

1 DAVID R. FISCHER, ESQ.
2 Nevada Bar No. 010348
3 THE LAW OFFICE OF DAVID R. FISCHER
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8 Counsel for Appellant *Darnell Buchanan*

Electronically Filed
Nov 03 2021 11:30 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

9
10 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

11 DARNELL BUCHANAN.,

12 Appellant,

13 vs.

14 THE STATE OF NEVADA,

15 Respondent.

NO. 82869

16 **APPELLANT'S APPENDIX**

17 LAW OFFICE OF DAVID R.
18 FISCHER

19 /s/ David R Fischer

20 DAVID R. FISCHER, ESQ.
21 400 South 4th Street, Suite 500
22 Nevada Bar No. 10348

23 Counsel for Appellant:
24 *DARNELL BUCHANAN*

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

Counsel for Respondent

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of November, 2021, I served a true and correct copy of the above and foregoing APPELLANT’S APPENDIX 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

/s/ David R Fischer
DAVID R. FISCHER, ESQ.
Nevada Bar No. 10348
Counsel for Appellant *DARNELL BUCHANAN*

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Steven D. Grierson

1 **GPA**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 AGNES M. BOTELHO
6 Chief Deputy District Attorney
7 Nevada Bar #011064
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 DARNELL BUCHANAN,
13 #7020875

14 Defendant.

CASE NO: C-20-352528-1

DEPT NO: 23

15 GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to: **ROBBERY (Category B Felony - NRS 200.380 -**
17 **NOC 50137)**, as more fully alleged in the charging document attached hereto as Exhibit "1".

18 My decision to plead guilty is based upon the plea agreement in this case which is as
19 follows:

20 Both parties stipulate to three (3) to ten (10) years in the Nevada Department of
21 Corrections. The Defendant agrees to pay restitution in all cases including the cases to be
22 dismissed. The Defendant agrees to forfeit any and all property seized in all cases including
23 the cases to be dismissed. The State has no opposition to the following cases being dismissed
24 after entry of plea 18F10276A, 18F21712X and 20CR007334.

25 I agree to the forfeiture as set forth in the Stipulation for Compromise of Seized
26 Property which is attached hereto and incorporated herein by reference as Exhibit "2".

27 I understand and agree that, if I fail to interview with the Department of Parole and
28 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,

1 by affidavit review, confirms probable cause against me for new criminal charges including
2 reckless driving or DUI, but excluding minor traffic violations, the State will have the
3 unqualified right to argue for any legal sentence and term of confinement allowable for the
4 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
5 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without
6 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite
7 twenty-five (25) year term with the possibility of parole after ten (10) years.

8 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
9 plea agreement.

10 CONSEQUENCES OF THE PLEA

11 I understand that by pleading guilty I admit the facts which support all the elements of
12 the offense(s) to which I now plead as set forth in Exhibit "1".

13 I understand that as a consequence of my plea of guilty the Court must sentence me to
14 imprisonment in the Nevada Department of Corrections for a minimum term of not less than
15 two (2) years and a maximum term of not more than fifteen (15) years. The minimum term of
16 imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment.

17 I understand that the law requires me to pay an Administrative Assessment Fee.

18 I understand that, if appropriate, I will be ordered to make restitution to the victim of
19 the offense(s) to which I am pleading guilty and to the victim of any related offense which is
20 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
21 reimburse the State of Nevada for any expenses related to my extradition, if any.

22 I understand that I am eligible for probation for the offense(s) to which I am pleading
23 guilty. I understand that, except as otherwise provided by statute, the question of whether I
24 receive probation is in the discretion of the sentencing judge.

25 I understand that I must submit to blood and/or saliva tests under the Direction of the
26 Division of Parole and Probation to determine genetic markers and/or secretor status.

27 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,
28 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or

1 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation
2 and may receive a higher sentencing range.

3 I understand that if more than one sentence of imprisonment is imposed and I am
4 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
5 the sentences served concurrently or consecutively.

6 I understand that information regarding charges not filed, dismissed charges, or charges
7 to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

8 I have not been promised or guaranteed any particular sentence by anyone. I know that
9 my sentence is to be determined by the Court within the limits prescribed by statute.

10 I understand that if my attorney or the State of Nevada or both recommend any specific
11 punishment to the Court, the Court is not obligated to accept the recommendation.

12 I understand that if the offense(s) to which I am pleading guilty was committed while I
13 was incarcerated on another charge or while I was on probation or parole that I am not eligible
14 for credit for time served toward the instant offense(s).

15 I understand that if I am not a United States citizen, any criminal conviction will likely
16 result in serious negative immigration consequences including but not limited to:

- 17 1. The removal from the United States through deportation;
- 18 2. An inability to reenter the United States;
- 19 3. The inability to gain United States citizenship or legal residency;
- 20 4. An inability to renew and/or retain any legal residency status; and/or
- 21 5. An indeterminate term of confinement, with the United States Federal
22 Government based on my conviction and immigration status.

23 Regardless of what I have been told by any attorney, no one can promise me that this
24 conviction will not result in negative immigration consequences and/or impact my ability to
25 become a United States citizen and/or a legal resident.

26 I understand that the Division of Parole and Probation will prepare a report for the
27 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
28 sentencing, including my criminal history. This report may contain hearsay information

1 regarding my background and criminal history. My attorney and I will each have the
2 opportunity to comment on the information contained in the report at the time of sentencing.
3 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also
4 comment on this report.

5 WAIVER OF RIGHTS

6 By entering my plea of guilty, I understand that I am waiving and forever giving up the
7 following rights and privileges:

- 8 1. The constitutional privilege against self-incrimination, including the right
9 to refuse to testify at trial, in which event the prosecution would not be
allowed to comment to the jury about my refusal to testify.
- 10 2. The constitutional right to a speedy and public trial by an impartial jury,
11 free of excessive pretrial publicity prejudicial to the defense, at which
12 trial I would be entitled to the assistance of an attorney, either appointed
or retained. At trial the State would bear the burden of proving beyond
a reasonable doubt each element of the offense(s) charged.
- 13 3. The constitutional right to confront and cross-examine any witnesses who
14 would testify against me.
- 15 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 16 5. The constitutional right to testify in my own defense.
- 17 6. The right to appeal the conviction with the assistance of an attorney,
18 either appointed or retained, unless specifically reserved in writing and
19 agreed upon as provided in NRS 174.035(3). I understand this means I
20 am unconditionally waiving my right to a direct appeal of this conviction,
21 including any challenge based upon reasonable constitutional,
jurisdictional or other grounds that challenge the legality of the
proceedings as stated in NRS 177.015(4). However, I remain free to
challenge my conviction through other post-conviction remedies
including a habeas corpus petition pursuant to NRS Chapter 34.

22 VOLUNTARINESS OF PLEA

23 I have discussed the elements of all of the original charge(s) against me with my
24 attorney and I understand the nature of the charge(s) against me.

25 I understand that the State would have to prove each element of the charge(s) against
26 me at trial.

27 I have discussed with my attorney any possible defenses, defense strategies and
28 circumstances which might be in my favor.

1 All of the foregoing elements, consequences, rights, and waiver of rights have been
2 thoroughly explained to me by my attorney.

3 I believe that pleading guilty and accepting this plea bargain is in my best interest, and
4 that a trial would be contrary to my best interest.

5 I am signing this agreement voluntarily, after consultation with my attorney, and I am
6 not acting under duress or coercion or by virtue of any promises of leniency, except for those
7 set forth in this agreement.

8 I am not now under the influence of any intoxicating liquor, a controlled substance or
9 other drug which would in any manner impair my ability to comprehend or understand this
10 agreement or the proceedings surrounding my entry of this plea.

11 My attorney has answered all my questions regarding this guilty plea agreement and its
12 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

13 DATED this 30 day of November, 2020.

14
15 
16 _____
DARNELL BUCHANAN
Defendant

17 AGREED TO BY:

18
19 /s/ AGNES M. BOTELHO
20 AGNES M. BOTELHO
21 Chief Deputy District Attorney
22 Nevada Bar #011064
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1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the
5 charge(s) to which guilty pleas are being entered.
- 6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.
- 8 3. I have inquired of Defendant facts concerning Defendant's immigration status
9 and explained to Defendant that if Defendant is not a United States citizen any
10 criminal conviction will most likely result in serious negative immigration
11 consequences including but not limited to:
 - 12 a. The removal from the United States through deportation;
 - 13 b. An inability to reenter the United States;
 - 14 c. The inability to gain United States citizenship or legal residency;
 - 15 d. An inability to renew and/or retain any legal residency status; and/or
 - 16 e. An indeterminate term of confinement, by with United States Federal
17 Government based on the conviction and immigration status.
- 18 4. Moreover, I have explained that regardless of what Defendant may have been
19 told by any attorney, no one can promise Defendant that this conviction will not
20 result in negative immigration consequences and/or impact Defendant's ability
21 to become a United States citizen and/or legal resident.
- 22 5. All pleas of guilty offered by the Defendant pursuant to this agreement are
23 consistent with the facts known to me and are made with my advice to the
24 Defendant.
- 25 6. To the best of my knowledge and belief, the Defendant:
 - 26 a. Is competent and understands the charges and the consequences of
27 pleading guilty as provided in this agreement,
 - 28 b. Executed this agreement and will enter all guilty pleas pursuant hereto
voluntarily, and
 - c. Was not under the influence of intoxicating liquor, a controlled
substance or other drug at the time I consulted with the Defendant as
certified in paragraphs 1 and 2 above.

29 Dated: This 30th day of November, 2020.


DAVID FISCHER

30 ed/GCU

1 INFM

2 STEVEN B. WOLFSON
Clark County District Attorney

3 Nevada Bar #001565

4 AGNES M. BOTELHO

Chief Deputy District Attorney

5 Nevada Bar #011064

200 Lewis Avenue

6 Las Vegas, Nevada 89155-2212

(702) 671-2500

Attorney for Plaintiff

7 I.A.

8:00 AM

8 D. FISCHER

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 DARNELL BUCHANAN,
13 #7020875

14 Defendant.

CASE NO:

DEPT NO:

I N F O R M A T I O N

15 STATE OF NEVADA }

16 COUNTY OF CLARK }

ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That DARNELL BUCHANAN, the Defendant(s) above named, having committed the
20 crime of ROBBERY (Category B Felony - NRS 200.380 - NOC 50137), on or about the 6th
21 day of October, 2018, within the County of Clark, State of Nevada, contrary to the form, force
22 and effect of statutes in such cases made and provided, and against the peace and dignity of
23 the State of Nevada, did willfully, unlawfully, and feloniously take personal property, to wit:
24 a wallet and/or a cellular telephone, from the person of ROTSARIN TABUNHAN, or in her

25 //

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27 //

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1 presence, by means of force or violence, or fear of injury to, and without the consent and
2 against the will of ROTSARIN TABUNHAN and/or a cellular telephone, from the person of
3 KHUNNITI DOUNGJUN and/or U.S. Currency and/or a cellular telephone, from the person
4 of THOMAS CAMPOS, Defendant using force or fear to obtain or retain possession of the
5 property, to prevent or overcome resistance to the taking of the property, and/or to facilitate
6 escape.

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

10 BY /s// AGNES M. BOTELHO
11 AGNES M. BOTELHO
12 Chief Deputy District Attorney
13 Nevada Bar #011064
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26 18F19918X/ed - GCU
27 LVMPD EV#181006000066;
28 181006000150; 181005000768
(TK2)

STIPULATION FOR COMPROMISE OF SEIZED PROPERTY

DEFENDANT DARNELL BUCHANAN ID# 7020875 CRIMINALCASE# _____
Seizing Law Enforcement Agency LVMPD
Seizure Event Number 181006000066; 181006000150; 181005000768; 1806041248; 181006001081; 200600025475; 200600025702

IT IS HEREBY STIPULATED and AGREED by and between STEVEN B. WOLFSON, Clark County District Attorney through his undersigned Deputy, and the Defendant that a stipulation for compromise be entered into and resolved as part of the negotiations in the aforementioned criminal case(s) pertaining to property impounded or seized by the aforementioned law enforcement agency under the aforementioned event number(s), as follows:

1. PROSECUTOR CHECKS THE APPROPRIATE PARAGRAPHS:

- X a. TOTAL FORFEITURE: That Defendant agrees to release and waive any and all right, title and interest in said property as being forfeited to the seizing law enforcement agency and subject to disposition pursuant to Nevada Revised Statutes 179.1175, 179.118 and 179.1185.

Property To Be Forfeited: ANY AND ALL PROPERTY SEIZED IN THE ABOVE LISTED EVENT NUMBERS

2. That the Defendant hereby authorizes the District Attorney's Office and the seizing law enforcement agency to take such action as is necessary, including, but not limited to, using this agreement to secure a judgment or an ex-parte order in any contemplated or pending companion forfeiture proceeding in order to give full force and effect to this agreement.
3. That the parties agree that this forfeiture, or any subsequent action taken to secure full force and effect of this agreement, **does not and will not be considered** as putting the Defendant in jeopardy of life, limb or property for the same offense under the Fifth Amendment of the United States Constitution and under Section Eight of Article One of the Nevada Constitution; and, that this forfeiture, or any subsequent action taken to secure full force and effect of this agreement, does not or will not constitute an excessive fine under the Eighth Amendment of the United States Constitution and under Section Six of Article One of the Nevada Constitution.
4. That the parties agree that any breach, withdrawal, repeal, rejection or any other abrogation of the negotiations in the aforementioned criminal case(s) shall not have any effect upon the finality of this stipulation; and, that any breach, withdrawal, repeal, rejection or any other abrogation of this stipulation shall not have any effect upon the finality of the negotiations in the aforementioned criminal case(s).
5. That this Stipulation for Compromise shall incorporate all of the protections attendant to such stipulations as contemplated under the provisions of NRS 48.105 as to all parties named herein; and, this Stipulation for Compromise shall not be construed in any fashion as an admission pertaining to any criminal charges, and shall not and does not constitute an admission of civil liability or fault on the part of any of the undersigned parties, or their present or former agents, servants, employees or others.
6. That the parties agree to accept these terms in full settlement and satisfaction of any and all civil claims and demands which each party or assignees may have against each other, agents and employees on account of the seizure or impoundment of said property.
7. That this Stipulation for Compromise shall forever, and completely bar any action or claim in any tribunal in any matter whatsoever, whether State, Federal or otherwise by the Defendant herein concerning the forfeiture of said property.
8. That the respective parties bear their own civil costs and attorney's fees which may have been occasioned and occurred as a result of the seizure and forfeiture of said property.

IT IS SO STIPULATED and AGREED

[Signature]
Defendant
[Signature] #10348
Attorney for Defendant, Nevada Bar #Bar Number

4/30/20
Date
11/30/20
Date

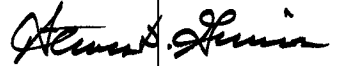
/s/ AGNES M. BOTELHO
Clark County Deputy District Attorney, Nevada Bar #010681

11/19/2020
Date

EXHIBIT "2"

\\clarkcountyda.net\crmcase2\2018\515\71\201851571C-STIP-(DARNELL BUCHANAN)-001.docx

AA 000009



CLERK OF THE COURT

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

DARNELL BUCHANAN,

Defendant

District Court Case No.: C-20-352528-1
Dept.: XXIII

Justice Court Case No.: 18F19918X

CERTIFICATE

I hereby certify the foregoing to be a full, true and correct copy of the proceedings as
the same appear in the above case.

Dated this 3rd day of December, 2020



Justice of the Peace, Las Vegas Township

AA 000010

1
2 **JUSTICE COURT, LAS VEGAS TOWNSHIP**
3 **CLARK COUNTY, NEVADA**

4 STATE OF NEVADA,

5 Plaintiff,

6 vs.

7 DARNELL BUCHANAN

8 Defendant
9

District Court Case No.:

Justice Court Case No.: 18F19918X

10 **BINDOVER and ORDER TO APPEAR**

11 An Order having been made this day by me that **DARNELL BUCHANAN** be held
12 to answer before the Eighth Judicial District Court, upon the charge(s) of **Consp robbery**
13 **[50147]; Kidnapping, 1st degree, e/dw [50055]; Kidnapping, 1st degree, e/dw [50055];**
14 **Robbery, e/dw [50138]; Robbery, e/dw [50138]; Burglary, (1st) [50424]; Grand**
15 **larceny of auto, \$3500+ [56014]; Robbery, e/dw [50138]; Poss/rcv/tranf stolen veh,**
16 **\$3500+ [56048]** committed in said Township and County, on October 06, 2018 .

17 **IT IS FURTHER ORDERED** that said defendant is commanded to appear in the
18 Eighth Judicial District Court, Regional Justice Center, Courtroom 3C, Las Vegas, Nevada
19 on December 07, 2020 at 10:00 AM for arraignment and further proceedings on the within
20 charge(s).

21 Dated this 3rd day of December, 2020

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23
24 Justice of the Peace, Las Vegas Township
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JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DARNELL BUCHANAN #7020875,

Defendant.

2018 OCT 24 P 2:10

JUSTICE COURT
LAS VEGAS NEVADA

BY LG
DEPUTY

CASE NO: 18F19918X

DEPT NO: 2

CRIMINAL COMPLAINT

The Defendant above named having committed the crimes of CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A Felony - NRS 200.310, 200.320, 193.165 - NOC 50055); ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); BURGLARY (Category B Felony - NRS 205.060 - NOC 50424); GRAND LARCENY AUTO (Category B Felony - NRS 205.228.3 - NOC 56014) and POSSESSION OF STOLEN VEHICLE (Category B Felony - NRS 205.273.4 - NOC 56048), in the manner following, to wit: That the said Defendant, on or about the 6th day of October, 2018, at and within the County of Clark, State of Nevada,

COUNT 1 - CONSPIRACY TO COMMIT ROBBERY

did willfully, unlawfully, and feloniously conspire with an unknown individual to commit a robbery, by the defendant and/or unnamed co-conspirator committing the acts as set forth in Counts 2 through 9, said acts being incorporated by this reference as though fully set forth herein.

COUNT 2 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

did willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy, abduct, conceal, kidnap, or carry away ROTSARIN TABUNHAN, a human being, with the intent to hold or detain the said ROTSARIN TABUNHAN against her will, and without her consent, for the purpose of committing robbery, with use of a deadly weapon, to wit: a firearm.

18F19918X
CRM
Criminal Complaint
10104562



W:\2018\2018F\199\18\18F19918-COMP-001.DOCX

AA 000012

1 COUNT 3 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

2 did willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy,
3 abduct, conceal, kidnap, or carry away KHUNNITI DOUNGJUN, a human being, with the
4 intent to hold or detain the said KHUNNITI DOUNGJUN against his will, and without his
5 consent, for the purpose of committing robbery, with use of a deadly weapon, to wit: a firearm.

6 COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON

7 did willfully, unlawfully, and feloniously take personal property, to wit: a wallet and/or
8 a cellular telephone, from the person of ROTSARIN TABUNHAN, or in her presence, by
9 means of force or violence, or fear of injury to, and without the consent and against the will
10 of ROTSARIN TABUNHAN, with use of a deadly weapon, to wit: a firearm, Defendant using
11 force or fear to obtain or retain possession of the property, to prevent or overcome resistance
12 to the taking of the property, and/or to facilitate escape.

13 COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON

14 did willfully, unlawfully, and feloniously take personal property, to wit: a cellular
15 telephone, from the person of KHUNNITI DOUNGJUN, or in his presence, by means of force
16 or violence, or fear of injury to, and without the consent and against the will of KHUNNITI
17 DOUNGJUN, with use of a deadly weapon, to wit: a firearm, Defendant using force or fear to
18 obtain or retain possession of the property, to prevent or overcome resistance to the taking of
19 the property, and/or to facilitate escape.

20 COUNT 6 - BURGLARY

21 did willfully, unlawfully, and feloniously enter a 2015 Honda bearing Nevada License
22 No. 195F22, owned or occupied by ROTSARIN TABUNHAN, located at 4955 Lindell Road,
23 Las Vegas, Clark County, Nevada, with intent to commit larceny.

24 COUNT 7 - GRAND LARCENY AUTO

25 did then and there willfully, unlawfully, feloniously, and intentionally, with intent to
26 deprive the owner permanently thereof, steal, take and carry away, drive away or otherwise
27 remove a motor vehicle owned by another person, having a value of \$3,500.00, or greater, in
28 the possession of ROTSARIN TABUNHAN, to wit: a 2015 Honda, bearing Nevada License

1 No. 195F22.


2 COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON

3 did willfully, unlawfully, and feloniously take personal property, to wit: U.S. Currency
4 and/or a cellular telephone, from the person of THOMAS CAMPOS, or in his presence, by
5 means of force or violence, or fear of injury to, and without the consent and against the will
6 of THOMAS CAMPOS, with use of a deadly weapon, to wit: a firearm, Defendant using force
7 or fear to obtain or retain possession of the property, to prevent or overcome resistance to the
8 taking of the property, and/or to facilitate escape.

9 COUNT 9 - POSSESSION OF STOLEN VEHICLE

10 did willfully, unlawfully, and feloniously possess a stolen motor vehicle wrongfully
11 taken from CRYSTAL CURTIS, to wit: a Hyundai motor vehicle, bearing Nevada License
12 No. 56F320, which Defendant knew, or had reason to believe, had been stolen; the value of
13 the vehicle being \$3,500.00, or more.

14 All of which is contrary to the form, force and effect of Statutes in such cases made and
15 provided and against the peace and dignity of the State of Nevada. Said Complainant makes
16 this declaration subject to the penalty of perjury.

17 
18 _____
19 10/24/18

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27 18F19918X/ew
28 LVMPD EV# 181006000066;
181006000150; 181005000768
(TK2)

**Justice Court, Las Vegas Township
Clark County, Nevada**

Department: 02

Court Minutes



L010104680

18F19918X State of Nevada vs. BUCHANAN, DARNELL

10/24/2018 2:00:00 PM Arrest Warrant Request

Result: Arrest Warrant Issued

**PARTIES
PRESENT:**

Judge: Sciscento, Joseph S.

PROCEEDINGS

Events: Request for Arrest Warrant Filed

Review Date: 10/29/2018

Granted

Probable Cause Found

Arrest Warrant Ordered to be Issued

No Bail Total All Counts - Set in Court

**Justice Court, Las Vegas Township
Clark County, Nevada**

Court Minutes

Department: 02



L012398913

18F19918X

State of Nevada vs. BUCHANAN, DARNELL

Lead Atty: Public Defender

**6/9/2020 7:45:00 AM Arrest Warrant Return
Hearing (In Custody)**

Result: Matter Heard

**PARTIES
PRESENT:**

State Of Nevada
Attorney
Defendant

Overly, Sarah
Wells, Thomas Michael
BUCHANAN, DARNELL

Judge: Sciscento, Joseph S.

Court Reporter: O'Neill, Jennifer

Court Clerk: Moore, Stacey

PROCEEDINGS

Attorneys:	Public Defender	BUCHANAN, DARNELL	Added
	Wells, Thomas Michael	BUCHANAN, DARNELL	Added
Hearings:	6/12/2020 7:45:00 AM: Bail Hearing		Added
	6/22/2020 9:00:00 AM: Preliminary Hearing		Added
Events:	Initial Appearance Completed		
	Advised of Charges on Criminal Complaint, Waives Reading of Criminal Complaint		
	Public Defender Appointed		
	Bail Stands - Cash or Surety		
	Counts: 001; 002; 003; 004; 005; 006; 007; 008; 009 - \$0.00/\$0.00 Total Bail		

**Justice Court, Las Vegas Township
Clark County, Nevada**

Court Minutes

Department: 02



L012410796

18F19918X

State of Nevada vs. BUCHANAN, DARNELL

Lead Atty: David R Fischer, ESQ

6/12/2020 7:45:00 AM Bail Hearing (In custody)

Result: Matter Heard

**PARTIES
PRESENT:**

State Of Nevada
Attorney
Defendant

Botelho, Agnes
Fischer, David R, ESQ
BUCHANAN, DARNELL

Judge: Sciscento, Joseph S.

Court Reporter: O'Neill, Jennifer

Court Clerk: Moore, Stacey

PROCEEDINGS

Attorneys:

Hearings:	6/22/2020 9:00:00 AM: Preliminary Hearing	Canceled
	6/25/2020 9:00:00 AM: Preliminary Hearing	Added

Events:

Motion to Withdraw Due to Conflict

by the Public Defender- Motion Granted

Counsel Substitutes in as Attorney of Record

D. Fischer, Esq

Oral Motion

by Defense to vacate the Preliminary Hearing set for 06/22/2020 and reset within 15 days- no objection by State- Motion Granted

Comment

Per Defense D. Fischer, he will file a written motion to address bail

Bail Stands - Cash or Surety

Counts: 001; 002; 003; 004; 005; 006; 007; 008; 009 - \$0.00/\$0.00 Total Bail

Future Court Date Vacated

06/22/2020 at 9am and reset within 15 days

**Justice Court, Las Vegas Township
Clark County, Nevada**

Court Minutes

Department: 02



L012431997

18F19918X

State of Nevada vs. BUCHANAN, DARNELL

Lead Atty: David R Fischer, ESQ

6/19/2020 7:45:00 AM Motion (In Custody)

Result: Motion Denied

**PARTIES
PRESENT:**

State Of Nevada
Attorney
Defendant

Botelho, Agnes
Fischer, David R, ESQ
BUCHANAN, DARNELL

Judge: Sciscento, Joseph S.

Court Reporter: Ott, Shawn

Court Clerk: Moore, Stacey

PROCEEDINGS

Events: Motion

by Defense for an O/R release or in the alternative to modify bail conditions- objection by State- Motion Denied

Bail Reset - Cash or Surety

Counts: 001; 002; 003; 004; 005; 006; 007; 008; 009 - \$25,000.00/\$25,000.00 Total Bail

**Release Order - Bail AND Electronic Monitoring -
High Level**

Bail Condition

stay away from any known co-defendant's

Future Court Date Stands

06/25/2020 at 9am

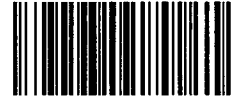
Bail Condition - No Contact with Victim

Bail Condition - Stay Away From Victim

Justice Court, Las Vegas Township
Clark County, Nevada

Court Minutes

Department: 02



L012451026

18F19918X

State of Nevada vs. BUCHANAN, DARNELL

Lead Atty: David R Fischer, ESQ

6/25/2020 9:00:00 AM Preliminary Hearing
(Surety Bond with High Level Electronic
Monitoring)

Result: Matter Heard

PARTIES PRESENT: State Of Nevada Attorney Meng, Yu
Fischer, David R, ESQ

Judge: Sciscento, Joseph S.

Court Reporter: O'Neill, Jennifer

Court Clerk: Moore, Stacey

PROCEEDINGS

Hearings: 9/10/2020 9:00:00 AM: Preliminary Hearing Added

Events: **Motion to Continue - Defense**
no objection by State- Motion Granted
Preliminary Hearing Date Reset
Bail Condition - Stay Away From Victim
Bail Condition - No Contact with Victim
Bail Condition
stay away from any known co-defendant's
Electronic Monitoring Order Continues
High Level

Justice Court, Las Vegas Township
Clark County, Nevada

Court Minutes

Department: 02



L012730368

18F19918X

State of Nevada vs. BUCHANAN, DARNELL

Lead Atty: David R Fischer, ESQ

9/10/2020 9:00:00 AM Preliminary Hearing
(Surety bond and high level electronic monitoring)

Result: Matter Heard

PARTIES
PRESENT: State Of Nevada Getler, Stephanie
Attorney Marchese, Jess R.

Judge: Sciscento, Joseph S.

Court Reporter: Ott, Shawn

Court Clerk: Moore, Stacey

PROCEEDINGS

Attorneys:	Marchese, Jess R. BUCHANAN, DARNELL	Added
Hearings:	10/8/2020 8:00:00 AM: Negotiations	Added
Events:	Motion to Continue - Defense <i>no objection by State- Motion Granted</i> Continued For Negotiations Bail Condition - No Contact with Victim Bail Condition - Stay Away From Victim Bail Condition <i>stay away from any known co-defendant's</i> Electronic Monitoring Order Continues <i>High Level</i>	

**Justice Court, Las Vegas Township
Clark County, Nevada**

Department: 02

Court Minutes



18F19918X

State of Nevada vs. BUCHANAN, DARNELL

Lead Atty: David R Fischer, ESQ

**10/8/2020 8:00:00 AM Negotiations (Surety bond
with high level electronic monitoring)**

Result: Matter Heard

PARTIES	State Of Nevada	Luong, Vivian
PRESENT:	Attorney	Fischer, David R, ESQ
	Defendant	BUCHANAN, DARNELL

Judge: Sciscento, Joseph S.

Court Reporter: Ott, Shawn

Court Clerk: Moore, Stacey

PROCEEDINGS

Hearings:	11/19/2020 8:00:00 AM: Negotiations	Added
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Events:	Motion to Continue - Defense
	<i>No objection by State - Motion Granted</i>
	Continued For Negotiations
	Electronic Monitoring Order Continues
	<i>High Level</i>

**Justice Court, Las Vegas Township
Clark County, Nevada**

Court Minutes

Department: 02



L012987195

18F19918X

State of Nevada vs. BUCHANAN, DARNELL

Lead Atty: David R Fischer, ESQ

**11/19/2020 8:00:00 AM Negotiations (Surety
Bond with High Level Electronic Monitoring)**

Result: Matter Heard

**PARTIES
PRESENT:**

State Of Nevada
Attorney

Turner, Robert Brad
Fischer, David R, ESQ

Judge: Sciscento, Joseph S.

Court Reporter: Ott, Shawn

Court Clerk: Moore, Stacey

PROCEEDINGS

Hearings: 12/3/2020 8:00:00 AM: Negotiations

Added

Events: **Motion to Continue - Defense**

no objection by State- Motion Granted

Continued For Negotiations

Electronic Monitoring Order Continues

High Level

**Justice Court, Las Vegas Township
Clark County, Nevada**

Department: 02

Court Minutes



L013024891

18F19918X

State of Nevada vs. BUCHANAN, DARNELL

Lead Atty: David R Fischer, ESQ

**12/3/2020 8:00:00 AM Negotiations (Surety Bond
and High Level Electronic Monitoring)**

Result: Bound Over

**PARTIES
PRESENT:**

State Of Nevada
Attorney
Defendant

Turner, Robert Brad
Fischer, David R, ESQ
BUCHANAN, DARNELL

Judge: Sciscento, Joseph S.

Court Reporter: Ott, Shawn

Court Clerk: Moore, Stacey

PROCEEDINGS

Events: Unconditional Bind Over to District Court

Review Date: 12/4/2020

Defendant unconditionally waives right to Preliminary Hearing. Defendant Bound Over to District Court as Charged. Defendant to Appear in District Court for Arraignment.

District Court Appearance Date Set

Dec 7 2020 10:00AM: Surety Bond and High Level Electronic Monitoring

Case Closed - Bound Over

Surety Bond Ordered Transferred

to District Court

Electronic Monitoring Order Continues

High Level

Bail Condition - No Contact with Victim

Bail Condition - Stay Away From Victim

Bail Condition

stay away from any known co-defendant's

Comment

Pursuant to negotiations cases 18F10276A, 18F21712X and 20-CR-007334 are to be dismissed after sentencing in District Court

Bonds: Surety - SV25-5068557

Bond Amount: \$25,000.00

Plea/Disp: 001: Conspiracy to commit robbery [50147]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

002: Kidnapping, first degree - with the use of a deadly weapon or tear gas [50055]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

003: Kidnapping, first degree - with the use of a deadly weapon or tear gas [50055]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

004: Robbery - with the use of a deadly weapon or tear gas [50138]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

Justice Court, Las Vegas Township Clark County, Nevada

005: Robbery - with the use of a deadly weapon or tear gas [50138]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

006: Burglary, first offense [50424]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

007: Grand larceny of auto, \$3500+ [56014]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

008: Robbery - with the use of a deadly weapon or tear gas [50138]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

009: Poss/rcv/tranf stolen veh, \$3500+ [56048]

Disposition: Waiver of Preliminary Hearing - Bound Over to District Court

WARRANT ELECTRONICALLY GENERATED AND ENTERED INTO NCJIS
*** DO NOT MANUALLY ENTER INTO NCJIS ***

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY NEVADA

THE STATE OF NEVADA)	CASE NO: 18F19918X
)	
PLAINTIFF)	DEPT. NO: 2
VS.)	
)	AGENCY: METRO POLICE
BUCHANAN, DARNELL)	
ID# 07020875)	
)	
)	ARREST WARRANT
DEFENDANT)	-----

THE STATE OF NEVADA,

TO: ANY SHERIFF, CONSTABLE, MARSHALL, POLICEMAN, OR PEACE OFFICER
IN THIS STATE:

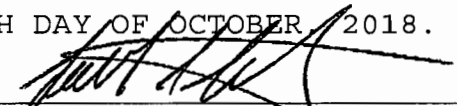
A COMPLAINT AND AN AFFIDAVIT UPON OATH HAS THIS DAY BEEN LAID
BEFORE ME ACCUSING BUCHANAN, DARNELL, OF THE CRIME(S):

COUNTS	CHARGE	BAIL: CASH	SURETY	PROPERTY
1	CONSP ROBBERY	NO BAIL		
2	KIDNAPPING, 1ST DEGREE	NO BAIL		
3	ROBBERY, E/DW	NO BAIL		
1	BURGLARY, (1ST)	NO BAIL		
1	GRAND LARCENY OF AUTO,	NO BAIL		
1	POSS/RCV/TRANF STOLEN	NO BAIL		

YOU ARE, THEREFORE, COMMANDED FORTHWITH TO ARREST THE ABOVE NAMED
DEFENDANT AND BRING HIM BEFORE ME AT MY OFFICE IN LAS VEGAS TOWNSHIP,
COUNTY OF CLARK, STATE OF NEVADA, OR IN MY ABSENCE OR INABILITY TO
ACT, BEFORE THE NEAREST AND MOST ACCESSIBLE MAGISTRATE IN THIS COUNTY.

THIS WARRANT MAY BE SERVED AT ANY HOUR OF THE DAY OR NIGHT.

GIVEN UNDER MY HAND THIS 24TH DAY OF OCTOBER, 2018.



JUSTICE OF THE PEACE IN AND FOR SAID TOWNSHIP
JOSEPH S SCISCENTO

18F19918X
AWF
Arrest Warrant - Face Sheet
10104880



AA 000025

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY NEVADA

THE STATE OF NEVADA)	CASE NO: 18F19918X
)	
PLAINTIFF)	DEPT. NO: 2
VS.)	
)	AGENCY: METRO POLICE
BUCHANAN, DARNELL)	
ID# 07020875)	
)	
)	ARREST WARRANT
DEFENDANT)	-----
_____)	

SHERIFF'S RETURN

I HEREBY CERTIFY THAT I RECEIVED THE ABOVE AND FOREGOING WARRANT
ON THE _____ DAY OF _____, _____, AND SERVED THE SAME BY
ARRESTING AND BRINGING DEFENDANT, _____, INTO COU
COURT THIS _____ DAY OF _____, _____.

JOSEPH LOMBARDO, SHERIFF, CLARK COUNTY, NEVADA

BY: _____, DEPUTY

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

2018 OCT 24 P 2:09

THE STATE OF NEVADA,

Plaintiff,

-VS-

DARNELL BUCHANAN
#7020875,

Defendant.

JUSTICE COURT
LAS VEGAS NEVADA
BY LG CASE NO: 18F19918X
DEPUTY
DEPT NO: 2

REQUEST FOR ARREST WARRANT

COMES NOW, STEVEN B. WOLFSON, District Attorney, and requests that a Warrant of Arrest be issued for the above named Defendant pursuant to NRS 171.106 and the Complaint and/or Affidavit(s) attached hereto and incorporated herein by this reference.

STEVEN B. WOLFSON
DISTRICT ATTORNEY
Nevada Bar #001565

PROBABLE CAUSE FOUND: ✓

BAIL: NO Bail S.I.C

PROBABLE CAUSE NOT FOUND: _____



JUSTICE OF THE PEACE,
LAS VEGAS TOWNSHIP

18F19918X
AWR
Request for Arrest Warrant Filed
10104677



1 JUSTICE COURT LAS VEGAS TOWNSHIP
2 **FILED**
3 CLARK COUNTY, NEVADA

2018 OCT 24 P 2:09

4 THE STATE OF NEVADA,

5 Plaintiff,

6 -vs-

7 DARNELL BUCHANAN #7020875,

8 Defendant.

JUSTICE COURT
LAS VEGAS NEVADA
BY LG
DEPUTY

CASE NO: 18F19918X

DEPT NO: 2

FILED UNDER SEAL

9 All materials, except the Criminal Complaint, are being filed under seal in obedience to
10 Section 239B.030 of the Nevada Revised Statutes and pursuant to the Order issued by the
11 Honorable Douglas E. Smith, signed December 28, 2006.
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18F19918X
CRMFS
Filed Under Seal
10104563



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AA 000028

0042

DARIN F. IMLAY, PUBLIC DEFENDER
NEVADA BAR NO. 5674
KRISTAL BRADFORD, DEPUTY PUBLIC DEFENDER
NEVADA BAR NO. 14036
PUBLIC DEFENDERS OFFICE
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
Telephone: (702) 455-4685
Facsimile: (702) 455-5112
Attorneys for Defendant

FILED

2020 JUN 11 A 10:55

JUSTICE COURT
LAS VEGAS NEVADA
JW

BY _____
DEPUTY

JUSTICE COURT, LAS VEGAS TOWNSHIP

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

DARNELL BUCHANAN,

Defendant,

CASE NO. 18F19918X

DEPT. NO. 2

DATE: June 12, 2020

TIME: 7:45 a.m.

MOTION TO WITHDRAW DUE TO CONFLICT

COMES NOW, the Defendant, DARNELL BUCHANAN, by and through KRISTAL BRADFORD, Deputy Public Defender and respectfully moves this Honorable Court to allow the Public Defender to withdraw and to appoint independent counsel due to a conflict of interest.

This Motion is made and based upon all the papers and pleadings on file herein, the attached Declaration of Counsel, and oral argument at the time set for hearing this Motion.

DATED this 11th day of June, 2020.

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

By: /s/Kristal Bradford
KRISTAL BRADFORD, #14036
Deputy Public Defender

18F19918X
MWC
Motion to Withdraw Due to Conflict
12407597



AA 000029

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1. I am an attorney duly licensed to practice law in the State of Nevada; I am the Deputy Public Defender assigned to represent the Defendant in the instant matter, and the Defendant has represented the following facts and circumstances of this case.

a. J-18-340963-D5 – Robbery with Deadly Weapon

3. That effective representation of the Defendant in the instant matter would necessarily prejudice the interests of any persons mentioned in this declaration.

5. The Defendant has been notified of the presentation of this motion.

EXECUTED on this 11th day of June, 2020.

/s/Kristal Bradford
KRISTAL BRADFORD

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NOTICE OF MOTION

TO: CLARK COUNTY DISTRICT ATTORNEY, Attorney for Plaintiff:

YOU WILL PLEASE TAKE NOTICE that the foregoing MOTION TO WITHDRAW
DUE TO CONFLICT will be heard on 12th day of June, 2020, at 7:45 a.m., Justice Court,
Department 2.

DATED this 11th day of June, 2020.

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

By: /s/Kristal Bradford
KRISTAL BRADFORD, #14036
Deputy Public Defender

CERTIFICATE OF ELECTRONIC SERVICE

A COPY of the above and foregoing MOTION was served via email at
Motions@clarkcountyda.com to the District Attorney's Office on this 11th day of June, 2020.

By /s/ Kayleigh Lopatic
An employee of the Clark County Public
Defender's Office



Justice Court, Las Vegas Township

Regional Justice Center
200 Lewis Avenue 2nd Fl • PO Box 552511 • Las Vegas NV 89155-2511
(702) 671-3201 • Fax (702) 671-3183
www.co.clark.nv.us/justicecourt_lv/welcome.htm

NOTICE OF CONFIRMATION OF COUNSEL

ATTENTION JC CRIMINAL DIVISION:

This notice shall serve as Confirmation of Counsel on the case listed below.

CASE INFORMATION:

JUSTICE COURT CASE NUMBER: 18F19918X		DEFENDANT'S ID NUMBER: 07020875	
DEFENDANT'S FIRST NAME: Darnell	MIDDLE INITIAL:	LAST NAME: Buchanan	

ATTORNEY OF RECORD INFORMATION:

NAME OF ATTORNEY: David R. Fischer		BAR NUMBER: 10348
ADDRESS: 400 S. 4th Street Suite 500, Las Vegas NV 89101		
PHONE NUMBER: (702) 547-3944	E-MAIL ADDRESS: admin@fischerlawlv.com	

This Notice of Confirmation may be submitted to the court via E-mail sent to the address below:

- E-mail: CounselConfirmationLVJC@clarkcountycourts.us

Alternative methods:

- Fax To: (702) 671-3183
- Mail To: Attn: Counsel Confirmation
Justice Court, Las Vegas Township
PO Box 552511
Las Vegas, NV 89155-2511

18F19918X
ACON
Notice of Confirmation of Counsel
12410353



JUSTICE OF THE PEACE
DEBORAH J. LIPPIS • DOUGLAS E. SMITH • TONY L. ABBATANGELO • MELISSA SARAGOSA
WILLIAM D. JANSEN • NANCY C. OESTERLE • KAREN P. BENNETT-HARON • ANN E. ZIMMERMAN • JOE BONAVENTURE • ABBY SILVER

FILED

2020 JUN 16 P 12:03

JUSTICE COURT
LAS VEGAS NEVADA

BY _____
DEPUTY **GMH**

1 **MOT**
2 **DAVID R. FISCHER, Esq.**
3 Nevada Bar No. 010348
4 400 S. 4th Street, Suite 500
5 Las Vegas, Nevada 89101
6 Telephone: (702) 547-3944
7 Facsimile: (702) 974-1458
8 Attorney for Defendant **BUCHANAN**

9 **JUSTICE COURT, LAS VEGAS TOWNSHIP**
10 **CLARK COUNTY, NEVADA**

11 **THE STATE OF NEVADA,**
12 **Plaintiff,**

13 **vs.**

14 **DARNELL BUCHANAN,**

15 **Defendant.**

CASE NO.: 18F19918X

DEPT. NO.: 02

16 **DEFENDANT'S MOTION FOR O.R. RELEASE OR IN THE ALTERNATIVE**
17 **MODIFY BAIL CONDITIONS**

18 COMES NOW, the Defendant, by and through his attorney, DAVID R. FISCHER, ESQ.,
19 and respectfully moves that this Honorable Court release the Defendant on his own recognizance,
20 or, in the alternative, modify the bail conditions in the instant action. This motion is made and
21 based upon the papers and pleadings on file herein, NRS 178.484 et seq., and any arguments of
22 counsel entertained at the hearing of this matter.

23 DATED this 16th day of June, 2020

24
25 By: /s/ David R. Fischer

26 **DAVID R. FISCHER, ESQ.**
27 **Nevada Bar No. 010348**
28 **Attorney for Defendant BUCHANAN**

18F19918X
MOF
Motion
12421131



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NOTICE OF MOTION

TO: STATE OF NEVADA, Plaintiff;

TO: THE DISTRICT ATTORNEY'S OFFICE:

PLEASE TAKE NOTICE that the undersigned will bring the foregoing **MOTION FOR
O.R. RELEASE OR IN THE ALTERNATIVE TO MODIFY BAIL CONDITIONS** on for
hearing before the above-entitled Court on the 19 day of June, 2020 at the
hour of 7:45 in Dept. 2, or soon thereafter as Counsel may be heard.

DATED this 16th day of June, 2020

By: /S/ David R. Fischer

DAVID. R. FISCHER, ESQ.
Nevada Bar No. 010348
Attorney for Defendant *BUCHANAN*

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. FACTS**

3 The Defendant, DARNELL BUCHANAN (hereinafter "BUCHANAN"), is charged for
4 two robbery incidents alleged to have occurred on or about October 6, 2018.¹ According to the
5 complaint filed herein on October 24, 2018, the state alleges Buchanan was present for both
6 robberies involving a total of three victims, Rotsarin, Khunniti, and Tomas. Event #181006-0066
7 ("Lindell Road"); #181006-0150 ("Evergreen Apt."). The following is a general recitation of the
8 facts as relayed to case agent, Det. Walter (P. #8080), and is not an admission by BUCHANAN
9 to said facts.

10
11 The first robbery is said to have occurred at an a apartment complex at 4955 Lindell Road
12 Las Vegas, NV. During this robbery, Rotsarin and Khunniti claim that four black males, one of
13 the males with a "handgun," told them to get out their silver Honda Civic and to turn over money,
14 keys, and phones. The male with the handgun was said to be the one doing all of the talking and
15 eventually order Rotsarin out of her car. The others appeared to be acting as lookouts. Khunniti
16 was already outside of the car. Both Khunniti and Rotsarin are ordered by male with handgun to
17 get on their knees and hand over money. Khunniti handed over his phone, but black male with
18 the handgun threw it back when he couldn't unlock phone. Rotsarin handed over her money
19 (unknown amount) and her car keys to the silver Honda Civic (while secretly retaining her phone)
20 to him. According to Rotsarin and Khunniti, 4 suspects get in the car and leave in a northerly
21 direction. Neither Rotsarin or Khunniti were injured during the incident. Rotsarin and Khunniti
22 run from the area, and they both claim to have heard a gunshot as they are running. According to
23 Det. Walter, he arrives at 4955 Lindell Road where he claims to recover a .9 mm shell casing.

24 The second robbery is said to have occurred at 3060 S. Decatur Blvd., Las Vegas, NV,
25 Evergreen apartments. Det. Glass (P. #13461) responded to this event. During this robbery one
26

27
28 ¹ From the limited information available to the defense, it appears that Mr. Buchanan was never interviewed by
Pretrial services. The last time a pretrial services report appears to have been generated is 2018. Counsel requests
that this Court order a pretrial services interview before making a final ruling on the issue of pretrial release.

1 Tomas Campos relayed the following to Det. Glass. Tomas arrives at the Evergreen apartments
2 when he observed 3 black males standing by an electrical box. He also notices a silver Honda
3 Civic with lights on. Tomas parks and starts to walk toward his apartment when three males
4 approach him and one of the males is holding a black, semi-automatic handgun and demands his
5 money. Tomas hands over his Samsung Galaxy S8 (702-372-4693) and an unknown amount of
6 money. Due to limited discovery made available to the defense as of the date of the writing of
7 this motion, the defense knows nothing more (e.g. when and how suspects left the scene) about
8 the alleged facts of this robbery.

9
10 Det. Cortes (P. #8751) decides to attempt to make contact with the above-referenced
11 phone number by sending a text message. He receives a response and a meeting is arranged to
12 return the phone at 7-11 convenience store at 3810 Blue Diamond Road, Las Vegas, NV. (Event
13 #181006-0657 (7-11 take down). At 00:40 hours two vehicles show up at this 7-11, a silver
14 Honda Civic, and a blue Hyundai Elantra, and park to the North of the 7-11. Officers approach
15 vehicles for a felony stop, and two black males exit the silver Honda Civic and run East. They
16 are apprehended at the Shell station at Blue Diamond & Valley View. Brendyn Banks and
17 Brandon Green were taken in to custody. Green was identified as the passenger in the Honda
18 Civic, and, during a search incident to the arrest, the key fob to the stolen vehicle was located in
19 Green's front pocket.

20 Officer Glass attempts "take down" of blue Hyundai, when the door opens and a black
21 male with blue shirt and black pants gets out and runs. He is not located. The blue Hyundai was
22 reported stolen under event # 181005-0768. During a later inventory search of the blue Hyundai
23 Sgt. Glass claims to find a phone in Hyundai's trunk containing a screen saver with picture of
24 black male he claims ran from him out of the Hyundai.

25 Later that day, LMVPD apprehends 2 robbery suspects, Brendyn Banks and Brandon
26 Green. During a witness show up at Enterprise Area command Officer Brown (P #15136)
27 conducts a witness show with Rotsarin, with Banks and Green in custody, and she identifies
28 Brandon Green with 100% certainty as the person with a gun and who was doing all the

1 talking. Officer Tolliver (P #15003) conducts a witness show with Rotsarin, with Banks and
2 Green in custody, and he does not identify Brandon Green, but believes Brendyn Banks was
3 at the robbery with 80% certainty.

4 The investigation continues involving a number of detectives, in addition to case agent,
5 Det. Walter. The following event numbers are involved ((Event #181006-0066 (Lindell Road);
6 #181006-0150 (Evergreen Apt.); #181006-0657 (7-11 take down); #181005-0768 (Stolen
7 Hyundai). During the course of the investigation Brandon Green is interviewed by Det. Glass (P.
8 #13461) and while denying any involvement in robberies, he states that he had been with
9 "Darnell."

10 Later that day, Sgt. Ballejos (P. #8406), visits Brandon Green's residence at 4828 Golden
11 Shimmer Ave., Las Vegas, NV. He makes contact with Brandon Green's mother, Chloe Green
12 and Brandon Green's girlfriend, Samantha Holt. Apparently, the officer *learns* from these two
13 individuals that Darnell, is one Darnell Buchanan, D.O.B. 5/31/00. Further investigation reveals
14 that booking photo of Darnell Buchanan matches a photo said to have been located by Sgt. Glass
15 during an inventory search of the blue Hyundai on a phone screen saver recovered from the car
16 trunk.
17

18 On October 11, 2018, Det. Walter arranges a meeting with Rotsarin and Khunniti where
19 he conducts a photo lineup with Darnell Buchanan in position #2. **Both identify Darnell as being**
20 **merely present.**

21 On October 18, 2018, Det. Pelayo (P. #9850) arranges a photo lineup with Tomas, he too,
22 **identifies Darnell as being merely present.**

23 At the time of the writing of this motion, the defense is only in possession of the
24 Declaration of Arrest and the Criminal Complaint. There are at least 4 event number involved,
25 numerous recorded interviews of victims, and alleged co-conspirator, photo line ups. None of
26 these discoverable items have been produced by the state to date, which puts the defense at a
27 disadvantage in helping this Court properly determine the facts in order to make a proper bail
28 determination. In the meantime, Mr. Buchanan remains in custody with no bail.

1 The Nevada Supreme Court in the case of Valdez-Jimenez v. Eighth Judicial District
2 Court (Case No. 76417) has established new guidelines for the determination and setting of a bail
3 and/or release conditions where a defendant is arrested and held in custody. In essence, the
4 Nevada Supreme Court now requires the Court to hold a detention hearing placing the burden of
5 proof on the state, by clear and convincing evidence, that there is no condition or combination of
6 conditions, which can reasonably assure, 1. Safety to the community; 2. No flight risk.

7 The Nevada Supreme Court has essentially adopted the model used in the federal courts
8 pursuant to the Bail Reform Act of 1983, wherein bail was abolished, in favor of a system, which
9 generally places the burden of proof regarding the need for ongoing pretrial detention on the
10 government. The Court is required to fashion conditions or a combination of conditions, which
11 provide for the least restrictive means, taking in to account all of the bail factors in NRS 178.4853
12 (Length in the community, ties, employment, etc.) and the defendants relative financial
13 circumstances pursuant to NRS 178.498. It's for the court to determine if safety to the community
14 and flight risk can be reasonably assured through the use of, for example, simple electronic gps
15 ankle monitors, and regular supervision and check ins with pretrial services. The setting of a
16 dollar amount remains proper as long as its weighed against the considerations of NRS 178.498
17 respecting defendant's financial circumstances and relative indigency.

19 Here, Buchanan is now 20 years old (18 years old on the date of the incidents in question)
20 and comes from a family of eight children. Buchanan's mother, Darnell Salter, is very close to
21 her son, and would allow for him to reside with her at her home on 3855 Waynesville, Las Vegas,
22 NV 89122. She supports her son financially while in custody. Buchanan is a recipient of SSDI,
23 and he shares his disability with his mother for payment of expenses. The likelihood of conviction
24 on the face may appear possible as to two counts, Conspiracy Robbery and Grand Larceny Auto,
25 but there remains much discovery which has yet to reviewed and analyzed, which may contain
26 exculpatory evidence the defense is not currently in possession of. Additionally, if Court takes
27 the information gleaned from the 5-page declaration of arrest herein as accurate, then defendant's
28 involvement, especially in light of how probable cause was developed by investigating officers

1 with respect to Darnell's identity is very suspect. Even if identity is determined to be Buchanan,
2 then all 3 putative victims say that Buchanan was merely present during both robbery incidents.
3 The person doing all of the talking during both robberies according to all victims was Brandon
4 Green. The person in possession of a handgun was Brandon Green. Also, its Brandon Green
5 who refers to a "Darnell" to have been with him during his interview with Det. Glass. It is not
6 until Sgt Ballejos interviews Brandon Green's mother and girlfriend that Darnell Buchanan is
7 "identified," as being Darnell. This leads to the recovery by Sgt Glass of a "matching" booking
8 photo, and a phone with a screen saver purported to be Buchanan in the trunk of the blue Hyundai.
9 That photo is used in subsequent photo lineups (10/11/18, 10/18/18), wherein Darnell Buchanan
10 is identified by all three victims as having been present during robberies.
11

12 Here, even if the evidence made available to the defense is viewed in a light **least** favorable
13 to Buchanan, at most he can be said to have been present during the robberies, but no physical
14 evidence, be it fingerprints or DNA recovered from the Glock 17, .9 mm handgun recovered from
15 glovebox of blue Hyundai or the handgun were recovered. No forensics of any kind. No
16 surveillance video of anything. The investigating officers relied in their investigation of other
17 potential subjects on family members of Green who have every incentive to blame others where
18 he was clearly the one who was committing the crimes being alleged according to the direct
19 eyewitness testimony of all victims. It appears that investigating officers relied on hearsay and
20 conjecture in developing probable cause as to Buchanan as being one of the black males present
21 during either robbery.

22 Finally, there is a strong likelihood that pursuant to the holding in Mendoza v. State, 122
23 Nev. 267 (Nev. 2006), that the "*kidnapping with use of a deadly weapon*" counts are likely not
24 to survive a probable cause challenge, as any kidnapping alleged was clearly incidental to the
25 robberies being committed by Green in the presence of 2 other black males according to Tomas
26 and in the presence of 3 other black males according to Rotsarin and Khunniti. Defendant has no
27 history of violence. He has two prior open cases, one for Attempt Burglary with an incident date
28 of June 4, 2018, (Case No. 18F10276A) and one Gross misdemeanor case for Discharging a

1 firearm with an incident date of October 5, 2018 (Case No. 18F21712X). Both cases were in
2 bench warrant, but now the warrants have been recalled and Buchanan has a preliminary hearing
3 date scheduled for June 23, 2020 for both matters before the Hon. Amy Chelini and a bail of
4 \$5,000.00 in each case. He has a case in probable cause status for Burglary (Case No. 20-PC-
5 007334) with an incident date of June 8, 2020, and a status check on the filing of the criminal
6 complaint scheduled before the Hon. Eric Goodman on August 12, 2020. See exhibit.

7 8 II. CONCLUSION

9 In light of the foregoing, Defendant, respectfully requests a bail of \$15,000 cash or bond
10 with house arrest and high level electronic monitoring to ensure his whereabouts is known to
11 Pretrial. This amount is appropriate in light of the above. The defendant receives SSDI benefits
12 while out of custody, any monies paid for bail will be paid by Darnell Salter, who is a single
13 mother of 8 children. She is very supportive and believes in her son's innocence. This bail
14 amount takes in to account the factors enumerated in NRS 178.498 regarding defendant's
15 financial condition. Also, house arrest and high level electronic monitoring will ensure ongoing
16 safety to the community and avoiding flight risk as required by the Nevada Supreme Court in
17 Jimenez-Valdez. Id. Defendant does not know who any putative victims are and has no reason
18 to seek them out or have contact with them.

19
20 DATED this 16th day of June, 2020

21
22 By: /S/ David R. Fischer

23 DAVID. R. FISCHER, ESQ.
24 Nevada Bar No. 010348
25 Attorney for Defendant *Buchanan*
26
27
28

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2
3
4 **ROC**
5 DAVID R. FISCHER, Esq.
6 Nevada Bar No. 010348
7 400 S. 4th Street, Suite 500
8 Las Vegas, Nevada 89101
Telephone: (702) 547-3944
Facsimile: (702) 974-1458
Attorney for Defendant *BUCHANAN*

9 **JUSTICE COURT**
CLARK COUNTY, STATE OF NEVADA

10 THE STATE OF NEVADA,
11
12 Plaintiff,

13 vs.

14 DARNELL BUCHANAN,
15
16 Defendant.

CASE NO.: 18F19918X

DEPT. NO.: 02

17
18 **RECEIPT OF COPY**

19
20 Dated this _____ day of _____, 20____.

21
22
23 BY: _____

24 Clark County District Attorney's Office
25
26
27
28

EXHIBITS

REGISTER OF ACTIONS

CASE No. 18F10276A

State of Nevada vs. BUCHANAN, DARNELL

ഗവൺമെന്റ് ഹയർ സെക്കണ്ടറി സ്കൂൾ

Case Type:	Felony
Date Filed:	07/09/2018
Location:	
Case Number History:	PC18F10276A 18F10276A 18-1990245 201828258C ITAG Booking Number: 1800029314 ITAG Case ID: 2228623 Metro Event Number: 1808041248 200800025475 Odyssey Case ID: 12588873 Other Agency Number: 1808041248 180604001248

RELATED CASE INFORMATION

Related Cases

18F10276B (Multi-Defendant Case)

PARTY INFORMATION

Defendant BUCHANAN, DARNELL

DÖB: 05/31/2000

Lead Attorneys
Public Defender
Public Defender
702-455-4685(W)

State of Nevada State of Nevada

CHARGE INFORMATION

Charges: BUCHANAN, DARNELL
1. Att burglary [50442]

Statute
205.060.2

**Level
Felony**

Date
06/04/2018

EVENTS & ORDERS OF THE COURT

OTHER EVENTS AND HEARINGS

06/04/2018	Multi-Defendant Case
06/04/2018	Standard Ball Set
	Crt: \$5000 Cash/\$5000 Surety
06/04/2018	CTRACK Track Assignment JC05
06/04/2018	Not Released NPR
06/04/2018	<u>Nevada Risk Assessment Tool</u>
06/05/2018	<u>Initial Appearance Justice Court (PC Review)</u> , (9:00 AM) (Judicial Officer Cruz, Cynthia)
	Result: Signing Completed
06/05/2018	<u>Probable Cause Review Packet - Initial Appearance Court</u>
06/05/2018	CTRACK Case Modified
	<u>Jurisdiction/DA:</u>
06/05/2018	Probable Cause Found
06/05/2018	Release Order - Own Recognizance with Intensive Supervision (Judicial Officer: Cruz, Cynthia)
	Counts: 001
06/05/2018	Bail Condition - Stay Out of Trouble
06/05/2018	<u>Minute Order - Department 05</u>
06/05/2018	<u>Release Agreement</u>
07/02/2018	<u>PreTrial Services Intensive Supervision Report</u>
07/03/2018	Conflict check review completed
	A. Defendant has never had the Public Defender - Appoint the Public Defender's office B. Defendant has never had the Public Defender - Appoint Kenneth Fritzell
07/09/2018	<u>Status Check on Filing of Criminal Complaint</u> , (7:45 AM) (Judicial Officer Cruz, Cynthia)
	O/R ISU
	Result: Bench Warrant Issued
07/09/2018	<u>Criminal Complaint</u>
07/09/2018	Bench Warrant Ordered Issued - Defendant Failed to Appear
	5,000/5,000 total bail
07/09/2018	<u>Minute Order - Department 05</u>
07/09/2018	<u>Motion to Quash Bench Warrant</u>
07/09/2018	Warrant Issued
07/09/2018	Defendant failed to appear
	for Status check on 7/9/18
07/09/2018	<u>Bench Warrant - Face Sheet</u>
07/09/2018	<u>Bench Warrant Confidential</u>
07/11/2018	<u>Motion</u> , (7:45 AM) (Judicial Officer Cruz, Cynthia)
	No bail posted
	<u>Parties Present</u>
	Result: Matter Heard
07/11/2018	Motion to Quash Bench Warrant
	Granted
07/11/2018	Warrant Ordered Quashed
07/11/2018	Public Defender Appointed
07/11/2018	Defendant to Stay Out of Trouble
	and in contact with the Public Defender
07/11/2018	Release Order - from Intensive Supervision (Judicial Officer: Cruz, Cynthia)
	Counts: 001
07/11/2018	<u>Minute Order - Department 05</u>
07/11/2018	Warrant Recalled
10/04/2018	<u>Preliminary Hearing</u> , (9:15 AM) (Judicial Officer Cruz, Cynthia)
	No Bail Posted
	Result: Bench Warrant Issued

6/16/2020

<https://vjcpa.clarkcountynv.gov/Secure/CaseDetail.aspx?CaseID=12586873>

10/04/2018 Bench Warrant Ordered Issued - Defendant Failed to Appear
\$5,000/5,000 Total Bail
10/04/2018 Minute Order - Department 05
10/04/2018 Warrant Issued
10/04/2018 Bench Warrant - Face Sheet
10/04/2018 Bench Warrant Confidential
10/15/2018 Motion to Quash Bench Warrant
10/18/2018 Motion (7:45 AM) (Judicial Officer Cruz, Cynthia)
No Bail Posted
Parties Present
Result: Warrant Stands
10/18/2018 Motion to Quash Bench Warrant
by Defense - Motion Denied
10/18/2018 Defendant failed to appear
for MTQ and FTA for PH on 10/4/18.
10/18/2018 Warrant Stands
10/18/2018 Minute Order - Department 05
01/07/2019 Administrative Reassignment to Department 14
Case reassigned from Department 05 (Judge Cynthia Cruz)
06/08/2020 Warrant Arrest Documents
06/09/2020 Bench Warrant Return Hearing, (6:30 AM) (Judicial Officer Chelini, Amy)
In Custody
Parties Present
Result: Matter Heard
06/09/2020 Comment
Defendant failed to appear at preliminary hearing 10/04/18
06/09/2020 Preliminary Hearing Date Reset
06/09/2020 Bail Stands - Cash or Surety
Counts: 001 - \$5,000.00/\$5,000.00 Total Bail
06/09/2020 Minute Order - Department 14
08/23/2020 Preliminary Hearing (10:00 AM) (Judicial Officer Chelini, Amy)
In custody

<https://vjcpa.clarkcountynv.gov/Secure/CaseDetail.aspx?CaseID=12586873>

2/2

AA 000044

6/16/2020

<https://ivjcpa.clarkcountynv.gov/Secure/CaseDetail.aspx?CaseID=12729425>[Skip to Main Content](#) [Logout My Account](#) [Search Menu](#) [New Criminal Search](#) [Refine Search](#) [Back](#)[Location : Justice Court](#) [Images Help](#)**REGISTER OF ACTIONS****CASE NO. 18F21712X****State of Nevada vs. BUCHANAN, DARNELL**\$
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Case Type: Gross Misdemeanor
 Date Filed: 11/30/2018
 Location:
 DA CMS Case ID: 18-2018030
 DA CMS Display ID: 201856012C
 ITAG Case ID: 2228620
 Metro Event Number: 200600026476
 Odyssey Case ID: 12729425
 Other Agency Number: 181006001081

PARTY INFORMATION**Defendant** BUCHANAN, DARNELL

DOB: 05/31/2000

Lead Attorneys
 Public Defender
 Public Defender
 702-455-4685(W)

State of Nevada State of Nevada

CHARGE INFORMATION**Charges:** BUCHANAN, DARNELL

1. Dischg gun/other weapon where pers might be ending [51448]

Statute
 202.290.2

Level
 Gross Misdemeanor

Date
 10/05/2018

EVENTS & ORDERS OF THE COURT**OTHER EVENTS AND HEARINGS**

11/29/2018 CTRACK Track Assignment JC05
 11/30/2018 Criminal Complaint
 11/30/2018 Filed Under Seal
 11/30/2018 Declaration of Warrant Summons (Affidavit)
 11/30/2018 Not Released NPR
 11/30/2018 Nevada Risk Assessment Tool
 12/04/2018 Arrest Warrant Request (7:29 AM) (Judicial Officer Cruz, Cynthia)
 Result: Arrest Warrant Issued
 12/04/2018 Probable Cause Found
 12/04/2018 Request for Arrest Warrant Filed
 Granted
 12/04/2018 Arrest Warrant Ordered to be issued
 \$5,000.00/\$5,000.00 total bail
 12/04/2018 Minute Order - Department 05
 12/04/2018 Warrant issued
 12/04/2018 Arrest Warrant - Face Sheet
 12/04/2018 Arrest Warrant Confidential
 01/07/2019 Administrative Reassignment to Department 14
 Case reassigned from Department 05 (Judge Cynthia Cruz)
 06/08/2020 Warrant Arrest Documents
 06/08/2020 Not Released NPR
 06/08/2020 Nevada Risk Assessment Tool
 06/09/2020 Arrest Warrant Return Hearing (8:30 AM) (Judicial Officer Chelini, Amy)
 In Custody
 Parties Present
 Result: Matter Heard
 06/09/2020 Initial Appearance Completed
 Advised of Charges on Criminal Complaint, Waives Reading of Criminal Complaint
 06/09/2020 Public Defender Appointed
 06/09/2020 Discovery Given to Counsel in Open Court
 06/09/2020 Bail Stands - Cash or Surety
 Counts: 001 - \$5,000.00/\$5,000.00 Total Bail
 06/09/2020 Minute Order - Department 14
 06/23/2020 Preliminary Hearing (10:00 AM) (Judicial Officer Chelini, Amy)
 In custody

6/16/2020

<https://vjcpa.clarkcountynv.gov/Secure/CaseDetail.aspx?CaseID=13220351>

Skip to Main Content Logout My Account Search Menu New Criminal Search Refine Search Back

Location : Justice Court Images Help

REGISTER OF ACTIONS**CASE No. 20-PC-007334**

State of Nevada vs. BUCHANAN, DARNELL

§
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§

Case Type: Felony CR

Date Filed: 06/08/2020

Location:

Case Number History: 20-CR-007334

Arresting Agency Event Number: 200600025476

DA CMS Case ID: 20-22859

DA CMS Display ID: 202022995C

ITAG Booking Number: 2000024975

ITAG Case ID: 2228622

Odyssey Case ID: 13220351

PARTY INFORMATION

Defendant

BUCHANAN, DARNELL

DOB: 05/31/2000

Lead Attorneys

State of Nevada State of Nevada

CHARGE INFORMATION

Charges: BUCHANAN, DARNELL

1. Burglary, first offense [50424]
2. Burglary, first offense [50424]

 Statute
205.060.2
205.060.2

 Level
Felony
Felony

 Date
06/08/2020
06/08/2020
EVENTS & ORDERS OF THE COURT**OTHER EVENTS AND HEARINGS**

06/08/2020 Original Track Assignment JC11
 06/08/2020 DA Request for Prosecution
 Request for Prosecution Sent to DA
 06/08/2020 Case Assignment Sent
 Case Assignment Sent
 06/08/2020 Financial Affidavit
 06/08/2020 Probable Cause Review Packet - Initial Appearance Court
 06/08/2020 Not Released NPR
 06/08/2020 Nevada Risk Assessment Tool
 06/09/2020 Initial Appearance Justice Court (PC Review). (9:00 AM) (Judicial Officer Judge, Initial Appearance)
 Result: Matter Heard
 06/09/2020 Defendant not Transported
 In another courtroom
 06/09/2020 Probable Cause Found
 06/09/2020 Counsel Provisionally Appointed
 J. Bayudan, Esq. provisionally appointed for limited purposes of first appearance hearing.
 06/09/2020 Bail Argument Heard
 The Court has heard arguments from the prosecution and defense counsel regarding custody of the Defendant
 06/09/2020 State Requesta Additional Time for Filing of Complaint
 06/09/2020 Release Order - Own Recognizance (Judicial Officer: Judge, Initial Appearance)
 Counts: 001; 002
 06/09/2020 Continued for Status Check on filing of Criminal Complaint
 06/09/2020 Minute Order - Initial Appearance
 06/09/2020 Release Agreement
 06/12/2020 Status Check on Filing of Criminal Complaint (7:30 AM) (Judicial Officer Goodman, Eric)
 O/R

<https://vjcpa.clarkcountynv.gov/Secure/CaseDetail.aspx?CaseID=13220351>

AA 000046

FILED

Event Number. **181006-0066**

JUSTICE COURT
LAS VEGAS NEVADA
BY LG

CONTINUATION

Event #: 181006-0066

but hid her phone. Suspect #1 asked Khunniti for his passcode for his phone, but due to the language barrier, Khunniti did not understand the question. The suspect got upset and threw the phone back at Khunniti. Rotsarin gave suspect #1 her car keys.

All four suspects got into Rotsarin's vehicle, a silver 2015 Honda Civic bearing NV/195F22, and backed out of the parking space and turned north. There is not an exit to the north so, the suspects did a U-turn in the parking lot. During this time Khunniti and Rotsarin ran away from the area. While they were running both victims heard one gun shot fired by the suspects.

Rotsarin and Khunniti said they would be able to identify the suspects.

I then conducted a recorded interview with Khunniti. The transcription of that interview can be made available at a later date. During the interview Khunniti gave the same series of events that Rotsarin gave.

Before I arrived on scene at the Robbery, Car Jacking and Assault with a Deadly Weapon case I was notified by Spring Valley Area Command Sargent that another robbery had taking place related to my robbery. That event number is 181006-0150 and the location was 3060 S. Decatur Blvd, the victim's phone was stolen.

During the second robbery patrol officers located the registration from the stolen Honda Civic belonging to Rotsarin at the scene along with personal items that belonged to Rotsarin.

Detective R. Glass P#13461 responded to that scene to interview the victim, Tomas Campos. The following is a paraphrased summary of that interview as relayed to me by Detective Glass. A transcription of that interview can be made available at a later date.

Tomas arrives home at 3060 S. Decatur, Evergreen Apartments. Tomas pulls in and notices 3 black males standing by an electrical box and a silver Honda with the lights on. Tomas parks, gets out and walks towards his apartment. The three males approach Tomas, one has a black semi auto handgun. The suspect demanded money. Tomas hands over his cash and gives the suspects his phone, Samsung Galaxy S8, phone number 702-372-4693.

Once detectives learned the stolen cell phone number Detective Sargent N. Cortes P#8751 sent a text message to the stolen phone asking for the phone back, hoping to make contact with the suspects. It worked, the suspects texted back. Sgt. Cortes told the suspects he would give them \$200. The suspects agreed and the suspects set a meet location at a residence. Due to tactical considerations Sgt. Cortes texted back and said he wanted to meet at a public location. The suspects picked the 7-11 at 3810 Blue Diamond Rd. Sgt. Cortes stalled the suspects by saying he had to get money from the ATM and find a way to get there. This gave detectives time to develop an operational plan to take the suspects into custody. An event was created, 181006-0657, at the 7-11 and detectives along with marked patrol units set up containment around the location.

At approximately 0400 hours the suspects arrived in the stolen silver Honda Civic along with another vehicle, blue Hyundai Elantra. Both vehicles parked side by side in the parking lot behind, north of, 7-11.

Detectives approached the vehicles and set up for a felony car stop when two black males exited the stolen Honda and ran east. One black male exited the blue Hyundai and ran north. Detectives chased and apprehended the two males that ran from the stolen Honda at the Shell Station, Blue Diamond/Valley View. Those two males were identified as Brendyn Banks ID#8303302 and Brandon Green ID#8280633. Brandon was identified as being the passenger of the stolen vehicle and search incident to lawful arrest the key fob for the stolen vehicle was found in his front pocket by Sgt. Cortes.

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
CONTINUATION**

Event #: 181006-0066

Brendyn was identified as being the driver of the stolen vehicle. Brandon spontaneously uttered "the gun is in the car," to Sgt. Cortes while he was being taken into custody.

As Officer Glass pulled up to affect a takedown the door of the blue Hyundai opened and a black male adult wearing a blue shirt and black pants started to get out of the vehicle, very quickly. As he did this, a cell phone that was sitting on his lap fell to the ground outside the car. Detective Glass gave him verbal commands to turn around and put his hands behind his back. The subject looked at Detective Glass and started to run.

A perimeter was set up in the area where the suspect from the blue Hyundai ran and LVMPD K9 unit responded. Unfortunately, that suspect was not located. The blue Hyundai bearing NV/56F320 was reported stolen under LVMPD event number 181005-0768.

Officer Brown P# 15136 conducted a One on One with Rotsarin and both the suspects in custody. Rotsarin was read the Show up Witness Instructions, 497, form and presented with Brandon. Rotsarin was 100% positive that Brandon was the person with the gun and the one doing all the talking. Rotsarin was read another Show up Witness instruction, 497, form and presented Brendyn. Rotsarin was 100% positive that Brendyn was the suspect that took Khunniti's phone then later gave it back.

Officer Tolliver P#15003 conducted a One on One with Khunniti and both suspects in custody. Khunniti was read the Show up Witness Instructions, 497, form and presented Brandon. Khunniti was unable to identify Brandon at the Robbery. Khunniti was read another Show up Witness Instruction, 497, form and presented Brendyn. Khunniti was 80% positive he was at the Robbery.

Detective Glass and I conducted a recorded interview with Brandon at Enterprise Area Command. A transcription of this interview can be made available at a later date. The following is a paraphrased summary of that interview.

Brandon was read his Miranda warnings and when asked if he understood his rights he said yes. When asked if he would like a parent or guardian present during questioning he said no.

The interview started with me asking Brandon simple questions what he answered with no problems. I then asked him why he ran and he said because the car was stolen. When asked what he was doing all night Brandon said he went to Town Center and played games then went driving around with an unknown named individual in the stolen blue Hyundai. Brandon then went to the area of the Rio Casino and dropped off the unknown named individual and him, Brandon, and his brother, Darnell, went driving around the area. An hour or so later Brandon and Darnell went back to the area of the Rio Casino and met with the unknown named individual, who now had the stolen silver Honda. Brandon got in the car, silver Honda, with a person he knows as Baby Face, (I have no idea where Baby Face came from as it relates to this statement), and drives being followed by unknown named individual who is now driving the blue Hyundai. Both of the vehicles arrive at the 7-11 where police are waiting and he runs from the car. Brandon admitted to holding the firearm and at one point in the interview says the gun won't fire because it doesn't have a firing pin. I asked him how he knows this and his reply was he took it apart and didn't see one. Brandon would not give the name of the unknown named individual. Brandon denied being at either Robbery. The interview was concluded.

During an inventory of the stolen blue Hyundai a phone was found in the vehicle. The screen of the phone showed a male wearing a white tank top sitting in an unknown vehicle. Detective Glass recognized that male as being the male that ran from him and the stolen blue Hyundai.

Also located in the glove box was a Glock 17, 9mm handgun.

CONTINUATION

Event #: 181006-0066

Later in the day on 10/6/2018, Sgt. Ballejos P#8406 went to Brandon Green's residence, 4828 Golden Shimmer Ave. Las Vegas, NV.

Sgt. Ballejos spoke to Choloe Green, Brandon's mom, and Samantha Holt, Brandon's girlfriend. Both Choloe and Samantha knew Darnell to be Darnell Buchanan, date of birth 5/31/2000.

With this information a records check was completed on Darnell Buchanan which returned with an ID# of 7020875. Darnell was arrested in June 2018 and had a booking photo from that arrest. That booking photo matched the phone background that was found in the stolen blue Hyundai.

With Darnell identified, Brandon's statement he was with Darnell the night of both robberies and Darnell's booking photo matching the phone background that was found in the stolen blue Hyundai I believed we had identified a third suspect in the robberies.

A photo lineup was created that contained a picture of Darnell and 5 other persons with similar description. Darnell was placed in position number 2.

On 10/11/2018 I arranged a meeting with victim's Rotsarin and Khunniti at Enterprise Area Command.

Event 181006-0066. With just Rotsarin and I in a room, I read Rotsarin the Photo Line-Up Witness Instructions and she said she understood. Rotsarin then signed the form. I showed Rotsarin the photo lineup and she picked photo number 2, Darnell Buchanan. Rotsarin circled photo number 2 and signed on the line below the photo. I escorted Rotsarin out of the room and had Khunniti enter.

Event 181006-0066. With just Khunniti and I in the room, I read Khunniti the Photo Line-Up Witness Instructions and he said he understood. Khunniti then signed the form. I showed Khunniti the photo lineup and he picked photo number 2, Darnell Buchanan. Khunniti circled photo number 2 and signed on the line below the photo.

Event 181006-0150. On 10/18/18 at Enterprise Area Command Detective I. Pelayo P#9850 conducted a photo lineup with Tomas Campos. Tomas was read the Photo Line-Up Witness Instructions and shown the lineup. Tomas picked photo number 2, Darnell Buchanan. Thomas circled photo number 2 and signed the line below the photo.

Based on the following facts:

1. Event 181006-0066 2 victims were robbed at gun point, had money taken along with their vehicle. The victims heard one gunshot as they were running away. Those 2 victims picked Darnell out of a photo lineup as being present at the time of the robbery.
2. Event 181006-0150 1 victim was robbed at gun point and had his phone taken. That phone eventually lead to the apprehension of 2 of the suspects and identification of Darnell. The victim picked Darnell from a photo lineup as being present at the robbery,
3. Communication was established with the suspects that had victim's stolen phone via text messaging. A location and time was agreed upon and the suspects arrived in the stolen Honda. Darnell was later identified as being the driver of the stolen Hyundai.
4. Darnell fled from the driver's seat of the stolen Hyundai and dropping the stolen phone from event 181006-0150 as he ran. This was witnessed by Detective Glass.
5. A phone was found in the stolen Hyundai with a picture of a person later identified as Darnell.

CONTINUATION

6. During the interview with Brandon Green, after Miranda advisement, he admitted to being with a person named Darnell during the times of the robberies.

I believe Probable Cause does exist for the following offenses, Robbery with Deadly Weapon (2 counts), Conspiracy Robbery with Deadly Weapon (2 counts), Grand Larceny Automobile, Conspiracy Grand Larceny Automobile, Conspiracy Assault with Deadly Weapon, Discharging a Firearm from a Vehicle and Possession Stolen Vehicle.

Wherefore, Declarant prays that a Warrant of Arrest be issued for suspect BUCHANAN, DARNELL on the charge(s) of Robbery with Deadly Weapon (2 counts), Conspiracy Robbery with Deadly Weapon (2 counts), Grand Larceny Automobile, Conspiracy Grand Larceny Automobile, Conspiracy Assault with Deadly Weapon, Discharging a Firearm from a Vehicle and Possession Stolen Vehicle..

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on this 20TH day of OCTOBER, 2018.

DECLARANT:

RL 8080

WITNESS:

.....

DATE:

10/24/18



Las Vegas Justice Court

Regional Justice Center

200 Lewis Avenue 2nd Fl • Box 552511 • Las Vegas NV 89155-2511

(702) 671-3116

<http://www.lasvegasjusticecourt.us>

BOND ACCEPTANCE NOTICE

NOTICE TO APPEAR OFFICIAL RECEIPT

18F19918X
SBAN
Surety Bond Acceptance - Notice of Appearance
12434219



Date: 6/19/2020
Case#: 18F19918X
Name: DARNELL BUCHANAN
Scope ID: 7020875

Charges:	50147 CONSP ROBBERY, 50055 KIDNAPPING, 1ST DEGREE, E/DW (X2), 50138 ROBBERY, E/DW (X2), 50424 BURGLARY, (1ST), 56014 GRAND LARCENY OF AUTO > \$3500, 50138 ROBBERY, E/DW, 56048 POSS/RCV/TRANF STOLEN VEH > \$3500	Bail Amount:	\$25,000.00
Bond Company(s):	Aladdin Bail Bonds	Power Number:	SV25-5068557

YOU ARE TO APPEAR ON:

June 25, 2020 at 9:00 AM in JC Department 2

SPECIAL CONDITIONS: RELEASE TO EMP HIGH LEVEL, stay away from any known co-defendant, NO CONTACT WITH VICTIM, STAY AWAY FROM VICTIM

Failure to appear could result in a bench warrant being issued for your arrest.

Appropriate Courtroom attire required

AT

BAIL BOND

In the **Las Vegas Justice** Court, County of **CLARK**, State of Nevada.

STATE OF NEVADA

Bail Bond No SV25-5068557

(Power of attorney with this number must be attached.)

VS.

Defendant Buchanan, Darnell

Case No. 18F19918X

PLEASE TAKE NOTICE:

That Defendant/Principal Buchanan, Darnell, and Seaview Insurance Co. as surety, heretofore authorized to transact Bail bonds in the State of Nevada, are held and bound, to the above court, for payment in the sum of: \$25,000.00 Dollars, whereof, we bind ourselves, our heirs, executors, administrators, and successors, and assigns, jointly, severally, and firmly, to this obligation. The condition of this obligation is such that Defendant shall appear at all scheduled court appearances to answer the charge(s) of

CONSP ROBBERY, KIDNAPPING, 1ST DEGREE, E/DW (x2), ROBBERY, E/DW (x2), BURGLARY,
(1ST), GRAND LARCENY OF AUTO > \$3500, ROBBERY, E/DW, POSS/RCV/TRANF STOLEN VEH > \$3500

and not depart the same without leave of court.

Pursuant to NRS 178.502, this bond:

- (a) Extends to any action or proceeding in a Justice Court, Municipal Court or District Court:
Arising from the charge on which bail was first given in any of these courts; and
- (b) Remains in effect until exonerated by the Court.

The general legal requirements applicable to bail bonds, bail agents, and surety insurers (including, but not limited to, NRS Chapter 178 and NRS Chapter 697) apply to this bail bond and are hereby incorporated by reference.



[Signature]
JUN 19 2020 LG

Signed and sealed this 19th day of June,

[Signature]

Signature

UNSWORN DECLARATION: Per NRS 53.045

"I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."

Executed on: (Date):

(Signature):

(Typed or printed name):

(Bail Agent License Number):

6-19-20
[Signature]
Havenance Camacho Chacoma
3286240

2020 JUN 19 P 4:56
CLERK OF DISTRICT COURT
LAS VEGAS, NEVADA

FILED

By

Bonding Company Stamp

Aladdin Bail NV, Inc

626 Las Vegas Blvd. South
Las Vegas, NV 89101-6649
Telephone (702) 853-2245
License # 1843442

Surety Stamp

SEAVIEW INSURANCE CO.

Designated Agent/Person
to receive all notices:

1000 Aviara Parkway, Suite 300
Carlsbad, CA 92011
Telephone (800) 808-2245 Fax (760)
431-2698

18F19918X
SBD
Surety Bond
12435484



AA 000053

COURT COPY SV-0401-01

VERIFY FIRST 1. THE FACE OF THIS FORM IS PRINTED IN RED, BLUE AND BLACK INKS WITH A MULTI COLORED BACKGROUND. 2. THE PAPER THIS FORM IS PRINTED ON CONTAINS A "TRUE" WATERMARK. HOLD UP TO A LIGHT SOURCE TO SEE THE WORDS "VERIFY FIRST" AND "SAFE" IN THE PAPER. 3. LOOK CLOSELY AT THE THIN BLUE BORDER LINE - YOU MAY NEED MAGNIFICATION. IT IS MADE UP OF REPEATING LETTERS THAT READ TWOJNNING

POWER OF ATTORNEY

SEAVIEW INSURANCE COMPANY

VOID IF NOT ISSUED BY:

Wednesday, December 16, 2020

POWER AMOUNT \$ ***25000.00***

POWER NO. SV25-5068557

KNOW ALL MEN BY THESE PRESENTS that SEAVIEW INSURANCE COMPANY a corporation duly organized and existing under the laws of the State of CALIFORNIA and by the authority of the resolution adopted by the Board of Directors at a meeting duly called and held on December 5, 2011, which has not been amended or rescinded, does constitute and appoint and by these presents does make, constitute and appoint the named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitations, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. Not valid for Federal Bail Bonds. This power void if altered or erased; void if used with other powers of this company or in combination with powers from any other surety company; void if used to furnish bail in excess of the stated face amount of this power, and can only be used once.

The obligation of the company shall not exceed the sum of **Twenty Five Thousand Dollars And No Cents**

and provided this Power-of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-in-Fact is hereby authorized to insert in this Power-of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, SEAVIEW INSURANCE COMPANY has caused these presents to be signed by its duly authorized attorney-in-fact, proper for the purpose and its corporate seal to be hereunto affixed this 19th day of June, 2020

Bond Amount \$ 25,000.00 Case #: 18F19918X

Defendant Buchanan, Darnell

Charges CONSP ROBBERY, KIDNAPPING, 1ST DEGREE, E/DW (x2), ROBBERY,
E/DW (x2), BURGLARY, (1ST), GRAND LARCENY OF AUTO > \$3500, ROBBERY,
E/DW, POSS/RCV/TRANE STOLEN VEH >
\$3500

Court Las Vegas Justice

City LAS VEGAS State Nevada

If rewrite, original

Executing Agent CamachoCrisostomo, Hoben Vince

Exec Agent Signature



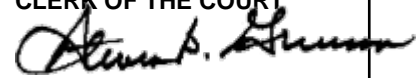
By Peter Botz
Attorney-in-Fact

FOR STATE USE ONLY
NOT VALID IF USED IN FEDERAL COURT

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NOT
POWER
NUMBER

AA-000054



INFM
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
AGNES M. BOTELHO
Chief Deputy District Attorney
Nevada Bar #011064
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

I.A. 12/7/2020
8:00 AM
D. FISCHER

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

DARNELL BUCHANAN,
#7020875

Defendant.

CASE NO: C-20-352528-1

DEPT NO: XXIII

I N F O R M A T I O N

STATE OF NEVADA)
COUNTY OF CLARK) ss.

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That DARNELL BUCHANAN, the Defendant(s) above named, having committed the crime of ROBBERY (Category B Felony - NRS 200.380 - NOC 50137), on or about the 6th day of October, 2018, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada, did willfully, unlawfully, and feloniously take personal property, to wit: a wallet and/or a cellular telephone, from the person of ROTSARIN TABUNHAN, or in her

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1 presence, by means of force or violence, or fear of injury to, and without the consent and
2 against the will of ROTSARIN TABUNHAN and/or a cellular telephone, from the person of
3 KHUNNITI DOUNGJUN and/or U.S. Currency and/or a cellular telephone, from the person
4 of THOMAS CAMPOS, Defendant using force or fear to obtain or retain possession of the
5 property, to prevent or overcome resistance to the taking of the property, and/or to facilitate
6 escape.

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

10 BY /s// AGNES M. BOTELHO
11 AGNES M. BOTELHO
12 Chief Deputy District Attorney
13 Nevada Bar #011064
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26 18F19918X/ed - GCU
27 LVMPD EV#181006000066;
28 181006000150; 181005000768
(TK2)

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.
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7 Dated this 6th day of April, 2021

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10 EBB D12 52FC 2AE8
11 Erika Ballou
12 District Court Judge
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1 **CSERV**

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3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 State of Nevada

CASE NO: C-20-352528-1

7 vs

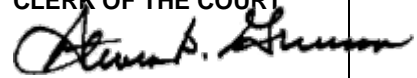
DEPT. NO. Department 24

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.
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AA 000059



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*

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 **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

29 BY: /s/ David R. Fischer
30 Nevada Bar No. 10348
31 *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