

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEREMY PAUL BROWN-WHEATON

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

Electronically Filed  
Mar 23 2022 12:02 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
CASE NO: 83896

**RESPONDENT'S APPENDIX**

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Counsel for Appellant

Counsel for Respondent

## **INDEX**

<b><u>Document</u></b>	<b><u>Page No.</u></b>
Division of Parole and Probation Non-Technical Violation Report, filed 09/30/21 .....	1-4
Order for Revocation of Probation and Amended Judgment of Conviction, filed 11/10/21 .....	4-6

## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 23<sup>rd</sup> day of March, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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Nevada Attorney General

ALEXANDER B. BASSETT  
Deputy Public Defender

JOHN T. AFSHAR  
Deputy District Attorney

BY /s/ J. Hall  
Employee,  
Clark County District Attorney's Office

JTA/Elan Eldar/jh



September 30, 2021

To the Honorable Judge Bluth  
Eighth Judicial District Court  
Department VI

☐ Inmate Program ☐ Parole ☒ Probation

Clark County, Nevada

Name: BROWN-WHEATON, Jeremy  
AKA: Jeremy Paul Brown Wheaton  
File #: V21-2372  
CC #: C-20-352265-1

Supervision Grant: 04/13/2021  
Original Expiration: 04/13/2022  
Adjusted Expiration: 03/14/2023

Crime: HARBORING FUGITIVE (CATEGORY C FELONY)

Sentence: \$25 AAF, \$3 DNA CF, \$150 DNA ANALYSIS FEE INCLUDING TESTING TO DETERMINE GENETIC MARKER & \$250 INDIGENT DEFENSE FEE. 24 TO 60 MOS NDOC, TO RUN CONCURRENT TO OTHER CASE; SUSPENDED. PROBATION NTE 24 MOS.

**I. Violation(s) and Response to Imposed Sanctions:**

**DIRECTIVES AND CONDUCT, FINANCIAL OBLIGATIONS, LAWS**

On April 13, 2021, Mr. Brown-Wheaton was granted probation after being convicted of Battery On An Officer (C-20-352037-1) and Harboring A Fugitive (running concurrent). Unfortunately, Mr. Brown-Wheaton squandered his opportunity by being involved in violent occurrences surrounding the mother of his child.

On July 30, 2021, the Las Vegas Metropolitan Police Department was called out for a domestic violence call involving Mr. Brown-Wheaton and the mother of his child Alexis (Lexa) Simpson. Details of the event are as follows: CIU detectives were made aware of a 417 call at 1800 Edmond St K/117 on 7/30/21. The call involved Jeremy BROWN-WHEATON (ID# 8399146) as the male half. There was damage to the structure, but officers were not sure about BROWN-WHEATON's standing in the apartment and no arrest was made. The female half, Alexis SIMPSON, had family arrive and help her leave the area. BROWN-WHEATON, had another 417 call later that day at 7000 Paradise Rd, #2124, with SIMPSON. This time SIMPSON's father alleged BROWN-WHEATON had a firearm, but that was not substantiated.

On August 17, 2021, the Division made contact with Mr. Brown-Wheaton and he was advised to stay out of trouble and that if there were to be any further issues revolving around his girlfriend Lexa, that he would not be allowed to reside at his current residence. Mr. Brown-Wheaton was also advised that if he were to violate his probation further, that the Division would be seeking revocation. (Directives and Conduct)

On August 25, 2021, the Division served Mr. Brown-Wheaton with a Temporary Protection Order (T21216128T) and instructed to stay away from Alexis Simpson and to have no contact with her. The effective until date on the TPO was September 2, 2021. (Directives and Conduct)

On September 26, 2021, Mr. Brown-Wheaton was arrested by LVMPD Officers and charged with Domestic Battery (M). The victim Lexa Simpson (DOB:08/20/96) stated that Mr. Brown -Wheaton forced her to lay with him and she attempted to get away. She alleged that Mr. Brown - Wheaton also



used his feet to kick her off the bed, because she was either to lay with him in bed or sleep on the couch. (Laws)

It should be noted, Mr. Brown-Wheaton is currently enrolled in ABC Therapy's Domestic Violence program. However, it was reported that Mr. Brown -Wheaton has missed a total of 10 out of 15 classes, with 3 of those being unexcused. Mr. Brown - Wheaton was due to show for his domestic violence classes on August 27, 2021, September 3, 2021 and September 17, 2021, and failed to do so.

It should also be noted that the undersigned officer has had many conversations with Mr. Brown - Wheaton about his violent tendencies, and each time he has shifted blame and failed to take accountability for any of his actions. He even attempted to downplay his domestic violence charges by saying "You know how it is".

Mr. Brown -Wheaton has failed to begin making monthly supervision fee payments in the amount of \$30.00. The subject is currently in arrears towards this obligation for a total of \$180. (Financial Obligations)

**II. Custody Status:**

09/26/2021 to 09/30/2021 - Las Vegas City Jail 5 DAYS  
5 DAYS CREDIT FOR TIME SERVED

**III. Violation Hearing History:**

This is Mr. Brown-Wheaton's first time facing revocation proceedings for this instant offense

**IV. Mitigating Factors:**

Mr. Brown-Wheaton is currently enrolled in domestic violence classes through ABC Therapy.

**V. Recommendation:**

Mr. Brown-Wheaton has an extensive arrest record with multiple charges for Domestic Battery, as well as charges for violating a Domestic Violence TPO, and Battery On A Protected Person. Mr. Brown-Wheaton has been on probation for six months and he is still committing offenses similar to that of case C-20-352037-1. The most concerning aspect about his behavior is that Mr. Brown - Wheaton takes absolutely no accountability for his actions. Through his own actions, Mr. Brown- Wheaton has clearly demonstrated that he is a danger to the community. Therefore, for the safety of Lexa Simpson and the community, the Division is recommending Mr. Brown -Wheaton's probation be revoked.

**VI. Current Level of Supervision:**

Minimum

Pursuant to NRS 239B.030, the undersigned hereby affirms this document does not contain the social security number of any person.



**Respectfully submitted:**

**Q. Pascalau**

Digitally signed by Q. Pascalau  
Date: 2021.09.30 11:02:38 -07'00'

Q.Pascalau, DPS Officer II  
Division of Parole and Probation  
qpascalau@dps.state.nv.us  
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**Approved:**

**Alicia Davis**

Digitally signed by Alicia Davis  
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*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 13<sup>th</sup> 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 4<sup>th</sup> 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**

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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

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