

1 **NOAS**
2 **DAVID R. FISCHER, ESQ.**
3 Nevada Bar No. 10348
4 **THE LAW OFFICE OF DAVID R. FISCHER**
5 400 South 4th Street
6 Suite 500
7 Las Vegas, Nevada 89101
8 (702) 547-3944
9 (702) 974-1458 (Fax)
10 *Counsel for Defendant DARNELL BUCHANAN*

Electronically Filed
May 07 2021 02:24 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 THE STATE OF NEVADA)
14)
15 Plaintiff,)
16)
17 vs.) CASE NO: C-20-352528-1
18) DEPT NO: XXIV
19 DARNELL BUCHANAN,)
20)
21 Defendant.)
22)
23)

24 **NOTICE OF APPEAL**

25 NOTICE IS HEREBY GIVEN that DARNELL BUCHANAN, the Defendant above
26 named, hereby appeals to the Supreme Court of Nevada from the Judgment of Conviction entered
27 in this action on the 6th day of April, 2021.

28 RESPECTFULLY SUBMITTED this 30th day of April, 2021.

THE LAW OFFICE OF DAVID R. FISCHER

BY: /s/ David R. Fischer

Nevada Bar No. 10348

Counsel for Defendant DARNELL BUCHANAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of April, 2021, I served a true and correct copy of the above and foregoing NOTICE OF APPEAL to the parties, first-class postage fully prepaid thereon, by placing the same in the United States Mail at Las Vegas, Nevada, addressed as follows:

STEVEN B. WOLFSON, ESQ.
District Attorney
Clark County District Attorney's Office
200 Lewis Avenue
3rd Floor
Las Vegas, NV 89155

AARON FORD, ESQ.
Attorney General
Nevada Attorney General's Office
100 North Carson Street
Carson City, NV 89701

DARNELL BUCHANAN
ID No. 1244156
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

Service by Electronic Filing to: agnes.lexis@clarkcountyda.com

BY: /s/ David R. Fischer
Nevada Bar No. 10348
Counsel for Defendant DARNELL BUCHANAN



1 **ASTA**
2 **DAVID R. FISCHER, ESQ.**
3 Nevada Bar No. 10348
4 **THE LAW OFFICE OF DAVID R. FISCHER**
5 400 South 4th Street
6 Suite 500
7 Las Vegas, Nevada 89101
8 (702) 547-3944
9 (702) 974-1458 (Fax)
10 *Counsel for Defendant DARNELL BUCHANAN*

11
12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 THE STATE OF NEVADA,)
15)
16 Plaintiff,)
17)
18 vs.) CASE NO: C-20-352528-1
19) DEPT NO: XXIV
20 DARNELL BUCHANAN,)
21)
22 Defendant.)
23 _____)

24 **CASE APPEAL STATEMENT**

25 COMES NOW the Defendant, DARNELL BUCHANAN, by and through his
26 undersigned attorney, and for his Case Appeal Statement, hereby gives the Court to understand
27 as follows:

- 28 1. Name of Appellant filing this Case Appeal Statement: Darnell Buchanan.
- 29 2. Name of Judge issuing judgment appealed from: the Honorable Erika Ballou,
30 District Court Judge.
- 31 3. Darnell Buchanan is the sole Appellant. He is represented by counsel:

32 David R. Fischer, Esq.
33 400 South 4th Street
34 Suite 500
35 Las Vegas, NV 89101

1 4. The Respondent is the State of Nevada. At trial, the State was represented by:

2 Clark County District Attorney's Office
3 200 Lewis Avenue
4 Las Vegas, NV 89101

5 5. The Appellant's attorney is licensed to practice law in Nevada.

6 6. The Appellant was represented by counsel in the District Court.

7 7. The Appellant is represented by counsel on appeal.

8 8. These proceedings commenced in the District Court on December 04, 2020, upon
9 the filing of the Information in this case.

10 9. This is an appeal from the Judgment of Conviction entered on April 06, 2021, in the
11 District Court, following a guilty plea agreement entered on December 03, 2020.

12 10. This case has not previously been the subject of an appeal to or an original writ
13 proceeding in the Supreme Court or Court of Appeals.

14 11. This appeal does not involve child custody or visitation.

15 RESPECTFULLY SUBMITTED this 30th day of April, 2021.

16 THE LAW OFFICE OF DAVID R. FISCHER

17 BY: */s/ David R. Fischer*

18 DAVID R. FISCHER, ESQ.

19 Nevada Bar No. 10348

20 Counsel for Defendant DARNELL BUCHANAN
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of April, 2021, I served a true and correct copy of the above and foregoing CASE APPEAL STATEMENT to the parties, first-class postage fully prepaid thereon, by placing the same in the United States Mail at Las Vegas, Nevada, addressed as follows:

STEVEN B. WOLFSON, ESQ.
District Attorney
Clark County District Attorney's Office
200 Lewis Avenue
3rd Floor
Las Vegas, NV 89155

AARON FORD, ESQ.
Attorney General
Nevada Attorney General's Office
100 North Carson Street
Carson City, NV 89701

DARNELL BUCHANAN
ID No. 1244156
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

Service by Electronic Filing to: agnes.lexis@clarkcountyda.com

BY: /s/ David R. Fischer
DAVID R. FISCHER, ESQ.
Nevada Bar No. 10348
Counsel for Defendant DARNELL
BUCHANAN

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-20-352528-1**

State of Nevada
vs
DARNELL BUCHANAN

§ Location: **Department 24**
 § Judicial Officer: **Ballou, Erika**
 § Filed on: **12/03/2020**
 § Case Number History:
 § Cross-Reference Case **C352528**
 § Number:
 § Defendant's Scope ID #: **07020875**
 § ITAG Booking Number: **0**
 § ITAG Case ID: **0**
 § Lower Court Case # Root: **18F19918**
 § Lower Court Case Number: **18F19918X**
 § Metro Event Number: **200600025475**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
Jurisdiction: District Court					
1. ROBBERY	200.380	F	10/06/2018	Case Status:	04/06/2021 Closed
PCN: DSD1004163C ACN: 200600025475					
Arrest: 10/24/2018 MET - Metro					

Statistical Closures

04/06/2021 Guilty Plea with Sentence (before trial) (CR)

Bonds

Surety #SV25-5068557 \$25,000.00
 6/19/2020 Exonerated
 Counts: 1




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

Case Number	C-20-352528-1
Court	Department 24
Date Assigned	01/04/2021
Judicial Officer	Ballou, Erika

PARTY INFORMATION


		Lead Attorneys
Defendant	BUCHANAN, DARNELL	Fischer, David R. <i>Retained</i> 702-547-3944(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)


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

12/03/2020	 Criminal Bindover Packet Justice Court
12/03/2020	 Criminal Bindover - Confidential
12/03/2020	 Guilty Plea Agreement Party: Defendant BUCHANAN, DARNELL Guilty Plea Agreement


CASE SUMMARY


CASE NO. C-20-352528-1


12/03/2020  Bail Bond
Aladdin Bail NV; \$25,000.00; PN: SV25-5068557


12/04/2020  Information
Information

01/04/2021 Case Reassigned to Department 24
Judicial Reassignment to Judge Erika D. Ballou

01/06/2021  PSI

04/06/2021  Judgment of Conviction
Judgment of Conviction (Plea of Guilty)

04/30/2021  Notice of Appeal (Criminal)
Party: Defendant BUCHANAN, DARNELL
Notice of Appeal

04/30/2021  Case Appeal Statement
Filed By: Defendant BUCHANAN, DARNELL
Case Appeal Statement

DISPOSITIONS

12/03/2020 **Plea** (Judicial Officer: Ballou, Erika)
1. ROBBERY
Guilty
PCN: DSD1004163C Sequence:

04/05/2021 **Disposition** (Judicial Officer: Ballou, Erika)
1. ROBBERY
Guilty
PCN: DSD1004163C Sequence:

04/05/2021 **Adult Adjudication** (Judicial Officer: Ballou, Erika)
1. ROBBERY
10/06/2018 (F) 200.380 (DC50137)
PCN: DSD1004163C Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Minimum:36 Months, Maximum:120 Months
Credit for Time Served: 17 Days
Other Fees
1. , \$1,175.00 To VC2275279
Fee Totals:

Administrative Assessment Fee	25.00
\$25 DNA Analysis Fee	150.00
\$150 Genetic Marker Analysis AA Fee	3.00
\$3	
Fee Totals \$	178.00

HEARINGS

12/07/2020

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-20-352528-1



Initial Arraignment (10:00 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Plea Entered;

Journal Entry Details:

Deputized Law Clerk, Selesté Wyse, appearing for the State of Nevada. NEGOTIATIONS are as contained in the Guilty Plea Agreement electronically filed by counsel. DEFT. BUCHANAN ARRAIGNED AND PLED GUILTY TO ROBBERY (F). Court ACCEPTED plea and, ORDERED, matter REFERRED to the Division of Parole and Probation (P & P) and SET for sentencing. Pursuant to stipulation and/or negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release and DIRECTED Deft. to report to P & P within 2 business days. O.R. 4/5/2021 - 9:30 AM - SENTENCING (DEPT 23) CLERK'S NOTE: Minute Order prepared by a review of the JAVS recording of the hearing. kc/12/15/20 ;

SCHEDULED HEARINGS



Sentencing (04/05/2021 at 10:00 AM) (Judicial Officer: Ballou, Erika)

04/05/2021



Sentencing (10:00 AM) (Judicial Officer: Ballou, Erika)

Defendant Sentenced;

Journal Entry Details:

Agnes Botelho, Esq. present via Bluejeans video conference. Deft. present out-of-custody. Colloquy regarding victim letters. Following colloquy, By virtue of Defendant's plea of guilty and by Order of the Court, DEFT. BUCHANAN ADJUDGED GUILTY of ROBBERY (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, and \$3.00 DNA Collection fee, and \$1175.00 in Restitution to VC2275279, Deft. SENTENCED to a MINIMUM of THIRTY-SIX (36) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC); with SEVENTEEN (17) DAYS credit for time served. COURT FURTHER ORDERED, Deft. REMANDED into custody. BOND, if any, EXONERATED. NDC ;

DATE

FINANCIAL INFORMATION

Defendant BUCHANAN, DARNELL

Total Charges

178.00

Total Payments and Credits

0.00

Balance Due as of 5/3/2021

178.00

Heather S. Smith

CLERK OF THE COURT

JOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DARNELL BUCHANAN
#7020875

Defendant.

CASE NO. C-20-352528-1

DEPT. NO. XXIV

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of ROBBERY (Category B Felony) in violation of NRS 200.380; thereafter, on the 5th day of April, 2021, the Defendant was present in court for sentencing with counsel DAVID R. FISCHER, ESQ., via Blue jeans, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment Fee, \$1,175.00 Restitution and \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00

1 DNA Collection Fee, the Defendant is sentenced as follows: a MAXIMUM of ONE
2 HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of
3 THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC); with
4 SEVENTEEN (17) DAYS credit for time served.
5
6

7 Dated this 6th day of April, 2021

8 
9

10 EBB D12 52FC 2AE8
11 Erika Ballou
12 District Court Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-20-352528-1

7 vs

DEPT. NO. Department 24

8 DARNELL BUCHANAN

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 Electronic service was attempted through the Eighth Judicial District Court's
12 electronic filing system, but there were no registered users on the case. The filer has been
13 notified to serve all parties by traditional means.
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 07, 2020

C-20-352528-1 State of Nevada
 vs
 DARNELL BUCHANAN

December 07, 2020 10:00 AM Initial Arraignment

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03C

COURT CLERK: Keri Cromer

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT: BUCHANAN, DARNELL Defendant
 Fischer, David R. Attorney

JOURNAL ENTRIES

- Deputized Law Clerk, Seleste Wyse, appearing for the State of Nevada. NEGOTIATIONS are as contained in the Guilty Plea Agreement electronically filed by counsel. DEFT. BUCHANAN ARRAIGNED AND PLED GUILTY TO ROBBERY (F). Court ACCEPTED plea and, ORDERED, matter REFERRED to the Division of Parole and Probation (P & P) and SET for sentencing. Pursuant to stipulation and/or negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release and DIRECTED Deft. to report to P & P within 2 business days.

O.R.

4/5/2021 - 9:30 AM - SENTENCING (DEPT 23)

CLERK'S NOTE: Minute Order prepared by a review of the JAVS recording of the hearing.
kc/12/15/20

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 05, 2021

C-20-352528-1	State of Nevada
	vs
	DARNELL BUCHANAN

April 05, 2021 10:00 AM Sentencing

HEARD BY: Ballou, Erika **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Ro'Shell Hurtado

RECORDER: Susan Schofield

REPORTER:

PARTIES

PRESENT:	Botelho, Agnes M	Attorney
	BUCHANAN, DARNELL	Defendant
	Fischer, David R.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Agnes Botelho, Esq. present via Bluejeans video conference. Deft. present out-of-custody.

Colloquy regarding victim letters. Following colloquy, By virtue of Defendant's plea of guilty and by Order of the Court, DEFT. BUCHANAN ADJUDGED GUILTY of ROBBERY (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, and \$3.00 DNA Collection fee, and \$1175.00 in Restitution to VC2275279, Deft. SENTENCED to a MINIMUM of THIRTY-SIX (36) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC); with SEVENTEEN (17) DAYS credit for time served.

COURT FURTHER ORDERED, Deft. REMANDED into custody. BOND, if any, EXONERATED.

NDC

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; JUDGMENT OF CONVICTION (PLEA OF GUILTY); DISTRICT COURT
MINUTES

STATE OF NEVADA,

Plaintiff(s),

vs.

DARNELL BUCHANAN,

Defendant(s).

Case No: C-20-352528-1

Dept No: XXIV

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 3 day of May 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk

