):  
☐ Additional page is attached.

3. The NOTICE TO THE PERSON SERVED on the summons was completed as follows (CCP 412.30, 415.10, and 474):

a. ☒ as an individual

b. ☐ on behalf of Respondent

under ☐ CCP 416.90 (Individual) ☐ CCP 416.70 (Ward or Conservatee) ☐ CCP 416.60 (Minor)  
☐ Other (specify):

c. ☒ by personal delivery on (date): 8/16/99

4. At the time of service I was at least 18 years of age and not a party to this action.

5. Fee for service: \$35.00

6. Person serving:

- a. ☒ Not a registered California process server.  
b. ☐ Registered California process server.  
c. ☐ Employee or independent contractor of a registered California process server.  
d. ☐ Exempt from registration under Bus. & Prof. Code section 22350(b).

e. ☐ California sheriff, marshal, or constable.

f. Name, address, and telephone number and, if applicable, county of registration and number:  
40327 Stagecoach Road, #1  
Oakhurst, CA 93644

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 8/16/99

(For California sheriff, marshal, or constable use only)

I certify that the foregoing is true and correct.

Date:

*W. Irving Curtis*

(SIGNATURE)

(SIGNATURE)

# EXHIBIT 8

# EXHIBIT 8

CR07-1728 DC-09900082155-013  
STATE VS. BRENDAN DUNKLEY 2 Pages  
District Court 11/07/2016 04:21 PM  
Washoe County 3565  
CXA MFERNAND

**O'MARA**  
LAW FIRM, PCP.O. Box 2270  
311 E. Liberty Street  
Reno, Nevada 89505  
(Tel) 775-323-1321  
(Fax) 775-323-4082

January 2, 2008

CLIENT PICK-UPMr. Brendan Dunckley  
4458 Highplains Dr.  
Reno, Nevada 89523Re: State of Nevada v. Brendan Dunckley, Case No. CR07-  
1728

Dear Mr. Dunckley,

As we discussed today, January 2, 2008, I need the following information in order to prepare your case for trial. Please provide me with the following documents as soon as possible, but no later than Tuesday, January 8, 2008.

← ① Information regarding the Ford Taurus you purchased, including any documents showing the date you purchased the vehicle and the date you sold the vehicle.

← ② Information that would show you were living in New York or Fresno, California during the period in question. For example, any billing statements, time cards from work, or bank statements showing you lived outside of Reno Nevada during the periods of January 1, 1998 through the date you arrived in Reno.

Additionally, please review the transcript of your preliminary hearing as soon as possible. As you review the transcript, please take notes or make any comments you feel would be helpful in your defense.

Further, I will contact the District Attorney and open up informal discussion regarding a plea deal in this case. If the District Attorney makes an offer, I will notify you of the terms.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

David C. O'Mara

:do

Enclosures

WILLIAM M. O'MARA • BRIAN O. O'MARA • DAVID C. O'MARA