

NOASC
TERRENCE M. JACKSON, ESQ.
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Law Office of Terrence M. Jackson
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Las Vegas, NV 89101
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Counsel for Defendant, Christopher E. Pigeon

Electronically Filed
Jul 19 2021 11:00 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

CHRISTOPHER E. PIGEON,
#90582,

Defendant.

District Case No.: C-13-290261-1

Dept.: IX

NOTICE OF APPEAL

NOTICE is hereby given that the Defendant, Christopher Edward Pigeon, by and through his counsel, Terrence M. Jackson, Esquire, hereby appeals to the Nevada Supreme Court, from the Order Denying Defendant's Motion to Vacate or Reduce Habitual Sentence, file-stamped July 2, 2021.

Defendant, Christopher E. Pigeon, further states he is indigent and requests that the filing fees be waived.

Respectfully submitted this 14th day of July, 2021.

/s/ Terrence M. Jackson

Terrence M. Jackson, Esquire
Nevada Bar No. 00854
Law Office of Terrence M. Jackson
624 South Ninth Street
Las Vegas, NV 89101
T: 702-386-0001 / F: 702-386-0085
Terry.jackson.esq@gmail.com

Counsel for Defendant, Christopher E. Pigeon

1 **CERTIFICATE OF SERVICE**

2 I hereby certify I am an assistant to Terrence M. Jackson, Esq., not a party to this action, and
3 on the 14th day of July, 2021, I served a true, correct and e-filed stamped copy of the foregoing:
4 Defendant, Christopher E. Pigeon's, NOTICE OF APPEAL as follows:
5

6 [X] Via Odyssey eFile and Serve to the Eighth Judicial District Court;

7 [X] Via the NSC Drop Box on the 1st floor of the Nevada Court of Appeals, located at 408 E.
8 Clark Avenue in Las Vegas, Nevada;

9 [X] and by United States first class mail to the Nevada Attorney General and the Defendant as
10 follows:
11

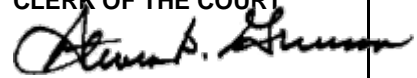
12
13 STEVEN B. WOLFSON
14 Clark County District Attorney
15 steven.wolfson@clarkcountyda.com
16

ROBERT STEPHENS
Chief Deputy D.A. - Criminal
robert.stephens@clarkcountyda.com

17
18 CHRISTOPHER E. PIGEON
19 ID # 90582
20 High Desert State Prison
21 P.O. Box 650
Indian Springs, NV 89070-0650

AARON D. FORD
Nevada Attorney General
100 North Carson Street
Carson City, NV 89701

22
23 By: /s/ Ila C. Wills
24 Assistant to T. M. Jackson, Esq.
25
26
27
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ASTA
TERRENCE M. JACKSON, ESQ.
Nevada Bar No. 00854
Law Office of Terrence M. Jackson
624 South Ninth Street
Las Vegas, NV 89101
T: 702-386-0001 / F: 702-386-0085
Terry.jackson.esq@gmail.com
Counsel for Defendant, Christopher E. Pigeon

IN THE EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)	District Case No.: C-13-290261-1
)	
Plaintiff,)	Dept.: IX
)	
v.)	
)	
CHRISTOPHER E. PIGEON,)	CASE APPEAL STATEMENT
#90582,)	
Defendant.)	

1. Appellant(s): CHRISTOPHER EDWARD PIGEON
2. Judge: CRISTINA D. SILVA
3. Appellant(s): CHRISTOPHER EDWARD PIGEON

Counsel:

Terrence M. Jackson
624 South Ninth Street
Las Vegas, NV 89101
(702) 386-0001

4. Respondent: STATE OF NEVADA

Counsel:

Steven B. Wolfson, District Attorney
200 Lewis Avenue
Las Vegas, NV 89101
(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: YES

Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: YES

Permission Granted: N/A

6. Appellant Represented by Appointed Counsel in District Court: YES

7. Appellant Represented by Appointed Counsel on Appeal: YES

8. Appellant Granted Leave to Proceed in Forma Pauperis: YES

9. Date Commenced in District Court: January 7, 2013.

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed:

Order Denying Motion to Vacate or Reduce Habitual Criminal Sentence.

11. NO.

Supreme Court Docket Number(s): 74831, 74792, 70650, 67083, 66445, 47210, 41026

12. Child Custody or Visitation: N/A

Dated this 14th day of July, 2021.

/s/ Terrence M. Jackson

Terrence M. Jackson, Esquire

Nevada Bar No. 00854

Law Office of Terrence M. Jackson

624 South Ninth Street

Las Vegas, NV 89101

T: 702-386-0001 / F: 702-386-0085

Terry.jackson.esq@gmail.com

Counsel for Defendant, Christopher E. Pigeon

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- [X] Via Odyssey eFile and Serve to the Eighth Judicial District Court;
- [X] Via the NSC Drop Box on the 1st floor of the Nevada Court of Appeals, located at 408 E. Clark Avenue in Las Vegas, Nevada;
- [X] and by United States first class mail to the Nevada Attorney General and the Defendant as follows:

ROBERT STEPHENS
Chief Deputy D.A. - Criminal
robert.stephens@clarkcountyda.com

AARON D. FORD
Nevada Attorney General
100 North Carson Street
Carson City, Nevada 89701

-3-

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-13-290261-1

State of Nevada
vs
Christopher Pigeon

§	Location:	Department 9
§	Judicial Officer:	Silva, Cristina D.
§	Filed on:	06/05/2013
§	Case Number History:	
§	Cross-Reference Case	C290261
§	Number:	
§	Defendant's Scope ID #:	1694872
§	Grand Jury Case Number:	13AGJ006
§	Supreme Court No.:	67083
		74831

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ATTEMPT FIRST DEGREE KIDNAPPING	200.310.1	F	01/07/2013		
<i>Filed As:</i> PROHIBITED ACTS BY A SEX OFFENDER	F	6/5/2013		Case Status:	05/29/2018 Closed
2. AGGRAVATED STALKING	200.575.2	F	01/07/2013		
<i>Filed As:</i> PROHIBITED ACTS BY A SEX OFFENDER	F	6/5/2013			
3. LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT	201.560.5a	F	01/07/2013		
<i>Filed As:</i> ATTEMPT FIRST DEGREE KIDNAPPING	F	6/5/2013			
4. BURGLARY	205.060.2	F	01/07/2013		
<i>Filed As:</i> AGGRAVATED STALKING	F	6/5/2013			
5. OPEN OR GROSS LEWDNESS	201.210.1b	F	01/07/2013		
<i>Filed As:</i> LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT	F	6/5/2013			
6. UNLAWFUL CONTACT WITH A CHILD	207.260.4a	G	01/07/2013		
<i>Filed As:</i> BURGLARY	F	6/5/2013			
7. PROHIBITED ACTS BY A SEX OFFENDER	179D.550.1	F	01/07/2013		
<i>Filed As:</i> OPEN OR GROSS LEWDNESS	F	6/5/2013			
8. PROHIBITED ACTS BY A SEX OFFENDER	179D.550.1	F	01/07/2013		
<i>Filed As:</i> UNLAWFUL CONTACT WITH CHILD	G	6/5/2013			

Related Cases

A-21-835129-W (Writ Related Case)

Statistical Closures

05/29/2018 Other Manner of Disposition - Criminal
09/29/2014 Jury Trial - Conviction - Criminal

Warrants

Indictment Warrant - Pigeon, Christopher (Judicial Officer: Bell, Linda Marie)

06/12/2013 12:01 PM Returned - Served

06/05/2013 11:45 AM Active

Fine: \$0

Bond: **\$200,000.00**

Cash or Surety

DATE

CASE ASSIGNMENT

Current Case Assignment















Case Number	C-13-290261-1
Court	Department 9
Date Assigned	04/29/2019
Judicial Officer	Silva, Cristina D.

CASE SUMMARY

CASE NO. C-13-290261-1

PARTY INFORMATION

Defendant	Pigeon, Christopher	<i>Lead Attorneys</i> Jackson, Terrence Michael <i>Retained</i> 702-386-0001(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
06/05/2013	 Indictment <i>Indictment</i>	
06/05/2013	 Warrant <i>Indictment Warrant</i>	
06/06/2013	 Indictment Warrant Return	
06/17/2013	 Media Request and Order Party: Plaintiff State of Nevada <i>Media Request and Order for Camera Access to Court Proceedings</i>	
06/19/2013	 Transcript of Proceedings <i>Reporter's Transcript of Proceedings - Grand Jury Hearing June 4, 2013</i>	
07/09/2013	 Motion <i>Motion to Withdraw Counsel</i>	
07/11/2013	 Notice of Witnesses and/or Expert Witnesses <i>Notice of Witnesses and/or Expert Witnesses</i>	
08/16/2013	 Order <i>Order of Commitment</i>	
12/06/2013	 Order <i>Order to Transport Defendant from Lake's Crossing</i>	
02/24/2014	 Motion <i>Motion to Withdraw Counsel</i>	
02/24/2014	 Motion <i>Motion to Drop Charges Due to Improper Indictment</i>	
02/24/2014	 Motion <i>Motion to Dismiss Charges Due to Failure to Grant the Right to a Speedy Trial</i>	
05/15/2014	 Motion <i>Motion to Withdraw Counsel</i>	
05/15/2014	 Motion	

CASE SUMMARY

CASE NO. C-13-290261-1

Motion to Drop Charges Due to Improper Indictment

06/03/2014



Opposition to Motion

State's Opposition to Defendant's Motion to Drop Charges Due to Improper Indictment

06/16/2014



Motion

Motion to Withdraw Counsel

06/16/2014



Motion

Motion to Quash Opposing Motion: Defendant's Opposition to State's Opposition to/of "Motion to Drop Charges Due to Improper Indictment"

06/23/2014



Supplemental Witness List

Supplemental Notice of Witnesses and/or Expert Witnesses (NRS 174.234)

07/31/2014



Notice

Notice of Intent to Seek Punishment as a Habitual Criminal

08/04/2014



Jury List

08/04/2014



Amended Indictment

Amended Indictment

08/05/2014



Verdict

Verdict Re: Count 7

08/05/2014



Verdict

Verdict Counts 1-6

08/05/2014



Instructions to the Jury

Jury Instructions 1-14

08/05/2014



Amended Jury List

08/05/2014



Jury Instructions

Jury Instructions 1-22

09/29/2014



Criminal Order to Statistically Close Case

Criminal Order to Statistically Close Case

11/26/2014



PSI

12/01/2014



Motion

Motion to Withdraw Counsel

12/01/2014



Motion

Defendant's Motion for Mistrial

12/01/2014










Motion

Motion to Copy Transcripts for Defense

















CASE SUMMARY

CASE NO. C-13-290261-1

12/01/2014	 Motion <i>Motion for Approval of House Arrest for Defendant</i>
12/01/2014	 Order <i>Order Granting State's Request For No Contact Order As To Listed Victim And Granting State's Request To Have Defendant's Outgoing Mail Intercepted And Inspected By The Clark County Detention Center</i>
12/04/2014	 Opposition to Motion <i>State's Opposition to Defendant's Motion for Mistrial</i>
12/05/2014	 Recorders Transcript of Hearing <i>Transcript of Proceedings Request of Court: No-Contact Order, heard on December 1, 2014</i>
12/15/2014	 Request <i>Christopher Pigeon Request For Full Transcripts Of District Court Proceedings to Jill Jacoby</i>
12/15/2014	 Request <i>Christopher Pigeon Request For Full Transcripts Of District Court Proceedings to Sandra Pruchnic</i>
12/15/2014	 Order <i>Order Appointing Appellate Counsel</i>
12/15/2014	 Notice of Appeal (Criminal) <i>Notice of Appeal</i>
12/15/2014	 Case Appeal Statement <i>Case Appeal Statement</i>
12/16/2014	 Request <i>Christopher Pigeon Request For Full Transcripts Of District Court Proceedings To Renee Vincent</i>
12/16/2014	 Request <i>Christopher Pigeon Request For Full Transcripts Of District Court Proceedings To: Debbie Winn</i>
12/18/2014	 Notice of Appeal (Criminal) <i>Notice of Appeal</i>
12/23/2014	 Judgment of Conviction <i>JUDGMENT OF CONVICTION (JURY TRIAL)</i>
01/13/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Penalty Phase, heard on August 5, 2014</i>
01/13/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Jury Trial Day 1 - Volume I, heard on August 4, 2014</i>
01/13/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Jury Trial Day 2 - Volume II, heard on August 5, 2014</i>
01/13/2015	 Case Appeal Statement <i>Case Appeal Statement</i>

CASE SUMMARY

CASE NO. C-13-290261-1

01/14/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Hearing Request: Status Check on Competency, heard on July 8, 2013</i>
01/14/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Defendant's Pro Per Motion to Withdraw Counsel Defendant's Pro Per Motion to Drop Charges Due to Improper Indictment Defendant's Pro Per Motion to Dismiss Charges Due to Failure to Grant the Right to a Speedy Trial, heard on March 17, 2014</i>
01/14/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Defendant's Pro Per Motion to Drop Charges Due to Improper Indictment Defendant's Pro Per Motion to Withdraw Counsel, heard on June 18, 2014</i>
01/14/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Defendant's Pro Per Motion to Withdraw Counsel Defendant's Pro Per Motion to Quash Opposing Motion: Defendant's Opposition to State's Opposition to/of "Motion to Drop Charges Due to Improper Indictment," heard on July 7, 2014</i>
01/15/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Defendant's Pro Per Motion to Withdraw Counsel, heard on July 31, 2013</i>
01/15/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Calendar Call, heard on July 30, 2014</i>
01/15/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Defendant's Pro Per Motion to Withdraw Counsel; Defendant's Pro Per Motion to Copy Transcripts for Defense; Defendant's Pro Per Motion for Approval of House Arrest for Defendant; Defendant's Pro Per Motion for Mistrial; Sentencing, Wednesday, December 10, 2014</i>
01/15/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Further Proceedings: Return from Competency Court, heard on April 23, 2014</i>
01/15/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Initial Arraignment; Indictment Warrant Return, heard on June 12, 2013</i>
01/16/2015	 Recorders Transcript of Hearing <i>Recorder's Transcript of Grand Jury Indictment Return June 5, 2013</i>
01/16/2015	 Recorders Transcript of Hearing <i>Recorder's Transcript of Further Proceedings - Competency August 2, 2013</i>
01/16/2015	 Recorders Transcript of Hearing <i>Recorder's Transcript of Further Proceedings - Competency - Return from Lake's Crossing - December 13, 2013</i>
01/16/2015	 Recorders Transcript of Hearing <i>Recorder's Transcript of Further Proceedings - Challenge Hearing - January 17, 2014</i>
01/16/2015	 Recorders Transcript of Hearing <i>Recorder's Transcript of Status Check - Challenge Hearing Date - January 24, 2014</i>
01/16/2015	 Recorders Transcript of Hearing <i>Recorder's Transcript of Further Proceedings - Competency - Challenge Hearing -February 14, 2014</i>
01/16/2015	 Recorders Transcript of Hearing

CASE SUMMARY
CASE NO. C-13-290261-1

Recorder's Transcript of Challenge Hearing - January 24, 2014

01/16/2015



Recorders Transcript of Hearing

Recorder's Transcript of Further Proceedings - Competency - Decision -March 28, 2014

01/16/2015



Recorders Transcript of Hearing

Recorder's Transcript of Further Proceedings - Decision April 4, 2014

01/21/2015



Recorders Transcript of Hearing

Recorder's Transcript of Challenge Hearing - 3-21-2014

01/21/2015



Recorders Transcript of Hearing

Recorder's Transcript of Further Proceedings - Competency - Challenge Hearing Date - 1-31-2014

01/22/2015



Recorders Transcript of Hearing

Recorder's Transcript of Status Check - 12-27-2013

03/31/2016



Motion

Motion to Withdraw Counsel-and-to Request Re-Ordering of Transcripts-for the Sake of Clarifying this Case and Writ

04/01/2016



Application to Proceed in Forma Pauperis

Filed By: Defendant Pigeon, Christopher

Motion to Proceed in Forma Pauperis

05/12/2016



Order Denying

Order Denying Defendant's Motion of April 25, 2016

01/02/2018



Notice of Appeal (Criminal)

Party: Defendant Pigeon, Christopher

Notice of Appeal of Recent Decision in Part

01/04/2018



Case Appeal Statement

Case Appeal Statement

01/04/2018



NV Supreme Court Clerks Certificate/Judgment - Affd/Rev Part

Nevada Supreme Court Clerk's Certificate Judgment - Affirmed in Part, Reversed in Part and Remand

01/13/2018



Withdrawal of Attorney

Filed by: Defendant Pigeon, Christopher

Withdrawal Of Attorney

02/16/2018



Motion to Withdraw As Counsel

Filed By: Defendant Pigeon, Christopher

Motion to Withdraw Counsel

02/16/2018



Motion for Leave to Proceed in Forma Pauperis

Filed By: Defendant Pigeon, Christopher

Motion for Leave to Proceed in Forma Pauperis

02/16/2018

















Motion

Filed By: Defendant Pigeon, Christopher

Motion for Remanded Sentencing Hearing to be Provided

CASE SUMMARY

CASE NO. C-13-290261-1

02/16/2018	 Motion to Withdraw As Counsel Filed By: Defendant Pigeon, Christopher <i>Motion to Withdraw Counsel</i>
02/27/2018	 Application to Proceed in Forma Pauperis Filed By: Defendant Pigeon, Christopher
03/16/2018	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate</i>
03/29/2018	 Memorandum <i>Setencing Memorandum</i>
04/11/2018	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>
04/11/2018	 Motion to Withdraw As Counsel Filed By: Defendant Pigeon, Christopher <i>Motion to Withdraw Counsel</i>
04/11/2018	 Motion Filed By: Defendant Pigeon, Christopher <i>Motion to Schedule a District Court Hearing</i>
04/23/2018	 Motion to Withdraw As Counsel Filed By: Defendant Pigeon, Christopher <i>Motion to Withdraw Counsel</i>
04/23/2018	 Motion to Produce Transcript Filed By: Defendant Pigeon, Christopher <i>Motion to Produce Transcripts for two Recent Appeals</i>
04/23/2018	 Motion Filed By: Defendant Pigeon, Christopher <i>Motion to Enter Favorable Supereme Court Appeal Order in Justice Court</i>
05/16/2018	 Order <i>Special Findings</i>
05/29/2018	 Amended Judgment of Conviction <i>Amended Judgment of Conviction (Jury Trial)</i>
05/29/2018	 Motion to Withdraw As Counsel Filed By: Defendant Pigeon, Christopher <i>Motion to Withdraw Counsel</i>
04/29/2019	Case Reassigned to Department 9 <i>Judicial Reassignment to Department 9 - Judge Cristina Silva</i>
05/27/2020	 Motion to Withdraw As Counsel Filed By: Defendant Pigeon, Christopher <i>Motion to Withdraw Counsel</i>

CASE SUMMARY
CASE NO. C-13-290261-1

05/27/2020	 Motion to Vacate <i>Motion to Vacate or Reduce Habitual Sentence</i>
05/27/2020	 Ex Parte Motion <i>Ex Parte Motion for Order to Transport Prisoner</i>
11/10/2020	 Motion Filed By: Defendant Pigeon, Christopher <i>Motion for Extension of Time to File Supplementary Points and Authorities to Defendant's Motion to Vacate or Reduce Habitual Criminal Sentence</i>
11/10/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
11/20/2020	 Supplemental Filed by: Defendant Pigeon, Christopher <i>Motion and Supplemental Points and Authorities to Vacate Habitual Criminal Sentence or Modify Sentence</i>
11/24/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/28/2020	 Motion Filed By: Defendant Pigeon, Christopher <i>Motion to Withdraw Counsel</i>
01/19/2021	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion and Supplemental Points and Authorities to Vacate Habitual Criminal Sentence or Modify Sentence</i>
01/28/2021	 Reply to Opposition Filed by: Defendant Pigeon, Christopher <i>Defendant's Reply to State's Opposition to Defendant's Motion and Supplemental Points and Authorities</i>
03/17/2021	 Order for Production of Inmate <i>Order for Production of Inmate Christopher Pigeon #90582</i>
07/02/2021	 Order Denying Motion Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Motion to Vacate or Reduce Habitual Sentence</i>
07/14/2021	 Notice of Appeal (Criminal) Party: Defendant Pigeon, Christopher <i>Notice of Appeal</i>
07/14/2021	 Case Appeal Statement Filed By: Defendant Pigeon, Christopher <i>Case Appeal Statement</i>
 <u>DISPOSITIONS</u>	
06/12/2013	Plea (Judicial Officer: Smith, Douglas E.) 1. ATTEMPT FIRST DEGREE KIDNAPPING Not Guilty

CASE SUMMARY
CASE NO. C-13-290261-1

PCN: Sequence:

2. AGGRAVATED STALKING

Not Guilty

PCN: Sequence:

3. LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT

Not Guilty

PCN: Sequence:

4. BURGLARY

Not Guilty

PCN: Sequence:

5. OPEN OR GROSS LEWDNESS

Not Guilty

PCN: Sequence:

6. UNLAWFUL CONTACT WITH A CHILD

Not Guilty

PCN: Sequence:

7. PROHIBITED ACTS BY A SEX OFFENDER

Not Guilty

PCN: Sequence:

8. PROHIBITED ACTS BY A SEX OFFENDER

Not Guilty

PCN: Sequence:

12/10/2014 **Disposition** (Judicial Officer: Smith, Douglas E.)

1. ATTEMPT FIRST DEGREE KIDNAPPING

Guilty

PCN: Sequence:

2. AGGRAVATED STALKING

Guilty

PCN: Sequence:

3. LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT

Guilty

PCN: Sequence:

4. BURGLARY

Guilty

PCN: Sequence:

5. OPEN OR GROSS LEWDNESS

Guilty

PCN: Sequence:

6. UNLAWFUL CONTACT WITH A CHILD

Guilty

PCN: Sequence:

7. PROHIBITED ACTS BY A SEX OFFENDER

Guilty

PCN: Sequence:

8. PROHIBITED ACTS BY A SEX OFFENDER

Guilty

CASE SUMMARY
CASE NO. C-13-290261-1

PCN: Sequence:

12/10/2014 **Adult Adjudication** (Judicial Officer: Smith, Douglas E.)

1. ATTEMPT FIRST DEGREE KIDNAPPING

01/07/2013 (F) 200.310.1 (DC50085)

PCN: Sequence:

Comment (12/10/14 - SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE)

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

12/10/2014 **Adult Adjudication** (Judicial Officer: Smith, Douglas E.)

2. AGGRAVATED STALKING

01/07/2013 (F) 200.575.2 (DC50333)

PCN: Sequence:

Comment (12/10/14 - SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE)

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Concurrent: Charge 1

12/10/2014 **Adult Adjudication** (Judicial Officer: Smith, Douglas E.)

3. LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT

01/07/2013 (F) 201.560.5a (DC51081)

PCN: Sequence:

Comment (12/10/14 - SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE)

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Concurrent: Charge 2

12/10/2014 **Adult Adjudication** (Judicial Officer: Smith, Douglas E.)

4. BURGLARY

01/07/2013 (F) 205.060.2 (DC50424)

PCN: Sequence:

Comment (12/10/14 - SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE)

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Concurrent: Charge 3

12/10/2014 **Adult Adjudication** (Judicial Officer: Smith, Douglas E.)

5. OPEN OR GROSS LEWDNESS

01/07/2013 (F) 201.210.1b (DC50972)

PCN: Sequence:

Comment (12/10/14 - SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE)

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Concurrent: Charge 4

12/10/2014 **Adult Adjudication** (Judicial Officer: Smith, Douglas E.)

6. UNLAWFUL CONTACT WITH A CHILD

01/07/2013 (G) 207.260.4a (DC53174)

PCN: Sequence:

Sentenced to CCDC

Term: 364 Days

Credit for Time Served: 364 Days

12/10/2014 **Adult Adjudication** (Judicial Officer: Smith, Douglas E.)

CASE SUMMARY**CASE NO. C-13-290261-1****7. PROHIBITED ACTS BY A SEX OFFENDER**

01/07/2013 (F) 179D.550.1 (DC52950)

PCN: Sequence:

Comment (12/10/14 - SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE)

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Concurrent: Charge 5

12/10/2014 **Adult Adjudication** (Judicial Officer: Smith, Douglas E.)**8. PROHIBITED ACTS BY A SEX OFFENDER**

01/07/2013 (F) 179D.550.1 (DC52950)

PCN: Sequence:

Comment (12/10/14 - SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE)

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Concurrent: Charge 7

Credit for Time Served: 1819 Days

Other Fees

1. , \$760.00

Fee Totals:

Administrative Assessment Fee	25.00
\$25 DNA Analysis Fee	150.00
\$150 Genetic Marker Analysis AA Fee	3.00
\$3	

Fee Totals \$ 178.00

05/09/2018 **Amended Adult Adjudication** (Judicial Officer: Smith, Douglas E.) Reason: Defendant Resentenced**6. UNLAWFUL CONTACT WITH A CHILD**

01/07/2013 (G) 207.260.4a (DC53174)

PCN: Sequence:

Comment (Credit For Time Served)

05/09/2018 **Amended Adult Adjudication** (Judicial Officer: Smith, Douglas E.) Reason: Defendant Resentenced**7. PROHIBITED ACTS BY A SEX OFFENDER**


01/07/2013 (F) 179D.550.1 (DC52950)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Concurrent: Charge 5

HEARINGS06/05/2013  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Bell, Linda Marie)**MINUTES****Warrant**

06/05/2013 Inactive Indictment Warrant

Matter Heard;

Journal Entry Details:

Edward Golec, 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 13AGJ006X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-13-290261-1, Department 8. Mr. Schifalacqua requested a warrant and argued bail. COURT ORDERED, WARRANT WILL ISSUE \$200,000.00 TOTAL BAIL. FURTHER, exhibit(s) 1-7 lodged with the Clerk of District Court. Matter SET for Arraignment. B.W. 06/12/13 8:00 AM INITIAL ARRAIGNMENT (DEPT. 8) ;

CASE SUMMARY

CASE NO. C-13-290261-1

SCHEDULED HEARINGS


Initial Arraignment (06/12/2013 at 8:00 AM) (Judicial Officer: Smith, Douglas E.)

06/12/2013 **Initial Arraignment** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Plea Entered;

06/12/2013 **Indictment Warrant Return** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Matter Heard;


06/12/2013  **All Pending Motions** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

INITIAL ARRAIGNMENT; INDICTMENT WARRANT RETURN

Plea Entered; INITIAL ARRAIGNMENT; INDICTMENT WARRANT RETURN

Journal Entry Details:

DEFT. PIGEON ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. FURTHER, State to provided all discovery. CUSTODY (COC) 08-07-12 8:00 AM CALENDAR CALL 08-12-13 9:30 AM TRIAL BY JURY ;

07/08/2013  **Request** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Status Check on Competency

Referred to Competency Court;

Journal Entry Details:

Colloquy regarding defendant's pro per motion. Court stated it did not have a copy. Colloquy regarding a writ. COURT ORDERED, matter REFERRED to competency court. FURTHER, Court will reserve the right for defendant to file a writ until he returns from competency court at which time he will have 21 days to file any writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. CUSTODY (COC) 08/02/13 9:30 AM FURTHER PROCEEDINGS: COMPETENCY (DC 7) ;

07/31/2013  **Motion to Withdraw as Counsel** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Pro Per Motion to Withdraw Counsel

Matter Heard;

Journal Entry Details:

Ms. Khamsi advised Defendant is in Competency Court. She received the reports and they both have come back incompetent. Ms. Khamsi stated everything should be held in abeyance until competency is determined, and that hearing is set for Friday, August 2, 2013. Statements by Defendant. Defendant prepared and provided Ms. Khamsi with a Motion to Dismiss Charges. COURT ORDERED, based on findings, trial date and pending motions VACATED. CUSTODY ;

08/02/2013  **Further Proceedings: Competency** (9:30 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Not Competent;

Journal Entry Details:

APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Court NOTED Drs. Krelstein and Bradley indicate not competent; therefore, pursuant to the doctors reports and the Dusky Standard, FINDS Defendant NOT COMPETENT as he/she is not capable of understanding the charges against him/her and is unable to assist counsel in his/her defense. Pursuant to NRS 178.425, COURT ORDERED, Defendant is REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, Defendant will be returned to this Court for findings and referred back to the originating department for further proceedings. MATTER RECALLED. Robert O'Brien Esq., Public Defender, present. Mr. O'Brien, advised the Deft. was requesting to represent himself. Court noted Deft. cannot make a request until the issue of competency was resolved and he returned from Lakes Crossing. CUSTODY (L.C.) ;

08/07/2013 **CANCELED Calendar Call** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Vacated

08/12/2013 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer: Smith, Douglas E.)

Vacated

12/13/2013  **Further Proceedings: Competency-Return From Lakes Crossing** (9:30 AM) (Judicial Officer: Bell, Linda

CASE SUMMARY
CASE NO. C-13-290261-1

Marie)

MINUTES

Set Status Check;

Journal Entry Details:

APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Court noted the Deft. was returned from Lakes Crossing and was found competent to proceed with adjudication. Ms. Harris noted there would be a challenge and inquired as to the Court's availability on January 17th for setting the hearing noting the doctors would be present. Further, Ms. Harris indicated the case was Mr. Obrien's. Court advised the hearing could be set for 1-17-14 at 11:00 am. Deft. requested a copy of the reports. Ms. Harris advised Mr. Obrien would provide a copy of the reports to the Deft., and requested a status check to confirm the hearing date with the doctors. COURT SO ORDERED. CUSTODY 12-27-13 9:30 AM STATUS CHECK: CHALLENGE HEARING DATE ;

SCHEDULED HEARINGS



Status Check (12/27/2013 at 9:30 AM) (Judicial Officer: Bell, Linda Marie)

Status Check: Challenge Hearing Date

12/27/2013



Status Check (9:30 AM) (Judicial Officer: Bell, Linda Marie)

Status Check: Challenge Hearing Date

MINUTES

Hearing Set;

Journal Entry Details:

APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Ms. Harris advised the defense was challenging the findings and will be calling on Dr. Bradley to testify. Colloquy regarding scheduling. Statement by Defendant. COURT ORDERED, matter SET for a challenge hearing. CUSTODY 1-17-14 11:00 AM CHALLENGE HEARING (COMPETENCY COURT) ;

SCHEDULED HEARINGS



Challenge Hearing (Competency Court) (01/17/2014 at 11:00 AM) (Judicial Officer: Bell, Linda Marie)

01/17/2014



Challenge Hearing (Competency Court) (11:00 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Set Status Check;

Journal Entry Details:

APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Mr. O'Brien requested a continuance noting the District Attorney handling the case in the trial court needed additional time to review the doctor evaluations. Statement by the Defendant. Colloquy regarding scheduling. COURT ORDERED, matter CONTINUED for a status check. CUSTODY 1-24-14 9:30 AM STATUS CHECK: CHALLENGE HEARING DATE ;

SCHEDULED HEARINGS



Status Check (01/24/2014 at 9:30 AM) (Judicial Officer: Bell, Linda Marie)

01/24/2014, 01/31/2014

Status Check: Challenge Hearing Date

01/24/2014



Status Check (9:30 AM) (Judicial Officer: Bell, Linda Marie)

01/24/2014, 01/31/2014

Status Check: Challenge Hearing Date

MINUTES

Continued;

Hearing Set;

Journal Entry Details:

APPEARANCES CONTINUED: Danae Adams, Deputy District Attorney, present on behalf of the State. Christina Greene of the Specialty Courts present. Colloquy in regards to scheduling the challenge hearing and the doctors' availability. Statement by Defendant. COURT ORDERED, matter SET for a challenge hearing. CUSTODY 2-14-14 1:00 PM CHALLENGE HEARING (COMPETENCY COURT) ;

Continued;

Hearing Set;

Journal Entry Details:

APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Colloquy regarding scheduling and

CASE SUMMARY

CASE NO. C-13-290261-1

doctor availability. Court advised a Senior Judge would be present on the 13th of February. Statement by Deft. requesting a copy of the reports. Ms. Harris advised a report was forwarded to the Deft. MATTER TRAILED for Ms. Harris to contact Mr. O'Brien on how to proceed. MATTER RECALLED. All previous parties present. Upon counsel's request, COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 1-31-14 9:30 AM ;

SCHEDULED HEARINGS



Challenge Hearing (Competency Court) (02/14/2014 at 1:00 PM) (Judicial Officer: Bell, Linda Marie)

02/14/2014



Challenge Hearing (Competency Court) (1:00 PM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Off Calendar;

Journal Entry Details:

Court noted, a message was received from Mr. O'Brien requesting to reschedule today's hearing due to scheduling issues. COURT ORDERED, a status check to be SET. CUSTODY 2/21/14 9:30 AM STATUS CHECK: RESET CHALLENGE HEARING ;

SCHEDULED HEARINGS

CANCELED Status Check (02/21/2014 at 9:30 AM) (Judicial Officer: Bell, Linda Marie)

Vacated - per Secretary

Reset Challenge Hearing

02/21/2014

CANCELED Status Check (9:30 AM) (Judicial Officer: Bell, Linda Marie)

Vacated - per Secretary

Reset Challenge Hearing

03/17/2014

Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Pro Per Motion to Withdraw Counsel

Off Calendar;

03/17/2014

Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Pro Per Motion to Drop Charges Due to Improper Indictment

Off Calendar;

03/17/2014

Motion to Dismiss (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Pro Per Motion to Dismiss Charges Due to Failure to Grant the Right to a Speedy Trial

Off Calendar;

03/17/2014



All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Matter Heard;

Journal Entry Details:

DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL...DEFT'S PRO PER MOTION TO DROP CHARGES DUE TO IMPROPER INDICTMENT...DEFT'S PRO PER MOTION TO DISMISS CHARGES DUE TO FAILURE TO GRANT THE RIGHT TO A SPEEDY TRIAL. Mr. O'Brien advised the Defendant is in competency court and has a hearing set for Friday; therefore, requested motions be stayed pending said hearing. COURT SO ORDERED; however, noted all motions are faulty and would have to be cleaned up. CUSTODY ;

03/21/2014



Challenge Hearing (Competency Court) (11:00 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES


Decision Pending;


Journal Entry Details:


Defendant present, in custody. Drs. Bradley and Harder sworn and testified. Opposition by Mr. O'Brien, arguing as to the findings of Drs. Bradley and Harder, stating Defendant claims he is competent and therefore; wishes to have this case tried before a jury. Further advising the Court to take judicial notice as to Defendant's outburst, courtroom conduct and requested Defendant be sent back to Lakes Crossing for further evaluation. Arguments by Mr. Schifalacqua stating there is no testimony or evidence that the Defendant cannot or will not work with his attorney or be able to proceed in a rational way. Statement by Defendant. Further arguments by Mr. O'Brien. COURT ORDERED, matter CONTINUED PENDING DECISION. CUSTODY 3/28/14 9:30 AM DECISION ;


SCHEDULED HEARINGS

CASE SUMMARY
CASE NO. C-13-290261-1

 **Further Proceedings** (03/28/2014 at 9:30 AM) (Judicial Officer: Bell, Linda Marie)
Decision


03/28/2014  **Further Proceedings** (9:30 AM) (Judicial Officer: Bell, Linda Marie)
Decision
Matter Continued;
Journal Entry Details:
Bart Pace, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Bitu Khamsi, Deputy Public Defender. COURT ORDERED, matter CONTINUED one week for decision. CUSTODY CONTINUED TO: 4/04/2014 9:30 AM ;

04/04/2014  **Further Proceedings: Competency** (9:30 AM) (Judicial Officer: Bell, Linda Marie)
Found Competent;
Journal Entry Details:
Danae Adams, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Claudia Romney, Deputy Public Defender. APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present. Court stated she will enter an order finding defendant competent to proceed with trial and will issue a written order with findings; therefore, COURT ORDERED, matter TRANSFERRED back to the originating court for further proceedings. CUSTODY 4/23/2014 8:00 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT (DEPT. 8) ;

04/23/2014  **Further Proceedings** (8:00 AM) (Judicial Officer: Smith, Douglas E.)
Further Proceedings: Return From Competency Court
Trial Date Set;
Journal Entry Details:
Sam Bateman, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Robert O'Brien, Deputy Public Defender. Court noted Defendant has been found competent and matter needs to be set for trial. Mr. O'Brien advised Defendant has a pending motion to withdraw counsel and represented himself. Further, counsel advised he has provided Defendant with the farretta material. Court canvassed Defendant. Court Finds, Defendant is intelligent, graduated from university and although Defendant is not a law individual is aware of the procedures. Further, Court Finds Defendant is competent to waive his constitutional right to be represented by an attorney according to RULE 254 subsection 4; Defendant is waiving his right to counsel freely voluntarily and knowingly and has a full understanding of this waiver and its consequences. COURT ORDERED, Defendant's Motion to Withdraw Counsel GRANTED; Public Defender WITHDRAWN; and Defendant shall proceed in Pro Per status. Colloquy regarding scheduling. FURTHER ORDERED, matter SET for trial. CUSTODY 7/30/2014 8:00 AM CALENDAR CALL 8/04/2014 9:30 AM JURY TRIAL ;

06/18/2014 **Motion** (8:00 AM) (Judicial Officer: Smith, Douglas E.)
Defendant's Pro Per Motion to Withdraw Counsel
Motion Denied;

06/18/2014 **Motion** (8:00 AM) (Judicial Officer: Smith, Douglas E.)
Defendant's Pro Per Motion to Drop Charges Due to Improper Indictment
Motion Denied;

06/18/2014  **All Pending Motions** (8:00 AM) (Judicial Officer: Smith, Douglas E.)
Matter Heard;
Journal Entry Details:
DEFT'S PRO PER MOTION TO DROP CHARGES DROP TO IMPROPER INDICTMENT...DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL Court noted this motion was actually a motion for pretrial writ. Statement by Defendant stating he was being held illegally and illegally indicted. Mr. Schifalacqua stated this was presented to the grand jury in the course of two days resulting in one indictment. In the indictment returned it had all the charges. Colloquy between Court and Defendant. COURT stated its findings, and ORDERED, Deft's Pro Per Motion to Drop Charges, DENIED and Pro Per Motion to Withdraw Counsel, DENIED, as Defendant already represents himself. State to prepare Findings of Fact, Conclusion of Law consistent with their opposition. CUSTODY ;

07/07/2014 **Motion to Withdraw as Counsel** (8:00 AM) (Judicial Officer: Smith, Douglas E.)
Events: 06/16/2014 Motion
Defendants' Motion to Withdraw Counsel
Moot;

CASE SUMMARY


CASE NO. C-13-290261-1

07/07/2014 **Motion to Quash** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Events: 06/16/2014 Motion

Defendants' Motion to Quash Opposing Motion: Defendant's Opposition to State's Opposition to/of "Motion to Drop Charges Due to Improper Indictment"

Moot;

07/07/2014  **All Pending Motions** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Matter Heard;

Journal Entry Details:


DEFENDANT'S PRO PER MOTION TO WITHDRAW COUNSEL....DEFENDANT'S PRO PER MOTION TO QUASH OPPOSING MOTION: DEFENDANT'S OPPOSITION TO STATE'S OPPOSITION TO/OF MOTION TO DROP CHARGES DUE TO IMPROPER INDICTMENT Court noted Deft does not need to file a Motion to Withdraw as Counsel every time as it has previously been done. COURT ORDERED, Motions DENIED as moot. Deft stated there were four charges added at the Grand Jury that were not mentioned. Court advised the Deft to file the proper documentation. Deft requested information on a new witness by the name of Monalisa Carillo. Ms. Lexis stated she will obtain information from the Deputy District Attorney handling this case. Upon receipt of the requested information, Court will issue a minute order in reference to said witness. CUSTODY ;

07/30/2014  **Calendar Call** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Matter Heard;

Journal Entry Details:

Parties announced ready for trial. State advised approximately 12 witnesses and anticipate trial to last 3-4 days. Further advised Defendant has been provided with all of the discovery in this case. COURT ORDERED, trial date STANDS. CUSTODY 8/4/14 9:30 AM JURY TRIAL ;

08/04/2014  **Jury Trial** (9:30 AM) (Judicial Officer: Smith, Douglas E.)

08/04/2014-08/05/2014

Trial Continues;

Verdict;

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE JURY: Jury instructions argued and settled. Upon Court's inquiry, Defendant stated he still intends to testify. Ms. Schifalacqua stated the two priors of open or gross lewdness would be subject to cross examination; however, he would not bring in the forgery as it was outside the 10 years. Court noted for the record Defendant already told the jury he had been convicted after the Court told him not to. INSIDE THE PRESENCE OF THE JURY: Parties stipulated to the presence of the Jury. State RESTED. The defense commenced with its case. Following testimony of the Defendant, the defense rested. Court instructed the Jury. Closing arguments by Mr. Schifalacqua and Defendant Pigeon. Bailiff and matrons SWORN to take charge of the Jury and Alternates. Court advised alternate jurors were seat numbers 13 and 14. OUTSIDE THE PRESENCE OF THE JURY: Court stated to the Defendant there were objections it expected and advised it did not receive any. The Court advised it gave Defendant lots of opportunities and still no objections. Court further stated in opening statements Defendant told the jury he was convicted with lewdness, after instructed not to. Additionally, Defendant spoke about an officer in his module as well as grand jury testimony of the detective. Defendant also mentioned he had been locked up for the past 15 months and mentioned his prior charges and said he had been in prison two years and in closing remarks said there would be a new trial on a couple of other counts. Court advised any references to Defendant's record were made after Defendant made the comments in opening statements. Jury returned with a verdict at 3:25 p.m., of the following: As to COUNT 1 - GUILTY of ATTEMPT FIRST DEGREE KIDNAPPING (F) As to COUNT 2 - GUILTY of AGGRAVATED STALKING (F) As to COUNT 3 - GUILTY of LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT (F) As to COUNT 4 - GUILTY of BURGLARY (F) As to COUNT 5 - GUILTY of OPEN OR GROSS LEWDNESS (F) As to COUNT 6 - GUILTY of UNLAWFUL CONTACT WITH A CHILD (GM) Court informed the jury there was a second part to the trial regarding two other counts. Clerk read the Amended Indictment involving Counts 7 and 8. Further testimony and exhibits. State RESTED. Defense RESTED. Court instructed the Jury. Closing arguments by Mr. Schifalacqua. Closing arguments by Mr. Pigeon. Bailiff and matrons SWORN to take charge of the Jury and Alternates. At the hour of 4:03 p.m., the Jury retired to deliberate. Jury returned with a verdict at 4:17 p.m., of the following: As to COUNT 7 - GUILTY of PROHIBITED ACTS BY A SEX OFFENDER (F) As to COUNT 8 - GUILTY of PROHIBITED ACTS BY A SEX OFFENDER (F) Jurors polled. Court thanked and excused the Jury. Absent the Jury, COURT ORDERED, Defendant REMANDED, WITHOUT BAIL and matter REFERRED to Parole and Probation and SET for sentencing. CUSTODY 12/10/14 8:00 AM SENTENCING CLERK'S NOTE: Minute Order amended to clarify verdict reading by adding "Guilty" to each count and changing counts 6 & 7 to 7 & 8 regarding reading of the Amended indictment during the second phase of the trial. /lg 10-9-14 ;

Trial Continues;

Verdict;

Journal Entry Details:

CASE SUMMARY

CASE NO. C-13-290261-1

Amended Indictment FILED IN OPEN COURT. OUTSIDE THE PRESENCE OF PROSPECTIVE JURY PANEL: Parties announced ready for trial. Court ADMONISHED Defendant regarding his right not to testify. Court advised Defendant of his 6th Amendment Right and noted Defendant WAIVED that right. Colloquy regarding jury instructions. Court instructed parties to provide a list of instructions what they believe they should be. Statement by Defendant regarding list of crimes/charges. Explanation by the Court regarding bifurcation of case. State advised they will be playing Def't's statement during the first portion of the trial; however, portions have been redacted relating to any references of Defendant being a prior sex offender. Upon Court's inquiry, Defendant stated he did not have any questions to provide the Court for Voir Dire. State advised it filed a Notice of Intent to Seek Habitual Treatment and stated the penalties/range of punishments. Colloquy. Upon Court's inquiry, Defendant stated he understood the ramifications and range of punishments and did not want a lawyer appointed on his behalf. Colloquy regarding trial proceedings and logistics. Defendant stated the questions he wanted the Court to ask the jury during Voir Dire. PROSPECTIVE JURY PANEL PRESENT: Introductions and opening remarks presented by the Court, followed by introductions of counsel and Defendant Pigeon. Voir Dire of panel. Panel members were excused for cause. OUTSIDE THE PRESENCE OF PROSPECTIVE JURY PANEL: Colloquy regarding bifurcated process. PROSPECTIVE JURY PANEL PRESENT: Parties stipulated to the presence of the jury. Court instructed the Jury on the law. Continued Voir Dire. Panel members excused for cause. Peremptory challenges exercised. Twelve Jurors and 2 Alternates SELECTED and SWORN. Clerk read Amended Indictment. Opening statements by Mr. Schifalacqua and Defendant. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding witness testimony. INSIDE THE PRESENCE OF THE JURY: Parties stipulated to the presence of the jury. Testimony and exhibits. (See attached worksheets.) OUTSIDE THE PRESENCE OF THE JURY: Statement by Mr. Schifalacqua regarding witness testimony/schedule and redactions from audio regarding prior conduct. INSIDE THE PRESENCE OF THE JURY: Parties stipulated to the presence of the jury. Testimony and exhibits. (See attached worksheets.) Court RECESSED for the evening. COURT ADMONISHED the Jury and ORDERED them to return the following day at the time given. 8/5/14 9:00 AM JURY TRIAL NDC ;

12/01/2014



Request (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Request of Court: No Contact Order

Motion Granted;

Journal Entry Details:

Order Granting State's Request for No Contact Order as to Listed Victim and Granting State's Request to Have Defendant's Outgoing Mail Intercepted and Inspected By the Clark County Detention Center FILED IN OPEN COURT. Ms. Mercer stated the victim's father contacted her and indicated the Defendant has been writing letters to the 13-year old victim. Ms. Mercer requested a no contact order be imposed and an order authorizing the Clark County Detention Center to intercept and inspect all of the Defendant's outgoing mail to prevent any further communications. Mr. Pigeon stated Defendant does not have a father and lives with her grandmother. Defendant further stated he just sent her a Christmas Card. COURT ORDERED, defendant cannot contact the victim in any regard. FURTHER ORDERED, the jail will intercept and review all mail sent by Defendant. If mail is found, the jail is to confiscate it and provide it to the court. CUSTODY ;

12/10/2014

Sentencing (8:00 AM) (Judicial Officer: Smith, Douglas E.)

SENTENCING (JURY VERDICT)

Defendant Sentenced;

12/10/2014

Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Pro Per Motion to Withdraw Counsel

Motion Denied;

12/10/2014

Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Pro Per Motion to Copy Transcripts for Defense

Motion Granted;

12/10/2014

Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Pro Per Motion for Approval of House Arrest for Defendant

Motion Denied;

12/10/2014

Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Pro Per Motion for Mistrial

Motion Denied;

12/10/2014



All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Matter Heard;

Journal Entry Details:

DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL...DEFT'S PRO PER MOTION TO COPY TRANSCRIPTS

CASE SUMMARY

CASE NO. C-13-290261-1

FOR DEFENSE...DEFT'S PRO PER MOTION TO APPROVAL OF HOUSE ARREST FOR DEFT...DEFT'S PRO PER MOTION FOR MISTRIAL...SENTENCING Following statements by Defendant, COURT ORDERED, as follows: As to Deft's Motion for Mistrial, COURT ADVISED, said motion was actually for appellate procedures. Further, there was no indication there was any new evidence and motion was untimely. Statement to prepare Findings of Fact, Conclusions of Law, consistence with their opposition. As to Defendant's Pro Per Motion for Approval of House Arrest for Defendant, COURT ORDERED, DENIED. As to Defendant's Pro Per Motion to Copy Transcripts for Defense, COURT ORDERED, GRANTED. As to Defendant's Pro Per Motion to Withdraw Counsel, COURT noted Defendant files the same motion every time and ORDERED, DENIED. Court advised this was the time for sentencing. Defendant stated he never received a copy of the verdict and Pre-sentence (PSI) Report. At the request of the Court, Clerk provided copies of the verdicts and the Presentence Investigation (PSI) Report. MATTER TRAILED for Defendant to review PSI. Upon Court's inquiry, Defendant stated he was ready to proceed. Ms. Mercer presented certified copies of Defendant's prior Judgment of Convictions to the Court and same were marked and admitted as Exhibit 1. Same were provided to Defendant for review. Argument by Mr. Schifalacqua in mitigation of sentence. Argument by Mr. Pigeon. Defendant presented Exhibits marked and admitted as Exhibits A and B. (See Worksheets) Victim Speaker, David Morris, sworn and gave victim impact statement. DEFT PIGEON ADJUDGED GUILTY of COUNT 1 - ATTEMPT FIRST DEGREE KIDNAPPING (F); COUNT 2 - AGGRAVATED STALKING (F); COUNT 3 - LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT (F); COUNT 4 - BURGLARY (F); COUNT 5 - OPEN OR GROSS LEWDNESS (F); COUNT 6 - UNLAWFUL CONTACT WITH A CHILD (GM); COUNT 7 - PROHIBITED ACTS BY A SEX OFFENDER (F) and COUNT 8 - PROHIBITED ACTS BY A SEX OFFENDER (F). Argument by Mr. Schifalacqua. Argument by Defendant. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA collection fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, and \$760.00 psychosexual fee, Defendant SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE as to COUNTS 1, 2, 3, 4, 5, 7 and 8. COURT ORDERED, Defendant SENTENCED in Court 1 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 2 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 3 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 4 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 5 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 6 - Deft. SENTENCED to Clark County Detention Center (CCDC) for 364 DAYS; COUNT 7 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 8 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE. FURTHER ORDERED, COUNTS 1, 2, 3, 4, 5, 7 and 8 TO RUN CONCURRENT with 573 DAYS credit for time served. Upon Court's inquiry, Defendant stated he does not wish to have counsel appointed for the appeal; he will represent himself. NDC CLERK'S NOTE: Pursuant to sentencing, the Court sentenced Defendant to life without the possibility of parole on each felony count. To be clear, these sentences are to be concurrent on each count. On the gross misdemeanor charge, Defendant is sentenced to 364 days in jail with credit for time served. /lg 12-15-14 ;

12/15/2014  **Status Check** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Status Check: Appellate Counsel

Matter Heard;

Journal Entry Details:

COURT ADVISED, pursuant to Blandino versus State Defendant was not entitled to represent himself and has to petition the Nevada Supreme Court. COURT ORDERED, Sandra Stewart APPOINTED as counsel. Order signed in OPEN COURT. Ms. Stewart provided Defendant with a copy of case law. NDC ;

04/25/2016 **Motion** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Motion to Withdraw Counsel-and-to Request Re-Ordering of Transcripts-for the Sake of Clarifying this Case and Writ

Motion Denied;


04/25/2016 **Motion** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Events: 04/01/2016 Application to Proceed in Forma Pauperis

Defendant's Motion to Proceed in Forma Pauperis

Motion Denied;

04/25/2016 **All Pending Motions** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

04/25/2016  **All Pending Motions** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Matter Heard;

Journal Entry Details:

DEFENDANT'S MOTION TO WITHDRAW COUNSEL AND TO REQUEST RE - ORDERING OF TRANSCRIPTS FOR THE SAKE OF CLARIFYING THIS CASE AND WRIT...DEFENDANT'S MOTION TO PROCEED IN FORMA PAUPERIS Deft. not present. Court noted it does not have jurisdiction, the Supreme Court does, therefore, COURT ORDERED, motions DENIED. State to prepare Findings of Fact and Conclusion of Law. NDC;

CASE SUMMARY
CASE NO. C-13-290261-1

03/12/2018 **Motion** (8:00 AM) (Judicial Officer: Smith, Douglas E.)
03/12/2018, 04/09/2018


Deft.'s Motion to Withdraw Counsel
Matter Continued;
Off Calendar;
Matter Continued;
Off Calendar;

03/12/2018 **Motion** (8:00 AM) (Judicial Officer: Smith, Douglas E.)
03/12/2018, 04/09/2018

Deft.'s Motion for Leave to Proceed in Forma Pauperis
Matter Continued;
Off Calendar;
Matter Continued;
Off Calendar;

03/12/2018 **Motion to Remand** (8:00 AM) (Judicial Officer: Smith, Douglas E.)
03/12/2018, 04/09/2018

Deft.'s Motion for Remanded Sentencing; Hearing to be Provided
Matter Continued;
Off Calendar;
Matter Continued;
Off Calendar;


03/12/2018  **All Pending Motions** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Deft.'s Motion to Withdraw Counsel . . . Deft.'s Motion for Leave to Proceed in Forma Pauperis . . . Deft.'s Motion for Remanded Sentencing; Hearing to be Provided

Matter Heard;

Journal Entry Details:

DEFT.'S MOTION TO WITHDRAW COUNSEL . . . DEFT.'S MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS . . . DEFT.'S MOTION FOR REMANDED SENTENCING; HEARING TO BE PROVIDED Samuel Martinez, Chf Dep DA, present on behalf of the State; Deft. Pigeon is incarcerated in the Nevada Department of Corrections (NDC) and not present. This is the time set for hearing on the above-named Motions. The Court noted that an Oder Affirming in Part, Reversing in Part, and Remanding was received from the Supreme Court. This is an appeal from a Judgment of Conviction pursuant to a Jury Verdict. The Supreme Court AFFIRMED the judgment as to the convictions for Unlawful Contact with a Child and one (1) Count of Prohibited Acts by a Sex Offender. The convictions on all the remaining Counts were REVERSED and REMANDED for a new sentencing hearing. Mr. Martinez advised that Count 6, Unlawful Contact with as Child is a Gross Misdemeanor. Although the Supreme Court reversed on Count 8, Prohibited Acts by a Sex Offender, a Felony, Count 7, Prohibited Acts by a Sex Offender, a Felony, STANDS and has to with the Deft.'s failing to update his address as a sex offender. The State plans to proceed on Count 7 under the Habitual Criminal Statute. COURT ORDERED, Motions CONTINUED; the Court directed Mr. Martinez to file a brief. Since the Deft. is still in NDC, COURT FURTHER ORDERED, the State to prepare a transport order. NDC CONTINUED TO: 04/09/18 8:00 AM;

04/09/2018  **All Pending Motions** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Deft.'s Motion to Withdraw Counsel . . . Deft.'s Motion for Leave to Proceed in Forma Pauperis . . . Deft.'s Motion for Remanded Sentencing; Hearing to be Provided

Matter Heard;




Journal Entry Details:

DEFT.'S MOTION TO WITHDRAW COUNSEL . . . DEFT.'S MOTION TO PROCEED IN FORMA PAUPERIS . . . DEFT.'S MOTION FOR REMANDED SENTENCING HEARING; TO BE PROVIDED Liz Mercer, Chf Dep DA, present on behalf of the State and Deft. Pigeon present on his own behalf. This is the time set for hearing on the above-named Motions, which the Deft. filed pro se; Deft. stated that he has an Order from the Supreme Court. The Deft. was convicted on eight (8) separate Counts; however, the Supreme Court only affirmed on the Count of Unlawful Contact with a Child (GM) and One Count of Prohibited Acts by a Sex Offender (F). The Supreme Court directed the District Court to set a new sentencing hearing. The Deft. requested that the Court sentence him to credit for time served; he has served approximately serve (7) years and he believes the maximum sentence on the Felony he was convicted on is only four (4) years. Court noted that the State has filed Notice of their intent to seek treatment as an habitual criminal; colloquy. Ms. Mercer advised that she filed a Sentencing Memorandum; which the Court has reviewed. Upon Court's inquiry, Deft. stated that he did not receive a copy but would like one; the Court provided the Deft. with a copy. COURT ORDERED, matter set for sentencing; Motions OFF CALENDAR. Deft. is free to respond to the Sentencing Memorandum. Deft. orally moved the Court for an O.R. Release. COURT FURTHER ORDERED, request DENIED.

CASE SUMMARY

CASE NO. C-13-290261-1


NDC 04/11/18 8:00 AM SENTENCING ;

04/11/2018	 Sentencing (8:00 AM) (Judicial Officer: Smith, Douglas E.) 04/11/2018, 05/09/2018 Matter Continued; Defendant Sentenced; Matter Continued; Defendant Sentenced; Journal Entry Details: <i>Liz Mercer, Chf Dep DA, present on behalf of the State; Deft. Pigeon present on his own behalf. This is the time set for Sentencing. Court inquired as to whether the Deft. had had an opportunity to review the Sentencing Memorandum filed by the State on March 29, 2018. Deft. CONCURRED but requested clarification on the habitual criminal treatment; if the Court is not going to grant the Deft. credit for time served today, he would request an Evidentiary Hearing to challenge the habitual criminal aspect of the State's request. Colloquy; Court noted that it was considering habitual criminal because at the trial of this matter, the Deft. was adjudged an habitual criminal and based on the totality of the circumstances; i.e., the Deft.'s background and hearing the evidence during the trial of this case, the Court believes he is a pedophile and a threat to society. Since the Deft. is not prepared for Sentencing today, COURT ORDERED, matter CONTINUED for thirty (30) days. NDC CONTINUED TO: 05/09/18 8:00 AM ;</i>
05/02/2018	Motion to Withdraw as Counsel (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Deft.'s Pro Se Motion to Withdraw As Counsel</i> Matter Heard;
05/02/2018	Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.) 05/02/2018, 05/09/2018 <i>Deft.'s Motion to Schedule a District Court Hearing</i> Matter Continued; Denied; Matter Continued; Denied;
05/02/2018	 All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Deft.'s Pro Se Motion to Withdraw As Counsel . . . Deft.'s Pro Se Motion to Schedule a District Court Hearing</i> Matter Heard; Journal Entry Details: <i>DEFT.'S PRO SE MOTION TO WITHDRAW AS COUNSEL . . . DEFT.'S PRO SE MOTION TO SCHEDULE A DISTRICT COURT HEARING Kelsey Einhorn, Dep DA, present on behalf of the State; Deft. Pigeon is pro se but is not present. This is the set for hearing on the above-named motions, which the Deft. filed pro se. Ms. Einhorn advised that this matter is assigned to Liz Mercer, Chf Dep DA, and she was not aware that the Deft. had filed the pro se motions or that they were on calendar today. This matter is set for Sentencing on May 9, 2018; therefore, Ms. Mercer would request that all motions be heard at that time; a transport order has been prepared for that date. COURT SO ORDERED. NDC CONTINUED TO: 05/09/18 8:00 AM;</i>
05/09/2018	Motion to Withdraw as Counsel (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Deft.'s Motion to Withdraw As Counsel</i> Denied;
05/09/2018	Motion to Produce Transcript (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Deft.'s Motion to Produce Transcript</i> Denied;
05/09/2018	Motion (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Deft.'s Motion to Enter Favorable Supreme Court Appeal Order in Justice Court</i> Denied;
05/09/2018	 All Pending Motions (8:00 AM) (Judicial Officer: Smith, Douglas E.) <i>Sentencing . . . Deft.'s Motion to Enter Favorable Supreme Court Appeal Order in Justice Court . . . Deft.'s Motion to Schedule a District Court Hearing . . . Deft.'s Motion to Produce Transcript . . . Deft.'s Motion to Withdraw As Counsel</i> Matter Heard; Journal Entry Details:

CASE SUMMARY

CASE NO. C-13-290261-1

SENTENCING . . . DEFT.'S MOTION TO ENTER FAVORABLE SUPREME COURT APPEAL ORDER IN JUSTICE COURT . . . DEFT.'S MOTION TO SCHEDULE A DISTRICT COURT HEARING . . . DEFT.'S MOTION TO PRODUCE TRANSCRIPT . . . DEFT.'S MOTION TO WITHDRAW AS COUNSEL Liz Mercer, Chf Dep DA, present on behalf of the State; Deft. Pigeon present pro se. This is the time set for Sentencing as well as hearing on the above-named Motions, which the Deft. filed pro se. Colloquy; COURT ORDERED, the Motions are DENIED. The Court will now proceed with Sentencing. For the record, the Deft. appealed his Judgment of Conviction from a Jury Trial; there were 8 Counts. Pursuant to the Supreme Court Order, which was filed January 4, 2018, the Supreme AFFIRMED as to Counts 6 and 7 ONLY, REVERSED on the remaining Counts, and REMANDED the matter for a new sentencing hearing. Upon Court's inquiry, the Deft. stated that he would like to argue the State's original Notice of Intent to Seek Punishment as a Habitual Criminal and, with regard to the State's Sentencing Memorandum, he is still in the process of writing an opposing motion but is not finished yet. DEFT. PIGEON ADJUDGED GUILTY of COUNT 6 - UNLAWFUL CONTACT WITH A CHILD (GM) and COUNT 7 - PROHIBITED ACTS BY A SEX OFFENDER (F). Ms. Mercer advised that the Deft. is to be treated as an habitual offender. The Deft.'s three (3) prior Felony convictions were previously marked as State's Exhibits and admitted at his initial sentencing date on December 10, 2014; i.e., C216699, C269318, and 980D04426 out of El Paso County, Texas. Ms. Mercer discussed the underlying facts of the instant case, which are detailed in her Sentencing Memorandum; she believes the Deft. is a danger to the community, he has had three prior failures to register; in one of those cases he made a statement to the officer that he was protesting the registration requirement. For the reasons stated on the record, the State is requesting that the Court re-adjudicate the Deft. as Large Habitual Offender and give him a life tail. The Deft. stated that he did not want to be sentenced today because he is ready; he stated that he has not finished his motion and he orally requested a continuance. Ms. Mercer indicated that the Deft. was given thirty (30) days to file whatever he wanted to but, to date, has failed filed anything. COURT ORDERED, request DENIED. COURT ORDERED, pursuant to the Habitual Criminal Offender Statute, Deft. shall be adjudicated as a LARGE HABITUAL CRIMINAL OFFENDER; all FEES are WAIVED, as to COUNT 6 Deft. SENTENCED to CREDIT FOR TIME SERVED, and as to COUNT 7, Deft. SENTENCED to LIFE in the Nevada Department of Corrections (NDC) WITHOUT the possibility of parole. Deft. has ONE THOUSAND EIGHT HUNDRED NINETEEN (1,819) DAYS credit for time served. NDC ;

06/20/2018  **Motion** (8:00 AM) (Judicial Officer: Smith, Douglas E.)

Defendant's Motion to Withdraw Counsel
Denied; Deft's Motion to Withdraw Counsel

Journal Entry Details:

DEFT NOT PRESENT. The Court stated Deft has filed this motion several times. Deft does not have counsel representing him. Deft represents himself, Deft is Pro Se. Deft represented himself before the Supreme Court for a sentencing. The Court further stated based on the fact Deft has filed this motion several times. COURT ORDERED, MOTION DENIED. NDC;

06/17/2020 **Motion to Withdraw as Counsel** (1:45 PM) (Judicial Officer: Silva, Cristina D.)

Events: 05/27/2020 Motion to Withdraw As Counsel

Deft.'s Motion to Withdraw Counsel

Granted in Part;

06/17/2020 **Motion to Vacate** (1:45 PM) (Judicial Officer: Silva, Cristina D.)

Events: 05/27/2020 Motion to Vacate

Deft.'s Motion to Vacate or Reduce Habitual Sentence


Supplemental Briefing Due;

06/17/2020 **Motion** (1:45 PM) (Judicial Officer: Silva, Cristina D.)

Events: 05/27/2020 Ex Parte Motion

Deft.'s Ex-Parte Motion for Order to Transport Prisoner

Denied;

06/17/2020  **All Pending Motions** (1:45 PM) (Judicial Officer: Silva, Cristina D.)

Deft.'s Motion to Withdraw Counsel . . . Deft.'s Motion to Vacate or Reduce Habitual Sentence . . . Deft.'s Ex-Parte Motion for Order to Transport Prisoner

Matter Heard;

Journal Entry Details:

DEFT.'S MOTION TO WITHDRAW COUNSEL . . . DEFT.'S MOTION TO VACATE OR REDUCE HABITUAL SENTENCE . . . DEFT.'S EX-PARTE MOTION FOR ORDER TO TRANSPORT PRISONER Quanisha Holloway, Dep DA, present on behalf of the State; Deft. Pigeon is incarcerated in the Nevada Department of Corrections (NDC) and not present. Deft.'s Ex-Parte Motion for Order to Transport Prisoner: The Court has reviewed the Motion; the Deft. requested to be transported for today's hearing. Since the Motions can be decided without his presence, COURT ORDERED, the Motion is DENIED. Deft.'s Motion to Vacate or Reduce Habitual Sentence and Deft.'s Motion to Withdraw Counsel: The Court has reviewed these Motions as well but is not sure if the State was served. Ms. Holloway

CASE SUMMARY

CASE NO. C-13-290261-1

advised that the State's Appellate Division did not receive the Motions and is requesting thirty (30) days to respond. With regard to Def't.'s Motion to Withdraw Counsel, Court noted that the Def't. is already pro se. Ms. Holloway advised that in the State's review of this Motion, it appears that the Def't. may be requesting Appointment of Counsel. Colloquy; the Court does not believe there is a specific request for counsel but if the State is construing this Motion as a request to appoint counsel, the Court has no objection to granting it. Therefore, COURT ORDERED, the Motion is GRANTED IN PART. The Def't.'s request for appointment of counsel is GRANTED; the Def't.'s request to withdraw counsel is DENIED because the Def't. is already pro se. COURT FURTHER ORDERED, matter set for status check. This Court's staff will contact the Office of Appointed Counsel; once counsel is appointed, a briefing schedule will be set for Def't.'s Motion to Vacate or Reduce Habitual Sentence. NDC 06/24/20 1:45 PM STATUS CHECK: CONFIRMATION OF COUNSEL CLERK'S NOTE: A copy of this minute order was mailed to Christopher Pigeon #90582, Ely State Prison, P.O. Box 1989, Ely, Nevada, 89301. ;

06/24/2020

**Status Check** (1:45 PM) (Judicial Officer: Silva, Cristina D.)*Status Check: Confirmation of Counsel**Matter Heard; Confirmation of Counsel**Journal Entry Details:*

Jacob Villani, Chf Dep DA, present on behalf of the State; Terrence Jackson, Esq., appearing via BlueJeans, for Def't. Pigeon, who is not present. The Def't. is incarcerated in the Nevada Department of Corrections (NDC). This is the time set for the Status Check on Confirmation of Counsel. Mr. Jackson CONFIRMED as counsel of record; he stated that the Def't. is in NDC and is housed in Ely, Nevada; he has not had contact with the Def't. because he was just made aware of the appointment yesterday. As soon as Mr. Jackson gets the file from the Public Defender, he will begin corresponding with the Def't. Colloquy as to whether a briefing schedule should be set at this time; Mr. Jackson would like to file a Supplemental Points and Authorities to the Def't.'s Motion. Mr. Villani suggested that the Court first set a status check. COURT SO ORDERED, a briefing schedule can be set at the status check. Additionally, Mr. Villani advised that at the last hearing on June 17, 2020, the State was GRANTED thirty (30) days to respond to Def't.'s Motion to Vacate or Reduce Habitual Sentence. COURT FURTHER ORDERED, said ORDER is RESCINDED, a response will be WAIVED until further order of the Court. NDC 08/26/20 8:30 AM STATUS CHECK: FILE/SET BRIEFING SCHEDULE ;

08/26/2020

**Status Check** (1:45 PM) (Judicial Officer: Silva, Cristina D.)*Status Check: File/Set Briefing Schedule**Matter Heard;**Journal Entry Details:*

APPEARANCES CONTINUED: Ms. Holloway and Mr. Jackson present appeared via BlueJeans video conferencing. Mr. Jackson noted the Def't. wanted to be present for today's hearing; however, advised him this was to set a briefing schedule there was no reason to be present. Mr. Jackson made an oral motion on the Def't.'s behalf that the Def't. would like to be appointed co-counsel for his case. Mr. Jackson requested to be relieved as counsel, if the Court was inclined to appoint the Def't. as co-counsel; otherwise, requested a continuance to review the case and submit a Writ or supplement as needed. COURT ORDERED, briefing schedule SET, supplement/brief due by 11/25/20, answer/response due by 1/27/21, reply due by 2/24/21, hearing SET. After Mr. Jackson discontinued from BlueJeans, COURT ORDERED, the Def't.'s oral motion for appointment as co-counsel DENIED, Mr. Jackson would remain attorney of record. NDC 3/24/21 8:30 AM HEARING: DEFENDANT'S MOTION TO VACATE OR REDUCE HABITUAL SENTENCE.;

11/23/2020

CANCELED Motion (1:45 PM) (Judicial Officer: Silva, Cristina D.)*Vacated - Moot**Defendant's Motion for Extension of Time to File Supplementary Points and Authorities to Defendant's Motion to Vacate or Reduce Habitual Criminal Sentence*

12/07/2020

CANCELED Motion (1:45 PM) (Judicial Officer: Silva, Cristina D.)*Vacated - per Attorney or Pro Per**Motion and Supplemental Points and Authorities to Vacate Habitual Criminal Sentence or Modify Sentence*

01/20/2021

**Motion** (11:00 AM) (Judicial Officer: Silva, Cristina D.)*Motion to Withdraw Counsel**Motion Denied;**Journal Entry Details:*

Defendant not present and in custody in the Nevada Department of Corrections; Deputy District Attorney Dena Rinetti present on behalf of the State. Upon Court's inquiry, Mr. Jackson stated he is not taking a position on the Motion, adding was not served a copy of it, and there are several factual things that are not true in the Motion, and if the Defendant wants new counsel, he should be entitled to it. Mr. Jackson stated he has filed all the points and authorities in a timely fashion. COURT STATED there is a pending Motion set for March 24, 2021, which the Court feels is a complicated Motion, and the Court feels the Defendant should have counsel present. COURT FINDS the argument as

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-13-290261-1

to why the Defendant is making the request to dismiss counsel is based upon a general dissatisfaction with no contact, and availability, and further the Defendant is exasperated by believes that COVID-19 is not a good enough reason for delays in contact, or delays in getting things filed. COURT STATED they understand the Defendant's frustration, however that is not a basis to relieve Mr. Jackson as counsel of record at this time, and ORDERED, Motion to Withdraw Counsel DENIED WITHOUT PREJUDICE. Mr. Jackson stated he is happy to remain on the case at the Court's request, adding he just received a response from the State from his Supplemental Points and Authorities, and will be prepared to argue the Motion on the future hearing date. NDC 3/24/2021 11:00 A.M. DEFENDANT'S MOTION TO VACATE OR REDUCE HABITUAL SENTENCE CLERK'S NOTE: A copy of this Minute Order has been mailed to: Christopher Pigeon #90582, 4569 N. State Rd. Ely, Nevada 89301. (1-26-2021 ks);

04/12/2021



Hearing (11:00 AM) (Judicial Officer: Silva, Cristina D.)

Defendant's Motion to Vacate or Reduce Habitual Sentence

NDOC transport time

Denied Without Prejudice;

Journal Entry Details:

COURT NOTED, it read the Motion, Opposition, and Reply. Argument by Mr. Jackson in support of the motion regarding whether there was sufficient evidence, whether the sentence was proportional, whether the habitual criminal finding should be reconsidered and the sentence should be reduced. Colloquy regarding whether a Post-Conviction Petition for Writ of Habeas Corpus (PCWHC) should have been filed instead of this motion. COURT NOTED, it did not believe it could rule on the motion as it did not believe it had jurisdiction. Statement by Deft. regarding matters he would like his attorney to address. COURT DIRECTED, the Deft. not to speak as he had counsel representation and after the Deft. continued to speak, ORDERED, Deft. to be muted. COURT ADVISED, it did not have jurisdiction to grant the relief to vacate or modify the sentence; NOTED there was another avenue to seek relief by PCWHC. COURT FURTHER ADVISED, it did not believe there was an eight amendment issue pending and the Deft. was found to be a habitual criminal. Mr. Schwartz stated he had nothing to add to his Opposition; noting this type of motion is for a specific mistake. COURT ORDERED, the request to incorporate the documents is GRANTED; NOTING it had read the presentence investigation report (PSI), the psycho sexual evaluation, and the sentencing memorandum, because of the arguments regarding the habitual criminal treatment, and those documents were relevant to the District Court's findings of the habitual qualification. COURT FURTHER ORDERED, the motion to vacate or reduce habitual sentence is DENIED WITHOUT PREJUDICE. Mr. Jackson stated he needed to talk to the Deft. further, to determine whether he will be filing an appeal on the denial of the motion or if he is going to file a PCWHC, as there may be an issue due to the timeliness. COURT DIRECTED the State to prepare the findings of fact and conclusions of law and run it by Mr. Jackson before submitting to the Court for signature. NDC;

DATE

FINANCIAL INFORMATION

Defendant Pigeon, Christopher

Total Charges

178.00

Total Payments and Credits

0.00

Balance Due as of 7/15/2021

178.00

ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
ROBERT STEPHENS
Chief Deputy District Attorney
Nevada Bar #011286
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

CHRISTOPHER PIGEON, aka,
Christopher Edward Pigeon, #1694872
Defendant.

CASE NO: C-13-290261-1

DEPT NO: IX

**ORDER DENYING DEFENDANT'S MOTION TO VACATE OR REDUCE
HABITUAL SENTENCE**

DATE OF HEARING: 04/12/2021
TIME OF HEARING: 11:00 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 12th day of June, 2021, the Defendant being present, represented by TERRENCE MICHAEL JACKSON, ESQ., the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through ROBERT STEPHENS, Chief Deputy District Attorney, and the Court having heard the arguments of counsel and good cause appearing therefor,

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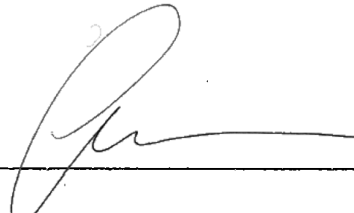
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1 IT IS HEREBY ORDERED that the Defendant's motion, shall be, and it is DENIED
2 WITHOUT PREJUDICE.

Dated this 2nd day of July, 2021

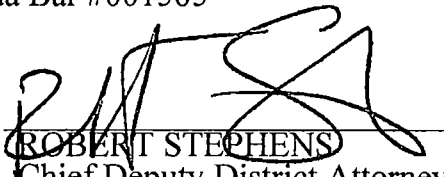
3 DATED this _____ day of June, 2021.

4
5 
6 _____ EC

6 STEVEN B. WOLFSON
7 Clark County District Attorney
8 Nevada Bar #001565

49A 952 0502 E66E
Cristina D. Silva
District Court Judge

9 BY

10 
11 ROBERT STEPHENS
12 Chief Deputy District Attorney
13 Nevada Bar #011286
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28 13F08007X/mlb/SVU

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5
6 State of Nevada

CASE NO: C-13-290261-1

7 vs

DEPT. NO. Department 9

8 Christopher Pigeon
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order Denying Motion 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: 7/2/2021

15 "Steven B. Wolfson, Esq." .

steven.wolfson@ccdancv.com

16 Sandra Stewart .

nvatt@icloud.com

17 PUBLIC DEFENDER

pdclerk@clarkcountynv.gov

18 terrence jackson

terry.jackson.esq@gmail.com
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 05, 2013

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

June 05, 2013 11:45 AM Grand Jury Indictment

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Aaron Carbajal
 Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Laurent, Christopher J Attorney
 Schifalacqua, Marc M. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Edward Golec, 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 13AGJ006X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-13-290261-1, Department 8. Mr. Schifalacqua requested a warrant and argued bail. COURT ORDERED, WARRANT WILL ISSUE \$200,000.00 TOTAL BAIL. FURTHER, exhibit(s) 1-7 lodged with the Clerk of District Court. Matter SET for Arraignment.

B.W.

06/12/13 8:00 AM INITIAL ARRAIGNMENT (DEPT. 8)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 12, 2013

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

June 12, 2013	8:00 AM	All Pending Motions	INITIAL ARRAIGNMENT; INDICTMENT WARRANT RETURN
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HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Katherine Streuber

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT:	Graham, Elana L.	Attorney
	O'Brien, Robert	Attorney
	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT. PIGEON ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. FURTHER, State to provided all discovery.

CUSTODY (COC)

08-07-12 8:00 AM CALENDAR CALL

08-12-13 9:30 AM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 08, 2013

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

July 08, 2013 8:00 AM Request

HEARD BY: Smith, Douglas E. **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Shelly Landwehr

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	O'Brien, Robert	Attorney
	Pigeon, Christopher	Defendant
	Schifalacqua, Marc M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Colloquy regarding defendant's pro per motion. Court stated it did not have a copy. Colloquy regarding a writ. COURT ORDERED, matter REFERRED to competency court. FURTHER, Court will reserve the right for defendant to file a writ until he returns from competency court at which time he will have 21 days to file any writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY (COC)

08/02/13 9:30 AM FURTHER PROCEEDINGS: COMPETENCY (DC 7)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2013

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

**July 31, 2013 8:00 AM Motion to Withdraw as
Counsel**

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Graham, Elana L.	Attorney
	Khamsi, Bitu	Attorney
	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Khamsi advised Defendant is in Competency Court. She received the reports and they both have come back incompetent. Ms. Khamsi stated everything should be held in abeyance until competency is determined, and that hearing is set for Friday, August 2, 2013. Statements by Defendant. Defendant prepared and provided Ms. Khamsi with a Motion to Dismiss Charges. COURT ORDERED, based on findings, trial date and pending motions VACATED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 02, 2013

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

**August 02, 2013 9:30 AM Further Proceedings:
Competency**

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Aaron Carbajal

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Bayudan, Josie T.	Attorney
	Khamisi, Bitu	Attorney
	O'Brien, Robert	Attorney
	Pace, Barter G	Attorney
	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Court NOTED Drs. Krelstein and Bradley indicate not competent; therefore, pursuant to the doctors reports and the Dusky Standard, FINDS Defendant NOT COMPETENT as he/she is not capable of understanding the charges against him/her and is unable to assist counsel in his/her defense. Pursuant to NRS 178.425, COURT ORDERED, Defendant is REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, Defendant will be returned to this Court for findings and referred back to the originating department for further proceedings.

MATTER RECALLED. Robert O'Brien Esq., Public Defender, present. Mr. O'Brien, advised the Deft.

was requesting to represent himself. Court noted Deft. cannot make a request until the issue of competency was resolved and he returned from Lakes Crossing.

CUSTODY (L.C.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 13, 2013

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

**December 13, 2013 9:30 AM Further Proceedings:
Competency-Return From
Lakes Crossing**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03F

COURT CLERK: Aaron Carbajal

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Pace, Barter G	Attorney
	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Court noted the Deft. was returned from Lakes Crossing and was found competent to proceed with adjudication. Ms. Harris noted there would be a challenge and inquired as to the Court's availability on January 17th for setting the hearing noting the doctors would be present. Further, Ms. Harris indicated the case was Mr. Obrien's. Court advised the hearing could be set for 1-17-14 at 11:00 am. Deft. requested a copy of the reports. Ms. Harris advised Mr. Obrien would provide a copy of the reports to the Deft., and requested a status check to confirm the hearing date with the doctors. COURT SO ORDERED.

CUSTODY

12-27-13 9:30 AM STATUS CHECK: CHALLENGE HEARING DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 27, 2013

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

December 27, 2013 9:30 AM Status Check

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03F

COURT CLERK: Aaron Carbajal

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT:	Harris, Belinda T.	Attorney
	Pace, Barter G	Attorney
	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Ms. Harris advised the defense was challenging the findings and will be calling on Dr. Bradley to testify. Colloquy regarding scheduling. Statement by Defendant. COURT ORDERED, matter SET for a challenge hearing.

CUSTODY

1-17-14 11:00 AM CHALLENGE HEARING (COMPETENCY COURT)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 17, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

**January 17, 2014 11:00 AM Challenge Hearing
(Competency Court)**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03F

COURT CLERK: Aaron Carbajal

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	O'Brien, Robert	Attorney
	Pace, Barter G	Attorney
	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Mr. O'Brien requested a continuance noting the District Attorney handling the case in the trial court needed additional time to review the doctor evaluations. Statement by the Defendant. Colloquy regarding scheduling. COURT ORDERED, matter CONTINUED for a status check.

CUSTODY

1-24-14 9:30 AM STATUS CHECK: CHALLENGE HEARING DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 24, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

January 24, 2014 9:30 AM Status Check

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Aaron Carbajal

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Harris, Belinda T.	Attorney
	Pace, Barter G	Attorney
	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Colloquy regarding scheduling and doctor availability. Court advised a Senior Judge would be present on the 13th of February. Statement by Deft. requesting a copy of the reports. Ms. Harris advised a report was forwarded to the Deft. MATTER TRAILED for Ms. Harris to contact Mr. O Brien on how to proceed.

MATTER RECALLED. All previous parties present. Upon counsel's request, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 1-31-14 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 31, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

January 31, 2014 9:30 AM Status Check

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Aaron Carbajal

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Harris, Belinda T. Attorney
 Pigeon, Christopher Defendant

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Danae Adams, Deputy District Attorney, present on behalf of the State. Christina Greene of the Specialty Courts present.

Colloquy in regards to scheduling the challenge hearing and the doctors' availability. Statement by Defendant. COURT ORDERED, matter SET for a challenge hearing.

CUSTODY

2-14-14 1:00 PM CHALLENGE HEARING (COMPETENCY COURT)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 14, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

**February 14, 2014 1:00 PM Challenge Hearing
(Competency Court)**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03F

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Court noted, a message was received from Mr. O'Brien requesting to reschedule today's hearing due to scheduling issues. COURT ORDERED, a status check to be SET.

CUSTODY

2/21/14 9:30 AM STATUS CHECK: RESET CHALLENGE HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 17, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

March 17, 2014 8:00 AM All Pending Motions

HEARD BY: Smith, Douglas E. **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Jones, Tierra D.	Attorney
	O'Brien, Robert	Attorney
	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL...DEFT'S PRO PER MOTION TO DROP CHARGES DUE TO IMPROPER INDICTMENT...DEFT'S PRO PER MOTION TO DISMISS CHARGES DUE TO FAILURE TO GRANT THE RIGHT TO A SPEEDY TRIAL.

Mr. O'Brien advised the Defendant is in competency court and has a hearing set for Friday; therefore, requested motions be stayed pending said hearing. COURT SO ORDERED; however, noted all motions are faulty and would have to be cleaned up.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 21, 2014

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

**March 21, 2014 11:00 AM Challenge Hearing
(Competency Court)**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03F

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:	Harris, Belinda T.	Attorney
	Mercer, Elizabeth A.	Attorney
	O'Brien, Robert	Attorney
	Schifalacqua, Marc M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant present, in custody.

Drs. Bradley and Harder sworn and testified.

Opposition by Mr. O'Brien, arguing as to the findings of Drs. Bradley and Harder, stating Defendant claims he is competent and therefore; wishes to have this case tried before a jury. Further advising the Court to take judicial notice as to Defendant's outburst, courtroom conduct and requested Defendant be sent back to Lakes Crossing for further evaluation. Arguments by Mr. Schifalacqua stating there is no testimony or evidence that the Defendant cannot or will not work with his attorney or be able to proceed in a rational way. Statement by Defendant. Further arguments by Mr. O'Brien. COURT ORDERED, matter CONTINUED PENDING DECISION.

CUSTODY

PRINT DATE: 07/15/2021

Page 14 of 50

Minutes Date: June 05, 2013

3/28/14 9:30 AM DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 28, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

March 28, 2014 9:30 AM Further Proceedings

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03F

COURT CLERK: Tia Everett

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Bart Pace, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Bitu Khamsi, Deputy Public Defender.

COURT ORDERED, matter CONTINUED one week for decision.

CUSTODY

CONTINUED TO: 4/04/2014 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 04, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

April 04, 2014

9:30 AM

**Further Proceedings:
Competency**

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03F

COURT CLERK: Tia Everett

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Danae Adams, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Claudia Romney, Deputy Public Defender.

APPEARANCES CONTINUED: Christina Greene of the Specialty Courts present.

Court stated she will enter an order finding defendant competent to proceed with trial and will issue a written order with findings; therefore, COURT ORDERED, matter TRANSFERRED back to the originating court for further proceedings.

CUSTODY

4/23/2014 8:00 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT (DEPT. 8)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 23, 2014

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

April 23, 2014 8:00 AM Further Proceedings

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Tia Everett

RECORDER: Jill Jacoby

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Sam Bateman, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Robert O'Brien, Deputy Public Defender.

Court noted Defendant has been found competent and matter needs to be set for trial. Mr. O'Brien advised Defendant has a pending motion to withdraw counsel and represented himself. Further, counsel advised he has provided Defendant with the farretta material. Court canvassed Defendant. Court Finds, Defendant is intelligent, graduated from university and although Defendant is not a law individual is aware of the procedures. Further, Court Finds Defendant is competent to waive his constitutional right to be represented by an attorney according to RULE 254 subsection 4; Defendant is waiving his right to counsel freely voluntarily and knowingly and has a full understanding of this waiver and its consequences. COURT ORDERED, Defendant's Motion to Withdraw Counsel GRANTED; Public Defender WITHDRAWN; and Defendant shall proceed in Pro Per status. Colloquy regarding scheduling. FURTHER ORDERED, matter SET for trial.

CUSTODY

7/30/2014 8:00 AM CALENDAR CALL

8/04/2014 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 18, 2014**

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

June 18, 2014**8:00 AM****All Pending Motions****HEARD BY:** Smith, Douglas E.**COURTROOM:** RJC Courtroom 16D**COURT CLERK:** Louisa Garcia**RECORDER:** Jill Jacoby**REPORTER:****PARTIES**

PRESENT:	Mercer, Elizabeth A.	Attorney
	Pigeon, Christopher	Defendant
	Schifalacqua, Marc M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO DROP CHARGES DROP TO IMPROPER INDICTMENT...DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL

Court noted this motion was actually a motion for pretrial writ. Statement by Defendant stating he was being held illegally and illegally indicted. Mr. Schifalacqua stated this was presented to the grand jury in the course of two days resulting in one indictment. In the indictment returned it had all the charges. Colloquy between Court and Defendant. COURT stated its findings, and ORDERED, Deft's Pro Per Motion to Drop Charges, DENIED and Pro Per Motion to Withdraw Counsel, DENIED, as Defendant already represents himself. State to prepare Findings of Fact, Conclusion of Law consistent with their opposition.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 07, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

July 07, 2014

8:00 AM

All Pending Motions

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Melissa Murphy

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:

Lexis, Agnes
Pigeon, Christopher
State of Nevada

Attorney
Defendant
Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION TO WITHDRAW COUNSEL....DEFENDANT'S PRO PER MOTION TO QUASH OPPOSING MOTION: DEFENDANT'S OPPOSITION TO STATE'S OPPOSITION TO/OF MOTION TO DROP CHARGES DUE TO IMPROPER INDICTMENT

Court noted Deft does not need to file a Motion to Withdraw as Counsel every time as it has previously been done. COURT ORDERED, Motions DENIED as moot. Deft stated there were four charges added at the Grand Jury that were not mentioned. Court advised the Deft to file the proper documentation. Deft requested information on a new witness by the name of Monalisa Carillo. Ms. Lexis stated she will obtain information from the Deputy District Attorney handling this case. Upon receipt of the requested information, Court will issue a minute order in reference to said witness.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 30, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

July 30, 2014 8:00 AM Calendar Call

HEARD BY: Smith, Douglas E. **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT:	Mercer, Elizabeth A.	Attorney
	Pigeon, Christopher	Defendant
	Schifalacqua, Marc M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Parties announced ready for trial. State advised approximately 12 witnesses and anticipate trial to last 3-4 days. Further advised Defendant has been provided with all of the discovery in this case. COURT ORDERED, trial date STANDS.

CUSTODY

8/4/14 9:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 04, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

August 04, 2014 9:30 AM Jury Trial

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Mercer, Elizabeth A.	Attorney
	Pigeon, Christopher	Defendant
	Schifalacqua, Marc M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Amended Indictment FILED IN OPEN COURT.

OUTSIDE THE PRESENCE OF PROSPECTIVE JURY PANEL: Parties announced ready for trial. Court ADMONISHED Defendant regarding his right not to testify. Court advised Defendant of his 6th Amendment Right and noted Defendant WAIVED that right. Colloquy regarding jury instructions. Court instructed parties to provide a list of instructions what they believe they should be. Statement by Defendant regarding list of crimes/charges. Explanation by the Court regarding bifurcation of case. State advised they will be playing Deft's statement during the first portion of the trial; however, portions have been redacted relating to any references of Defendant being a prior sex offender. Upon Court's inquiry, Defendant stated he did not have any questions to provide the Court for Voir Dire. State advised it filed a Notice of Intent to Seek Habitual Treatment and stated the penalties/range of punishments. Colloquy. Upon Court's inquiry, Defendant stated he understood the ramifications and range of punishments and did not want a lawyer appointed on his behalf. Colloquy regarding trial proceedings and logistics. Defendant stated the questions he wanted the Court to ask the jury during Voir Dire.

PROSPECTIVE JURY PANEL PRESENT: Introductions and opening remarks presented by the Court, followed by introductions of counsel and Defendant Pigeon. Voir Dire of panel. Panel members were excused for cause.

OUTSIDE THE PRESENCE OF PROSPECTIVE JURY PANEL: Colloquy regarding bifurcated process.

PROSPECTIVE JURY PANEL PRESENT: Parties stipulated to the presence of the jury. Court instructed the Jury on the law. Continued Voir Dire. Panel members excused for cause. Peremptory challenges exercised. Twelve Jurors and 2 Alternates SELECTED and SWORN. Clerk read Amended Indictment. Opening statements by Mr. Schifalacqua and Defendant.

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding witness testimony.

INSIDE THE PRESENCE OF THE JURY: Parties stipulated to the presence of the jury. Testimony and exhibits. (See attached worksheets.)

OUTSIDE THE PRESENCE OF THE JURY: Statement by Mr. Schifalacqua regarding witness testimony/schedule and redactions from audio regarding prior conduct.

INSIDE THE PRESENCE OF THE JURY: Parties stipulated to the presence of the jury. Testimony and exhibits. (See attached worksheets.)

Court RECESSED for the evening. COURT ADMONISHED the Jury and ORDERED them to return the following day at the time given.

8/5/14 9:00 AM JURY TRIAL

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 05, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

August 05, 2014 9:15 AM Jury Trial

HEARD BY: Smith, Douglas E. **COURTROOM:** RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Mercer, Elizabeth A.	Attorney
	Pigeon, Christopher	Defendant
	Schifalacqua, Marc M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Jury instructions argued and settled. Upon Court's inquiry, Defendant stated he still intends to testify. Ms. Schifalacqua stated the two priors of open or gross lewdness would be subject to cross examination; however, he would not bring in the forgery as it was outside the 10 years. Court noted for the record Defendant already told the jury he had been convicted after the Court told him not to.

INSIDE THE PRESENCE OF THE JURY: Parties stipulated to the presence of the Jury. State RESTED. The defense commenced with its case. Following testimony of the Defendant, the defense rested. Court instructed the Jury. Closing arguments by Mr. Schifalacqua and Defendant Pigeon. Bailiff and matrons SWORN to take charge of the Jury and Alternates. Court advised alternate jurors were seat numbers 13 and 14.

OUTSIDE THE PRESENCE OF THE JURY: Court stated to the Defendant there were objections it expected and advised it did not receive any. The Court advised it gave Defendant lots of opportunities and still no objections. Court further stated in opening statements Defendant told the

jury he was convicted with lewdness, after instructed not to. Additionally, Defendant spoke about an officer in his module as well as grand jury testimony of the detective. Defendant also mentioned he had been locked up for the past 15 months and mentioned his prior charges and said he had been in prison two years and in closing remarks said there would be a new trial on a couple of other counts. Court advised any references to Defendant's record were made after Defendant made the comments in opening statements.

Jury returned with a verdict at 3:25 p.m., of the following:

As to COUNT 1 - GUILTY of ATTEMPT FIRST DEGREE KIDNAPPING (F)

As to COUNT 2 - GUILTY of AGGRAVATED STALKING (F)

As to COUNT 3 - GUILTY of LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT (F)

As to COUNT 4 - GUILTY of BURGLARY (F)

As to COUNT 5 - GUILTY of OPEN OR GROSS LEWDNESS (F)

As to COUNT 6 - GUILTY of UNLAWFUL CONTACT WITH A CHILD (GM)

Court informed the jury there was a second part to the trial regarding two other counts. Clerk read the Amended Indictment involving Counts 7 and 8. Further testimony and exhibits. State RESTED. Defense RESTED. Court instructed the Jury. Closing arguments by Mr. Schifalacqua. Closing arguments by Mr. Pigeon. Bailiff and matrons SWORN to take charge of the Jury and Alternates. At the hour of 4:03 p.m., the Jury retired to deliberate.

Jury returned with a verdict at 4:17 p.m., of the following:

As to COUNT 7 - GUILTY of PROHIBITED ACTS BY A SEX OFFENDER (F)

As to COUNT 8 - GUILTY of PROHIBITED ACTS BY A SEX OFFENDER (F)

Jurors polled. Court thanked and excused the Jury. Absent the Jury, COURT ORDERED, Defendant REMANDED, WITHOUT BAIL and matter REFERRED to Parole and Probation and SET for sentencing.

CUSTODY

12/10/14 8:00 AM SENTENCING

CLERK'S NOTE: Minute Order amended to clarify verdict reading by adding "Guilty" to each count and changing counts 6 & 7 to 7 & 8 regarding reading of the Amended indictment during the second phase of the trial. /lg 10-9-14

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 01, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

December 01, 2014 8:00 AM Request

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Mercer, Elizabeth A.	Attorney
	Pigeon, Christopher	Defendant
	Schifalacqua, Marc M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Order Granting State's Request for No Contact Order as to Listed Victim and Granting State's Request to Have Defendant's Outgoing Mail Intercepted and Inspected By the Clark County Detention Center FILED IN OPEN COURT.

Ms. Mercer stated the victim's father contacted her and indicated the Defendant has been writing letters to the 13-year old victim. Ms. Mercer requested a no contact order be imposed and an order authorizing the Clark County Detention Center to intercept and inspect all of the Defendant's outgoing mail to prevent any further communications. Mr. Pigeon stated Defendant does not have a father and lives with her grandmother. Defendant further stated he just sent her a Christmas Card. COURT ORDERED, defendant cannot contact the victim in any regard. FURTHER ORDERED, the jail will intercept and review all mail sent by Defendant. If mail is found, the jail is to confiscate it and provide it to the court.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 10, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

December 10, 2014 8:00 AM All Pending Motions

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Mercer, Elizabeth A.	Attorney
	Pigeon, Christopher	Defendant
	Schifalacqua, Marc M.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- DEFT'S PRO PER MOTION TO WITHDRAW COUNSEL...DEFT'S PRO PER MOTION TO COPY TRANSCRIPTS FOR DEFENSE...DEFT'S PRO PER MOTION TO APPROVAL OF HOUSE ARREST FOR DEFT...DEFT'S PRO PER MOTION FOR MISTRIAL...SENTENCING

Following statements by Defendant, COURT ORDERED, as follows: As to Deft's Motion for Mistrial, COURT ADVISED, said motion was actually for appellate procedures. Further, there was no indication there was any new evidence and motion was untimely. Statement to prepare Findings of Fact, Conclusions of Law, consistence with their opposition. As to Defendant's Pro Per Motion for Approval of House Arrest for Defendant, COURT ORDERED, DENIED. As to Defendant's Pro Per Motion to Copy Transcripts for Defense, COURT ORDERED, GRANTED. As to Defendant's Pro Per Motion to Withdraw Counsel, COURT noted Defendant files the same motion every time and ORDERED, DENIED.

Court advised this was the time for sentencing. Defendant stated he never received a copy of the verdict and Pre-sentence (PSI) Report. At the request of the Court, Clerk provided copies of the

verdicts and the Presentence Investigation (PSI) Report. MATTER TRAILED for Defendant to review PSI. Upon Court's inquiry, Defendant stated he was ready to proceed.

Ms. Mercer presented certified copies of Defendant's prior Judgment of Convictions to the Court and same were marked and admitted as Exhibit 1. Same were provided to Defendant for review. Argument by Mr. Schifalacqua in mitigation of sentence. Argument by Mr. Pigeon. Defendant presented Exhibits marked and admitted as Exhibits A and B. (See Worksheets) Victim Speaker, David Morris, sworn and gave victim impact statement.

DEFT PIGEON ADJUDGED GUILTY of COUNT 1 - ATTEMPT FIRST DEGREE KIDNAPPING (F); COUNT 2 - AGGRAVATED STALKING (F); COUNT 3 - LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT (F); COUNT 4 - BURGLARY (F); COUNT 5 - OPEN OR GROSS LEWDNESS (F); COUNT 6 - UNLAWFUL CONTACT WITH A CHILD (GM); COUNT 7 - PROHIBITED ACTS BY A SEX OFFENDER (F) and COUNT 8 - PROHIBITED ACTS BY A SEX OFFENDER (F). Argument by Mr. Schifalacqua. Argument by Defendant. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA collection fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, and \$760.00 psychosexual fee, Defendant SENTENCED UNDER THE LARGE HABITUAL CRIMINAL STATUTE as to COUNTS 1, 2, 3, 4, 5, 7 and 8. COURT ORDERED, Defendant SENTENCED in Court 1 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 2 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 3 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 4 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 5 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 6 - Deft. SENTENCED to Clark County Detention Center (CCDC) for 364 DAYS; COUNT 7 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE; COUNT 8 - to LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE. FURTHER ORDERED, COUNTS 1, 2, 3, 4, 5, 7 and 8 TO RUN CONCURRENT with 573 DAYS credit for time served.

Upon Court's inquiry, Defendant stated he does not wish to have counsel appointed for the appeal; he will represent himself.

NDC

CLERK'S NOTE: Pursuant to sentencing, the Court sentenced Defendant to life without the possibility of parole on each felony count. To be clear, these sentences are to be concurrent on each count. On the gross misdemeanor charge, Defendant is sentenced to 364 days in jail with credit for time served. /lg 12-15-14

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 15, 2014

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

December 15, 2014 8:00 AM Status Check

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 16D

COURT CLERK: Louisa Garcia

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:	Pigeon, Christopher	Defendant
	State of Nevada	Plaintiff
	Stewart, Sandra L.	Attorney
	Villegas, Victoria A.	Attorney

JOURNAL ENTRIES

- COURT ADVISED, pursuant to Blandino versus State Defendant was not entitled to represent himself and has to petition the Nevada Supreme Court. COURT ORDERED, Sandra Stewart APPOINTED as counsel. Order signed in OPEN COURT. Ms. Stewart provided Defendant with a copy of case law.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 25, 2016

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

April 25, 2016

8:00 AM

All Pending Motions

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Natalie Ortega

RECORDER: Jill Jacoby

REPORTER:

PARTIES

PRESENT:

Jones, Tierra D.
State of Nevada

Attorney
Plaintiff

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO WITHDRAW COUNSEL AND TO REQUEST RE - ORDERING OF
TRANSCRIPTS FOR THE SAKE OF CLARIFYING THIS CASE AND WRIT...DEFENDANT'S
MOTION TO PROCEED IN FORMA PAUPERIS

Deft. not present. Court noted it does not have jurisdiction, the Supreme Court does, therefore,
COURT ORDERED, motions DENIED. State to prepare Findings of Fact and Conclusion of Law.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 12, 2018

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

March 12, 2018 8:00 AM All Pending Motions

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- DEFT.'S MOTION TO WITHDRAW COUNSEL . . . DEFT.'S MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS . . . DEFT.'S MOTION FOR REMANDED SENTENCING; HEARING TO BE PROVIDED

Samuel Martinez, Chf Dep DA, present on behalf of the State; Deft. Pigeon is incarcerated in the Nevada Department of Corrections (NDC) and not present.

This is the time set for hearing on the above-named Motions. The Court noted that an Oder Affirming in Part, Reversing in Part, and Remanding was received from the Supreme Court. This is an appeal from a Judgment of Conviction pursuant to a Jury Verdict. The Supreme Court AFFIRMED the judgment as to the convictions for Unlawful Contact with a Child and one (1) Count of Prohibited Acts by a Sex Offender. The convictions on all the remaining Counts were REVERSED and REMANDED for a new sentencing hearing.

Mr. Martinez advised that Count 6, Unlawful Contact with as Child is a Gross Misdemeanor. Although the Supreme Court reversed on Count 8, Prohibited Acts by a Sex Offender, a Felony, Count 7, Prohibited Acts by a Sex Offender, a Felony, STANDS and has to with the Deft.'s failing to update his address as a sex offender. The State plans to proceed on Count 7 under the Habitual

Criminal Statute. COURT ORDERED, Motions CONTINUED; the Court directed Mr. Martinez to file a brief. Since the Deft. is still in NDC, COURT FURTHER ORDERED, the State to prepare a transport order.

NDC

CONTINUED TO: 04/09/18 8:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 09, 2018

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

April 09, 2018

8:00 AM

All Pending Motions

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- DEFT.'S MOTION TO WITHDRAW COUNSEL . . . DEFT.'S MOTION TO PROCEED IN FORMA PAUPERIS . . . DEFT.'S MOTION FOR REMANDED SENTENCING HEARING; TO BE PROVIDED

Liz Mercer, Chf Dep DA, present on behalf of the State and Deft. Pigeon present on his own behalf.

This is the time set for hearing on the above-named Motions, which the Deft. filed pro se; Deft. stated that he has an Order from the Supreme Court. The Deft. was convicted on eight (8) separate Counts; however, the Supreme Court only affirmed on the Count of Unlawful Contact with a Child (GM) and One Count of Prohibited Acts by a Sex Offender (F). The Supreme Court directed the District Court to set a new sentencing hearing. The Deft. requested that the Court sentence him to credit for time served; he has served approximately serve (7) years and he believes the maximum sentence on the Felony he was convicted on is only four (4) years. Court noted that the State has filed Notice of their intent to seek treatment as an habitual criminal; colloquy.

Ms. Mercer advised that she filed a Sentencing Memorandum; which the Court has reviewed. Upon Court's inquiry, Deft. stated that he did not receive a copy but would like one; the Court provided the Deft. with a copy. COURT ORDERED, matter set for sentencing; Motions OFF CALENDAR. Deft. is free to respond to the Sentencing Memorandum. Deft. orally moved the Court for an O.R. Release.

COURT FURTHER ORDERED, request DENIED.

NDC

04/11/18 8:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 11, 2018

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

April 11, 2018 8:00 AM Sentencing

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Liz Mercer, Chf Dep DA, present on behalf of the State; Deft. Pigeon present on his own behalf.

This is the time set for Sentencing. Court inquired as to whether the Deft. had had an opportunity to review the Sentencing Memorandum filed by the State on March 29, 2018. Deft. CONCURRED but requested clarification on the habitual criminal treatment; if the Court is not going to grant the Deft. credit for time served today, he would request an Evidentiary Hearing to challenge the habitual criminal aspect of the State's request.

Colloquy; Court noted that it was considering habitual criminal because at the trial of this matter, the Deft. was adjudged an habitual criminal and based on the totality of the circumstances; i.e., the Deft.'s background and hearing the evidence during the trial of this case, the Court believes he is a pedophile and a threat to society. Since the Deft. is not prepared for Sentencing today, COURT ORDERED, matter CONTINUED for thirty (30) days.

NDC

CONTINUED TO: 05/09/18 8:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 02, 2018

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

May 02, 2018

8:00 AM

All Pending Motions

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- DEFT.'S PRO SE MOTION TO WITHDRAW AS COUNSEL . . . DEFT.'S PRO SE MOTION TO
SCHEDULE A DISTRICT COURT HEARING

Kelsey Einhorn, Dep DA, present on behalf of the State; Deft. Pigeon is pro se but is not present.

This is the set for hearing on the above-named motions, which the Deft. filed pro se. Ms. Einhorn advised that this matter is assigned to Liz Mercer, Chf Dep DA, and she was not aware that the Deft. had filed the pro se motions or that they were on calendar today. This matter is set for Sentencing on May 9, 2018; therefore, Ms. Mercer would request that all motions be heard at that time; a transport order has been prepared for that date. COURT SO ORDERED.

NDC

CONTINUED TO: 05/09/18 8:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 09, 2018

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

May 09, 2018

8:00 AM

All Pending Motions

HEARD BY: Smith, Douglas E.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- SENTENCING . . . DEFT.'S MOTION TO ENTER FAVORABLE SUPREME COURT APPEAL ORDER IN JUSTICE COURT . . . DEFT.'S MOTION TO SCHEDULE A DISTRICT COURT HEARING . . . DEFT.'S MOTION TO PRODUCE TRANSCRIPT . . . DEFT.'S MOTION TO WITHDRAW AS COUNSEL

Liz Mercer, Chf Dep DA, present on behalf of the State; Deft. Pigeon present pro se.

This is the time set for Sentencing as well as hearing on the above-named Motions, which the Deft. filed pro se. Colloquy; COURT ORDERED, the Motions are DENIED. The Court will now proceed with Sentencing. For the record, the Deft. appealed his Judgment of Conviction from a Jury Trial; there were 8 Counts. Pursuant to the Supreme Court Order, which was filed January 4, 2018, the Supreme AFFIRMED as to Counts 6 and 7 ONLY, REVERSED on the remaining Counts, and REMANDED the matter for a new sentencing hearing.

Upon Court's inquiry, the Deft. stated that he would like to argue the State's original Notice of Intent to Seek Punishment as a Habitual Criminal and, with regard to the State's Sentencing Memorandum, he is still in the process of writing an opposing motion but is not finished yet.

DEFT. PIGEON ADJUDGED GUILTY of COUNT 6 - UNLAWFUL CONTACT WITH A CHILD (GM) and COUNT 7 - PROHIBITED ACTS BY A SEX OFFENDER (F). Ms. Mercer advised that the Deft. is to be treated as an habitual offender. The Deft.'s three (3) prior Felony convictions were previously marked as State's Exhibits and admitted at his initial sentencing date on December 10, 2014; i.e., C216699, C269318, and 980D04426 out of El Paso County, Texas. Ms. Mercer discussed the underlying facts of the instant case, which are detailed in her Sentencing Memorandum; she believes the Deft. is a danger to the community, he has had three prior failures to register; in one of those cases he made a statement to the officer that he was protesting the registration requirement. For the reasons stated on the record, the State is requesting that the Court re-adjudicate the Deft. as Large Habitual Offender and give him a life tail.

The Deft. stated that he did not want to be sentenced today because he is ready; he stated that he has not finished his motion and he orally requested a continuance. Ms. Mercer indicated that the Deft. was given thirty (30) days to file whatever he wanted to but, to date, has failed filed anything. COURT ORDERED, request DENIED.

COURT ORDERED, pursuant to the Habitual Criminal Offender Statute, Deft. shall be adjudicated as a LARGE HABITUAL CRIMINAL OFFENDER; all FEES are WAIVED, as to COUNT 6 Deft. SENTENCED to CREDIT FOR TIME SERVED, and as to COUNT 7, Deft. SENTENCED to LIFE in the Nevada Department of Corrections (NDC) WITHOUT the possibility of parole. Deft. has ONE THOUSAND EIGHT HUNDRED NINETEEN (1,819) DAYS credit for time served.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 20, 2018**

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

June 20, 2018**8:00 AM****Motion****Deft's Motion to
Withdraw Counsel****HEARD BY:** Smith, Douglas E.**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Phyllis Irby**RECORDER:** Gina Villani**REPORTER:****PARTIES**

PRESENT: Luong, Vivian Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFT NOT PRESENT. The Court stated Deft has filed this motion several times. Deft does not have counsel representing him. Deft represents himself, Deft is Pro Se. Deft represented himself before the Supreme Court for a sentencing. The Court further stated based on the fact Deft has filed this motion several times. COURT ORDERED, MOTION DENIED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 17, 2020

C-13-290261-1 State of Nevada
 vs
 Christopher Pigeon

June 17, 2020

1:45 PM

All Pending Motions

HEARD BY: Silva, Cristina D.

COURTROOM: RJC Courtroom 11B

COURT CLERK: Carol Donahoo

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- DEFT.'S MOTION TO WITHDRAW COUNSEL . . . DEFT.'S MOTION TO VACATE OR REDUCE HABITUAL SENTENCE . . . DEFT.'S EX-PARTE MOTION FOR ORDER TO TRANSPORT PRISONER

Quanisha Holloway, Dep DA, present on behalf of the State; Deft. Pigeon is incarcerated in the Nevada Department of Corrections (NDC) and not present.

Deft.'s Ex-Parte Motion for Order to Transport Prisoner: The Court has reviewed the Motion; the Deft. requested to be transported for today's hearing. Since the Motions can be decided without his presence, COURT ORDERED, the Motion is DENIED.

Deft.'s Motion to Vacate or Reduce Habitual Sentence and Deft.'s Motion to Withdraw Counsel: The Court has reviewed these Motions as well but is not sure if the State was served. Ms. Holloway advised that the State's Appellate Division did not receive the Motions and is requesting thirty (30) days to respond.

With regard to Deft.'s Motion to Withdraw Counsel, Court noted that the Deft. is already pro se. Ms. Holloway advised that in the State's review of this Motion, it appears that the Deft. may be requesting Appointment of Counsel. Colloquy; the Court does not believe there is a specific request

for counsel but if the State is construing this Motion as a request to appoint counsel, the Court has no objection to granting it. Therefore, COURT ORDERED, the Motion is GRANTED IN PART. The Deft.'s request for appointment of counsel is GRANTED; the Deft.'s request to withdraw counsel is DENIED because the Deft. is already pro se. COURT FURTHER ORDERED, matter set for status check. This Court's staff will contact the Office of Appointed Counsel; once counsel is appointed, a briefing schedule will be set for Deft.'s Motion to Vacate or Reduce Habitual Sentence.

NDC

06/24/20 1:45 PM STATUS CHECK: CONFIRMATION OF COUNSEL

CLERK'S NOTE: A copy of this minute order was mailed to Christopher Pigeon #90582, Ely State Prison, P.O. Box 1989, Ely, Nevada, 89301.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

June 24, 2020**1:45 PM****Status Check****Confirmation of
Counsel****HEARD BY:** Silva, Cristina D.**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Carol Donahoo**RECORDER:** Gina Villani**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Jacob Villani, Chf Dep DA, present on behalf of the State; Terrence Jackson, Esq., appearing via BlueJeans, for Deft. Pigeon, who is not present. The Deft. is incarcerated in the Nevada Department of Corrections (NDC).

This is the time set for the Status Check on Confirmation of Counsel. Mr. Jackson CONFIRMED as counsel of record; he stated that the Deft. is in NDC and is housed in Ely, Nevada; he has not had contact with the Deft. because he was just made aware of the appointment yesterday. As soon as Mr. Jackson gets the file from the Public Defender, he will begin corresponding with the Deft.

Colloquy as to whether a briefing schedule should be set at this time; Mr. Jackson would like to file a Supplemental Points and Authorities to the Deft.'s Motion. Mr. Villani suggested that the Court first set a status check. COURT SO ORDERED, a briefing schedule can be set at the status check. Additionally, Mr. Villani advised that at the last hearing on June 17, 2020, the State was GRANTED thirty (30) days to respond to Deft.'s Motion to Vacate or Reduce Habitual Sentence. COURT FURTHER ORDERED, said ORDER is RESCINDED, a response will be WAIVED until further order of the Court.

NDC

08/26/20 8:30 AM STATUS CHECK: FILE/SET BRIEFING SCHEDULE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 26, 2020**

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

August 26, 2020 1:45 PM Status Check

HEARD BY: Silva, Cristina D. **COURTROOM:** RJC Courtroom 11B

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Gina Villani

REPORTER:

PARTIES

PRESENT: Holloway, Quanisha Shonte Attorney
Jackson, Terrence Michael Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Ms. Holloway and Mr. Jackson present appeared via BlueJeans video conferencing.

Mr. Jackson noted the Deft. wanted to be present for today's hearing; however, advised him this was to set a briefing schedule there was no reason to be present. Mr. Jackson made an oral motion on the Deft.'s behalf that the Deft. would like to be appointed co-counsel for his case. Mr. Jackson requested to be relieved as counsel, if the Court was inclined to appoint the Deft. as co-counsel; otherwise, requested a continuance to review the case and submit a Writ or supplement as needed. COURT ORDERED, briefing schedule SET, supplement/brief due by 11/25/20, answer/response due by 1/27/21, reply due by 2/24/21, hearing SET.

After Mr. Jackson discontinued from BlueJeans, COURT ORDERED, the Deft.'s oral motion for appointment as co-counsel DENIED, Mr. Jackson would remain attorney of record.

NDC

3/24/21 8:30 AM HEARING: DEFENDANT'S MOTION TO VACATE OR REDUCE HABITUAL SENTENCE.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 20, 2021**

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

January 20, 2021 11:00 AM Motion

HEARD BY: Silva, Cristina D.**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Kory Schlitz**RECORDER:** Gina Villani**REPORTER:****PARTIES**

PRESENT: Jackson, Terrence Michael Attorney

JOURNAL ENTRIES

- Defendant not present and in custody in the Nevada Department of Corrections; Deputy District Attorney Dena Rinetti present on behalf of the State.

Upon Court's inquiry, Mr. Jackson stated he is not taking a position on the Motion, adding was not served a copy of it, and there are several factual things that are not true in the Motion, and if the Defendant wants new counsel, he should be entitled to it. Mr. Jackson stated he has filed all the points and authorities in a timely fashion. COURT STATED there is a pending Motion set for March 24, 2021, which the Court feels is a complicated Motion, and the Court feels the Defendant should have counsel present. COURT FINDS the argument as to why the Defendant is making the request to dismiss counsel is based upon a general dissatisfaction with no contact, and availability, and further the Defendant is exasperated by believes that COVID-19 is not a good enough reason for delays in contact, or delays in getting things filed. COURT STATED they understand the Defendant's frustration, however that is not a basis to relieve Mr. Jackson as counsel of record at this time, and ORDERED, Motion to Withdraw Counsel DENIED WITHOUT PREJUDICE. Mr. Jackson stated he is happy to remain on the case at the Court's request, adding he just received a response from the State from his Supplemental Points and Authorities, and will be prepared to argue the Motion on the future hearing date.

NDC

3/24/2021 11:00 A.M. DEFENDANT'S MOTION TO VACATE OR REDUCE HABITUAL
SENTENCE

CLERK'S NOTE: A copy of this Minute Order has been mailed to: Christopher Pigeon #90582, 4569
N. State Rd. Ely, Nevada 89301. (1-26-2021 ks)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 12, 2021**

C-13-290261-1 State of Nevada
vs
Christopher Pigeon

April 12, 2021 11:00 AM Hearing

HEARD BY: Silva, Cristina D.**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Andrea Natali**RECORDER:** Gina Villani**REPORTER:****PARTIES**

PRESENT:	Jackson, Terrence Michael	Attorney
	Pigeon, Christopher	Defendant
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- COURT NOTED, it read the Motion, Opposition, and Reply. Argument by Mr. Jackson in support of the motion regarding whether there was sufficient evidence, whether the sentence was proportional, whether the habitual criminal finding should be reconsidered and the sentence should be reduced. Colloquy regarding whether a Post-Conviction Petition for Writ of Habeas Corpus (PCWHC) should have been filed instead of this motion. COURT NOTED, it did not believe it could rule on the motion as it did not believe it had jurisdiction. Statement by Deft. regarding matters he would like his attorney to address. COURT DIRECTED, the Deft. not to speak as he had counsel representation and after the Deft. continued to speak, ORDERED, Deft. to be muted. COURT ADVISED, it did not have jurisdiction to grant the relief to vacate or modify the sentence; NOTED there was another avenue to seek relief by PCWHC. COURT FURTHER ADVISED, it did not believe there was an eight amendment issue pending and the Deft. was found to be a habitual criminal. Mr. Schwartz stated he had nothing to add to his Opposition; noting this type of motion is for a specific mistake. COURT ORDERED, the request to incorporate the documents is GRANTED; NOTING it had read the presentence investigation report (PSI), the psycho sexual evaluation, and the sentencing memorandum, because of the arguments regarding the habitual criminal treatment, and those

documents were relevant to the District Court's findings of the habitual qualification. COURT FURTHER ORDERED, the motion to vacate or reduce habitual sentence is DENIED WITHOUT PREJUDICE. Mr. Jackson stated he needed to talk to the Deft. further, to determine whether he will be filing an appeal on the denial of the motion or if he is going to file a PCWHC, as there may be an issue due to the timeliness. COURT DIRECTED the State to prepare the findings of fact and conclusions of law and run it by Mr. Jackson before submitting to the Court for signature.

NDC

CASE NO. C-13-290261-1
DEPT. NO. VIII
CDDA MARC SCHIFALACQUA (SCU)

Defendant(s): CHRISTOPHER PIGEON, aka, Christopher Edward Pigeon, #1694872

Case No(s): 13AGJ006X (RANDOMLY TRACKS TO DC III & VIII)

Charge(s): (2) CTS - PROHIBITED ACTS BY A SEX OFFENDER (Category D Felony - NRS 179D.470; 179D.550; 179D.460);
(1) CT - ATTEMPT FIRST DEGREE KIDNAPPING (Category B Felony - NRS 193.330; 200.320);
(1) CT - AGGRAVATED STALKING (Category B Felony - NRS 200.575);
(1) CT - LURING CHILDREN WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT (Category B Felony - 201.560);
(1) CT - BURGLARY (Category B Felony - NRS 205.060);
(1) CT - OPEN OR GROSS LEWDNESS (Category D Felony - 201.210) and
(1) CT - UNLAWFUL CONTACT WITH A CHILD (Gross Misdemeanor - NRS 207.260)

Def. Counsel(s): PUBLIC DEFENDER

WARRANT (1 WEEK)
DEFT IS IN CUSTODY @ CCDC (13F06455X - FA 6/6 IN JC 11; 13F08007X - PH 6/5 IN JC 12)

Exhibits:

1. Proposed Indictment
2. Jury Instructions
3. Photo
4. Photo
5. JOC
6. Sex Offender Registry
7. Rental App

Exhibits 1 - 7 are to be lodged with the Clerk of the Court.

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RECEIVED
JUN 05 2013
CLERK OF THE COURT

C-13-290261-1
LSF
Left Side Filing
2571853



VAULT EXHIBIT FORM

DEPARTMENT 8

REPORTER: JILL JACOBY

**COUNSEL FOR DEFENDANT
CHRISTOPHER PIGEON (PRO SE)**

[illegible]

STATE'S EXHIBITS

CASE NO. C290261

	Date Offered	Objection	Date Admitted
1. PHOTOGRAPH – GOGGLE EARTH	8/4/14	NO	8/4/14
1. PHOTOGRAPH – GOGGLE EARTH	8/4/14	NO	8/4/14
3. PHOTOGRAPH – DEFENDANT	8/4/14	NO	8/4/14
4. PHOTOGRAPH – FITNESS FOR \$10	8/4/14	NO	8/4/14
5. PHOTOGRAPH – MEN'S LOCKER ROOM	8/4/14	NO	8/4/14
6. PHOTOGRAPH – KEYS	8/4/14	NO	8/4/14
7. PHOTOGRAPH - LOCKERS	8/4/14	NO	8/4/14
8. PHOTOGRAPH – LOCKER #182	8/4/14	NO	8/4/14
9. PHOTOGRAPH – LOCKER WITH KEYS	8/4/14	NO	8/4/14
10. PHOTOGRAPH – LOCKER WITH CLOTHES	8/4/14	NO	8/4/14
11. PHOTOGRAPH – SHORTS	8/4/14	NO	8/4/14
12. PHOTOGRAPH – LOCKER WITH CLOTHES	8/4/14	NO	8/4/14
13. PHOTOGRAPH – T-SHIRT/SHORTS	8/4/14	NO	8/4/14
14. PHOTOGRAPH – RECEIPT	8/4/14	NO	8/4/14
15. PHOTOGRAPH – STORAGE UNITS	8/4/14	NO	8/4/14
16. PHOTOGRAPH – UNIT #43	8/4/14	NO	8/4/14
17. PHOTOGRAPH – UNIT AND KEY	8/4/14	NO	8/4/14
18. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
19. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
20. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
21. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
22. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
23. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
24. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14

25. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
26. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
27. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
28. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
29. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
30. PHOTOGRAPH – UNIT	8/4/14	NO	8/4/14
31. PHOTOGRAPH – MAIL	8/4/14	NO	8/4/14
32. PHOTOGRAPH – TEXAS IDENTIFICATION CARD	8/4/14	NO	8/4/14
33. FITNESS FOR \$10 MEMBERSHIP	8/4/14	NO	8/4/14
34. CD – DEFT'S STATEMENT	8/4/14	NO	8/4/14
35. JUDGMENT OF CONVICTION (JURY TRIAL)	8/5/14	NO	8/5/14
36. LVMPD - SEX OFFENDER REGISTRY	8/5/14	NO	8/5/14
37. BARGAIN MOTEL WEEKLY/MONTHLY RENTAL	8/5/14	NO	8/5/14

COURT'S EXHIBITSCASE NO. C290261

	Date Offered		Date Admitted
1. DEFT'S CHALLENGE FOR CAUSE	8/4/14		8/4/14
2. DEFT'S CHALLENGE FOR CAUSE	8/4/14		8/4/14
3. STATE'S CHALLENGE FOR CAUSE	8/4/14		8/4/14
4. STATE'S CHALLENGE FOR CAUSE	8/4/14		8/4/14
5. VOIR DIRE QUESTIONS - STATE	8/4/14		8/4/14
6. VOIR DIRE QUESTIONS - DEFENDANT	8/4/14		8/4/14
7. JUROR QUESTION - #11	8/4/14		8/4/14
8. JUROR QUESTION - #313	8/4/14		8/4/14
9. JUROR QUESTION - #12	8/4/14		8/4/14
10. JUROR QUESTION - #14	8/4/14		8/4/14
11. JUROR QUESTION - #313	8/4/14		8/4/14
12. VOLUNTARY STATEMENT - CHRISTOPHER PIGEON	8/4/14		8/4/14
13. JUROR QUESTION - #9	8/5/14		8/5/14
14. JUROR QUESTION - #12	8/5/14		8/5/14
15. JUROR QUESTION - #364	8/5/14		8/5/14
16. JUROR QUESTION - #356	8/5/14		8/5/14
17. JUROR QUESTION - #11 - (MARKED BUT NOT READ)	8/5/14		8/5/14
18. CD- FARETTA CANVAS DATED 4/23/14	8/5/14		8/5/14

STATE'S EXHIBITS

CASE NO. C290261

[illegible]

DEFENDANT'S EXHIBITS

CASE NO. C290261

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

TERRENCE M. JACSON, ESQ.
624 S. NINTH ST.
LAS VEGAS, NV 89101

DATE: July 15, 2021
CASE: C-13-290261-1

RE CASE: STATE OF NEVADA vs. CHRISTOPHER PIGEON aka CHRISTOPHER EDWARD PIGEON

NOTICE OF APPEAL FILED: July 14, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

☐

Case Appeal Statement

- NRAP 3 (a)(1), Form 2

☐

Order

☒

Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S MOTION TO VACATE OR REDUCE HABITUAL SENTENCE; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

CHRISTOPHER PIGEON
aka CHRISTOPHER EDWARD PIGEON,

Defendant(s).

Case No: C-13-290261-1

Dept No: IX

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 15 day of July 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

