

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

Electronically Filed
Feb 02 2022 11:35 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

DENISE MICHELLE VEJMOLA,

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent.

Sup. Ct. Case No. 84021

Case No. CR15-1461

Dept. 7

RECORD ON APPEAL

VOLUME 2 OF 4

DOCUMENTS

APPELLANT

Denise Vejmola #1152120
Florence McClure Womens
Correctional Center
4370 Smiley Road
Las Vegas, NV 89115

RESPONDENT

Washoe County District
Attorney's Office
Jennifer P. Noble, Esq. #9446
P.O. Box 30083
Reno, Nevada 89502-3083

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DISTRICT CASE NO: CR15-1461
DENISE MICHELLE VEJMOLA vs THE STATE OF NEVADA
DATE: FEBRUARY 2, 2022

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Code 1491

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

THE STATE OF NEVADA,

Plaintiff,

Case No. CR15-1461

vs.

Dept. No. 7

DENISE M. VEJMOLA,

Defendant.

COURT SERVICES REPORT

Washoe County Pretrial Services Assessment Report

Case Filing

Filed Name

VEJMOLA, DENISE MICHELLE

Arrest

Booked Name

VEJMOLA, DENISE M

Arresting Agency

WASHOE COUNTY SHERIFFS OFFICE

Booking Number

15-08088

Arrest Date

05/21/2015

Case Number	NOC	Type	Description	Counts	Court	Bail Amt/Type
2015-00597	50461	F	FORGERY	7	RJC	35,000 B
15-12485	50424	F	BURGLARY, (1ST)	1	RJC	20,000 B
15-12485	50469	F	POSS/RCV FORGED INSTMTS/BILLS	1	RJC	10,000 B
15-12485	50462	F	INTENT TO UTTER FICT BILL/NOTE/CHECK	1	RJC	10,000 B
15-12485	50696	F	POSS DOC/PERS ID TO COMMIT FORGE/C-FEIT	1	RJC	10,000 B
15-12329	50424	F	BURGLARY, (1ST)	1	RJC	20,000 B
15-12329	50469	F	POSS/RCV FORGED INSTMTS/BILLS	1	RJC	10,000 B
15-12329	50462	F	INTENT TO UTTER FICT BILL/NOTE/CHECK	1	RJC	10,000 B
15-12329	50696	F	POSS DOC/PERS ID TO COMMIT FORGE/C-FEIT	1	RJC	10,000 B
15-12484	50424	F	BURGLARY, (1ST)	1	RJC	20,000 B
15-12484	50469	F	POSS/RCV FORGED INSTMTS/BILLS	1	RJC	10,000 B
15-12484	50462	F	INTENT TO UTTER FICT BILL/NOTE/CHECK	1	RJC	10,000 B
15-12484	50696	F	POSS DOC/PERS ID TO COMMIT FORGE/C-FEIT	1	RJC	10,000 B
15-12329	50469	F	POSS/RCV FORGED INSTMTS/BILLS	22	RJC	220,000
15-12329	50424	F	BURGLARY, (1ST)	9	RJC	180,000 B
15-12329	50462	F	INTENT TO UTTER FICT BILL/NOTE/CHECK	10	RJC	50,000 B
15-12329	56091	F	Obt money/prop/labor, false pretense, \$650+	1	RJC	20,000 B
150500886	54091	M	FTA ON TRAFFIC CITATION	1	RJC	0
150011985	50424	F	BURGLARY, (1ST)	3	RJC	60,000 B
150011985	50462	F	INTENT TO UTTER FICT BILL/NOTE/CHECK	4	RJC	20,000 B
150011985	56091	F	Obt money/prop/labor, false pretense, \$650+	1	RJC	20,000 B

Assessment Status

	Assessment FELONY NR	Initials KPEELER
--	-------------------------	---------------------

Washoe County Pretrial Services Assessment Report

Defendant Information

Sex F	Race WHITE	Birthdate 01/20/1975	Age 40	Height 5' 04"	Weight 200	SS Number On File
Address NONE FIXED RENO, NV				Residence County: 01 Yr 00 Mo		Born SAN FRANCISCO, CA, UNITED STATES
Telephone (775) 470-0824		Time at Current Address 00 Yr 01 Mo		Primary Language ENGLISH		
Lives With		Relationship		ID Number	Type	Expiration Date
Marital Status SINGLE		How Long		Military Service NONE		
Discharge						
Employment/Support Status Employer				How Long		
...				00/00		
Occupation				Employer Telephone		

Defendant Justice Identifier Codes/Criminal History

FBI Number	SID Number							
Arrests	Violent Fels	Felonies	Violent Misd	Misdemeanors	MMSD	Traffic	DUI	Pending

Comments

SUCCESSFUL W/HEATHER, CLOSED CASE AS OF 05/12/15
 THE DEFENDANT HAS LIVED IN RENO 1 YEAR, REPORTING 1 MONTH WITH NO FIXED ADDRESS AND SHE LOST HER JOB AS OF TODAY. HER INFORMATION AND CRIMINAL HISTORY WERE NOT CONFIRMED; HOWEVER, HER LAST ARREST WAS 05/11/15. FURTHER, THE DEFENDANT HAS A LENGTHY HISTORY DATING 1992-2014 WITH CHARGES SIMILAR IN NATURE TO HER CURRENT CHARGES. THE DEFENDANT REMAINS IN CUSTODY. KP

Assessment Status

	Assessment FELONY NR	Initials KPEELER
--	--------------------------------	----------------------------

Determination of Indigency Report

Client: VEJMOLA, DENISE MICHELLE
Case#: 2015-00597

SSN: On File
DOB: 01/20/1975

Identification

Court:

RENO JUSTICE COURT

Charge(s):

FORGERY

Address:

NONE FIXED RENO, NV

Occupation and Employer:**Length:**

00 Yr 01 Mo

Phone:

775 470-0824

Financial Information

Income	WAGES	600	LOST JOB
Asset	NONE	0	
Expense	LIV'G EXP	0	NONE
Liability	TRAFFIC TICKET	256	

SUMMARY:	ASSETS:	0	INCOME:	600
	LIABILITIES:	-256	EXPENSES:	0
	NET WORTH:	-256	CASH FLOW:	600

Determination: INDIGENT

Recommendation

The above constitutes my recommendation to the court. I have explained my recommendation to the party.

Screening Agent/Witness: Karen A Peeler_____

Date:_____

Comments:

THE DEFENDANT REPORTS AN INCOME BELOW THE POVERTY GUIDELINE, SHE APPEARS TO QUALIFY FOR A PUBLIC DEFENDER. KP

Return Of NEF**Recipients**

ZELALEM BOGALE, ESQ. - Notification received on 2015-09-25 15:59:44.801.
REBECCA DRUCKMAN, ESQ. - Notification received on 2015-09-25 15:59:43.927.
MAIZIE PUSICH, ESQ. - Notification received on 2015-09-25 15:59:43.647.
DIV. OF PAROLE & PROBATION - Notification received on 2015-09-25 15:59:43.99.
CHRISTINE BRADY, ESQ. - Notification received on 2015-09-25 15:59:43.896.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

09-25-2015:15:44:33

Clerk Accepted:

09-25-2015:15:59:08

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Court Services Report

Filed By:

Pretrial Off. MScheiber

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

REBECCA DRUCKMAN, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

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

THE STATE OF NEVADA,

Plaintiff,

Case No.: CR15-1461

vs.

Dept. No.: 7

DENISE M. VEJMOLA,

Defendant,

APPLICATION FOR SETTING

TYPE OF ACTION:

CRIMINAL

MATTER TO BE HEARD:

ARRAIGNMENT

DATE OF APPLICATION:

SEPTEMBER 29, 2015

COUNSEL FOR PLAINTIFF:

ZELALEM BOGALE, ESQ.

COUNSEL FOR DEFENDANT:

MAIZIE PUSICH, ESQ., and CHRISTINE
BRADY, ESQ.

ARRAIGNMENT SET FOR OCTOBER 14 AT 9:00 A.M. – THIS DATE VACATES
THE ARRAIGNMENT PREVIOUSLY SET FOR OCTOBER 7, 2015

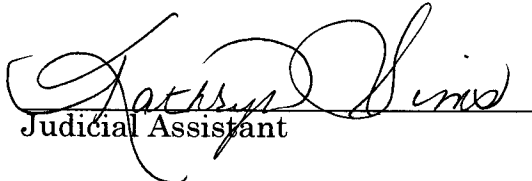
CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 29 day of September, 2015, I electronically filed the following with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

Zelalem Bogale, Esq. for State of Nevada; and

Maizie Pusich, Esq. and Christine Brady, Esq. for Denise M. Vejmola

I deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:


Judicial Assistant

Return Of NEF**Recipients**

ZELALEM BOGALE, ESQ. - Notification received on 2015-09-29 11:04:21.477.
REBECCA DRUCKMAN, ESQ. - Notification received on 2015-09-29 11:04:21.383.
MAIZIE PUSICH, ESQ. - Notification received on 2015-09-29 11:04:21.321.
DIV. OF PAROLE & PROBATION - Notification received on 2015-09-29 11:04:21.445.
CHRISTINE BRADY, ESQ. - Notification received on 2015-09-29 11:04:21.352.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

09-29-2015:11:03:19

Clerk Accepted:

09-29-2015:11:03:52

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Application for Setting - eFile

Filed By:

Judicial Asst. KSims

You may review this filing by clicking on the following link to take you to your cases.

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-

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NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Return Of NEF**Recipients**

ZELALEM BOGALE, ESQ. - Notification received on 2015-10-05 14:04:00.666.
REBECCA DRUCKMAN, ESQ. - Notification received on 2015-10-05 14:04:00.588.
MAIZIE PUSICH, ESQ. - Notification received on 2015-10-05 14:04:00.525.
DIV. OF PAROLE & PROBATION - Notification received on 2015-10-05 14:04:00.634.
CHRISTINE BRADY, ESQ. - Notification received on 2015-10-05 14:04:00.556.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

10-05-2015:13:55:23

Clerk Accepted:

10-05-2015:14:03:25

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Evaluations

Filed By:

Christine Jones Brady, Esq.

You may review this filing by clicking on the following link to take you to your cases.

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-

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The following people were served electronically:

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NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

In the Justice Court of Reno Township

County of Washoe, State of Nevada

THE STATE OF NEVADA,

Plaintiff,

vs.

DENSIE M VEJMOLA,

Defendant.

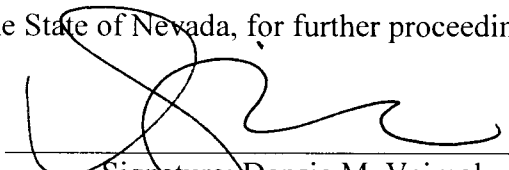
No. RCR15-082096

CR15-1461
D7

Waiver of Preliminary Examination

I, the Defendant in the above-entitled action, being fully advised of my rights in the premises, hereby waive my preliminary examination on the charges of: Count I: Burglary, Count II: Possession of a Forged Instrument; Count III: Possession of Personal Identifying Information to Establish a False Identity and Commit Forgery; Count IV: Burglary; Count V: Burglary; count VI: Burglary; Count VII: Burglary; Count VIII: Burglary; Count IX: Possession of Forged Instruments; Count X: Obtaining Money or Property by False Pretenses; Count XI: Obtaining Money or Property by False Pretenses in the above entitled action, and consent that I may be remanded to the Second Judicial District Court of the State of Nevada, for further proceedings therein.

DATE: 9/24/15


Signature: Densie M. Vejmola

Negotiations: Defendant will plead guilty to: two (2) counts of Burglary, each a Category B felony and one (1) count of Possession of a Forged Instrument, a Category C felony. For the Burglary counts, the parties stipulate to 48-120 months in prison on each count to run concurrent. On the Possession of Forged Instruments count, the parties stipulate to a sentence of 24-60 months in prison but are free to argue whether this count will run concurrent or consecutive to the Burglary counts. The Information filed in District Court will name all of the victims from the following Justice Court cases: RCR15-082097, RCR15-082096, RCR15-082513, RCR15-082081 and RCR15-082098. No other transactional charges or enhancements will be filed. Defendant agrees to pay restitution and that restitution will be determined by the court at the time of sentencing. RCR15-082097, RCR15-082513, RCR15-082081 and RCR15-082098 will be dismissed after the sentencing in this case.

DA #15-6066
RPD RP15-012329

1 CODE 1800
2 Christopher J. Hicks
3 #7747
4 P.O. Box 11130
5 Reno, NV 89520
6 (775) 328-3200

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

9 * * *

10 THE STATE OF NEVADA,

11 Plaintiff,

Case No. CR15-1461

12 v.

Dept. No. 7

13 DENISE MICHELLE VEJMOLA,

14 Defendant.

15 INFORMATION

16 CHRISTOPHER J. HICKS, District Attorney within and for the
17 County of Washoe, State of Nevada, in the name and by the authority
18 of the State of Nevada, informs the above entitled Court that DENISE
19 MICHELLE VEJMOLA, the defendant above named, has committed the
20 crime(s) of:

21 COUNT I. BURGLARY, a violation of NRS 205.060, a felony, in
22 the manner following:

23 That the said defendant DENISE MICHELLE VEJMOLA, on the
24 14th day of April, 2015, or thereabout, and before the filing of this
25 Information, at and within the County of Washoe, State of Nevada, did
26 willfully and unlawfully enter Walgreen's located at 3495 South

1 Virginia Street and/or Walmart located at 4855 Kietzke Lane, with the
2 intent then and there to obtain goods or property by false pretenses
3 therein.

4 COUNT II. BURGLARY, a violation of NRS 205.060, a felony,
5 in the manner following:

6 That the said defendant DENISE MICHELLE VEJMOLA, on the
7 14th day of April, 2015, or thereabout, and before the filing of this
8 Information, at and within the County of Washoe, State of Nevada, did
9 willfully and unlawfully enter Save Mart located at 4995 Kietzke Lane
10 with the intent then and there to obtain goods or property by false
11 pretenses therein.

12 COUNT III. POSSESSION OF FORGED INSTRUMENTS, a violation of
13 NRS 205.160, a felony, in the manner following:

14 That the said defendant DENISE MICHELLE VEJMOLA, on or
15 between the 22nd day of March and the 15th day of April, 2015, or
16 thereabout, and before the filing of this Information, at and within
17 the County of Washoe, State of Nevada, did willfully and unlawfully
18 possess a forged bills for the payment of money, to wit: business or
19 personal checks drawn upon the bank accounts of Kimmie's Coffee Shop,
20 Margaret Logie, Donna Surwillo, Ignacio Robles, Dilworth Middle
21 School and/or Portola Station Baptist Church, with intent to pass
22 them or procure them to be uttered or passed, and with intent to
23 defraud Kimmie's Coffee Shop, Margaret Logie, Donna Surwillo, Ignacio
24 Robles, Dilworth Middle School and/or Portola Station Baptist Church,
25 knowing said checks to be forged, at Walgreen's located at 3495 South
26 Virginia Street, Save Mart located at 4995 Kietzke Lane, Walmart

1 located at 4855 Kietzke Lane, Walmart located at 155 Damonte Ranch
2 Parkway and/or Walmart located at 2425 East Second Street.

3
4
5 All of which is contrary to the form of the Statute in such
6 case made and provided, and against the peace and dignity of the
7 State of Nevada.

8
9 CHRISTOPHER J. HICKS
District Attorney
10 Washoe County, Nevada

11
12
13 By: /s/ ZELALEM T. BOGALE
14 ZELALEM T. BOGALE
15 12937
DEPUTY DISTRICT ATTORNEY

1 The following are the names and addresses of such witnesses
2 as are known to me at the time of the filing of the within
3 Information:
4

5 CORY AUTREY, RENO POLICE DEPARTMENT
6 BYRON CRAGG, RENO POLICE DEPARTMENT
7 JEREL HALLERT, RENO POLICE DEPARTMENT
8 ALEX (DIMITRIUS) KASSEBAUM, RENO POLICE DEPARTMENT
9 IGNACIO V ROBLES, 17864 VALECITO CT RENO, NV 89508
10 DONNA LYNN SURWILLO, 2699 SPEARPOINT DR Reno, NV 89509
11 KIMMIES COFFEE SHOP, 6770 S VIRGINIA ST Reno, NV 89511
12 MARGARET LOGIE, 1057 NORWOOD AVE OAKLAND, CA
13 VERONICA BETTGER, 85 CLEVELAND RC PLEASANT HILL, CA 94523
14 ERICA PICONE, 4835 KIETZKE LN Reno, NV 89509
15 JOHN SURWILLO,

16 The party executing this document hereby affirms that this
17 document submitted for recording does not contain the social security
18 number of any person or persons pursuant to NRS 239B.230.
19

20 CHRISTOPHER J. HICKS
21 District Attorney
22 Washoe County, Nevada

23 By/s/ ZELALEM T. BOGALE
24 ZELALEM T. BOGALE
25 12937
26 DEPUTY DISTRICT ATTORNEY

PCN: RPD1507361C; RPD1502945C-VEJMOLA

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-10-09 11:44:50.173.
ZELALEM BOGALE, ESQ. - Notification received on 2015-10-09 11:44:50.08.
MAIZIE PUSICH, ESQ. - Notification received on 2015-10-09 11:44:50.017.
DIV. OF PAROLE & PROBATION - Notification received on 2015-10-09 11:44:50.126.
CHRISTINE BRADY, ESQ. - Notification received on 2015-10-09 11:44:50.048.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

10-09-2015:11:39:02

Clerk Accepted:

10-09-2015:11:44:18

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Waiver of Preliminary Exam
Information

Filed By:

Zelalem Bogale

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

REBECCA DRUCKMAN, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE 1785
2 Christopher J. Hicks
3 #7747
4 P.O. Box 11130
5 Reno, NV. 89520
6 (775)328-3200
7 Attorney for Plaintiff

8
9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
10
11 IN AND FOR THE COUNTY OF WASHOE

12 * * *

13 THE STATE OF NEVADA,

14 Plaintiff,

Case No. CR15-1461

15 v.

Dept. No. 7

16 DENISE MICHELLE VEJMOLA,

17 Defendant.

18 /

19 GUILTY PLEA MEMORANDUM

20 1. I, DENISE MICHELLE VEJMOLA, understand that I am
21 charged with the offense(s) of: COUNT I. BURGLARY, a violation of
22 NRS 205.060, a felony; COUNT II. BURGLARY, a violation of NRS
23 205.060, a felony; and COUNT III. POSSESSION OF FORGED INSTRUMENTS, a
24 violation of NRS 205.160, a felony.

25 2. I desire to enter a plea of guilty to the offense(s) of
26 COUNT I. BURGLARY, a violation of NRS 205.060, a felony; COUNT II.
BURGLARY, a violation of NRS 205.060, a felony; and COUNT III.
POSSESSION OF FORGED INSTRUMENTS, a violation of NRS 205.160, a
felony, as more fully alleged in the charge(s) filed against me.

3. By entering my plea of guilty I know and understand

1 that I am waiving the following constitutional rights:

2 A. I waive my privilege against self-incrimination.

3 B. I waive my right to trial by jury, at which trial the
4 State would have to prove my guilt of all elements of the offenses
5 beyond a reasonable doubt.

6 C. I waive my right to confront my accusers, that is, the
7 right to confront and cross examine all witnesses who would testify
8 at trial.

9 D. I waive my right to subpoena witnesses for trial on my
10 behalf.

11 4. I understand the charge(s) against me and that the
12 elements of the offense(s) which the State would have to prove beyond
13 a reasonable doubt at trial are that on April 14, 2015, or
14 thereabout, in the County of Washoe, State of Nevada, I did, as to
15 Count I, willfully and unlawfully enter Walgreen's located at 3495
16 South Virginia Street and/or Walmart located at 4855 Kietzke Lane,
17 with the intent then and there to obtain goods or property by false
18 pretenses therein.

19 I understand the charge(s) against me and that the elements
20 of the offense(s) which the State would have to prove beyond a
21 reasonable doubt at trial are that on April 14, 2015, or thereabout,
22 in the County of Washoe, State of Nevada, I did, as to Count II,
23 willfully and unlawfully enter Save Mart located at 4995 Kietzke Lane
24 with the intent then and there to obtain goods or property by false
25 pretenses therein.

26 I understand the charge(s) against me and that the elements

1 of the offense(s) which the State would have to prove beyond a
2 reasonable doubt at trial are that on or between the 22nd day of
3 March and the 15th day of April, 2015, or thereabout, in the County
4 of Washoe, State of Nevada, I did, as to Count III, willfully and
5 unlawfully possess a forged bills for the payment of money, to wit:
6 business or personal checks drawn upon the bank accounts of Kimmie's
7 Coffee Shop, Margaret Logie, Donna Surwillo, Ignacio Robles, Dilworth
8 Middle School and/or Portola Station Baptist Church, with intent to
9 pass them or procure them to be uttered or passed, and with intent to
10 defraud Kimmie's Coffee Shop, Margaret Logie, Donna Surwillo, Ignacio
11 Robles, Dilworth Middle School and/or Portola Station Baptist Church,
12 knowing said checks to be forged, at Walgreen's located at 3495 South
13 Virginia Street, Save Mart located at 4995 Kietzke Lane, Walmart
14 located at 4855 Kietzke Lane, Walmart located at 155 Damonte Ranch
15 Parkway and/or Walmart located at 2425 East Second Street.

16 5. I understand that I admit the facts which support all
17 the elements of the offenses by pleading guilty. I admit that the
18 State possesses sufficient evidence which would result in my
19 conviction. I have considered and discussed all possible defenses
20 and defense strategies with my counsel. I understand that I have the
21 right to appeal from adverse rulings on pretrial motions only if the
22 State and the Court consent to my right to appeal in a separate
23 written agreement. I understand that any substantive or procedural
24 pretrial issue(s) which could have been raised at trial are waived by
25 my plea.

26 6. I understand that the consequences of my plea of guilty

1 as to Count I, are that I may be imprisoned for a period of one to
2 ten years in the Nevada Department of Corrections and that I am
3 eligible for probation. I may also be fined up to \$10,000. The
4 sentence on each count may be concurrent or consecutive to each
5 other.

6 I further understand that the consequences of my plea of
7 guilty as to Count II, are that I may be imprisoned for a period of
8 one to ten years in the Nevada Department of Corrections and that I
9 am eligible for probation. I may also be fined up to \$10,000. The
10 sentence on each count may be concurrent or consecutive to each
11 other.

12 I further understand that the consequences of my plea of
13 guilty as to Count III, are that I may be imprisoned for a period of
14 one to five years in the Nevada Department of Corrections and that I
15 am eligible for probation. I may also be fined up to \$10,000. The
16 sentence on each count may be concurrent or consecutive to each
17 other.

18 7. In exchange for my plea of guilty, the State, my
19 counsel and I have agreed to recommend the following: As to Count I,
20 the parties stipulate that I will serve four to ten years (48 to 120
21 months) in the Nevada Department of Corrections. As to Count II, the
22 parties stipulate that I will serve four to ten years (48 to 120
23 months) in the Nevada Department of Corrections. The parties
24 recommend that the sentence in Count II run concurrently to the
25 sentence in Count I. As to Count III, the parties stipulate that I
26 will serve two to five years (24 to 60 months) in the Nevada

1 Department of Corrections. Both parties will be free to argue
2 whether the sentence on Count III will run consecutively or
3 concurrently to the sentence in Count II. At sentencing, the State
4 will dismiss all remaining cases or charges in Reno Justice Court.
5 The State will not pursue or file additional charges or enhancements
6 resulting from the arrest in this case.

7 8. I understand that, even though the State and I have
8 reached this plea agreement, the State is reserving the right to
9 present arguments, facts, and/or witnesses at sentencing in support
10 of the plea agreement.

11 9. I also agree that I will make full restitution in this
12 matter, as determined by the Court. Where applicable, I additionally
13 understand and agree that I will be responsible for the repayment of
14 any costs incurred by the State or County in securing my return to
15 this jurisdiction.

16 10. I understand that the State, at their discretion, is
17 entitled to either withdraw from this agreement and proceed with the
18 prosecution of the original charges or be free to argue for an
19 appropriate sentence at the time of sentencing if I fail to appear at
20 any scheduled proceeding in this matter OR if prior to the date of my
21 sentencing I am arrested in any jurisdiction for a violation of law
22 OR if I have misrepresented my prior criminal history. I understand
23 and agree that the occurrence of any of these acts constitutes a
24 material breach of my plea agreement with the State. I further
25 understand and agree that by the execution of this agreement, I am
26 waiving any right I may have to remand this matter to Justice Court

1 should I later withdraw my plea.

2 11. I understand and agree that pursuant to the terms of
3 the plea agreement stated herein, any counts which are to be
4 dismissed and any other cases charged or uncharged which are either
5 to be dismissed or not pursued by the State, may be considered by the
6 court at the time of my sentencing.

7 12. I understand that the Court is not bound by the
8 agreement of the parties and that the matter of sentencing is to be
9 determined solely by the Court. I have discussed the charge(s), the
10 facts and the possible defenses with my attorney. All of the
11 foregoing rights, waiver of rights, elements, possible penalties, and
12 consequences, have been carefully explained to me by my attorney. My
13 attorney has not promised me anything not mentioned in this plea
14 memorandum, and, in particular, my attorney has not promised that I
15 will get any specific sentence. I am satisfied with my counsel's
16 advice and representation leading to this resolution of my case. I
17 am aware that if I am not satisfied with my counsel I should advise
18 the Court at this time. I believe that entering my plea is in my
19 best interest and that going to trial is not in my best interest. My
20 attorney has advised me that if I wish to appeal, any appeal, if
21 applicable to my case, must be filed within thirty days of my
22 sentence and/or judgment.

23 13. I understand that this plea and resulting conviction
24 will likely have adverse effects upon my residency in this country if
25 I am not a U. S. Citizen. I have discussed the effects my plea will
26 have upon my residency with my counsel.

1 14. I offer my plea freely, voluntarily, knowingly and
2 with full understanding of all matters set forth in the Information
3 and in this Plea Memorandum. I have read this plea memorandum
4 completely and I understand everything contained within it.

5 15. My plea of guilty is voluntary and is not the result
6 of any threats, coercion or promises of leniency.

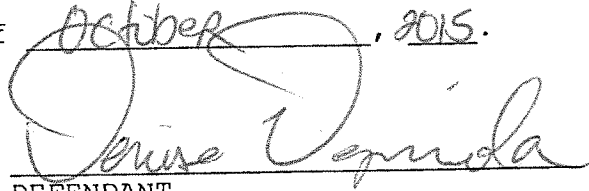
7 16. I am signing this Plea Memorandum voluntarily with
8 advice of counsel, under no duress, coercion, or promises of
9 leniency.

10 17. I do hereby swear under penalty of perjury that all of
11 the assertions in this written plea agreement document are true.


12 AFFIRMATION PURSUANT TO NRS 239B.030

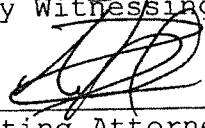
13 The undersigned does hereby affirm that the preceding
14 document does not contain the social security number of any person.

15 DATED this 23 day of October, 2015.

16
17 
18 DEFENDANT

19
20 TRANSLATOR/INTERPRETER

21 
22 Attorney Witnessing Defendant's Signature

23 
24 Prosecuting Attorney
25
26

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-10-14 15:16:46.458.
ZELALEM BOGALE, ESQ. - Notification received on 2015-10-14 15:16:46.146.
MAIZIE PUSICH, ESQ. - Notification received on 2015-10-14 15:16:45.865.
DIV. OF PAROLE & PROBATION - Notification received on 2015-10-14 15:16:46.411.
CHRISTINE BRADY, ESQ. - Notification received on 2015-10-14 15:16:45.912.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

10-14-2015:15:15:43

Clerk Accepted:

10-14-2015:15:16:15

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Guilty Plea Memo/Agreement

Filed By:

Court Clerk KOates

You may review this filing by clicking on the following link to take you to your cases.

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If service is not required for this document (e.g., Minutes), please disregard the below language.

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NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CASE NO. CR15-1461

STATE OF NEVADA VS. DENISE M. VEJMOLA

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

10/14/15

ARRAIGNMENT

HONORABLE

Deputy District Attorney Zelalem Bogale represented the State.

12/02/15

PATRICK

Defendant was present with counsel, Deputy Public Defender

9:00 a.m.

FLANAGAN

Christine Brady. Probation Officer Tomasa Kizer was also present.

Sentencing

DEPT. NO. 7

TRUE NAME: **DENISE M. VEJMOLA**. Defendant was handed a copy of the Information, waived formal reading.

K. Oates

(Clerk)

Defendant entered pleas of Guilty to Count I – Burglary, a violation

S. Koetting

NRS 205.060, a felony; Count II – Burglary, a violation of NRS

(Reporter)

205.060, a felony; and Count III – Possession of Forged Instruments, a violation of NRS 205.160, a felony, all as contained within the Information. Plea negotiations stated.

Court interrogated the Defendant, advised her of her rights, found that there was a factual basis for the pleas, and that the Defendant understood the elements of the offenses and the possible punishment therefore; Court further found that the pleas were knowing, voluntary and intelligent, that the Defendant was competent to enter the pleas and accepted same.

Court ordered Presentence Investigation and matter continued for entry of judgment and imposition of sentence.

Defendant is remanded to the custody of the Sheriff.

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-10-15 10:32:07.489.
ZELALEM BOGALE, ESQ. - Notification received on 2015-10-15 10:32:07.395.
MAIZIE PUSICH, ESQ. - Notification received on 2015-10-15 10:32:07.317.
DIV. OF PAROLE & PROBATION - Notification received on 2015-10-15 10:32:07.442.
CHRISTINE BRADY, ESQ. - Notification received on 2015-10-15 10:32:07.364.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

10-15-2015:10:31:01

Clerk Accepted:

10-15-2015:10:31:39

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

***Minutes

Filed By:

Court Clerk KOates

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DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-11-18 16:25:13.543.
ZELALEM BOGALE, ESQ. - Notification received on 2015-11-18 16:25:13.45.
MAIZIE PUSICH, ESQ. - Notification received on 2015-11-18 16:25:13.387.
DIV. OF PAROLE & PROBATION - Notification received on 2015-11-18 16:25:13.512.
CHRISTINE BRADY, ESQ. - Notification received on 2015-11-18 16:25:13.419.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

11-18-2015:16:18:32

Clerk Accepted:

11-18-2015:16:24:39

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

PSI - Confidential

Filed By:

Div. of Parole & Probation

You may review this filing by clicking on the following link to take you to your cases.

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-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

REBECCA DRUCKMAN, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 **Code**

2

3

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7

IN AND FOR THE COUNTY OF WASHOE

8

9

STATE OF NEVADA,

10

Plaintiff(s),

Case No. CR15-1461

11

vs.

Dept. No. VII

12

VEJMOLA, DENISE MICHELLE,

HONORABLE JUDGE

13

Defendant(s).

FLANAGAN

14

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VICTIM IMPACT STATEMENT

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November 21, 2015

State of Nevada v. Denise Michelle Vejmolá
DA # 15-6066

Written Statement for **Weds., Dec. 2, 2015 at 9:00am**
Second Judicial District Court

To the Judge Presiding Over This Case:

I am writing to explain how the criminal actions of Denise Vejmolá have impacted me. To this day, I am still unaware as to how she came to have my driver's license in her possession when she was arrested. It was a rather new license to me that I thought I had simply misplaced in my home and did not know was "officially" missing when I received a call from a detective in Reno, to my great surprise. I had never been to Reno with this particular license. I then learned that my license would also not be returned to me, as it is evidence in this case against Ms. Vejmolá. It has been an inconvenience for me to be without my license, as I have not yet been able to go and get a complete new one issued (the detective recommends that I get a completely new driver's license #, not just a replacement card because of the fraud). I will also have to pay for this new license, spend more time at the DMV etc. Because of this, I must bring my passport everywhere as identification. This adds a layer of daily stress to be carrying around such an important document in place of a license.

Additionally, though I have been spending many months out of state for personal & medical reasons, I have had to travel with all of my files on this case in the event I am pulled over and/or issues came up. This is a further hassle and thing to organize and remember. In fact, while I was out of state, I had to have someone checking my mail in CA to ensure there were no issues. And in fact, there were. I received two letters from Savemore Market saying that I bounced two checks to them and I owed them the money plus a penalty. Because I had someone checking my mail, I received these letters in a timely matter, but then had to follow up with Savemore with several phone calls and written correspondence to prove to them that this was a fraud and not me who had written the bad checks. Thankfully, because I had a case # and a detective's name, they did not hold me financially responsible. I imagine others victims of Ms. Vejmolá have not been so lucky. And I feel badly for this organization, as it is obvious that Denise Vejmolá stole from them and they will not be reimbursed. This makes me angry, because these costs of criminal activity by Ms. Vejmolá get passed down and paid for by the rest of us in higher costs for consumer goods. This store did nothing wrong, and they too are victims of Ms. Vejmolá. When they received my explanation, they seemed resigned to the fact that there would be little recourse for them. This is wrong.

There have been several phone calls and follow ups with the detective, the prosecuting attorney's office, as well as with my banks and credit card companies to ensure that my accounts are "safe", though no one can give me any guarantee that they are. I just have to keep checking. This is an emotional and practical burden. I have had to do credit checks and put fraud alerts on my accounts, which means at various times, my cards are "turned off" and get rejected when I am out living my life.

This is embarrassing and an inconvenience. I continuously wait for more issues and worry that my financial accounts are not safe. I will have to continue to monitor and follow up like this for years.

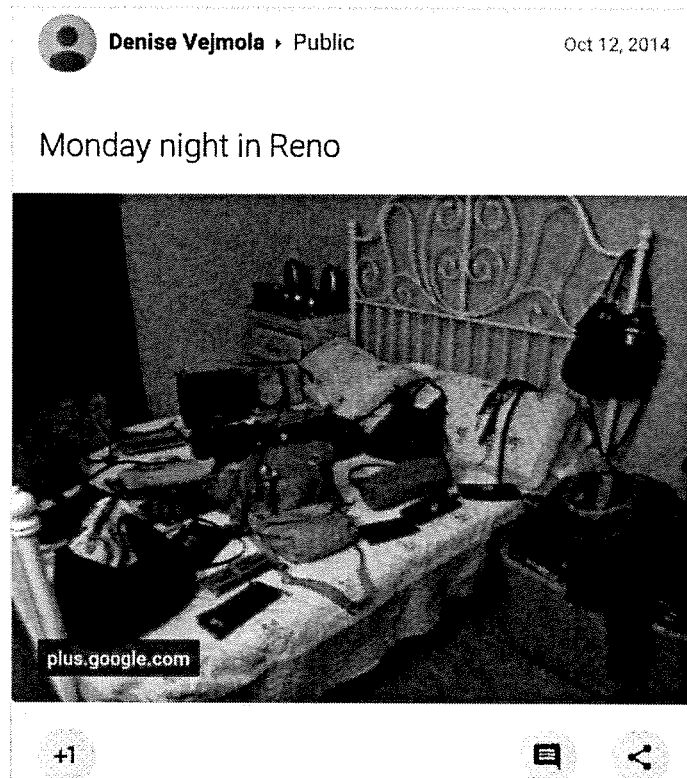
I wish I understood how Ms. Vejmolá got a hold of my driver's license so I could at least feel more secure about all of my accounts. How and when did she steal it? Did she have access to other personal information about me? Is her family involved, as has been suggested? Am I safe from their actions and/or retaliation? These are questions and anxieties I now have to live with and deal with.

It is my understanding that about 10 years ago (see attached SF Chronicle article), while an employee for the City of Oakland, Ms. Vejmolá was conducting similar crimes. At the time of that prosecution, her crimes were extensive and premeditated, using her position with the government to commit identity fraud against 11 people. These are the actions of a career criminal, not petty theft. Instead of going to jail, because of her drug addiction to meth amphetamines, she was placed in a halfway house. It seems that any rehabilitation she received for her drug use, which is also illegal, did nothing to rehabilitate her character. I believe in giving addicts chances to rehabilitate their lives, but not after they have been bad actors in society on this level. I believe she should have been brought to justice at that time and perhaps that would have prevented her continued criminal offenses. Who knows how many others she has victimized since 2004. It seems she has just continued to take advantage of the people and society who showed her mercy.

Ms. Vejmolá even accepted an award of Employee of the Year during this time with the City of Oakland. Imagine the level of betrayal and lack of ethics one must exhibit to be seen as a star employee while stealing from that very organization. And she has gone on to *continue* to defraud and steal from innocent people while working at her job, this time/more recently I believe at Sam's Club, where I understand she accepted an award for Employee of the Month. She accepted these acknowledgments and I have to assume, benefits, knowing full well that she was cheating and stealing from the very organizations and people she works for. This shows such a lack of character and on-going deception, after being given many, many second chances.

I am also able to see through her online profiles that she has many children - I believe five, who are also victims. At one point before I knew all of her history, I wanted to give her the benefit of the doubt, perhaps if her actions were motivated by desperation to care for her children... but her online persona, for example, showing off her purses (image #1):

IMAGE #1:



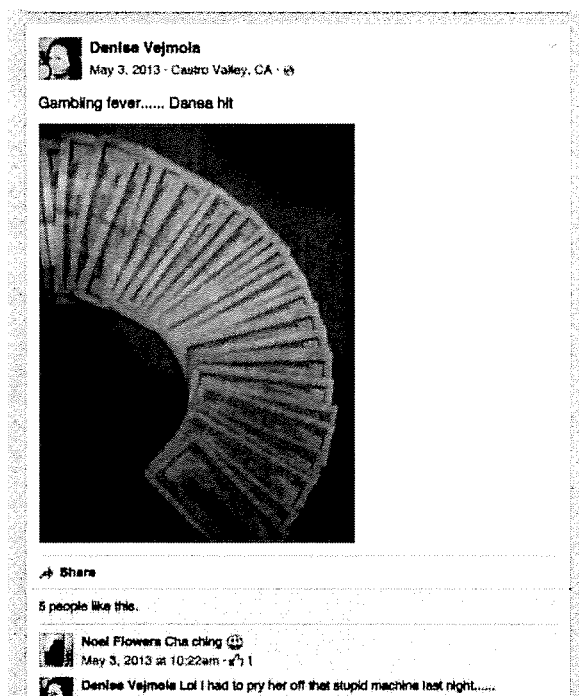
photos of fans of hundred dollar bills (image #2)

IMAGE #2:



and talking about "gambling fever" (image #3),

IMAGE #3:



prove otherwise. This indirectly or directly, is stolen money. Our money. She has been shameless about her abuse of the system.

And as someone who has struggled to have children, I find it especially upsetting that a women so blessed would engage in this criminal behavior, risking her ability to parent her own children. This feels both selfish, irresponsible and unloving.

She has also posted things about having good character, such as... (image #4)

IMAGE #4:



Her hypocrisy is offensive.

At this point, with as many offenses and years of continued unlawful behavior, I believe it is time for the maximum sentence for Ms. Vejmolle. Though I recognize I have not been as severely impacted as some people who experience identity theft, I have on-going disruption to my life and costs associated with this issue. It is hard to calculate all of them, but an example - that may seem small but has financial impacts to me, is that without my driver's license which was in my maiden name, I have not been able to have frequent flyer miles accrued for several flights. This means I have lost out on future free flights I would have accrued if I had my license in my possession. There are many incalculable losses such as this. Another example, I've also not been able to rent a car when traveling out of state for medical treatments - this has had significant cost differences as I've had to pay for taxi service instead, which is about 8 times the cost of the car rental. The administrative burden, daily friction and on-going costs like this are hard to quantify. I would request from the court restitution to me for the costs associated with this crime.

So I ask the court and presiding judge to please consider the number of crimes committed and Ms. Vejmolle's previous opportunities for reform, that she then continued to abuse and take advantage of her employers and the public. I'm even frustrated at the cost to the community to prosecute her. She has cost us all enough. And she and I'm sure her children who will not have a mother - will continue to cost us a lot of money. Let's hope with a maximum sentence, she will have a good long while to reform herself and set a better example of redemption for her children. It's such a sad state of affairs for these children.

Denise, I hope you finally learn a lesson and get the rehabilitation of both your addictions and your character. You are of no use to anyone, either your family or society in jail - which sadly, is where you belong. I hope once you are released you will do all you can to make right the wrongs of your choices and actions. You have stolen incalculable amounts of money - too much to even be counted with all of

the impacts of your actions. We are all paying for you and what you have done. You have cost the public enormous sums of money you can never repay. I hope you will find a way in your actions here on earth, to make right what you have done in whatever way you can, first and foremost, by admitting guilt, serving your time and then finding ways, every day, to make reparations for your actions. And of course, never committing another crime. I wish you the best.

Respectfully,

<http://www.sfgate.com/bayarea/article/OAKLAND-Former-city-clerk-worker-accused-of-ID-2610076.php>

OAKLAND / Former city clerk worker accused of ID theft / 'Employee of year' allegedly took info off online database

By Henry K. Lee Published 4:00 am, Friday, March 16, 2007

A former "employee of the year" at the Oakland city clerk's office was indicted by a federal grand jury Thursday on charges of fraud and identity theft for allegedly using an online database to obtain personal information of nearly a dozen people.

Denise Vejmolá, 32, of Hayward, who is serving time at halfway house for a forgery case in Alameda County, allegedly used Accurint -- an online research tool used by law enforcement workers, government officials and other authorized users -- to obtain Social Security numbers and dates of birth of 11 people.

Vejmolá was indicted on two counts of unauthorized access of a protected computer with intent to defraud and one count each of unlawful use of unauthorized access device and aggravated identity theft.

Vejmolá was named "employee of the year" by the Oakland city clerk's office in 2002. As legislative recorder, she took minutes at City Council meetings and prepared meeting agendas, Assistant City Clerk Marjo Keller said Thursday. Vejmolá left the office in January 2005.

Vejmolá's mother, Gloria Vejmolá, said Thursday that her daughter was undergoing drug rehabilitation for methamphetamine use while serving time at a Los Angeles halfway house for an Alameda County conviction in 2005 relating to identity theft.

"She's a person who everybody gets along with very well," she said. "She's really honest in what she does. She does hard work."

Accurint, a Web-based service of Lexis Nexis, is the "most widely accepted locate-and-research tool available to government, law enforcement and commercial customers," according to its Web site.

Between December 2004 and December 2005, Vejmolá allegedly accessed Accurint databases from a Dell computer and obtained personal information of 11 people, said the indictment, which identified the alleged victims only by their initials.

Although the indictment didn't specify what Vejmolá allegedly did with the other people's information, it noted that Dell customers could obtain a line of credit by submitting information and applying online.

In a separate filing that a law-enforcement official said was "loosely related" to Vejmolá's case, the same grand jury indicted Jason Jaye on Thursday on charges that he possessed at least 15 unauthorized credit cards and had the Social Security numbers of a dozen people.

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**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA**

**AFFIRMATION
Pursuant to NRS 239B.030**

The undersigned does hereby affirm that the preceding document, _____
STATEMENT

_____ (Title of Document)

filed in case number: CR15-1461



Document does not contain the social security number of any person

-OR-



Document contains the social security number of a person as required by:



A specific state or federal law, to wit:

_____ (State specific state or federal law)

-or-



For the administration of a public program

-or-



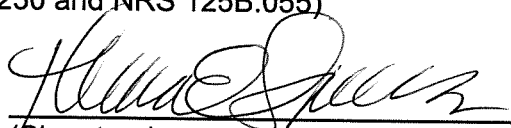
For an application for a federal or state grant

-or-



Confidential Family Court Information Sheet
(NRS 125.130, NRS 125.230 and NRS 125B.055)

Date: 11-23-15


(Signature)

TERESA E STRAUSS
(Print Name)

pgp
(Attorney for)

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-11-23 16:16:39.625.
ZELALEM BOGALE, ESQ. - Notification received on 2015-11-23 16:16:39.547.
MAIZIE PUSICH, ESQ. - Notification received on 2015-11-23 16:16:39.484.
DIV. OF PAROLE & PROBATION - Notification received on 2015-11-23 16:16:39.593.
CHRISTINE BRADY, ESQ. - Notification received on 2015-11-23 16:16:39.515.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

11-23-2015:16:03:40

Clerk Accepted:

11-23-2015:16:16:03

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Statement

Filed By:

Div. of Parole & Probation

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

REBECCA DRUCKMAN, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 4185
2 STEPHANIE KOETTING
3 CCR #207
4 75 COURT STREET
5 RENO, NEVADA
6

7 IN THE SECOND JUDICIAL DISTRICT COURT
8 IN AND FOR THE COUNTY OF WASHOE
9 THE HONORABLE PATRICK FLANAGAN, DISTRICT JUDGE

10 --oOo--

11 STATE OF NEVADA,)
12 Plaintiffs,)
13 vs.) Case No. CR15-1461
14 DENISE M. VEJMOLA,) Department 7
15 Defendant.)
16 _____)

17
18 TRANSCRIPT OF PROCEEDINGS

19 ARRAIGNMENT

20 October 14, 2015

21 9:00 a.m.

22 Reno, Nevada
23

24 Reported by: STEPHANIE KOETTING, CCR #207, RPR
Computer-Aided Transcription

1 APPEARANCES:

2 For the State:

3 OFFICE OF THE DISTRICT ATTORNEY
4 By: ZELALEM BOGALE, ESQ.
5 P.O. Box 30083
6 Reno, Nevada

7 For the Defendant:

8 OFFICE OF THE PUBLIC DEFENDER
9 By: CHRISTINE BRADY, ESQ.
10 350 S. Center
11 Reno, Nevada
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1 RENO, NEVADA, October 14, 2015, 9:00 a.m.

2

3 --oOo--

4 THE CLERK: Case number CR15-1461, State versus
5 Denise M. Vejmola. Matter set for arraignment. Counsel and
6 the Division, please state your appearance.

7 MR. BOGALE: Zelalem Bogale on behalf of the
8 State, your Honor.

9 MS. BRADY: Christine Brady on behalf of Ms.
10 Vejmola.

11 THE COURT: Ms. Vejmola, the State of Nevada has
12 filed an information against you, charging you with two
13 counts of burglary and one count of possession of a forged
14 instrument. Your attorney is being provided a copy of the
15 information. Ma'am, I understand coming to court always
16 makes people a little nervous, but how do you feel here this
17 morning?

18 THE DEFENDANT: As well as can be expected.

19 THE COURT: Have you taken any medication in the
20 last 24 hours?

21 THE DEFENDANT: No.

22 THE COURT: Have you spoken to Ms. Brady about
23 what we're going to do here this morning?

24 THE DEFENDANT: Yes.

1 THE COURT: Ms. Brady.

2 MS. BRADY: Thank you, your Honor. We are in
3 receipt, your Honor, of the information. Ms. Vejmola is
4 identified correctly on line 12 of the information. We are
5 familiar with the contents of the information and we waive
6 its formal reading, your Honor. The negotiations are that in
7 exchange for her plea of guilty to two counts, Count One and
8 Count Two of burglary, and to, your Honor, one count of
9 possession of a forged instrument, the parties agree to
10 stipulate to 48 months to 120 months in the Nevada Department
11 of Corrections for both Count One and Count Two to run
12 concurrent. We also stipulate to run those two concurrent.

13 As to Count Three, the parties recommend in Count
14 Three a sentence of 24 to 60 months in the Nevada Department
15 of Corrections, but there the parties are free to argue
16 whether Count Three will run concurrent or consecutive to
17 Counts One and Two.

18 At sentencing, the State will dismiss all
19 remaining charges that are currently pending in Reno Justice
20 Court. And the State will not pursue or file additional
21 charges or enhancements resulting from the arrest in this
22 case, your Honor.

23 THE COURT: Mr. Bogale.

24 MS. BRADY: Restitution will be determined at the

1 time of sentencing.

2 THE COURT: All right. Anything else?

3 MS. BRADY: One more thing. So even though the
4 other cases in Reno Justice Court are going to be dismissed,
5 they've been named within these counts here, and she will be
6 responsible for the restitution as to those, even though the
7 cases will be dismissed.

8 THE COURT: All right. Mr. Bogale.

9 MR. BOGALE: That's an accurate statement of the
10 negotiations, your Honor.

11 THE COURT: All right. Ms. Vejmola, an I
12 pronouncing that name correctly?

13 THE DEFENDANT: Adequately.

14 THE COURT: Adequately?

15 MS. BRADY: She's shy to correct your Honor.

16 THE COURT: It's quite all right. Sometimes all I
17 do is aspire to be adequate.

18 THE DEFENDANT: It gets slaughtered a lot worse.

19 THE COURT: Ms. Vejmola, is that your
20 understanding of the negotiations?

21 THE DEFENDANT: Yes, it is, sir.

22 THE COURT: Ma'am, by entering a plea of guilty,
23 you're waiving certain important constitutional rights. I'll
24 explain these rights to you, and if you have any questions,

1 let me know, I'll give you a chance to talk with your
2 attorney. Ma'am, by entering a plea of guilty here today,
3 you're waiving your right to a speedy and public jury trial.
4 Do you understand that?

5 THE DEFENDANT: Yes.

6 THE COURT: By entering a plea of guilty here
7 today, you're waiving your right to cross examine witnesses
8 at that trial. Do you understand that?

9 THE DEFENDANT: Yes.

10 THE COURT: By entering a plea of guilty here
11 today, you're waiving your right to the attendance of
12 witnesses that may have testimony in your favor at that
13 trial. Do you understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: By entering a plea of guilty here
16 today, you're waiving your right to the remain silent,
17 because I'll be asking questions that you have to answer. Do
18 you understand that?

19 THE DEFENDANT: Uh-huh.

20 THE COURT: By entering a plea of guilty here
21 today, you're waiving your right to the effective assistance
22 of counsel at trial, because we're not going to have a trial,
23 although you'll still have the good services of Ms. Brady
24 throughout the rest of these proceedings. Do you understand

1 that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: And by entering a plea of guilty here
4 today, you're relieving the State of its obligation to prove
5 each every and element of the offense beyond a reasonable
6 doubt. Do you understand that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Mr. Bogale, if this case had gone to
9 trial, what would the State have been prepared to prove?

10 MR. BOGALE: Thank you, your Honor. Ms. Vejmla,
11 had this case proceeded to trial, the State would be prepared
12 to prove you committed the following crimes, Count One,
13 burglary, a violation of NRS 205.060, a felony, in that you
14 on April 14th, 2015, or thereabout, here in Washoe County,
15 you entered a Walgreen's located at 3495 South Virginia
16 Street, and/or Wal-Mart located at 4855 Kietzke Lane, with
17 the intent then and there to obtain goods or property by
18 false pretenses therein.

19 Count Two, the same count, a violation of 205.060,
20 a felony, in that on April 14th, 2015, here in Washoe County,
21 you entered Save Mart located at 4995 Kietzke Lane with the
22 intent then and there to obtain goods or property by false
23 pretenses therein.

24 And Count Three, possession of a forged

1 instrument, a violation of NRS 205.060, a felony, in that on
2 or between the 22nd day of March and the 15th day of April
3 2015, here in Washoe County, you possessed forged bills for
4 the payment of money, to wit, business or personal checks
5 drawn upon the bank accounts of Kimmie's Coffee Shop,
6 Margaret Logee, Donna Serilla, Dilworth Middle School and/or
7 Portola Station Baptist Church with the intent to pass them
8 or procure them to be uttered or passed and with the intent
9 to defraud said victims, knowing said checks to be forged at
10 Walgreen's located at 3495 South Virginia Street, Save Mart
11 located at 4995 Kietzke Lane, Wal-Mart located at 4855
12 Kietzke Lane, Wal-Mart located at 155 Damonte Ranch Parkway,
13 and/or Wal-Mart located at 2425 East Second Street.

14 THE COURT: Now, ma'am, do you understand what the
15 maximum sentence is that may be imposed on these counts?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Tell me what they are.

18 THE DEFENDANT: Ten years.

19 THE COURT: All right.

20 THE DEFENDANT: Five years.

21 THE COURT: And is probation available?

22 THE DEFENDANT: Yes, it is.

23 THE COURT: Now, did you sign this guilty plea
24 memorandum?

1 THE DEFENDANT: Yes, I did.

2 THE COURT: Did you read it?

3 THE DEFENDANT: Yes, I did.

4 THE COURT: Did you understand it?

5 THE DEFENDANT: Uh-huh.

6 THE COURT: Did you speak with your attorney about
7 it?

8 THE DEFENDANT: Uh-huh.

9 THE COURT: Ms. Brady, any question in your mind
10 of your client's competency to understand the nature of these
11 proceedings, enter a plea or assist counsel at trial?

12 MS. BRADY: No, your Honor.

13 THE COURT: Now, ma'am, you understand, although
14 you've made an agreement with the State, sentencing is in the
15 sole discretion of the Court. As I sit here now, I don't
16 know what the sentence is going to be. At the time of
17 sentencing, I'm going to listen to you, I'm going to listen
18 to your attorney, I'm going to listen to the State's
19 attorney, I'm going to review and consider all the
20 information provided to me by the Division of Parole and
21 Probation. But do you understand that sentencing is in the
22 sole discretion of the Court?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Now, other than that which is

1 contained in the plea agreement, has anybody threatened you
2 or promised you anything in order to induce you to plead
3 guilty here this morning?

4 THE DEFENDANT: No.

5 THE COURT: Are you pleading guilty here freely
6 and voluntarily?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Tell me what happened.

9 THE DEFENDANT: I made a bad decision to commit
10 burglary in Washoe County.

11 THE COURT: All right. Now, based upon everything
12 we've done here this morning, do you have any questions of me
13 about these proceedings so far?

14 THE DEFENDANT: No, sir.

15 THE COURT: All right. Ma'am, as to the charges
16 contained in the information, what are your pleas, guilty or
17 not guilty?

18 THE DEFENDANT: Guilty.

19 THE COURT: The Court finds that the defendant
20 understands the nature of the offense charged, the
21 consequences of her pleas, has made a knowing, voluntary and
22 intelligent waiver of her constitutional rights. The Court
23 will accept her plea at this time. Ms. Clerk, do we have
24 date for sentencing?

1 THE CLERK: Yes, your Honor. Sentencing scheduled
2 for December 2nd at 9:00 a.m..

3 THE COURT: Ma'am, you're going to be given a
4 packet of material from the Division of Parole and Probation.
5 Fill it out as complete as possible. It's mostly
6 biographical information. The more information the Court has
7 about you, the better job I'm going to be able to do. Do you
8 have any questions of me about what we've done here today?

9 THE DEFENDANT: No.

10 THE COURT: Good luck, ma'am.

11 --oOo--

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1 STATE OF NEVADA)
) ss.
2 County of Washoe)

3 I, STEPHANIE KOETTING, a Certified Court Reporter of the
4 Second Judicial District Court of the State of Nevada, in and
5 for the County of Washoe, do hereby certify;

6 That I was present in Department No. 7 of the
7 above-entitled Court on October 14, 2015, at the hour of 9:00
8 a.m., and took verbatim stenotype notes of the proceedings
9 had upon the arraignment in the matter of THE STATE OF
10 NEVADA, Plaintiff, vs. DENISE M. VEJMOLA, Defendant, Case
11 No. CR15-1461, and thereafter, by means of computer-aided
12 transcription, transcribed them into typewriting as herein
13 appears;

14 That the foregoing transcript, consisting of pages 1
15 through 12, both inclusive, contains a full, true and
16 complete transcript of my said stenotype notes, and is a
17 full, true and correct record of the proceedings had at said
18 time and place.

19
20 DATED: At Reno, Nevada, this 23rd day of November 2015.

21
22 S/s Stephanie Koetting
23 STEPHANIE KOETTING, CCR #207
24

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-11-24 09:28:18.005.
ZELALEM BOGALE, ESQ. - Notification received on 2015-11-24 09:28:17.911.
MAIZIE PUSICH, ESQ. - Notification received on 2015-11-24 09:28:17.849.
DIV. OF PAROLE & PROBATION - Notification received on 2015-11-24 09:28:17.973.
CHRISTINE BRADY, ESQ. - Notification received on 2015-11-24 09:28:17.88.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

11-24-2015:09:27:11

Clerk Accepted:

11-24-2015:09:27:44

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Transcript

Filed By:

Stephanie Elaine Koetting

You may review this filing by clicking on the following link to take you to your cases.

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The following people were served electronically:

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NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE 1930
2 WASHOE COUNTY PUBLIC DEFENDER
3 CHRISTINE BRADY, #11065
4 P.O. BOX 11130
5 RENO, NV 89520-0027
6 (775)337-4800
7 ATTORNEY FOR DEFENDANT

8 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

9 IN AND FOR THE COUNTY OF WASHOE

10 THE STATE OF NEVADA,

11 Plaintiff,

12 vs.

13 DENISE M VEJMOLA,

14 Defendant.

Case No. CR15-1461

Dept. No. 7

15 **DOCUMENT SUBMITTED BY DEFENSE TO BE CONSIDERED AT SENTENCING**

16 See Attached Document.

17 **AFFIRMATION PURSUANT TO NRS 239B.030**

18 The undersigned does hereby affirm that the following document does not contain the
19 social security number of any person.

20 Dated this 30th day of November, 2015.

21 JEREMY T. BOSLER
22 Washoe County Public Defender

23 By: /s/Christine Brady
24 CHRISTINE BRADY
25 Deputy Public Defender
26

From: GLORIA VEJMOLA <gvejmola@sbcglobal.net>
Sent: Saturday, November 28, 2015 12:22 PM
To: Brady, Christine J
Subject: Letter sent to Judge Flanagan and Christine Brady that was returned to me by US Mail

Dear Christine Brady. I'm sorry getting you this letter at such a late date. I mailed it out 2 Thursdays ago and it was returned to me between Monday through Wednesday day before Thanksgiving. I was in the hospital Monday through Wednesday and couldn't check my mail until the next morning on Thanksgiving. But here is what my letter to Judge Flanagan and to you said. Please forward this E-Mail to Judge Flanagan. Thank You Gloria Vejmola Dear Judge Flanagan, My name is Gloria Vejmola and I am the mother of Denise Michelle Vejmola who you will be sentencing on December 2, 2015 in District VII Court. I am writing you this letter as a character witness in behalf of my daughter, Denise. My daughter has been involved with drugs on and off for the past 20 years and her dependency seems to have escalated. I know she deserves some punishment for the crimes she has committed, however I don't feel prison is any form of rehabilitation. 80% of released prisoners will repeat their crimes and return to prison within two years. I sincerely believe strong drug programs are more the answer for to rehabilitation. During the past 20 years she has never went through an extensive drug program for her dependency. I think we all know most crimes committed are due to drug involvement. Not only is she being punished for her mishaps so is her family. I am almost 70 years old and am caring for her 17 year old daughter and her 4 year old son. I don't know how much longer I have on this earth and if something were to happen to me we've got two more children with a less chance to develop a normal and productive life in society. Her little boy has pretty much forgotten about her and her 17 year old daughter just doesn't care much about her because she is so much of an embarrassment. Denise is a good mother and is pretty dependable, a good worker and honest when she is not doing her drugs. Hopefully, this time she will get some help. Your judgement would be greatly appreciated if you do take my concerns into consideration. Sincerely, Gloria Vejmola

CERTIFICATE OF SERVICE

I certify that I am an employee of the WASHOE COUNTY PUBLIC DEFENDER'S OFFICE, and that on the 30th day of November, 2015, I electronically served, a true copy of the attached document, addressed to:

DEPUTY DISTRICT ATTORNEY
Electronic Service

DEPARTMENT OF PAROLE & PROBATION
Electronic Service

/s/Debbie Brunner
DEBBIE BRUNNER

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-11-30 11:40:04.72.
ZELALEM BOGALE, ESQ. - Notification received on 2015-11-30 11:40:04.626.
MAIZIE PUSICH, ESQ. - Notification received on 2015-11-30 11:40:04.564.
DIV. OF PAROLE & PROBATION - Notification received on 2015-11-30 11:40:04.689.
CHRISTINE BRADY, ESQ. - Notification received on 2015-11-30 11:40:04.595.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

11-30-2015:10:52:07

Clerk Accepted:

11-30-2015:11:39:37

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Letters ...

Filed By:

Christine Jones Brady, Esq.

You may review this filing by clicking on the following link to take you to your cases.

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NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 **CODE 1850**
2
3
4
5

6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 **STATE OF NEVADA,**

10 **Plaintiff,**

11 **vs.**

Case No. CR15-1461

12 **DENISE M. VEJMOLA,**

Dept. No. 7

13 **Defendant.**
14 _____/

15 **JUDGMENT OF CONVICTION**

16 The Defendant, having entered pleas of Guilty, and no sufficient cause
17 being shown by Defendant as to why judgment should not be pronounced against her,
18 the Court rendered judgment as follows:

19 Denise M. Vejmola, is guilty of the crime of Burglary, a violation of NRS
20 205.060, a Category B Felony, as charged in Count I of the Information, and that she be
21 punished by imprisonment in the Nevada State Prison for a minimum term of Forty-Eight
22 (48) months, to a maximum term of One Hundred and Twenty (120) months, with One
23 Hundred and Ninety-Six (196) days credit for time served, and by payment of restitution
24 in the amount of Four Thousand Eight Hundred Ninety-Seven Dollars and Fifty-Nine
25 Cents (\$4,879.59).

26 Denise M. Vejmola, is guilty of the crime of Burglary, a violation of NRS
27 205.060, a Category B Felony, as charged in Count II of the Information, and that she be
28 punished by imprisonment in the Nevada State Prison for a minimum term of Forty-Eight

1 (48) months, to a maximum term of One Hundred and Twenty (120) months, to be served
2 consecutively to the sentence imposed in Count I.

3 Denise M. Vejmola, is guilty of the crime of Possession of Forged
4 Instruments, a violation of NRS 205.160, a Category C Felony, as charged in Count III of
5 the Information, and that she be punished by imprisonment in the Nevada State Prison
6 for a minimum term of Twenty-Four (24) months, to a maximum term of Sixty (60)
7 months, to be served consecutively to the sentence imposed in Count II.

8 It is further ordered that the aggregate sentence imposed is a minimum of
9 One Hundred Twenty (120) months with a maximum of Three Hundred (300) months.

10 It is further ordered that the Defendant shall pay the statutory Twenty-Five
11 Dollar (\$25.00) administrative assessment fee, the Three Dollar (\$3.00) administrative
12 assessment fee for obtaining a biological specimen and conducting a genetic marker
13 analysis, the One Hundred Fifty Dollar (\$150.00) DNA testing fee, and submit to a DNA
14 analysis to determine the presence of genetic markers, if not previously ordered, and
15 attorney's fees are hereby waived by the Court.

16 Any fine, fee or administrative assessment imposed upon the Defendant
17 today as reflected in this Judgment of Conviction constitutes a lien, as defined in Nevada
18 Revised Statutes (NRS 176.275). Should the Defendant not pay these fines, fees or
19 assessments, collection efforts may be undertaken against her.

20 Dated this 3rd day of December, 2015.

21
22
23 Patrick Flanagan
24 DISTRICT JUDGE
25
26
27
28

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-12-03 10:59:13.479.
ZELALEM BOGALE, ESQ. - Notification received on 2015-12-03 10:59:13.386.
MAIZIE PUSICH, ESQ. - Notification received on 2015-12-03 10:59:13.308.
DIV. OF PAROLE & PROBATION - Notification received on 2015-12-03 10:59:13.448.
CHRISTINE BRADY, ESQ. - Notification received on 2015-12-03 10:59:13.355.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

12-03-2015:10:58:05

Clerk Accepted:

12-03-2015:10:58:42

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Judgment of Conviction

Filed By:

Court Clerk KOates

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DIV. OF PAROLE & PROBATION

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NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

CASE NO. CR15-1461

STATE OF NEVADA VS. DENISE M. VEJMOLA

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

12/02/15
HONORABLE
PATRICK
FLANAGAN
DEPT. NO. 7
K. Oates
(Clerk)
S. Koetting
(Reporter)ENTRY OF JUDGMENT; IMPOSITION OF SENTENCE

Deputy District Attorney Erica Jones represented the State.

Defendant was present with counsel, Deputy Public Defender Christine Brady. Karin Hornbarger of the Division of Parole and Probation was also present.

Counsel for the Defendant addressed the Court and advised the Defendant has only been to prison once, and the Presentence Investigation Report states twice.

Officer Hornbarger of the Division of Parole and Probation addressed the Court and responded.

Counsel for the Defendant argued in support of the negotiations in this case, however, argued that all counts be run concurrently.

Counsel for the State addressed the Court and argued in support of the maximum sentences.

The Defendant addressed the Court on her own behalf.

COURT ORDERED: The Defendant, having entered pleas of Guilty, and no sufficient cause being shown by Defendant as to why judgment should not be pronounced against her, the Court rendered judgment. Denise M. Vejmola, is guilty of the crime of Burglary, a violation of NRS 205.060, a Category B Felony, as charged in Count I of the Information, and that she be punished by imprisonment in the Nevada State Prison for a minimum term of Forty-Eight (48) months, to a maximum term of One Hundred and Twenty (120) months, with One Hundred and Ninety-Six (196) days credit for time served, and by payment of restitution in the amount of Four Thousand Eight Hundred Ninety-Seven Dollars and Fifty-Nine Cents (\$4,879.59).

Denise M. Vejmola, is guilty of the crime of Burglary, a violation of NRS 205.060, a Category B Felony, as charged in Count II of the Information, and that she be punished by imprisonment in the Nevada State Prison for a minimum term of Forty-Eight (48) months, to a maximum term of One Hundred and Twenty (120) months, to be served consecutively to the sentence imposed in Count I.

Denise M. Vejmola, is guilty of the crime of Possession of Forged Instruments, a violation of NRS 205.160, a Category C Felony, as charged in Count III of the Information, and that she be punished by

CASE NO. CR15-1461

STATE OF NEVADA VS. DENISE M. VEJMOLA

Page Two

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

12/02/15
HONORABLE
PATRICK
FLANAGAN
DEPT. NO. 7
K. Oates
(Clerk)
S. Koetting
(Reporter)ENTRY OF JUDGMENT; IMPOSITION OF SENTENCE

imprisonment in the Nevada State Prison for a minimum term of Twenty-Four (24) months, to a maximum term of Sixty (60) months, to be served consecutively to the sentence imposed in Count II. It is further ordered that the aggregate sentence imposed is a minimum of One Hundred Twenty (120) months with a maximum of Three Hundred (300) months. It is further ordered that the Defendant shall pay the statutory Twenty-Five Dollar (\$25.00) administrative assessment fee, the Three Dollar (\$3.00) administrative assessment fee for obtaining a biological specimen and conducting a genetic marker analysis, the One Hundred Fifty Dollar (\$150.00) DNA testing fee, and submit to a DNA analysis to determine the presence of genetic markers, if not previously ordered, and attorney's fees are hereby waived by the Court. Any fine, fee or administrative assessment imposed upon the Defendant today as reflected in this Judgment of Conviction constitutes a lien, as defined in Nevada Revised Statutes (NRS 176.275). Should the Defendant not pay these fines, fees or assessments, collection efforts may be undertaken against her.

Defendant is remanded to the custody of the Sheriff.

Return Of NEF**Recipients**

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-12-08 08:11:49.832.
ZELALEM BOGALE, ESQ. - Notification received on 2015-12-08 08:11:49.661.
MAIZIE PUSICH, ESQ. - Notification received on 2015-12-08 08:11:49.536.
DIV. OF PAROLE & PROBATION - Notification received on 2015-12-08 08:11:49.77.
CHRISTINE BRADY, ESQ. - Notification received on 2015-12-08 08:11:49.598.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

12-08-2015:08:10:35

Clerk Accepted:

12-08-2015:08:11:18

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

***Minutes

Filed By:

Court Clerk KOates

You may review this filing by clicking on the following link to take you to your cases.

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-

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The following people were served electronically:

REBECCA DRUCKMAN, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE NO. 2520
2 WASHOE COUNTY PUBLIC DEFENDER
3 JOHN REESE PETTY, State Bar Number 0010
350 South Center Street, 5th Floor
4 P.O. Box 11130
Reno, Nevada 89520-0027
5 (775) 337-4827
jpetty@washoecounty.us

6 Attorney for Defendant

7
8 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

9
10 IN AND FOR THE COUNTY OF WASHOE

11 THE STATE OF NEVADA,

12 Plaintiff,

13 vs.

Case No. CR15-1461

14 DENISE M. VEJMOLA,

Dept. No. 7

15 Defendant.

16
17 **NOTICE OF APPEARANCE**

18 John Reese Petty, Chief Deputy Washoe County Public Defender, gives notice of
19 appearance as appellate counsel for Defendant, DENISE M. VEJMOLA, in this case.

20 The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not
21 contain the social security number of any person.

22 DATED this 18th day of December 2015.

23 JEREMY T. BOSLER
24 WASHOE COUNTY PUBLIC DEFENDER

25 By: /s/ John Reese Petty
26 JOHN REESE PETTY, Chief Deputy

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Washoe County Public Defender's Office,
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing
document addressed to:

TERRENCE P. McCARTHY
Chief Appellate Deputy
Washoe County District Attorney's Office
(e-mail)

DENISE M. VEJMOLA (JID # p00147609)
Washoe County Jail
911 Parr Blvd., H02
Reno, Nevada 89512

DATED this 14th day of December 2015.

/S/ John Reese Petty
JOHN REESE PETTY

Return Of NEF**Recipients**

ZELALEM BOGALE, ESQ. - Notification received on 2015-12-18 15:17:43.528.

REBECCA DRUCKMAN, ESQ. - Notification received on 2015-12-18 15:17:43.419.

MAIZIE PUSICH, ESQ. - Notification received on 2015-12-18 15:17:43.357.

DIV. OF PAROLE & PROBATION - Notification received on 2015-12-18 15:17:43.497.

JOHN PETTY, ESQ. - Notification received on 2015-12-18 15:17:43.45.

CHRISTINE BRADY, ESQ. - Notification received on 2015-12-18 15:17:43.388.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

12-18-2015:14:53:00

Clerk Accepted:

12-18-2015:15:17:07

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Notice of Appearance

Filed By:

John Reese Petty

You may review this filing by clicking on the following link to take you to your cases.

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The following people were served electronically:

REBECCA DRUCKMAN, ESQ. for STATE OF
NEVADA

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 CODE NO. 2515
2 WASHOE COUNTY PUBLIC DEFENDER
3 JOHN REESE PETTY, State Bar Number 10
4 350 South Center Street, 5th Floor
5 P.O. Box 11130
6 Reno, Nevada 89520-0027
7 (775) 337-4827
8 Attorney for Defendant

9
10 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
11
12 IN AND FOR THE COUNTY OF WASHOE

13 THE STATE OF NEVADA,

14 Plaintiff,

15 vs.

Case No. CR15-1461

16 DENISE MICHELLE VEJMOLA,

Dept. No. 7

17 Defendant.
18 _____/

19
20 NOTICE OF APPEAL

21 DENISE MICHELLE VEJMOLA, the defendant above named, appeals to the Supreme
22 Court of Nevada from the judgment of conviction entered in this action on December 3, 2015.

23 This is a Fast Track Appeal.

24 The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not
25 contain the social security number of any person.

26 DATED this 3rd day of January 2016.

JEREMY T. BOSLER
WASHOE COUNTY PUBLIC DEFENDER

By: /s/ John Reese Petty
JOHN REESE PETTY, Chief Deputy

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Washoe County Public Defender's Office,
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing
document addressed to:

DENISE MICHELLE VEJMOLA (#1152120)
Florence McClure Women's Correctional Center
4370 Smiley Road
Las Vegas, Nevada 89115-1808

TERRENCE P. McCARTHY
Chief Appellate Deputy
Washoe County District Attorney's Office
(E-mail)

ADAM LAXALT
Attorney General State of Nevada
100 N. Carson Street
Carson City, Nevada 89701

DATED this 3rd day of January 2016.

/s/ John Reese Petty
JOHN REESE PETTY

1 CODE NO. 1310
2 WASHOE COUNTY PUBLIC DEFENDER
3 JOHN REESE PETTY, State Bar Number 10
350 South Center Street, 5th Floor
P.O. Box 11130
4 Reno, Nevada 89520-0027
(775) 337-4827
5 Attorney for Defendant

6
7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8
9 IN AND FOR THE COUNTY OF WASHOE

10 THE STATE OF NEVADA,

11 Plaintiff,

12 vs.

Case No. CR15-1461

13 DENISE MICHELLE VEJMOLA,

Dept. No. 7

14 Defendant.
15 _____ /

16 **CASE APPEAL STATEMENT**

17 1. Appellant, DENISE MICHELLE VEJMOLA

18 2. This appeal is from a judgment of conviction entered on December 3, 2015, by the
19 Honorable Patrick Flanagan, district judge.

20 3. The parties below were The State of Nevada, Plaintiff and DENISE MICHELLE
21 VEJMOLA, Defendant.

22 4. The parties herein are DENISE MICHELLE VEJMOLA, Appellant and The State of
23 Nevada, Respondent.

24 5. Counsel on appeal: For the Appellant, the Washoe County Public Defender's Office
25 and John Reese Petty, Chief Appellate Deputy, 350 South Center Street, 5th Floor, P.O. Box
26

1 11130 Reno, Nevada 89520-0027, (775) 337-4827; and for the Respondent, the Washoe
2 County District Attorney's Office, One South Sierra Street, Reno, Nevada 89501, (775) 337-
3 5751.

4 6. Appointed counsel represented Appellant in the district court

5 7. Appointed counsel represents Appellant on appeal.

6 8. The Washoe County Public Defender was court-appointed.

7 9. An Information was filed on October 9, 2015.

8 10. Ms. Vejmolá pleaded guilty to two counts of burglary and one count of possession of
9 forged instruments, each a felony. The district court sentenced her to consecutive terms of 48 to
10 120 months in the Nevada Department of Corrections on the burglary counts and credited her
11 for 196 days time served on the first count, and to a consecutive term of 24 to 60 months in the
12 Nevada Department of Corrections on the remaining count.

13 11. Not applicable.

14 12. Not applicable.

15 13. Not applicable.

16 The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not
17 contain the social security number of any person.

18 DATED this 3rd day of January 2016.

19 JEREMY T. BOSLER
20 WASHOE COUNTY PUBLIC DEFENDER
21 By: /s/ John Reese Petty
22 JOHN REESE PETTY, Chief Deputy
23
24
25
26

I hereby certify that I am an employee of the Washoe County Public Defender's Office,
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing
document addressed to:

TERRENCE P. McCARTHY
Chief Appellate Deputy
Washoe County District Attorney's Office
(E-mail)

ADAM LAXALT
Attorney General State of Nevada
100 N. Carson Street
Carson City, Nevada 89701

DATED this 3rd day of January 2016.

/s/ John Reese Petty
JOHN REESE PETTY

1 CODE NO. 3868
2 WASHOE COUNTY PUBLIC DEFENDER
3 JOHN REESE PETTY, State Bar Number 0010
350 South Center Street, 5th Floor
P.O. Box 11130
4 Reno, Nevada 89520-0027
(775) 337-4827
5 Attorney for Defendant

7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8
9 IN AND FOR THE COUNTY OF WASHOE

10 THE STATE OF NEVADA,

11 Plaintiff,

12 vs.

Case No. CR15-1461

13 DENISE MICHELLE VEJMOLA,

Dept. No. 7

14 Defendant.
15 _____/

16 **REQUEST FOR ROUGH DRAFT TRANSCRIPT(S)**

17 TO: S. Koetting:

18 DENISE MICHELLE VEJMOLA, defendant named above, requests preparation of a rough
19 draft transcript of certain portions of the proceedings before the district court in this matter as
20 follows:

21 December 2, 2015: Transcript of Proceedings: Entry of Judgment and Imposition of
22 Sentence.

23
24 This notice requests a transcript of only those portions of the district court proceedings which
25 counsel reasonably and in good faith believes are necessary to determine whether appellate issues
26 are present.

1 I recognize that I must personally serve a copy of this form on the above named reporter and
2 opposing counsel, and that the above named court reporter shall have twenty (20) days from the
3 receipt of this notice to prepare and submit to the Supreme Court a certificate of compliance.

4 The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not
5 contain the social security number of any person.

6 DATED this 3rd day of January 2016.

7
8
9 JEREMY T. BOSLER
WASHOE COUNTY PUBLIC DEFENDER

10 By: /s/ John Reese Petty
11 JOHN REESE PETTY, Chief Deputy
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I hereby certify that I am an employee of the Washoe County Public Defender's Office,
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing
document addressed to:

TERRENCE P. McCARTHY
Chief Appellate Deputy
Washoe County District Attorney's Office
(E-mail)

DATED this 3rd day of January 2016.

/s/ John Reese Petty
JOHN REESE PETTY

1 Code 2230
2 WASHOE COUNTY PUBLIC DEFENDER
3 JOHN REESE PETTY, State Bar No. 10
350 South Center Street, 5th Floor
P.O. Box 11130
4 Reno, Nevada 89520-0027
(775) 337-4827
5 Attorney for the Defendant

6
7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8
9 IN AND FOR THE COUNTY OF WASHOE

10 THE STATE OF NEVADA,

11
12 Plaintiff,

13 vs.

Case No. CR15-1461

14 DENISE MICHELLE VEJMOLA,

Dept. No. 7

15 Defendant.
16 _____/

17 **MOTION FOR ROUGH DRAFT TRANSCRIPT(S) AT PUBLIC EXPENSE**

18 Defendant, DENISE MICHELLE VEJMOLA, by and through counsel on appeal, moves
19 for an Order granting Defendant a copy of the transcript of her sentencing hearing held on
20 December 2, 2015, at County expense, for preparation of this appeal.
21

22 Notice of Appeal has been filed by the Defendant in the Second Judicial District Court of
23 the State of Nevada.

24 Defendant was represented by the Washoe County Public Defender's Office in the district
25 court and is being represented by the Washoe County Public Defender's Office on appeal.

26 Defendant cannot pay for the

1 transcripts due to indigency.

2 Defendant requires the transcript(s) in order to pursue meaningful appellate review of the
3 sentencing hearing in this case.

4 Pursuant to NRS 239B.030 I affirm that this document does not contain the social security
5 number of any person.

6
7 DATED this 3rd day of January 2016.

8
9 JEREMY T. BOSLER
Washoe County Public Defender

10 By: /s/ John Reese Petty
11 JOHN REESE PETTY, Chief Deputy
12
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Washoe County Public Defender's Office,
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing
document addressed to:

DENISE MICHELLE VEJMOLA (#1152120)
Florence McClure Women's Correctional Center
4370 Smiley Road
Las Vegas, Nevada 89115-1808

TERRENCE P. McCARTHY
Chief Appellate Deputy
Washoe County District Attorney's Office
(E-mail)

STEPHANIE KOETTING, Court Reporter
(E-mail)

DATED this 3rd day of January 2016.

/s/ John Reese Petty
JOHN REESE PETTY

Return Of NEF**Recipients**

ZELALEM BOGALE, ESQ. - Notification received on 2016-01-04 08:44:55.344.
REBECCA DRUCKMAN, ESQ. - Notification received on 2016-01-04 08:44:55.235.
MAIZIE PUSICH, ESQ. - Notification received on 2016-01-04 08:44:54.97.
DIV. OF PAROLE & PROBATION - Notification received on 2016-01-04 08:44:55.313.
JOHN PETTY, ESQ. - Notification received on 2016-01-04 08:44:55.266.
CHRISTINE BRADY, ESQ. - Notification received on 2016-01-04 08:44:55.204.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
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-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

01-03-2016:13:33:15

Clerk Accepted:

01-04-2016:08:44:24

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Notice/Appeal Supreme Court

Filed By:

John Reese Petty

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ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Return Of NEF**Recipients**

ZELALEM BOGALE, ESQ. - Notification received on 2016-01-04 08:45:14.923.
REBECCA DRUCKMAN, ESQ. - Notification received on 2016-01-04 08:45:14.611.
MAIZIE PUSICH, ESQ. - Notification received on 2016-01-04 08:45:14.33.
DIV. OF PAROLE & PROBATION - Notification received on 2016-01-04 08:45:14.876.
JOHN PETTY, ESQ. - Notification received on 2016-01-04 08:45:14.845.
CHRISTINE BRADY, ESQ. - Notification received on 2016-01-04 08:45:14.361.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

01-03-2016:13:33:58

Clerk Accepted:

01-04-2016:08:44:44

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Case Appeal Statement

Filed By:

John Reese Petty

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The following people were served electronically:

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NEVADA

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Return Of NEF**Recipients**

ZELALEM BOGALE, ESQ. - Notification received on 2016-01-04 08:45:33.815.
REBECCA DRUCKMAN, ESQ. - Notification received on 2016-01-04 08:45:33.706.
MAIZIE PUSICH, ESQ. - Notification received on 2016-01-04 08:45:33.441.
DIV. OF PAROLE & PROBATION - Notification received on 2016-01-04 08:45:33.784.
JOHN PETTY, ESQ. - Notification received on 2016-01-04 08:45:33.753.
CHRISTINE BRADY, ESQ. - Notification received on 2016-01-04 08:45:33.675.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

01-03-2016:13:34:37

Clerk Accepted:

01-04-2016:08:45:01

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Req to Crt Rptr - Rough Draft

Filed By:

John Reese Petty

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The following people were served electronically:

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NEVADA

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Return Of NEF**Recipients**

ZELALEM BOGALE, ESQ. - Notification received on 2016-01-04 08:45:46.732.
REBECCA DRUCKMAN, ESQ. - Notification received on 2016-01-04 08:45:46.607.
MAIZIE PUSICH, ESQ. - Notification received on 2016-01-04 08:45:46.545.
DIV. OF PAROLE & PROBATION - Notification received on 2016-01-04 08:45:46.701.
JOHN PETTY, ESQ. - Notification received on 2016-01-04 08:45:46.654.
CHRISTINE BRADY, ESQ. - Notification received on 2016-01-04 08:45:46.576.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

01-03-2016:13:35:17

Clerk Accepted:

01-04-2016:08:45:14

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Mtn Trial Trans. Public Exp

Filed By:

John Reese Petty

You may review this filing by clicking on the following link to take you to your cases.

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-

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The following people were served electronically:

REBECCA DRUCKMAN, ESQ. for STATE OF
NEVADA

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1
2
3
4 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
5 IN AND FOR THE COUNTY OF WASHOE
6

7 THE STATE OF NEVADA,

8 Plaintiff,

9 vs.

Case No. CR15-1461

10 DENISE MICHELLE VEJMOLA,

Dept. No. 7

11 Defendant.
12 _____/

13
14 ORDER

15 The Court having reviewed the Motion filed by Defendant, and good cause
16 appearing,

17 IT IS HEREBY ORDERED that the requested copies of the transcript of the
18 sentencing hearing held on December 2, 2015, be provided to Defendant's appellate counsel at
19 County expense.

20 DATED this 4 day of January 2016.

21
22 
23 DISTRICT JUDGE
24
25
26

Return Of NEF**Recipients**

TERRENCE MCCARTHY, ESQ. - Notification received on 2016-01-04 12:02:21.577.
ZELALEM BOGALE, ESQ. - Notification received on 2016-01-04 12:02:21.546.
REBECCA DRUCKMAN, ESQ. - Notification received on 2016-01-04 12:02:21.452.
MAIZIE PUSICH, ESQ. - Notification received on 2016-01-04 12:02:21.374.
DIV. OF PAROLE & PROBATION - Notification received on 2016-01-04 12:02:21.515.
JOHN PETTY, ESQ. - Notification received on 2016-01-04 12:02:21.484.
CHRISTINE BRADY, ESQ. - Notification received on 2016-01-04 12:02:21.406.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

01-04-2016:12:01:11

Clerk Accepted:

01-04-2016:12:01:45

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Order...

Filed By:

Judicial Asst. KSims

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NEVADA

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

TERRENCE P. MCCARTHY, ESQ. for STATE
OF NEVADA

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

Code 1350

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

THE STATE OF NEVADA,

Case No. CR15-1461

Plaintiff,

Dept. No. 7

vs.

DENISE MICHELLE VEJMOLA,

Defendant.

_____ /

CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 5th day of January, 2016, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court.

Dated this 5th day of January, 2016

Jacqueline Bryant
Clerk of the Court

By /s/ Yvonne Vilorio
Yvonne Vilorio
Deputy Clerk

Return Of NEF**Recipients**

TERRENCE MCCARTHY, ESQ. - Notification received on 2016-01-05 10:20:20.72.
ZELALEM BOGALE, ESQ. - Notification received on 2016-01-05 10:20:20.689.
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DIV. OF PAROLE & PROBATION - Notification received on 2016-01-05 10:20:20.657.
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***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

01-05-2016:10:19:07

Clerk Accepted:

01-05-2016:10:19:50

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Certificate of Clerk

Filed By:

Deputy Clerk YViloria

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VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

TERRENCE P. MCCARTHY, ESQ. for STATE
OF NEVADA

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

DENISE MICHELLE VEJMOLA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 69529
District Court Case No. CR151461

57

RECEIPT FOR DOCUMENTS

TO: Washoe County Public Defender \ John Reese Petty, Chief Deputy Public Defender
Washoe County District Attorney \ Terrence P. McCarthy, Deputy District Attorney
Jacqueline Bryant, Washoe District Court Clerk ✓

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

01/07/2016 Appeal Filing Fee waived. Criminal.

01/07/2016 Filed Notice of Appeal/Fast Track. Filed certified copy of notice of appeal. (Fast Track Notice issued to counsel for appellant.)

DATE: January 07, 2016

Tracie Lindeman, Clerk of Court
lh

Return Of NEF**Recipients**

TERRENCE MCCARTHY, ESQ. - Notification received on 2016-01-13 12:38:55.084.
ZELALEM BOGALE, ESQ. - Notification received on 2016-01-13 12:38:55.037.
REBECCA DRUCKMAN, ESQ. - Notification received on 2016-01-13 12:38:54.944.
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JOHN PETTY, ESQ. - Notification received on 2016-01-13 12:38:54.975.
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A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

01-13-2016:12:37:52

Clerk Accepted:

01-13-2016:12:38:25

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Supreme Court Receipt for Doc

Filed By:

Deputy Clerk ASmith

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ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

TERRENCE P. MCCARTHY, ESQ. for STATE
OF NEVADA

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

1 THE CLERK: Case numbers C R 151293, state versus
2 Allen me /TKURZ, and C R 15, 1310, state versus Nathan Allen
3 me /TKURZ, matter set for report on psychiatric evaluation.
4 Counsel and the Division, please state your appearance.
5 Jones Jones Erica generals on of of of the State.

6 MS. HORNBARGER: Karin Hornbarger.

7 MS. BRADY: Christine Brady who is present in
8 custody, I believe escorted by the DRT team, and being held
9 in the jury room, your Honor.

10 THE COURT: All right. We're on the record with
11 Mr. Mead /URZ, the Court is in receipt of the psychological
12 evaluation conducted by Dr. Bissett on November 13th, 2015.
13 Finding Ms. Med right side not competent, and then one by
14 Dr. Pearson dated November 9th, 2015, finding him competent
15 to understand the nature of the oh proceedings but not to
16 assist counsel. There have been prior evaluations,
17 Ms. Brady.

18 MS. BRADY: Your Honor, I would ask that you make
19 a finding that he's not competent to proceed at this point.

20 THE COURT: All right. Ms., let me hear from the
21 State.

22 MS. JONES: I'm in agreement, your Honor, the
23 recommendation would be that he would be treated at lakes to
24 competency.

1 THE COURT: That will be the order of the Court
2 the Court finds the defendant not competent to assist counsel
3 and remanded to Lakes Crossing for treatment to competency.
4 Ms. Clerk, six months.

5 THE CLERK: Your Honor, report on psychiatric
6 evaluation scheduled for June 1st at 9:00 a.m.

7 THE COURT: That will be the order. Thank you
8 very much.

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1 4185
2 STEPHANIE KOETTING
3 CCR #207
4 75 COURT STREET
5 RENO, NEVADA
6

7 IN THE SECOND JUDICIAL DISTRICT COURT
8 IN AND FOR THE COUNTY OF WASHOE
9 THE HONORABLE PATRICK FLANAGAN, DISTRICT JUDGE

10 --oOo--

11 STATE OF NEVADA,)
12 Plaintiffs,)
13 vs.) Case No. CR15-1461
14 DENISE VEJMOLA,) Department 7
15 Defendant.)
16 _____)

17
18 TRANSCRIPT OF PROCEEDINGS

19 SENTENCING

20 December 2, 2015

21 9:00 a.m.

22 Reno, Nevada
23

24 Reported by: STEPHANIE KOETTING, CCR #207, RPR
Computer-Aided Transcription

1 APPEARANCES:

2 For the State:

3 OFFICE OF THE DISTRICT ATTORNEY
4 By: ERICA JONES, ESQ.
5 P.O. Box 30083
6 Reno, Nevada

7 For the Defendant:

8 OFFICE OF THE PUBLIC DEFENDER
9 By: CHRISTINE BRADY, ESQ.
10 350 S. Center
11 Reno, Nevada
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1 RENO, NEVADA, December 2, 2015, 9:00 a.m.

2
3 --oOo--

4 THE CLERK: Case number CR15-1461, State versus
5 Denise Vejmolá. Matter set for sentencing. Counsel and the
6 Division, please state your appearance.

7 MS. JONES: Erica Jones on behalf of the State.

8 MS. HORNBARGER: Karin Hornbarger with the
9 Division.

10 MS. BRADY: Christine Brady on behalf of
11 Ms. Vejmolá, who is present and in custody.

12 THE COURT: This is the time set for sentencing in
13 the above-entitled case. The Court is in receipt of a
14 presentence investigation report prepared November 18th,
15 2015. In addition, there's a substance abuse evaluation
16 conducted on September 30th, 2015. Have counsel had an
17 opportunity to review the presentence investigation report,
18 and are there any facts, errors or omissions you wish to
19 bring to the Court's attention? Ms. Brady.

20 MS. BRADY: Yes, your Honor. As a substantive
21 matter, Ms. Vejmolá informs me where it states that she has
22 served two prison sentences, that is incorrect. She served
23 one prison sentence.

24 THE COURT: But on two charges?

1 MS. BRADY: No, just the same incident. Just one
2 sentence. She never went to prison twice.

3 THE COURT: That's significant. Ms. Hornbarger?

4 MS. HORNBARGER: Your Honor, she was sentenced
5 twice. Even though they ran, probably, concurrent, she still
6 had to two prison sentences. That's how we view it.

7 THE COURT: But she just went in once?

8 MS. HORNBARGER: She went in once, but they were
9 concurrent, because she was sentenced twice.

10 THE COURT: Why does the Division do this?

11 MS. HORNBARGER: It's a matter of how many times
12 she's actually sentenced.

13 THE COURT: As opposed to how many times she walks
14 through the door?

15 MS. HORNBARGER: Yes.

16 THE COURT: I think I'm arguing with the wrong
17 person here. Thank you, Ms. Hornbarger. I don't mean to
18 challenge the messenger. The message makes no sense.
19 Ms. Hornbarger, would that alter the calculations?

20 MS. HORNBARGER: No, your Honor.

21 THE COURT: Thank you very much. Ms. Brady.

22 MS. BRADY: Thank you, your Honor. What I'd like
23 to do today is we are asking you, your Honor, to follow the
24 negotiations on Counts One and Two, which are 48 to 120, but

1 to run them concurrent. And then on Count Three, your Honor,
2 we are asking for you to run that concurrent to Count One and
3 Two. So we're asking for all of the -- all of her charges to
4 run concurrent.

5 THE COURT: Okay. Thank you.

6 MS. BRADY: So that's what we're asking for. And
7 in support of that, your Honor, I want to address mitigating
8 information, some of which was presented in the substance
9 abuse evaluation that was filed. I do want to address the
10 victim impact statement, your Honor, that was submitted to
11 the Court. Did the Court --

12 THE COURT: Go ahead.

13 MS. BRADY: Did the Court have an opportunity to
14 read that?

15 THE COURT: Yes, I have.

16 MS. BRADY: So starting off with mitigating
17 information, your Honor, Ms. Vejmola has experienced quite a
18 bit of trauma in her life. The evaluation outlines trauma
19 related to sexual abuse, sexual abuse by her mother's
20 boyfriend, sexual abuse by her brothers. Additionally, she
21 had a brother that passed away in 2003 and that was traumatic
22 for her as well.

23 The trauma there, I bring that up to state that,
24 your Honor, it is often that someone who has experienced this

1 kind of trauma does often end up with a substance abuse
2 issue, turning to substance abuse if they don't get proper
3 help.

4 Ms. Vejmola's mother Gloria is present. I don't
5 think she wants to speak. I asked her about the sexual
6 abuse, and she denies the extent of it that Denise feels
7 she's only aware of the boyfriend touching her breast once.
8 But she's not aware of the -- Denise's mother is not aware of
9 anything past that.

10 THE COURT: All right.

11 MS. BRADY: Notwithstanding, your Honor, even if
12 it was the touching for the breast for a young girl, that
13 could still be very traumatic.

14 THE COURT: I'll accept that.

15 MS. BRADY: So that is something that she really
16 never got help for. She self-medicated with the
17 methamphetamine that Janice Fung did diagnose her with
18 methamphetamine disorder in remission in a controlled
19 environment.

20 Notwithstanding that trauma and that substance
21 abuse, she struggled with herself to really try and be a
22 better person. She wanted to be. She had periods of time in
23 her life where she was employed, where she was doing well,
24 where she was caring for children, where she was caring for

1 her mother. She had a lot of responsibilities on her that
2 she for large periods of time in her life was able to hold it
3 together.

4 I'd like to address the letter, now, that was
5 rather shocking and, quite frankly, in discussing it with
6 Ms. Vejmolá, there's some actually defamatory statements in
7 there that have been made. It is true she went to prison,
8 and it is not true, though, as the letter would state, that
9 she went to prison for stealing information from the City of
10 Oakland.

11 She left the City of Oakland in 2005, I believe it
12 was -- 2004 -- and then committed the crimes, the financial
13 crimes after that in 2005, convicted in 2007 of those. And
14 so those other financial crimes happened. She left the City
15 of Oakland where she was doing well, because her brother
16 died, and she went on a downward spiral after that and lost
17 her job before any of that happened.

18 There is a newspaper article that the victim
19 places in there and that they don't say she stole from the
20 City of Oakland, but in the newspaper article, they mention
21 the former employee of the City of Oakland, and she did work
22 for the City of Oakland and worked hard there. And that was
23 a period of time in her life that she's proud of. The period
24 after that is the period she wasn't proud of.

1 The other thing that the letter was mentioning, it
2 showed pictures of money fanned out. And that on first
3 glance, considering and looking back at these instant crimes,
4 can come across as offensive. However, that money that was
5 shown, if you look at the Facebook page that the victim
6 pulled out, you will see that the posting of those was from
7 2013. Prior --

8 THE COURT: Was this her posting?

9 MS. BRADY: Huh?

10 THE COURT: Was this her posting?

11 MS. BRADY: Well, it was her daughter's money. On
12 the first picture, her daughter had won money gambling. So
13 she posted a picture of her daughter's money and that was
14 back in 2013. And then the other picture was a picture in
15 2014 of her tax refund. Nothing to do with any of this.

16 THE COURT: Okay.

17 MS. BRADY: So that's one thing that while I have
18 sympathy with the victim who is looking at this, she's taking
19 things out of context and presenting them to the Court, going
20 beyond the impact that this she's had and presenting them to
21 the Court in argument as if it's fact, and it's incumbent
22 upon me, your Honor, to clarify those points.

23 In terms of the victim impact statement, I didn't
24 see in there where she mentioned an actual -- of course,

1 there's all of the loss and the insecurity and all of that,
2 that even in the prior case the victim mentioned. She was
3 very articulate, the victim in this case, in expressing, you
4 know, how she feels about it and all of the hassles she went
5 through and is going through.

6 I didn't see a dollar amount in there
7 specifically. I know there's been some dollar amounts that
8 were calculated in terms of other evidence that was provided
9 in the case. But she didn't say a specific dollar amount
10 there.

11 In terms of anything associated with her driver's
12 license, not getting that back, to be honest with you, your
13 Honor, that would be something that it seems the victim's
14 advocates and the State, she -- her driver's license is in
15 the custody of the sheriff. Ms. Vejmola entered a guilty
16 plea over a month ago, your Honor, and it is not within
17 Ms. Vejmola's power to give that back to the victim.

18 There are prosecutorial standards and things with
19 victims, how the State is supposed to communicate and respond
20 to the victim needs. I as a defense attorney can't say what
21 was done and wasn't done with regard to that. But to the
22 extent that this victim hasn't received her driver's license
23 yet, when this case, she's already pled guilty, there's not
24 going to be a trial, the evidence -- there's pictures of the

1 evidence, but there's other ways to preserve that as evidence
2 to give it back to the lady. I can't see where Ms. Vejmola
3 should be held responsible for the fact that the State hasn't
4 given that back.

5 THE COURT: I won't hold her responsible for that.

6 MS. BRADY: In terms of Ms. Vejmola, she has three
7 children. In that statement, I don't know where five
8 children came from, but she's got two grown children, and
9 then she does have a four-year-old child is her youngest.

10 Getting into more as to why we're asking you to
11 follow the negotiations. Ms. Vejmola is extremely remorseful
12 for what she has done. She would like an opportunity, and in
13 response to that, she has stipulated as part of the
14 negotiations to time in prison, to not -- not insignificant
15 time in prison.

16 But what she would like is an opportunity when she
17 gets out to be able to get out within a few -- within the
18 four years, four or five years, and to be able to put her
19 life back together. And we're asking, your Honor, that you
20 follow, again, the negotiations, run Counts One and Two --
21 Count Two concurrent to Count One and Count Three concurrent
22 to Count Two, based on the fact that the trauma that she's
23 withstood, on her remorsefulness, her willingness to take
24 responsibility for this crime.

1 Keeping in mind, your Honor, even if you look at
2 the police reports, she was not the only one involved. She
3 was willing to help assist the State in identifying the other
4 person. The State was not interested in pursuing that to
5 help find the other person. But there was someone else
6 involved who is still at large. But my client is taking
7 responsibility of that. And I ask you, your Honor, to run
8 all of the sentences concurrent.

9 THE COURT: All right. Thank you. Let me hear
10 from the State.

11 MS. JONES: Your Honor, the difference between
12 taking responsibility in terms of taking a plea bargain, and
13 taking responsibility saying, I am 100 percent accountable
14 for all of these things, are different. She was facing
15 somewhere in the nature of, if I could estimate, 60 felonies
16 for the amount of checks that she took and the amount of
17 checks that she fraudulently passed, and she pled to three.

18 In addition to that, your Honor, we have evidence
19 in this case that when she was arrested, she called her
20 daughter to instruct her to throw away her laptop computer,
21 to destroy evidence of what she had been -- the crime she had
22 been committing. Called another individual to destroy the
23 printer as well. And then had also called to apprise an
24 unknown subject of the checks that she was in trouble for,

1 the checks from her job, and that they had pictures of her at
2 Wal-Mart. That's different than coming to court and saying
3 I'm taking full responsibility for everything that I did.

4 She was trying to destroy the evidence, but she
5 wasn't able to. We were able to get surveillance, which
6 showed her, as very distinguishable as being her vehicle and
7 herself. And in addition, your Honor, we have now statements
8 that she used her job, this place of trust that she had in
9 order to tell people, oh, that check is for the incorrect
10 amount, we need to keep that check as a voided check. That's
11 part of our policy. I'll just put it in the register here
12 and you can write me a new check.

13 The amount of trust that she is given in that
14 position, people listen to her, they think that's the policy,
15 they give the voided check, and what she does with it is pass
16 22 fraudulent checks at various locations.

17 In addition to that, your Honor, you have the fact
18 of her criminal history. She has at her young age nine
19 convictions, four of which are felonies. So she is a
20 habitual criminal by our statute, by our definition. Now she
21 has three more. Whether or not she went to prison once, she
22 has no ability to be supervised, zero. She gets rearrested
23 every single time she gets discharged with her probation
24 violations, whether she gets terminated or revoked. She has

1 zero ability to follow the rules.

2 She can't follow the basic concepts that we have
3 in our society of a social contract where a check is just a
4 piece of paper, unless it means something in terms of me
5 giving it to you for work done or for an item you're selling
6 me, she uses it as her own currency, other people's checks.

7 In this case, your Honor, she has been given a
8 tremendous opportunity to plea to three cases. She's also
9 been given a tremendous opportunity to have two of them by
10 way of the State recommending that they run concurrent. What
11 the victim wanted it, the one who wrote a very eloquent
12 statement, who, quite frankly, should be a law enforcement
13 officer for the amount of research that she did on this case,
14 I couldn't say it better than she did. For the fact that she
15 said she wants the maximum amount of time, even though she
16 knows the costs to the community to put her into prison.

17 She says in her statement that jail is where she
18 belongs and that we are all paying for you and for what
19 you've done. I couldn't say that better. Not only will we
20 be paying for her literally out of all of our pockets to put
21 her in prison, but for what she has done, for the breakdown
22 of our society, for the fact that this is not a victimless
23 crime. And the victim very nicely pointed that out in saying
24 to the very small thing that I can't rent a car, so I have to

1 get a taxi at eight times the cost, because I can't use my
2 ID.

3 MS. BRADY: Objection, your Honor.

4 THE COURT: Why?

5 MS. BRADY: I don't hear any argument in favor of
6 the negotiations. I believe that the State is arguing in
7 favor of maxing her out right now, your Honor, and the
8 negotiations are at least that the Count One and Count Two
9 run concurrent, and I hear no argument in favor of the
10 negotiations, which --

11 THE COURT: The objection is sustained.

12 MS. BRADY: Thank you.

13 THE COURT: All she's pointing out is what the
14 victim is asking for in her statement. But your objection is
15 sustained.

16 MS. BRADY: Thank you.

17 THE COURT: Go ahead, Ms. Jones.

18 MS. JONES: And I actually already said that, I
19 said she's been given the benefit of the State recommending
20 that Counts One and Two run concurrent.

21 There's a chance for people in society to take
22 their past, to take who they are and what's happened to them
23 and do something good with it or do something bad with it. I
24 don't -- I'm not without understanding of a history. Most

1 defendants come to this Court with a history, and a lot of it
2 bad, a lot of it negative. Some of it much worse than this
3 defendant, some of it much less, but you decide what to do
4 with them.

5 You decide if you're going to make something of
6 yourself and try to get past that, to help other people to
7 see the kind of life that you could have, and that I did
8 something good with it, or you can be a criminal and you can
9 take advantage of other people.

10 This is a case in which the defendant has spent
11 her young life taking advantage of people, of committing
12 crimes and not doing what she could be doing, which is
13 turning her life around. Even the victim at the end of her
14 statement says, I wish for you the best. I want you to do
15 something more with your life, but I want you to go to
16 prison. That is the amount, she is in fact taking some
17 prison time as part of this plea negotiations. She did
18 stipulate to the 48 to 120 months. What the victim is asking
19 for in this case, your Honor, is to, by virtue --

20 THE COURT: I read the statement.

21 MS. JONES: -- a maximum, she's asking for them to
22 run consecutive, your Honor, and we have the ability to ask
23 that Count Three be can consecutive to the other two.

24 THE COURT: All right. Thank you, Ms. Jones.

1 Ma'am, the law affords you an opportunity to address the
2 Court at the time of sentencing in terms of the presentence
3 investigation report, mitigation, punishment, any matter you
4 wish to bring to the Court's attention, I invite you to do
5 that at this time, if you wish.

6 THE DEFENDANT: Well, it would take about six
7 months to try to explain to tell you what --

8 THE COURT: Take your time.

9 THE DEFENDANT: I'm very remorseful. I understand
10 the crimes I committed, and I'm not trying to make excuses to
11 you. I know I was wrong. The fact of the matter is, I have
12 no excuse for committing these crimes. I went to college. I
13 got a degree. I had a good job with the City of Oakland. I
14 struggled with drug abuse early in my life.

15 In 2003, not only was my brother passed away, he
16 was brutally murdered, shot in the head execution style.
17 They didn't find his killer. I don't know if that's a time
18 for me that things changed a lot.

19 My criminal history after that, a year later, I
20 was in prison. I was working for Jerry Brown at the time,
21 you know. I had everything. My life was going how it should
22 have been. Then at 30 years old, this happens, and I don't
23 know, some -- my past of doing drugs came back to me and it
24 hasn't settled. And I just wish I could figure out what

1 broke in me.

2 In California, I wish I would have had you as a
3 judge ten years ago, because you're compassionate. You seem
4 like you care about your community. California, they just
5 slap you with a conviction, let you out. They don't give you
6 programs like they do here. I wish I would have had the
7 opportunity ten years ago, before all of this came about, you
8 know.

9 I'm not trying to make my mother feel about the
10 sexual molestation that happened to me as kid, but that man
11 molested for eight years. He died four years ago. My mom
12 stayed with him for my whole life. I was left with 35 years,
13 because that man just died and she stayed with him. She
14 still won't admit what he did to me. That hurts me, your
15 Honor, and I'm not trying to make her feel bad, because I
16 love my mother. She's caring for my kids while I'm fucking
17 up, excuse me French.

18 Her health is bad now. On Thanksgiving last week,
19 she came to see me, and she was on oxygen. That's my biggest
20 fear. I should be there taking care of my mom. She
21 shouldn't be taking care of my kids. I'm so deeply sorry of
22 all the pain I put to my victims, my family, my kids, my
23 mother, everybody.

24 I never would have relapsed and this crime

1 wouldn't have happened, if it wasn't for this horrible,
2 horrible drug. And I wish California would have given me the
3 treatment I needed ten years ago, instead of just slapping me
4 with a felony, go home, misdemeanor, go home. They never
5 gave me an opportunity for a program.

6 And I wish I would have had that then, where I
7 could -- I'm 41 years old now, your Honor, and I just wish I
8 would have figured it out ten years ago and not now away from
9 my family. I just pray everything that I'm feeling is coming
10 across to your Honor, because I am sincere, and I'm truly
11 sorry to the family, to the Court, to society.

12 If you would give an me opportunity, your Honor, I
13 would make you guys proud. I need to get counseling. I need
14 to figure out what happened. I just wish you give me a
15 second chance, give me an opportunity to make this Court
16 proud. I don't know what else to say.

17 THE COURT: Thank you. Deputy, is there somebody
18 at the door that wants to come in?

19 THE DEFENDANT: That's my son.

20 THE COURT: All right. Okay.

21 THE DEFENDANT: It's my four-year-old.

22 THE COURT: All right.

23 THE DEFENDANT: And my daughter.

24 THE COURT: All right. Thank you. This is a

1 difficult case. It's a case of quite a bit of
2 sophistication. It certainly has gone on for a long period
3 of time, not just this case, but your ability to manipulate
4 financial records is a marvel. It's a skill. It's
5 unfortunate that it's criminal.

6 This is a crime that evidences an abuse of trust,
7 and one in which you have ensnared family members. I mean,
8 immediately after you're booked, you're calling your daughter
9 and telling her to stash the computer, the printer, getting
10 her involved in this criminal enterprise. And I don't know
11 who this unknown individual is that you're calling, and I
12 know, because I've seen it -- strike that. I've heard that
13 there is a sign by the telephones in the jail that says these
14 phone calls can be recorded. Is that sign in English? Just
15 curious. Because it never ceases to amaze me how much
16 incriminating evidence comes from that telephone immediately
17 after an individual like you are arrested.

18 There were by law enforcement accounts in this
19 particular case 22 other transactions. The State references
20 some 60 checks. I don't see that here and I'm not going to
21 consider that.

22 MS. JONES: Not 60 checks, your Honor. 20 checks
23 can be burglary, it can be possession --

24 THE COURT: I see.

1 MS. JONES: So they multiply by three, each check
2 did.

3 THE COURT: All right. Thank you. That clears
4 that up. But, certainly, it does appear that is how you
5 support yourself. You get out of prison, and within a short
6 period of time, you're cranking out checks.

7 These are very sophisticated crimes. A lot of
8 people think that white collar crime doesn't hurt anybody,
9 but there's almost -- it's almost victimless, all you're
10 doing is you're taking money from a bank or an insurance
11 company or a business. It's sort of faceless. But those
12 businesses hire people. Those people get a paycheck, they go
13 home, they pay rent, they pay for groceries, they put gas in
14 the car, there's taxes. Those gas taxes pay for people in
15 jail.

16 I've read the victim impact statement and I was
17 moved, as I am oftentimes in reading victims' statements. I
18 will not consider the information relating to California.
19 That is not before me. I take your good lawyer's word with
20 respect to the cash that is displayed. I don't even presume
21 to understand Facebook or computers, social media. So I have
22 no basis whatsoever to attribute that cash to you or anybody,
23 so I'm not going to. But you are a threat to any society,
24 whether it's California or Nevada.

1 You're 41 years old. Ma'am, you are going to die.
2 You will. We all are going to die. And when we leave this
3 earth, we are going to take with us everything we came into
4 it with, which is nothing. But we will all leave something
5 behind, could be children, maybe our parents, but it will be
6 memories, and those memories are yours to make. Whatever
7 happens here, it will be behind you.

8 But you're going to be facing the same demons
9 you're facing today, whether it's methamphetamine, whether
10 it's a tough, terrible childhood. Those aren't going away.
11 But you have it in you, I believe we all do, to tackle those
12 demons and put them behind you.

13 This Court has taken a lot of the -- taken
14 everything into consideration, and based on that, Ms. Clerk,
15 it will be the order of the Court the defendant is to pay a
16 \$25 administrative assessment fee, \$3 genetic marking, \$150
17 DNA. I'll waive the attorney's fees in this case. Find the
18 defendant has no resources to pay it.

19 As to Count One, it will be the order of the Court
20 the defendant is sentenced to the custody of the Nevada
21 Department of Corrections for a term of imprisonment of 48 to
22 120 months. Restitution in the amount of \$4,897.59.

23 As to Count Two, the defendant is sentenced to the
24 custody of the Nevada Department of Corrections for a term of

1 imprisonment of 48 to 120 months.

2 As to Count Three, the defendant is sentenced to
3 the custody of the Nevada Department of Corrections for a
4 term of imprisonment of 24 months to 60 months.

5 Count Three is to run consecutive to Count Two.
6 Count Two is to run consecutive to Count One. Credit for
7 time served?

8 MS. HORNBARGER: 196 days, your Honor.

9 THE COURT: 196 days. That will be the order of
10 the Court.

11 THE CLERK: Can I get counsel to stipulate to the
12 categories of felonies?

13 THE COURT: Ms. Jones.

14 MS. JONES: Counts One and Two are B felonies, and
15 Count Three is a C felony.

16 MS. BRADY: Yes.

17 THE COURT: Thank you. That will be the order.

18 --oOo--

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1 STATE OF NEVADA)
) ss.
2 County of Washoe)

3 I, STEPHANIE KOETTING, a Certified Court Reporter of the
4 Second Judicial District Court of the State of Nevada, in and
5 for the County of Washoe, do hereby certify;

6 That I was present in Department No. 7 of the
7 above-entitled Court on December 2, 2015, at the hour of 9:00
8 a.m., and took verbatim stenotype notes of the proceedings
9 had upon the sentencing in the matter of THE STATE OF NEVADA,
10 Plaintiff, vs. DENISE VEJMOLA, Defendant, Case No. CR15-1461,
11 and thereafter, by means of computer-aided transcription,
12 transcribed them into typewriting as herein appears;

13 That the foregoing transcript, consisting of pages 1
14 through 25, both inclusive, contains a full, true and
15 complete transcript of my said stenotype notes, and is a
16 full, true and correct record of the proceedings had at said
17 time and place.

18
19 DATED: At Reno, Nevada, this 1st day of February 2016.

20
21 S/s Stephanie Koetting
22 STEPHANIE KOETTING, CCR #207
23
24

Return Of NEF**Recipients**

TERRENCE MCCARTHY, ESQ. - Notification received on 2016-02-01 10:41:51.006.
ZELALEM BOGALE, ESQ. - Notification received on 2016-02-01 10:41:50.959.
REBECCA DRUCKMAN, ESQ. - Notification received on 2016-02-01 10:41:50.866.
MAIZIE PUSICH, ESQ. - Notification received on 2016-02-01 10:41:50.803.
DIV. OF PAROLE & PROBATION - Notification received on 2016-02-01 10:41:50.928.
JOHN PETTY, ESQ. - Notification received on 2016-02-01 10:41:50.897.
CHRISTINE BRADY, ESQ. - Notification received on 2016-02-01 10:41:50.835.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

02-01-2016:10:40:52

Clerk Accepted:

02-01-2016:10:41:19

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Transcript

Filed By:

Stephanie Elaine Koetting

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ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

TERRENCE P. MCCARTHY, ESQ. for STATE
OF NEVADA

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK

DENISE MICHELLE VEJMOLA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 69529
District Court Case No. CR151461

31

NOTICE OF TRANSFER TO COURT OF APPEALS

TO: Hon. Patrick Flanagan, District Judge
Washoe County Public Defender \ John Reese Petty, Chief Deputy Public
Defender
Attorney General/Carson City \ Adam Paul Laxalt, Attorney General
Washoe County District Attorney \ Terrence P. McCarthy, Deputy District Attorney
Jacqueline Bryant, Washoe District Court Clerk✓

Pursuant to NRAP 17(b), the Supreme Court has decided to transfer this matter to the Court of Appeals. Accordingly, any filings in this matter from this date forward shall be entitled "In the Court of Appeals of the State of Nevada." NRAP 17(e).

DATE: March 16, 2016

Tracie Lindeman, Clerk of Court

By: Amanda Ingersoll
Chief Deputy Clerk

Notification List

Electronic

Washoe County Public Defender \ John Reese Petty, Chief Deputy Public
Defender
Washoe County District Attorney \ Terrence P. McCarthy, Deputy District
Attorney
Attorney General/Carson City \ Adam Paul Laxalt, Attorney General

Paper

Hon. Patrick Flanagan, District Judge
Jacqueline Bryant, Washoe District Court Clerk

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TERRENCE MCCARTHY, ESQ. - Notification received on 2016-03-22 11:04:11.38.
ZELALEM BOGALE, ESQ. - Notification received on 2016-03-22 11:04:10.943.
REBECCA DRUCKMAN, ESQ. - Notification received on 2016-03-22 11:04:09.82.
MAIZIE PUSICH, ESQ. - Notification received on 2016-03-22 11:04:09.274.
DIV. OF PAROLE & PROBATION - Notification received on 2016-03-22 11:04:10.912.
JOHN PETTY, ESQ. - Notification received on 2016-03-22 11:04:10.678.
CHRISTINE BRADY, ESQ. - Notification received on 2016-03-22 11:04:09.305.

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A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

03-22-2016:11:02:58

Clerk Accepted:

03-22-2016:11:03:36

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Supreme Court Notice

Filed By:

Deputy Clerk ASmith

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VEJMOLA

CHRISTINE BRADY, ESQ. for DENISE M.
VEJMOLA

DIV. OF PAROLE & PROBATION

TERRENCE P. MCCARTHY, ESQ. for STATE
OF NEVADA

JOHN REESE PETTY, ESQ. for DENISE M.
VEJMOLA

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IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DENISE MICHELLE VEJMOLA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69529

CR15-1461
D7

FILED

APR 20 2016

ORDER OF AFFIRMANCE

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

This is an appeal from a judgment of conviction entered pursuant to a guilty plea of two counts of burglary and one count of possession of forged instruments. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.

Appellant Denise Vejmolá claims the State breached the plea agreement at sentencing because it argued for maximum terms between all of the counts. When the State enters into a plea agreement, it "is held to 'the most meticulous standards of both promise and performance'" in fulfillment of both the terms and the spirit of the plea bargain. *Van Buskirk v. State*, 102 Nev. 241, 243, 720 P.2d 1215, 1216 (1986) (quoting *Kluttz v. Warden*, 99 Nev. 681, 683-84, 669 P.2d 244, 245 (1983)).


To the extent this claim was preserved for review, this claim lacks merit. Pursuant to the plea agreement, the State agreed to recommend counts 1 and 2 be run concurrent. The State retained the right to argue whether count 3 should be served concurrently or consecutively to counts 1 and 2. The record clearly demonstrates the State did not ask the district court to run all of the counts consecutively. Although the State stated the victim's request that the counts be run

16-900145

consecutively, this was merely used to support their argument for count 3 to run consecutively and they were permitted to make this argument under the guilty plea agreement. Therefore, we conclude the State did not, either explicitly or implicitly, breach the terms or the spirit of the plea agreement, and we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Patrick Flanagan, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

Return Of NEF**Recipients**

TERRENCE MCCARTHY, ESQ. - Notification received on 2016-04-27 13:30:50.733.
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REBECCA DRUCKMAN, ESQ. - Notification received on 2016-04-27 13:30:50.608.
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DIV. OF PAROLE & PROBATION - Notification received on 2016-04-27 13:30:50.67.
JOHN PETTY, ESQ. - Notification received on 2016-04-27 13:30:50.639.
CHRISTINE BRADY, ESQ. - Notification received on 2016-04-27 13:30:50.577.

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A filing has been submitted to the court RE: CR15-1461

Judge:

HONORABLE PATRICK FLANAGAN

Official File Stamp:

04-27-2016:13:29:38

Clerk Accepted:

04-27-2016:13:30:19

Court:

Second Judicial District Court - State of Nevada
Criminal

Case Title:

STATE VS. DENISE M. VEJMOLA (D7)

Document(s) Submitted:

Supreme Court Order Affirming

Filed By:

Deputy Clerk ASmith

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VEJMOLA

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VEJMOLA

MAIZIE WHALEN PUSICH, ESQ. for DENISE M.
VEJMOLA

ZELALEM BOGALE, ESQ. for STATE OF
NEVADA

DIV. OF PAROLE & PROBATION

TERRENCE P. MCCARTHY, ESQ. for STATE
OF NEVADA

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