

1 **NOAS**

2 DARIN F. IMLAY, PUBLIC DEFENDER
3 NEVADA BAR No. 5674
309 South Third Street, Suite 226
4 Las Vegas, Nevada 89155
(702) 455-4685
Attorney for Defendant

Electronically Filed
Dec 10 2021 09:44 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

5 **DISTRICT COURT**
6 **CLARK COUNTY, NEVADA**

7
8 THE STATE OF NEVADA,)
9 Plaintiff,) CASE NO. C-20-352265-1
10 v.) DEPT. NO. VI
11 JEREMY BROWN-WHEATON,)
12 AKA JEREMY PAUL BROWN WHEATON,)
13 Defendant.)

NOTICE OF APPEAL

14 TO: THE STATE OF NEVADA

15 STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY,
16 NEVADA and DEPARTMENT NO. VI OF THE EIGHTH JUDICIAL
17 DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF CLARK.

18 NOTICE is hereby given that Defendant, Jeremy Brown-
19 Wheaton, presently incarcerated in the Nevada State Prison,
20 appeals to the Supreme Court of the State of Nevada from the
21 judgment entered against said Defendant on the 10th day of
22 November, 2021, whereby he was convicted of harboring fugitive,
23 sentenced on April 13, 2021. Parole and probation provided the
24 Court with a written statement setting forth that the Defendant
25 has, in the judgment of the parole and probation officer, violated
26 the conditions of probation and on the 4th day of November, 2021,
27 the Defendant was present in court with counsel Alex Bassett,
28 Deputy Public Defender, and pursuant to a probation violation

1 hearing/proceeding and good cause appearing to amend the Judgment
2 of Conviction. The probation previously granted to the Defendant
3 is revoked, in addition to the original fees, fines and
4 assessments. The underlying sentence imposed 24-60 months in
5 prison with 35 days CTS.

6 DATED this 2nd day of December, 2021.

7 DARIN F. IMLAY
8 CLARK COUNTY PUBLIC DEFENDER

9
10 By: /s/ Alexander Bassett
11 ALEXANDER BASSETT, #14344
12 Deputy Public Defender
13 309 S. Third Street, Ste. 226
14 Las Vegas, Nevada 89155
15 (702) 455-4685
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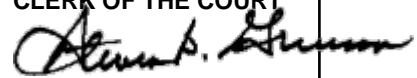
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District Attorneys Office
E-Mail Address:

Jennifer.Garcia@clarkcountyda.com

/s/ Carrie M. Connolly
Secretary for the
Public Defender's Office



CAS

DARIN F. IMLAY, PUBLIC DEFENDER
NEVADA BAR No. 5674
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
(702) 455-4685
Attorney for Defendant

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,)	
)	
Plaintiff,)	CASE NO. C-20-352265-1
)	
v.)	DEPT. NO. VI
)	
JEREMY BROWN-WHEATON,)	
AKA JEREMY PAUL BROWN WHEATON,)	
)	
Defendant.)	

CASE APPEAL STATEMENT

1. Appellant filing this case appeal statement:
Jeremy Brown-Wheaton.

2. Judge issuing the decision, judgment, or order
appealed from: Jacqueline Bluth.

3. All parties to the proceedings in the district
court (the use of et al. To denote parties is prohibited): The
State of Nevada, Plaintiff; Jeremy Brown-Wheaton, Defendant.

4. All parties involved in this appeal (the use of
et. al. to denote parties is prohibited): Jeremy Brown-Wheaton,
Appellant; The State of Nevada, Respondent.

1 5. Name, law firm, address, and telephone number of
2 all counsel on appeal and party or parties whom they represent:

3 DARIN F. IMLAY
4 Clark County Public Defender
5 309 South Third Street, #226
Las Vegas, Nevada 89155-2610

STEVEN B. WOLFSON
Clark County District Attorney
200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155

6 Attorney for Appellant

AARON D. FORD
Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717
(702) 687-3538

9 Counsel for Respondent

10 6. Whether appellant was represented by appointed or
11 retained counsel in the district court: Appointed.

12 7. Whether appellant is represented by appointed or
13 retained counsel on appeal: Appointed.

14 8. Whether appellant was granted leave to proceed in
15 forma pauperis, and the date of entry of the district court
16 order granting such leave: N/A.

17 9. Date proceedings commenced in the district court
18 (e.g., date complaint, indictment, information, or petition was
19 filed): Indictment 11/19/20.

20 DATED this 2nd day of December, 2021.

21 DARIN F. IMLAY
22 CLARK COUNTY PUBLIC DEFENDER

23
24 By: /s/Alexander Bassett
25 ALEXANDER BASSETT, #14344
26 Deputy Public Defender
27 309 S. Third Street, Ste. 226
28 Las Vegas, Nevada 89155
(702) 455-4685

1
2 **CERTIFICATE OF ELECTRONIC FILING**

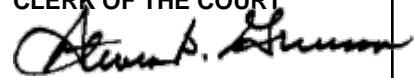
3 I hereby certify that service of the above and
4 foregoing was made this 2nd day of December, 2021, by Electronic
5 Filing to:

6 District Attorneys Office
7 E-Mail Address:
8 PDMotions@clarkcountyda.com

9 Jennifer.Garcia@clarkcountyda.com

10 Eileen.Davis@clarkcountyda.com

11 /s/ Carrie M. Connolly
12 Secretary for the
13 Public Defender's Office



REQT

DARIN F. IMLAY, PUBLIC DEFENDER
NEVADA BAR No. 5674
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
(702) 455-4685
Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)	
)	
Plaintiff,)	CASE NO. C-20-352265-1
)	
v.)	DEPT. NO. VI
)	
JEREMY BROWN-WHEATON,)	
AKA JEREMY PAUL BROWN WHEATON,)	
)	
Defendant.)	

REQUEST FOR ROUGH DRAFT TRANSCRIPT

TO: Yvette Sison, Court Recorder
District Court, Department No. XVIII

De'Awna Takas, Court Recorder
District Court, Department No. VI

JEREMY BROWN-WHEATON, Defendant named above, requests a preparation of a rough draft transcript of certain portions of the proceedings before the District Court, as follows:

Dates or dates of proceedings: 02/04/21, 02/23/21,
03/09/21, 04/13/21 and 11/04/21.

Portion of the transcript requested: (02/04/21,
02/23/21, 03/09/21, 04/13/21 - Yvette Sison) - Any and all proceedings, all transcripts to include word index; (11/04/21 - De'Awna Takas) - Any and all proceedings, all transcripts to include word index.

1 This Notice requests a transcript of only those portions
2 of the District Court proceedings which counsel reasonably and in
3 good faith believes are necessary to determine whether appellate
4 issues are present. Voir dire examination of jurors, opening
5 statements and closing arguments of trial counsel and the reading
6 of jury instructions shall not be transcribed unless specifically
7 requested above.

8 I recognize that I must personally serve a copy of this
9 form on the above-named court reporter and opposing counsel.
10

11 That the above-named court reporter shall have twenty
12 (20) days from the date of service of this document to prepare an
13 original plus three copies at State expense and file with the
14 District Court Clerk the original rough draft transcript(s)
15 requested herein.
16

17 Further, pursuant to NRAP 3C(d)(3)(iii), **the court**
18 **reporter shall also deliver copies of the rough draft transcript**
19 **to appellant's counsel and respondent counsel** no more than twenty
20 (20) days after the date of the appellant's request.

21 DATED this 2nd day of December, 2021.

22 DARIN F. IMLAY
23 CLARK COUNTY PUBLIC DEFENDER

24 By: /s/ Alexander Bassett
25 ALEXANDER BASSETT, #14344
26 Deputy Public Defender
27 309 S. Third Street, Ste. #226
28 Las Vegas, Nevada 89155
 (702) 455-4685

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 2nd day of December, 2021,
3 I served a true and correct copy of the foregoing Request for
4 Rough Draft Transcripts on:

5 Yvette Sison, Court Recorder
6 District Court, Department No. XVIII
sisony@ClarkCountyCourts.us

7 De'Awna Takas, Court Recorder
8 District Court, Department No. VI
9 Takasd@ClarkCountyCourts.us

10
11 /s/ Carrie M. Connolly

12 An employee of the Clark County
13 Public Defender's Office
14

15 **CERTIFICATE OF ELECTRONIC FILING**

16 I hereby certify that service of the above and foregoing
17 was made this 2nd day of December, 2021, by Electronic Filing to:

18 District Attorneys Office
19 E-Mail Address:

20 PDMotions@clarkcountyda.com

21 Jennifer.Garcia@clarkcountyda.com

22 Eileen.Davis@clarkcountyda.com

23 sisony@ClarkCountyCourt.us

24 TakasD@ClarkCountyCourts.us

25
26 /s/ Carrie M. Connolly

27 Secretary for the
28 Public Defender's Office

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-20-352265-1**

State of Nevada
vs
Jeremy Brown-Wheaton

§
§
§
§
§
§
§
§

Location: **Department 6**
Judicial Officer: **Bluth, Jacqueline M.**
Filed on: **11/19/2020**
Case Number History:
Cross-Reference Case Number: **C352265**
Defendant's Scope ID #: **8399146**
Grand Jury Case Number: **19BGJ225X**
ITAG Case ID: **2418972**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. HARBORING FUGITIVE <i>Filed As:</i> ESCAPE <i>Arrest:</i> 11/19/2020	212.130.1 F	F 11/19/2020	08/29/2020	Case Status:	11/10/2021 Closed
2. BREAK, INJURE OR TAMPER WITH MOTOR VEHICLE	205.274.1	F	08/29/2020		
3. BATTERY BY PRISONER	200.481.2f	F	08/29/2020		

Statistical Closures

11/10/2021 Other Manner of Disposition - Criminal
04/15/2021 Guilty Plea with Sentence (before trial) (CR)

Warrants

Indictment Warrant - Brown Wheaton, Jeremy Paul (Judicial Officer: Bell, Linda Marie)

11/25/2020 9:06 AM Quashed
11/19/2020 11:00 AM Active
Fine: \$0
Bond: **\$250,000.00**


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

Case Number C-20-352265-1
Court Department 6
Date Assigned 09/07/2021
Judicial Officer Bluth, Jacqueline M.

PARTY INFORMATION

		Lead Attorneys
Defendant	Brown-Wheaton, Jeremy	Public Defender <i>Public Defender</i> 702-455-4685(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

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

11/19/2020  Indictment
Party: Plaintiff State of Nevada
[1] Indictment














In #1

11/19/2020  Motion to Set Bail

In #2













CASE SUMMARY

CASE NO. C-20-352265-1

	Filed By: Plaintiff State of Nevada <i>[2] State's Notice of Motion and Motion to Set Bail</i>	
11/19/2020	 Clerk's Notice of Hearing <i>[3] Notice of Hearing</i>	In #3
11/25/2020	 Warrant <i>[4]</i>	In #4
11/30/2020	 Reporters Transcript <i>[5] Reporter's Transcript of Proceedings - Grand Jury - Hearing - 11/18/20</i>	In #5
12/07/2020	 Opposition Filed By: Defendant Brown-Wheaton, Jeremy <i>[6] Defendant's Opposition To The State's Motion To Set Bail</i>	In #6
12/21/2020	 Petition for Writ of Habeas Corpus Filed by: Defendant Brown-Wheaton, Jeremy <i>[7] Petition For Writ Of Habeas Corpus</i>	In #7
12/22/2020	 Clerk's Notice of Hearing <i>[8] Notice of Hearing</i>	In #8
12/22/2020	 Order <i>[9] Order For Writ-Brown-Wheaton-C-20-352265-1</i>	In #9
12/22/2020	 Writ Electronically Issued Party: Defendant Brown-Wheaton, Jeremy <i>[10] Writ Of Habeas Corpus</i>	In #1
12/24/2020	 Writ of Habeas Corpus Party: Defendant Brown-Wheaton, Jeremy <i>[11] Writ Of Habeas Corpus</i>	In #1
01/04/2021	 Response Filed by: Plaintiff State of Nevada <i>[12] State's Response to Defendant's Writ for Petition of Habeas Corpus</i>	In #1
02/02/2021	 Miscellaneous Filing Filed by: Defendant Brown-Wheaton, Jeremy <i>[13] Answer To The State's Return And Other Arguments Raised Regarding Petition For Writ Of Habeas Corpus</i>	In #1
02/10/2021	 Motion to Dismiss Filed By: Defendant Brown-Wheaton, Jeremy <i>[14] Motion To Dismiss Due To Violation Of Article III, Section 1 Of The Nevada Constitution</i>	In #1
02/10/2021	 Clerk's Notice of Hearing <i>[15] Notice of Hearing</i>	In #1

CASE SUMMARY

CASE NO. C-20-352265-1

02/16/2021	 Motion for Own Recognizance Release/Settling Reasonable Bail Filed By: Defendant Brown-Wheaton, Jeremy <i>[16] Motion For OR/Bail Release, Or, In The Alternative, For Setting Of Reasonable Bail Due To Change In Circumstances</i>	In #1
02/17/2021	 Clerk's Notice of Hearing <i>[17] Clerk's Notice of Hearing</i>	In #1
02/22/2021	 Amended Indictment <i>[18] Amended Indictment</i>	In #1
02/23/2021	 Guilty Plea Agreement Party: Defendant Brown-Wheaton, Jeremy <i>[19] Guilty Plea Agreement</i>	In #1
03/01/2021	 Motion Filed By: Defendant Brown-Wheaton, Jeremy <i>[20] Motion To Address House Arrest</i>	In #2
03/25/2021	 PSI <i>[21]</i>	In #2
05/07/2021	 Judgment of Conviction <i>[22] C-20-352265-1 JOC.BrownWheaton,Jeremy</i>	In #2
09/07/2021	Case Reassigned to Department 6 <i>From Judge Mary Kay Holthus to Judge Jacqueline Bluth</i>	
09/30/2021	 Probation Violation Report <i>[23]</i>	In #2
11/10/2021	 Amended Judgment of Conviction <i>[24] Order for Revocation of Probation and Amended Judgment of Conviction</i>	In #2
12/02/2021	 Notice of Appeal (Criminal) <i>[25] Notice of Appeal</i>	In #2
12/02/2021	 Case Appeal Statement <i>[26] Case Appeal Statement</i>	In #2
12/02/2021	 Request <i>[27] Request for Rough Draft Transcript</i>	In #2
<u>DISPOSITIONS</u>		
02/22/2021	Disposition (Judicial Officer: Holthus, Mary Kay) 2. BREAK, INJURE OR TAMPER WITH MOTOR VEHICLE Amended Information Filed/Charges Not Addressed PCN: Sequence: 3. BATTERY BY PRISONER	

CASE SUMMARY**CASE NO. C-20-352265-1**

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

02/23/2021 **Plea** (Judicial Officer: Holthus, Mary Kay)

1. HARBORING FUGITIVE

Guilty

PCN: Sequence:

04/13/2021 **Disposition** (Judicial Officer: Holthus, Mary Kay)

1. HARBORING FUGITIVE

Guilty

PCN: Sequence:

04/13/2021 **Adult Adjudication** (Judicial Officer: Holthus, Mary Kay)

1. HARBORING FUGITIVE

08/29/2020 (F) 212.130.1 (DC53429)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:24 Months, Maximum:60 Months

Concurrent: Case Number C352037

Suspended-Period of Probation: Indeterminate, Not To Exceed: 24 Months

Condition

1. Standard Conditions

2. Digital Storage Media, You shall submit your digital storage media or any digital storage media that you have or use, including computers, handheld communication device and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agents.

3. Comply With Curfew Imposed By Probation Officer

4. Electronic Monitoring, Deft. subject to Electronic Monitoring at Parole and Probation's discretion.

5. Mental Health Evaluation, Submit to MENTAL HEALTH EVALUATIONS as deemed necessary by Parole and Probation and complete any recommended care plan, treatment or counseling program based on those evaluations.

6. Mental Health Counseling, Submit to MENTAL HEALTH evaluations as deemed necessary by Parole and Probation and complete any recommended care plan, treatment or COUNSELING program based on those evaluations.

7. Anger Management Counseling and/or Classes, Submit to ANGER MANAGEMENT COUNSELING or impulse control as deemed necessary by Parole and Probation.

8. Impulse Control Counseling, Submit to anger management counseling or IMPULSE CONTROL as deemed necessary by Parole and Probation.

9. Domestic Violence Counseling, Deft. to enter and complete long-term domestic violence counseling.

10. No Marijuana, Have no use, possession or control of marijuana, whether recreational or medicinal, even if the Defendant possesses a medical marijuana card.

11. Maintain Full-Time Employment, Maintain FULL-TIME EMPLOYMENT, schooling, or 16 hours of community service a month.

12. Serve Community Service, 80 hours of COMMUNITY SERVICE

Fee Totals:

Administrative

Assessment Fee

25.00

\$25

DNA Analysis Fee

150.00

\$150

Genetic Marker

Analysis AA Fee

3.00

\$3

Indigent Defense


Civil Assessment

250.00

Fee - ASK

Fee Totals \$

428.00

CASE SUMMARY**CASE NO. C-20-352265-1****HEARINGS**11/19/2020  **Grand Jury Indictment** (11:00 AM) (Judicial Officer: Bell, Linda Marie)**MINUTES****Warrant**

11/19/2020 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 19BGJ225X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-20-352265-1, Department XVIII. State requested a warrant, argued bail, and advised Deft is not in custody. COURT ORDERED, \$250,000.00 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 1-6 to be lodged with the Clerk of the Court; BOND in North Las Vegas Justice Court case no. 20CRN001678 EXONERATED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done. I.W. (NIC) 11/24/20 12:00 PM. INITIAL ARRAIGNMENT (DEPT XVIII) ;

SCHEDULED HEARINGS**Initial Arraignment** (11/24/2020 at 12:00 PM) (Judicial Officer: Holthus, Mary Kay)11/23/2020 **CANCELED Motion to Set Bail** (1:45 PM) (Judicial Officer: Israel, Ronald J.)

Vacated

State's Motion to Set Bail

11/24/2020  **Initial Arraignment** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

Set Status Check;

Journal Entry Details:

Upon Court's inquiry, Mr. Peterson indicated it was a not guilty plea; however, there was a warrant issue. Parties decided to proceed with arraignment. DEFT. BROWN-WHEATON ARRAIGNED and PLED NOT GUILTY. As for the warrant issue, Mr. Peterson noted he would like to address the warrant issue prior to setting a trial date. Ms. Thomson indicated the instant case belonged to Ms. Scheible. Further statements by Ms. Thomson as to the warrant and why Judge Bell may have set bail at \$250,000.00. Statements by Mr. Peterson as to bail. Colloquy between parties. Following colloquy, Court indicated it had concerns as to why the previous Judge set bail at \$250,000.00. Mr. Peterson explained the history of the case to the Court. Court advised parties it would give the State until Tuesday, December 1, 2020, noting it's inclination, absent information and due to Deft. showing up, ORDERED, warrant TEMPORARILY QUASHED. Court advised it would reserve the right, if it were to receive additional information that justified the \$250,000.00 bail, to remand Deft. at the next hearing. Mr. Peterson concurred, noting that would be fair. Colloquy regarding setting of the next court date. Upon Court's inquiry, Mr. Peterson requested to set trial date at the next hearing. COURT FURTHER ORDERED, Deft. to do a walk-through on warrant at the jail; thereafter, to be RELEASED to his Own Recognizance with Intensive Supervision. Deft. to invoke or waive the 60-DAY RULE at the next hearing, and matter SET for a status check as the warrant and setting of trial. Upon Mr. Peterson's inquiry, COURT FURTHER ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. O.R./I.S. 12/8/20 10:15 AM STATUS CHECK: WARRANT/ SETTING OF TRIAL;


12/08/2020 **Status Check** (10:15 AM) (Judicial Officer: Holthus, Mary Kay)

STATUS CHECK: WARRANT / SET TRIAL DATE

Trial Date Set;

12/08/2020 **Motion to Set Bail** (10:15 AM) (Judicial Officer: Holthus, Mary Kay)

Granted;

12/08/2020  **All Pending Motions** (10:15 AM) (Judicial Officer: Holthus, Mary Kay)

Matter Heard;

Journal Entry Details:

Melanie Scheible, Esq. present via Bluejeans video conference. MOTION TO SET BAIL...STATUS CHECK: WARRANT/ SET TRIAL DATE Court inquired about the Police Report from October 28, 2020, which Mr. Peterson indicated he received it; however, he was concerned about the instant hearing and noted he had an alibi witness. Court expressed that Mr. Peterson led the Court to believe there was a mistake by Judge Bell as to the bail; therefore, if there was a basis, the instant Court would not disturb Judge Bell's initial setting of bail. Statements by Ms. Scheible

CASE SUMMARY

CASE NO. C-20-352265-1

in support of the instant bail. Arguments by Mr. Peterson. Court reminded parties it previously reserved it's right to reinstate bail at \$250,000.00. Ms. Scheible informed the Court it was not a mistake and she originally requested bail in the amount of \$1,000,000.00. Further colloquy between parties. Following colloquy, COURT ORDERED, Motion to Set Bail was hereby GRANTED, Judge Bell's Bail REINSTATED at \$250,000.00, and Deft. REMANDED into custody on that bail. Court noted in light of the new Police Report and totality of violence; FURTHER ORDERED, bail with High Level Electronic Monitoring. Further colloquy between parties. Court noted a date needed to be set, which Mr. Peterson advised Deft. previously invoked his right to a speedy trial; therefore, FURTHER ORDERED, trial date SET. CUSTODY 1/19/21 9:00 AM CALENDAR CALL 1/25/21 1:00 PM JURY TRIAL;

01/06/2021



Central Trial Readiness Conference (2:00 PM) (Judicial Officer: Barker, David)

Continued;

Journal Entry Details:

Court noted due to current Covid-19 restrictions the trial date must be reset. State noted based on the writ being filed Defendant should be WAIVED. Mr. Peterson advised Defendant remains INVOKED. COURT ORDERED, matter CONTINUED for Judge Holthus to determine if Defendant waived speedy trial. CUSTODY CONTINUED TO: 01/13/21 11:30 AM (LLA);

01/07/2021



Petition for Writ of Habeas Corpus (11:00 AM) (Judicial Officer: Holthus, Mary Kay)

01/07/2021, 01/14/2021, 02/04/2021

Matter Continued;

Matter Continued;

Denied;

Matter Continued;

Matter Continued;

Denied;

Journal Entry Details:

Victoria Villegas, Esq. and Melanie Scheible, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. NEGOTIATIONS are as contained in the Guilty Plea Agreement electronically FILED on December 3, 2020. DEFENDANT BROWN-WHEATON ARRAIGNED AND PLED GUILTY to BATTERY ON AN OFFICER (GM). MATTER TRAILED. MATTER RECALLED. Same parties present. Court noted it didn't receive a reply. Mr. Saxe indicated Mr. Peterson would request to reply and to set Petition for February 13, 2021 as to C352265. Ms. Scheible objected, noting Mr. Peterson reached out and requested more time. Colloquy between parties. Following colloquy, Mr. Saxe indicated Mr. Peterson would be back in February. Court advised that would be it, if it wasn't filed at that time parties would proceed. Ms. Scheible stated she wouldn't be available until June 2021. Further colloquy regarding trial setting and the Writ in C352265. Mr. Saxe noted Deft. had not waived his right to a speedy trial, additionally, at the request of defense the trial date to be set at the next hearing. Court noted both cases would be continued. COURT ORDERED, arraignment CONTINUED as to C352037, Petition for Writ of Habeas Corpus as to C352265 CONTINUED and status check SET for trial setting as to C352265. CUSTODY 2/4/21 11:00 AM ARRAIGNMENT CONTINUED...CONTINUED: PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: TRIAL SETTING;

Matter Continued;

Matter Continued;

Denied;

Journal Entry Details:

Melanie Schieble, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. Mr. Saxe indicated the instant matter belonged to Mr. Peterson, whom was unavailable at the instant hearing. Ms. Schieble advised the Court she received an email from Mr. Peterson requesting additional time, which she had no objection to. Upon Court's inquiry, Deft. concurred he knew what was going on. Colloquy between parties regarding the trial being vacated. Following colloquy, COURT ORDERED, matter CONTINUED for one week. Statements by Deft. Court advised Deft. once a Writ is filed, he was waiving his right to a speedy trial. CUSTODY 1/14/21 11:00 AM CONTINUED: PETITION FOR WRIT OF HABEAS CORPUS;

01/19/2021

CANCELED Calendar Call (11:00 AM) (Judicial Officer: Holthus, Mary Kay)

Vacated

01/25/2021

CANCELED Jury Trial (1:00 PM) (Judicial Officer: Holthus, Mary Kay)

Vacated

02/04/2021



Status Check (11:00 AM) (Judicial Officer: Holthus, Mary Kay)

STATUS CHECK: TRIAL SETTING




Trial Date Set;

Journal Entry Details:

CASE SUMMARY

CASE NO. C-20-352265-1

COURT NOTED the case negotiated yesterday in Department 18. COURT ORDERED, case REMOVED from Central Trial Calendar.;

02/04/2021	 All Pending Motions (11:00 AM) (Judicial Officer: Holthus, Mary Kay) Matter Heard; Journal Entry Details: <i>Alicia Albritton, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: TRIAL SETTING. Upon Court's inquiry, Mr. Peterson added Deft. didn't waive his right to a speedy trial. Arguments by Ms. Albritton. Colloquy between parties. COURT ORDERED, Petition for Writ of Habeas Corpus was hereby DENIED as set forth in the State's Opposition. Court FINDS Deft. had not yet WAIVED his right to a 60 days trial. Colloquy between parties regarding a trial date. Following colloquy, COURT FURTHER ORDERED, trial date SET. CUSTODY 3/3/21 2:00 PM CENTRAL TRIAL READINESS (DEPT. 7) 3/30/21 11:00 AM CALENDAR CALL 4/5/21 1:00 PM JURY TRIAL CLERK'S NOTE: Following court proceedings, and upon setting the Central Trial Readiness date, it was discovered that Deft. already had a date of February 24, 2021 at 11:30 am set as his Central Trial Readiness date. The new date of March 3, 2021 at 2:00 pm given in court was VACATED.// 2-10/21/ dy;</i>
02/23/2021	 Motion to Dismiss (11:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Defendant's Motion To Dismiss Due To Violation Of Article III, Section 1 Of The Nevada Constitution</i> Plea Entered; Journal Entry Details: <i>Charles Thoman, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. NEGOTIATIONS are as contained in the Guilty Plea Agreement electronically FILED on February 23, 2021. DEFENDANT BROWN-WHEATON ARRAIGNED AND PLED GUILTY to HARBORING FUGITIVE (F). Court ACCEPTED plea, referred matter to the Division of Parole and Probation (P&P) for a Pre-sentence Investigation Report and ORDERED, matter SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release with Mid-Level Electronic Monitoring. COURT DIRECTED Deft. to report to Parole and Probation within 48 hours of release. COURT FURTHER ORDERED, the instant Motion OFF CALENDAR, and all pending Motions and dates were hereby VACATED. Mr. Peterson requested an in-custody sentencing date. COURT SO ORDERED. O.R./ MID-LEVEL ELECTRONIC MONITORING 4/13/21 12:30 PM SENTENCING;</i>
02/24/2021	CANCELED Central Trial Readiness Conference (11:30 AM) (Judicial Officer: Jones, Tierra) <i>Vacated</i>
02/25/2021	CANCELED Motion for Own Recognizance Release/Setting Reasonable Bail (11:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Vacated</i> <i>Motion for Own Recognizance/Bail Release, or, in the Alternative, for Setting of Reasonable Bail Due to Change in Circumstances</i>
03/09/2021	 Motion (11:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Motion to Place of Calendar to Address House Arrest</i> Matter Heard; Journal Entry Details: <i>Tina Talim, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. Deft. present in-custody. Statements by Mr. Peterson regarding email from the Clark County Detention Center to reconsider the release order of Mid-Level Electronic Monitoring. Colloquy between parties. Following colloquy, Mr. Peterson advised, House Arrest indicated it may not follow Court's order. Court inquired what the State's position was. Ms. Talim submitted to the Court. Arguments by Mr. Peterson. Following colloquy, Court indicated it ordered, what it ordered, and it was not changing the order. Court advised, Deft. would not get an inch of a break if he wasn't 100 percent compliant with Mid-Level Electronic Monitoring, and doing everything he was told to do. Further, Court expressed there wouldn't be a second chance no matter what the State argued for. Statements by Deft. Statements by Mr. Peterson. COURT ORDERED, the release status STANDS. CUSTODY (PENDING OR/MID-LEVEL ELECTRONIC MONITORING) 4/13/21 12:30 PM SENTENCING;</i>
03/30/2021	CANCELED Calendar Call (11:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Vacated</i>
04/05/2021	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Holthus, Mary Kay) <i>Vacated</i>

CASE SUMMARY

CASE NO. C-20-352265-1

04/13/2021

**Sentencing (12:30 PM)** (Judicial Officer: Holthus, Mary Kay)

Defendant Sentenced;

Journal Entry Details:

Barbara Schifalacqua, Esq., Alexander Bassett, Esq. and Benjamin Saxe, Esq. present via Bluejeans video conference; Deft. present out of custody via Bluejeans video conference. Upon Court's inquiry, arguments by Ms. Schifalacqua. Statements by Mr. Bassett indicating Deft. would be eligible for a drop down. Ms. Schifalacqua concurred. Statements by Deft. Mr. Bassett noted he believed electronic monitoring should be deemed appropriate by Parole and Probation. Court noted both of Deft.'s cases (C352037 and C352265) would run concurrent and terms would be the same in both cases, which indicated a violation in one case would be a violation in the other. By virtue of Defendant's plea of guilty and by Order of the Court, DEFT BROWN-WHEATON ADJUDGED GUILTY of HARBORING FUGITIVE (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, the \$150.00 DNA Analysis Fee, including testing to determine genetic markers, and \$250.00 Indigent Defense fee, Deft. SENTENCED to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); to run CONCURRENT to other case; SUSPENDED; placed on PROBATION for an indeterminate period not to exceed TWENTY-FOUR (24) MONTHS. STANDARD CONDITIONS: 1. Reporting: You are to report in person to the Division of Parole and Probation (P&P) as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects. 2. Residence: You shall not change your place of residence without first obtaining permission from P&P, in each instance. 3. Intoxicants: You shall not consume any alcoholic beverages TO EXCESS. Upon order of P&P or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess. 4. Controlled Substances: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify P&P of any prescription received. You shall submit to drug testing as required by the Division or its agent. 5. Weapons: You shall not possess, have access to, or have under your control, any type of weapon. 6. Search: You shall submit your person, property (including cellular phones and / or computers), place of residence, vehicle or areas under your control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by P&P or its agent. 7. Associates: You must have prior approval by P&P to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution. 8. Directives and Conduct: You shall follow the directives of P&P and your conduct shall justify the opportunity granted to you by this community supervision. 9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances. 10. Out-of-State Travel: You shall not leave the state without first obtaining written permission from P&P. 11. Employment/Program: You shall seek and maintain legal employment, or maintain a program approved by P&P and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division. 12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by P&P. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge. SPECIAL CONDITIONS: 1. Deft. shall submit digital storage media or any digital storage media that you have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent. 2. Abide by any curfew imposed. 3. Deft. subject to Electronic Monitoring at Parole and Probation's discretion. 4. Submit to mental health evaluations as deemed necessary by Parole and Probation and complete any recommended care plan, treatment or counseling program based on those evaluations. 5. Submit to anger management counseling or impulse control as deemed necessary by Parole and Probation. 6. Deft. to enter and complete long-term domestic violence counseling. 7. Have no use, possession or control of marijuana. 8. Maintain full-time employment, schooling or 16 hours of community service a month. 9. 80 hours of community service. Mr. Bassett noted if Deft. was successful on the Felony case he would be eligible for a reduction to a Gross Misdemeanor. Court concurred. COURT FURTHER ORDERED, Deft. RELEASED from Mid-Level Electronic Monitoring pending Parole and Probation's determination. BOND, if any, EXONERATED. NIC;

10/28/2021

**Revocation of Probation (11:00 AM)** (Judicial Officer: Bluth, Jacqueline M.)

10/28/2021, 11/04/2021

Matter Continued;

Probation Revoked;

Journal Entry Details:

Officer Pascalau present on behalf of Parole and Probation. Mr. Bassett stated the Deft. will stipulate to the violations and will argue for reinstatement. Deft. stipulated to the facts and circumstances contained in the violation report. Arguments by counsel and Officer Pascalau. Colloquy between Court and counsel regarding the temporary restraining order. Statement by the Deft. Court stated its findings and ORDERED, PROBATION REVOKED, underlying SENTENCE of a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC) IMPOSED with THIRTY-FIVE (35) DAYS credit for time served. NDC;

Matter Continued;

Probation Revoked;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-20-352265-1

Journal Entry Details:

Mr. Gilliam stated that he was just made aware that this matter was on, therefore, requested the matter be CONTINUED, COURT SO ORDERED. CUSTODY 11/04/21 11:00 AM REVOCATION OF PROBATION;

DATE

FINANCIAL INFORMATION

Defendant Brown-Wheaton, Jeremy

Total Charges

438.00

Total Payments and Credits

10.00

Balance Due as of 12/6/2021

428.00

Heather S. Smith
CLERK OF THE COURT

AJOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JEREMY BROWN-WHEATON
aka Jeremy Paul Brown Wheaton
#8399146

Defendant.

CASE NO. C-20-352265-1

DEPT. NO. VI

ORDER FOR REVOCATION OF PROBATION AND
AMENDED JUDGMENT OF CONVICTION

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of HARBORING FUGITIVE (Category C Felony) in violation of NRS 212.130.1; thereafter, on the 13th day of April, 2021, the Defendant was present in court for sentencing with counsel, wherein the Court did adjudge the Defendant guilty thereof by reason of the plea of guilty, suspended the execution of the sentence imposed and granted probation to the Defendant.

THEREAFTER, a parole and probation officer provided the Court with a written statement setting forth that the Defendant has, in the judgment of the parole and probation officer, violated the conditions of probation; and on the 4th day of November,

1 2021, the Defendant was present in court with counsel ALEX BASSETT, Deputy Public
2 Defender, and pursuant to a probation violation hearing/proceeding and good cause
3 appearing to amend the Judgment of Conviction,
4

5 IT IS HEREBY ORDERED that the probation previously granted to the
6 Defendant is REVOKED; in addition to the original fees, fines and assessments, IT IS
7 FURTHER ORDERED that the underlying sentence is imposed as follows: a
8 MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWENTY-
9 FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); with THIRTY-
10 FIVE (35) DAYS credit for time served.
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12 Dated this 10th day of November, 2021

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16 F4B 2A5 59B9 9C6C
17 Jacqueline M. Bluth
18 District Court Judge
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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-20-352265-1

7 vs

DEPT. NO. Department 6

8
9 Jeremy Brown-Wheaton

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 11/10/2021

15 Dept 18 Law Clerk

Dept18LC@clarkcountycourts.us

16 G. Cox

Coxgd@clarkcountynv.gov

17 Kayleigh Lopatic

lopatikb@clarkcountynv.gov

18 Christopher Peterson

Christopher.Peterson@ClarkCountyNV.gov

20

21

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24

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28

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

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO: C-20-352265-1

JEREMY BROWN-WHEATON, aka,
Jeremy Paul Brown Wheaton, #8399146

DEPT NO: XVIII

Defendant.

**JUDGMENT OF CONVICTION
(PLEA OF GUILTY)**

The defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime(s) of **HABORING FUGITIVE (Category C Felony)**, in violation of **NRS 212.130.1**; thereafter, on the 13th day of April, 2021, the defendant was present in court for sentencing with his counsel, BENJAMIN R. SAXE, ESQ., and good cause appearing,

THE DEFENDANT WAS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment Fee, \$3.00 DNA Collection fee, the \$150.00 DNA Analysis Fee, including testing to determine genetic markers, and \$250.00 Indigent Defense fee, the defendant was sentenced as follows:

Defendant SENTENCED to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); to run CONCURRENT to other case; SUSPENDED; placed on PROBATION for an

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1 indeterminate period not to exceed TWENTY-FOUR (24) MONTHS.

2 STANDARD CONDITIONS:

3 1. Reporting: You are to report in person to the Division of Parole and Probation (P&P)
4 as instructed by the Division or its agent. You are required to submit a written report
5 each month on forms supplied by the Division. This report shall be true and correct in
6 all respects.

7 2. Residence: You shall not change your place of residence without first obtaining
8 permission from P&P, in each instance.

9 3. Intoxicants: You shall not consume any alcoholic beverages TO EXCESS. Upon
10 order of P&P or its agent, you shall submit to a medically recognized test for
11 blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall
12 be sufficient proof of excess.

13 4. Controlled Substances: You shall not use, purchase, or possess any illegal drugs, or
14 any prescription drugs, unless first prescribed by a licensed medical professional. You
15 shall immediately notify P&P of any prescription received. You shall submit to drug
16 testing as required by the Division or its agent.

17 5. Weapons: You shall not possess, have access to, or have under your control, any type
18 of weapon.

19 6. Search: You shall submit your person, property (including cellular phones and / or
20 computers), place of residence, vehicle, or areas under your control to search at any
21 time, with or without a search warrant or warrant of arrest, for evidence of a crime or
22 violation of probation by P&P or its agent.

23 7. Associates: You must have prior approval by P&P to associate with any person
24 convicted of a felony, or any person on probation or parole supervision. You shall not
25 have any contact with persons confined in a correctional institution unless specific
26 written permission has been granted by the Division and the correctional institution.

27 8. Directives and Conduct: You shall follow the directives of P&P and your conduct
28 shall justify the opportunity granted to you by this community supervision.

1 9. Laws: You shall comply with all municipal, county, state, and federal laws, and
2 ordinances.

3 10. Out-of-State Travel: You shall not leave the state without first obtaining written
4 permission from P&P.

5 11. Employment/Program: You shall seek and maintain legal employment, or maintain
6 a program approved by P&P and not change such employment or program without first
7 obtaining permission. All terminations of employment or program shall be immediately
8 reported to the Division.

9 12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule
10 approved by P&P. Any excess monies paid will be applied to any other outstanding
11 fees, fines, and/or restitution, even if it is discovered after your discharge.

12 SPECIAL CONDITIONS:

13 1. Defendant shall submit digital storage media or any digital storage media that you
14 have access or use, including computers, handheld communication devices and any
15 network applications associated with those devices, including social media and remote
16 storage services to a search and shall provide all passwords, unlock codes, and account
17 information associated with those items, with or without a search warrant, by the
18 Division of Parole and Probation or its agent.

19 2. Abide by any curfew imposed.

20 3. Defendant subject to Electronic Monitoring at Parole and Probation's discretion.

21 4. Submit to mental health evaluations as deemed necessary by Parole and Probation
22 and complete any recommended care plan, treatment or counseling program based on
23 those evaluations.

24 5. Submit to anger management counseling or impulse control as deemed necessary by
25 Parole and Probation.

26 6. Defendant to enter and complete long-term domestic violence counseling.

27 7. Have no use, possession, or control of marijuana.

28 ///

1 8. Maintain full-time employment, schooling, or 16 hours of community service a
2 month.

3 9. 80 hours of community service.

4 Mr. Bassett noted if Defendant was successful on the Felony case he would be eligible
5 for a reduction to a Gross Misdemeanor. Court concurred. COURT FURTHER ORDERED,
6 Defendant RELEASED from Mid-Level Electronic Monitoring pending Parole and
7 Probation's determination.

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9 Dated this 7th day of May, 2021

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12 158 1FA 613B 3CE9
13 Mary Kay Holthus
14 District Court Judge

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28 kb/20CRN001678/L-5

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 State of Nevada

CASE NO: C-20-352265-1

7 vs

DEPT. NO. Department 18

8
9 Jeremy Brown-Wheaton

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 5/7/2021

15 Dept 18 Law Clerk

Dept18LC@clarkcountycourts.us

16 G. Cox

Coxgd@clarkcountynv.gov

17 Kayleigh Lopatic

lopatikb@clarkcountynv.gov

18 Christopher Peterson

Christopher.Peterson@ClarkCountyNV.gov

19 D A

20 motions@clarkcountyda.com
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 19, 2020

C-20-352265-1 State of Nevada
 vs
 Jeremy Brown-Wheaton

November 19, 2020 11:00 AM Grand Jury Indictment

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kimberly Estala

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT: Scheible, Melanie L. 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 19BGJ225X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-20-352265-1, Department XVIII.

State requested a warrant, argued bail, and advised Deft is not in custody. COURT ORDERED, \$250,000.00 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 1-6 to be lodged with the Clerk of the Court; BOND in North Las Vegas Justice Court case no. 20CRN001678 EXONERATED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done.

I.W. (NIC)

11/24/20 12:00 PM. INITIAL ARRAIGNMENT (DEPT XVIII)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 24, 2020**

C-20-352265-1 State of Nevada
vs
Jeremy Brown-Wheaton

November 24, 2020 12:00 AM Initial Arraignment

HEARD BY: Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

PRESENT:	Brown-Wheaton, Jeremy Paul	Defendant
	Peterson, Christopher	Attorney
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Peterson indicated it was a not guilty plea; however, there was a warrant issue. Parties decided to proceed with arraignment. DEFT. BROWN-WHEATON ARRAIGNED and PLED NOT GUILTY. As for the warrant issue, Mr. Peterson noted he would like to address the warrant issue prior to setting a trial date. Ms. Thomson indicated the instant case belonged to Ms. Scheible. Further statements by Ms. Thomson as to the warrant and why Judge Bell may have set bail at \$250,000.00. Statements by Mr. Peterson as to bail. Colloquy between parties. Following colloquy, Court indicated it had concerns as to why the previous Judge set bail at \$250,000.00. Mr. Peterson explained the history of the case to the Court. Court advised parties it would give the State until Tuesday, December 1, 2020, noting it's inclination, absent information and due to Deft. showing up, ORDERED, warrant TEMPORARILY QUASHED. Court advised it would reserve the right, if it were to receive additional information that justified the \$250,000.00 bail, to remand Deft. at the next hearing. Mr. Peterson concurred, noting that would be fair. Colloquy regarding setting of the next court date. Upon Court's inquiry, Mr. Peterson requested to set trial date at the next hearing. COURT FURTHER ORDERED, Deft. to do a walk-through on warrant at the jail; thereafter, to be RELEASED to his Own Recognizance with Intensive Supervision. Deft. to invoke or waive the 60-DAY RULE at

the next hearing, and matter SET for a status check as the warrant and setting of trial. Upon Mr. Peterson's inquiry, COURT FURTHER ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

O.R./ I.S.

12/8/20 10:15 AM STATUS CHECK: WARRANT/ SETTING OF TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 08, 2020**

C-20-352265-1 State of Nevada
vs
Jeremy Brown-Wheaton

December 08, 2020 10:15 AM All Pending Motions

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Toshiana Pierson

REPORTER:

PARTIES

PRESENT:	Brown-Wheaton, Jeremy Paul	Defendant
	Peterson, Christopher	Attorney
	Scheible, Melanie L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Melanie Scheible, Esq. present via Bluejeans video conference.

MOTION TO SET BAIL...STATUS CHECK: WARRANT/ SET TRIAL DATE

Court inquired about the Police Report from October 28, 2020, which Mr. Peterson indicated he received it; however, he was concerned about the instant hearing and noted he had an alibi witness. Court expressed that Mr. Peterson led the Court to believe there was a mistake by Judge Bell as to the bail; therefore, if there was a basis, the instant Court would not disturb Judge Bell's initial setting of bail. Statements by Ms. Scheible in support of the instant bail. Arguments by Mr. Peterson. Court reminded parties it previously reserved it's right to reinstate bail at \$250,000.00. Ms. Scheible informed the Court it was not a mistake and she originally requested bail in the amount of \$1,000,000.00. Further colloquy between parties. Following colloquy, COURT ORDERED, Motion to Set Bail was hereby GRANTED, Judge Bell's Bail REINSTATED at \$250,000.00, and Deft. REMANDED into custody on that bail. Court noted in light of the new Police Report and totality of violence; FURTHER ORDERED, bail with High Level Electronic Monitoring. Further colloquy

between parties. Court noted a date needed to be set, which Mr. Peterson advised Deft. previously invoked his right to a speedy trial; therefore, FURTHER ORDERED, trial date SET.

CUSTODY

1/19/21 9:00 AM CALENDAR CALL

1/25/21 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 06, 2021

C-20-352265-1 State of Nevada
 vs
 Jeremy Brown-Wheaton

**January 06, 2021 2:00 PM Central Trial Readiness
Conference**

HEARD BY: Barker, David

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala

RECORDER: Nancy Maldonado

REPORTER:

PARTIES

PRESENT:	Brown-Wheaton, Jeremy Paul	Defendant
	Peterson, Christopher	Attorney
	Scheible, Melanie L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted due to current Covid-19 restrictions the trial date must be reset. State noted based on the writ being filed Defendant should be WAIVED. Mr. Peterson advised Defendant remains INVOKED. COURT ORDERED, matter CONTINUED for Judge Holthus to determine if Defendant waived speedy trial.

CUSTODY

CONTINUED TO: 01/13/21 11:30 AM (LLA)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 07, 2021

C-20-352265-1 State of Nevada
vs
Jeremy Brown-Wheaton

**January 07, 2021 11:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Brown-Wheaton, Jeremy Paul	Defendant
	Saxe, Benjamin R.	Attorney
	Schieble, Melanie L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Melanie Schieble, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

Mr. Saxe indicated the instant matter belonged to Mr. Peterson, whom was unavailable at the instant hearing. Ms. Schieble advised the Court she received an email from Mr. Peterson requesting additional time, which she had no objection to. Upon Court's inquiry, Deft. concurred he knew what was going on. Colloquy between parties regarding the trial being vacated. Following colloquy, COURT ORDERED, matter CONTINUED for one week. Statements by Deft. Court advised Deft. once a Writ is filed, he was waiving his right to a speedy trial.

CUSTODY

1/14/21 11:00 AM CONTINUED: PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 14, 2021

C-20-352265-1 State of Nevada
vs
Jeremy Brown-Wheaton

**January 14, 2021 11:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Brown-Wheaton, Jeremy Paul Defendant
 Saxe, Benjamin R. Attorney
 State of Nevada Plaintiff
 Villegas, Victoria A. Attorney

JOURNAL ENTRIES

- Victoria Villegas, Esq. and Melanie Scheible, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

NEGOTIATIONS are as contained in the Guilty Plea Agreement electronically FILED on December 3, 2020. DEFENDANT BROWN-WHEATON ARRAIGNED AND PLED GUILTY to BATTERY ON AN OFFICER (GM). MATTER TRAILED.

MATTER RECALLED. Same parties present. Court noted it didn't receive a reply. Mr. Saxe indicated Mr. Peterson would request to reply and to set Petition for February 13, 2021 as to C352265. Ms. Scheible objected, noting Mr. Peterson reached out and requested more time. Colloquy between parties. Following colloquy, Mr. Saxe indicated Mr. Peterson would be back in February. Court advised that would be it, if it wasn't filed at that time parties would proceed. Ms. Scheible stated she wouldn't be available until June 2021. Further colloquy regarding trial setting and the Writ in C352265. Mr. Saxe noted Deft. had not waived his right to a speedy trial, additionally, at the request

of defense the trial date to be set at the next hearing. Court noted both cases would be continued. COURT ORDERED, arraignment CONTINUED as to C352037, Petition for Writ of Habeas Corpus as to C352265 CONTINUED and status check SET for trial setting as to C352265.

CUSTODY

2/4/21 11:00 AM ARRAIGNMENT CONTINUED...CONTINUED: PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 04, 2021

C-20-352265-1 State of Nevada
 vs
 Jeremy Brown-Wheaton

February 04, 2021 11:00 AM Status Check

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT NOTED the case negotiated yesterday in Department 18. COURT ORDERED, case REMOVED from Central Trial Calendar.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 04, 2021

C-20-352265-1 State of Nevada
vs
Jeremy Brown-Wheaton

February 04, 2021 11:00 AM All Pending Motions

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Albritton, Alicia A. Attorney
Brown-Wheaton, Jeremy Paul Defendant
Peterson, Christopher Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Alicia Albritton, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

PETITION FOR WRIT OF HABEAS CORPUS...STATUS CHECK: TRIAL SETTING.

Upon Court's inquiry, Mr. Peterson added Deft. didn't waive his right to a speedy trial. Arguments by Ms. Albritton. Colloquy between parties. COURT ORDERED, Petition for Writ of Habeas Corpus was hereby DENIED as set forth in the State's Opposition. Court FINDS Deft. had not yet WAIVED his right to a 60 days trial. Colloquy between parties regarding a trial date. Following colloquy, COURT FURTHER ORDERED, trial date SET.

CUSTODY

3/3/21 2:00 PM CENTRAL TRIAL READINESS (DEPT. 7)

3/30/21 11:00 AM CALENDAR CALL

4/5/21 1:00 PM JURY TRIAL

CLERK'S NOTE: Following court proceedings, and upon setting the Central Trial Readiness date, it was discovered that Deft. already had a date of February 24, 2021 at 11:30 am set as his Central Trial Readiness date. The new date of March 3, 2021 at 2:00 pm given in court was VACATED.// 2-10/21/dy

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 23, 2021**

C-20-352265-1 State of Nevada
vs
Jeremy Brown-Wheaton

February 23, 2021 11:00 AM Motion to Dismiss

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Brown-Wheaton, Jeremy	Defendant
	Peterson, Christopher	Attorney
	State of Nevada	Plaintiff
	Thoman, Charles W.	Attorney

JOURNAL ENTRIES

- Charles Thoman, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

NEGOTIATIONS are as contained in the Guilty Plea Agreement electronically FILED on February 23, 2021. DEFENDANT BROWN-WHEATON ARRAIGNED AND PLED GUILTY to HARBORING FUGITIVE (F). Court ACCEPTED plea, referred matter to the Division of Parole and Probation (P&P) for a Pre-sentence Investigation Report and ORDERED, matter SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release with Mid-Level Electronic Monitoring. COURT DIRECTED Deft. to report to Parole and Probation within 48 hours of release. COURT FURTHER ORDERED, the instant Motion OFF CALENDAR, and all pending Motions and dates were hereby VACATED. Mr. Peterson requested an in-custody sentencing date. COURT SO ORDERED.

O.R./ MID-LEVEL ELECTRONIC MONITORING

4/13/21 12:30 PM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 09, 2021

C-20-352265-1 State of Nevada
 vs
 Jeremy Brown-Wheaton

March 09, 2021 11:00 AM Motion

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Brown-Wheaton, Jeremy	Defendant
	Peterson, Christopher	Attorney
	State of Nevada	Plaintiff
	Talim, Tina Singh	Attorney

JOURNAL ENTRIES

- Tina Talim, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

Deft. present in-custody. Statements by Mr. Peterson regarding email from the Clark County Detention Center to reconsider the release order of Mid-Level Electronic Monitoring. Colloquy between parties. Following colloquy, Mr. Peterson advised, House Arrest indicated it may not follow Court's order. Court inquired what the State's position was. Ms. Talim submitted to the Court. Arguments by Mr. Peterson. Following colloquy, Court indicated it ordered, what it ordered, and it was not changing the order. Court advised, Deft. would not get an inch of a break if he wasn't 100 percent compliant with Mid-Level Electronic Monitoring, and doing everything he was told to do. Further, Court expressed there wouldn't be a second chance no matter what the State argued for. Statements by Deft. Statements by Mr. Peterson. COURT ORDERED, the release status STANDS.

CUSTODY (PENDING OR/MID-LEVEL ELECTRONIC MONITORING)

4/13/21 12:30 PM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 13, 2021**

C-20-352265-1 State of Nevada
vs
Jeremy Brown-Wheaton

April 13, 2021 12:30 AM Sentencing

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Brown-Wheaton, Jeremy	Defendant
	Saxe, Benjamin R.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Barbara Schifalacqua, Esq., Alexander Bassett, Esq. and Benjamin Saxe, Esq. present via Bluejeans video conference; Deft. present out of custody via Bluejeans video conference.

Upon Court's inquiry, arguments by Ms. Schifalacqua. Statements by Mr. Bassett indicating Deft. would be eligible for a drop down. Ms. Schifalacqua concurred. Statements by Deft. Mr. Bassett noted he believed electronic monitoring should be deemed appropriate by Parole and Probation. Court noted both of Deft.'s cases (C352037 and C352265) would run concurrent and terms would be the same in both cases, which indicated a violation in one case would be a violation in the other. By virtue of Defendant's plea of guilty and by Order of the Court, DEFT BROWN-WHEATON ADJUDGED GUILTY of HARBORING FUGITIVE (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, the \$150.00 DNA Analysis Fee, including testing to determine genetic markers, and \$250.00 Indigent Defense fee, Deft. SENTENCED to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); to run CONCURRENT to other case; SUSPENDED; placed on PROBATION for an indeterminate period not to exceed TWENTY-FOUR (24) MONTHS.

STANDARD CONDITIONS:

1. Reporting: You are to report in person to the Division of Parole and Probation (P&P) as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects.
2. Residence: You shall not change your place of residence without first obtaining permission from P&P, in each instance.
3. Intoxicants: You shall not consume any alcoholic beverages TO EXCESS. Upon order of P&P or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess.
4. Controlled Substances: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify P&P of any prescription received. You shall submit to drug testing as required by the Division or its agent.
5. Weapons: You shall not possess, have access to, or have under your control, any type of weapon.
6. Search: You shall submit your person, property (including cellular phones and / or computers), place of residence, vehicle or areas under your control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by P&P or its agent.
7. Associates: You must have prior approval by P&P to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution.
8. Directives and Conduct: You shall follow the directives of P&P and your conduct shall justify the opportunity granted to you by this community supervision.
9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances.
10. Out-of-State Travel: You shall not leave the state without first obtaining written permission from P&P.
11. Employment/Program: You shall seek and maintain legal employment, or maintain a program approved by P&P and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division.
12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by P&P. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge.

SPECIAL CONDITIONS:

1. Deft. shall submit digital storage media or any digital storage media that you have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent.
2. Abide by any curfew imposed.
3. Deft. subject to Electronic Monitoring at Parole and Probation's discretion.
4. Submit to mental health evaluations as deemed necessary by Parole and Probation and complete any recommended care plan, treatment or counseling program based on those evaluations.

5. Submit to anger management counseling or impulse control as deemed necessary by Parole and Probation.
6. Deft. to enter and complete long-term domestic violence counseling.
7. Have no use, possession or control of marijuana.
8. Maintain full-time employment, schooling or 16 hours of community service a month.
9. 80 hours of community service.

Mr. Bassett noted if Deft. was successful on the Felony case he would be eligible for a reduction to a Gross Misdemeanor. Court concurred. COURT FURTHER ORDERED, Deft. RELEASED from Mid-Level Electronic Monitoring pending Parole and Probation's determination.

BOND, if any, EXONERATED.

NIC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 28, 2021

C-20-352265-1 State of Nevada
 vs
 Jeremy Brown-Wheaton

October 28, 2021 11:00 AM Revocation of Probation

HEARD BY: Bluth, Jacqueline M. **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Kristen Brown

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT:	Brown-Wheaton, Jeremy	Defendant
	Gilliam, Daniel R.	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Thoman, Charles W.	Attorney

JOURNAL ENTRIES

- Mr. Gilliam stated that he was just made aware that this matter was on, therefore, requested the matter be CONTINUED, COURT SO ORDERED.

CUSTODY

11/04/21 11:00 AM REVOCATION OF PROBATION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 04, 2021

C-20-352265-1 State of Nevada
 vs
 Jeremy Brown-Wheaton

November 04, 2021 11:00 AM Revocation of Probation

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kristen Brown

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT:	Bassett, Alexander B.	Attorney
	Brown-Wheaton, Jeremy	Defendant
	Public Defender	Attorney
	Scheible, Melanie L.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Officer Pascalau present on behalf of Parole and Probation.

Mr. Bassett stated the Deft. will stipulate to the violations and will argue for reinstatement. Deft. stipulated to the facts and circumstances contained in the violation report. Arguments by counsel and Officer Pascalau. Colloquy between Court and counsel regarding the temporary restraining order. Statement by the Deft. Court stated its findings and ORDERED, PROBATION REVOKED, underlying SENTENCE of a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC) IMPOSED with THIRTY-FIVE (35) DAYS credit for time served.

NDC

CASE NO. C-20-352265-1
DEPT. NO. XVIII
DDA MELANIE SCHEIBLE (L5)

Defendant(s): JEREMY BROWN-WHEATON, aka, Jeremy Paul Brown Wheaton,
#8399146

Case No(s): 19BGJ225X (TRACKS TO DC XVIII)

Charge(s): (1) CT - ESCAPE (Category B Felony - NRS 212.090 - NOC 53417);
(1) CT - BREAK, INJURE OR TAMPER WITH MOTOR VEHICLE
(Category C Felony - NRS 205.274, 193.155 - NOC 57916),
(1) CT - BATTERY BY PRISONER (Category B Felony - NRS 200.481(2)(F)
- NOC 50229)

Def. Counsel(s): PUBLIC DEFENDER

WARRANT (1 WEEKS) 11/24/20 12:00 PM DC 18
BAIL SET: \$250,000 CASH OR SURETY
PRE-TRIAL RISK ASSESSMENT ORDERED

DEFT IS NOT IN CUSTODY (20CRN001678, PH 12/2 NLVJC)

JUSTICE COURT BOND - \$27,000- EXONERATED

Exhibits:

1. Proposed Indictment *BB*
2. Jury Instructions *BB*
3. Photo *RL*
4. Photo *RL*
5. Photo *MB*
6. Disc *MB*

Exhibits 1 - 6 to be lodged with the Clerk of the Court.

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; REQUEST FOR
ROUGH DRAFT TRANSCRIPT; DISTRICT COURT DOCKET ENTRIES; ORDER FOR
REVOCATION OF PROBATION AND AMENDED JUDGMENT OF CONVICTION; JUDGMENT
OF CONVICTION (PLEA OF GUILTY); DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

JEREMY BROWN-WHEATON
aka JEREMY PAUL BROWN-WHEATON,

Defendant(s).

Case No: C-20-352265-1

Dept No: VI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 6 day of December 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk