

1 Genaro Perry #1153366

2 In Propria Personam  
3 Post Office Box 208, S.D.C.C.  
4 Indian Springs, Nevada 89018

**FILED**

JAN 27 2022

Electronically Filed  
JAN 27 2022 09:07 a.m.

Elizabeth A. Brown

5 IN THE Eighth JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA Supreme Court

6 IN AND FOR THE COUNTY OF Clark

7  
8  
9 STATE of Nevada  
10 Plaintiff,

11 vs.

12 Genaro Perry  
13 #1153366 Defendant.

Case No. C-14-298879-1

Dept. No. 6

Docket \_\_\_\_\_

14  
15  
16 **NOTICE OF APPEAL**

17 NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,  
18 Genaro Perry, in and through his proper person, hereby  
19 appeals to the Supreme Court of Nevada from the ORDER denying and/or  
20 dismissing the

21 " Motion to Modify Sentence "

22 \_\_\_\_\_  
23 ruled on the 20<sup>th</sup> day of December, 20 21.

24  
25 Dated this 13<sup>th</sup> day of January, 20 22

26 RECEIVED

27 JAN 18 2022

28 CLERK OF THE COURT

Respectfully Submitted,

Genaro L. Perry

**CERTIFICATE OF SERVICE BY MAILING**

I, Gervano Perry, hereby certify, pursuant to NRCP 5(b), that on this 13<sup>th</sup>  
day of January, 2022 I mailed a true and correct copy of the foregoing, "Notice  
of Appeal"

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the  
United State Mail addressed to the following:

Steven D. Grievson  
Clerk of the Court  
200 Lewis Ave  
3RD FLOOR  
Las Vegas, NV. 89155-1160

CC:FILE

DATED: this 13<sup>th</sup> day of January, 2022

Gervano D. Perry  
Gervano Perry # 1153366  
/In Propria Personam  
Post Office Box 208, S.D.C.C.  
Indian Springs, Nevada 89018  
IN FORMA PAUPERIS:

AFFIRMATION  
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding "

Notice of Appeal "

(Title of Document)

filed in District Court Case number C-14-298879-1

☒ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:-----

A. A specific state or federal law, to wit:

\_\_\_\_\_  
(State specific law)

-or-

B. For the administration of a public program or for an application  
for a federal or state grant.

Genaro R. Perry  
Signature

1-13-2022  
Date

Genaro Perry  
Print Name

MR.  
Title

12/11/21 3:11 PM

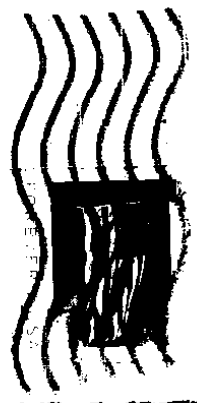
If I knowed how I will get back up, I never ~~was~~ ~~am~~ ~~ever~~ out of the fight. US NAVY SEAL CREW

6:46 PM  
1/14/22

Southern Nevada  
Correctional Center  
JAN 14 2022  
OUTGOING MAIL

Genaro R. Felix US3366  
P.O. Box 208  
Indian Springs, NV 89070

LAS VEGAS NV 890  
14 JAN 2022 PM 4 L



RECEIVED

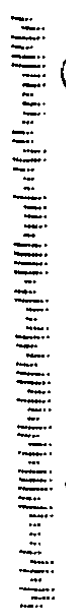
JAN 18 2022

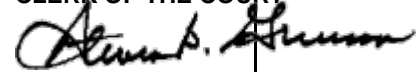
CLERK OF THE COURT

STEVEN D. GRIFFIN, Clerk of the Court  
200 Lewis Avenue, 3rd Floor

Las Vegas, NV 89155-1160

89101-630000





1 ASTA  
2  
3  
4  
5

6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**  
9

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 GENARO RICHARD PERRY,

14 Defendant(s),  
15

Case No: C-14-298879-1

Dept No: XVII

16  
17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Genaro R. Perry

20 2. Judge: Michael Villani

21 3. Appellant(s): Genaro R. Perry

22 Counsel:

23 Genaro R. Perry #1153366  
24 P.O. Box 208  
Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.  
Las Vegas, NV 89101

(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: Yes

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: June 19, 2014

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

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 69139, 82931, 83278

12. Child Custody or Visitation: N/A

Dated This 31 day of January 2022.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Genaro R. Perry

Genaro Perry, 1153366  
Petitioner/In Propria Persona  
Post Office Box 208, SDCC  
Indian Springs, Nevada 89070-0208

FILED

JAN 27 2022

Steven A. Grier  
CLERK OF COURT

IN THE Eighth JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF Clark

State of Nevada

Plaintiff,

vs.

Genaro Perry #1153366

Defendant.

CASE No. C-14-298879-1  
DEPT. No. 6

DESIGNATION OF RECORD ON APPEAL

TO: ~~Steven D. Grier~~  
~~Clerk of the Court~~  
~~200 Lewis Ave~~  
~~3RD Floor~~  
~~Las Vegas, NV 89155-1160~~ (EP)

To: Supreme Court of Nevada  
Office of the Clerk  
201 S. Carson Street, Suite 201  
Carson City, Nevada 89701

The above-named Plaintiff hereby designates the entire record of the above-entitled case, to include all the papers, documents, pleadings, and transcripts thereof, as and for the Record on Appeal.

DATED this 13th day of January, 20 22.

RESPECTFULLY SUBMITTED BY:

Genaro Perry  
Genaro Perry #1153366  
Plaintiff/In Propria Persona

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. C-14-298879-1**

State of Nevada  
vs  
Genaro Perry

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Location: **Department 17**  
Judicial Officer: **Villani, Michael**  
Filed on: **06/19/2014**  
Case Number History:  
Cross-Reference Case Number: **C298879**  
Defendant's Scope ID #: **1456173**  
ITAG Booking Number: **1400025770**  
ITAG Case ID: **1599129**  
Lower Court Case # Root: **14F07966**  
Lower Court Case Number: **14F07966X**  
Supreme Court No.: **69139**  
**82931**  
**83278**

**CASE INFORMATION**

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	05/01/2014	Case Status:	<b>05/12/2021 Closed</b>
2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON	200.460.3b	F	05/01/2014		
3. GRAND LARCENY AUTO	205.228.3	F	05/01/2014		
4. ASSAULT WITH A DEADLY WEAPON	200.471.2b	F	05/01/2014		
5. COERCION	207.190.2a	F	05/01/2014		
6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE	200.481	F	05/01/2014		
7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION	199.305	F	05/01/2014		

**Statistical Closures**

05/12/2021 Other Manner of Disposition - Criminal  
01/07/2016 Bench Trial - Conviction - Criminal


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

Case Number C-14-298879-1  
Court Department 17  
Date Assigned 09/07/2021  
Judicial Officer Villani, Michael

**PARTY INFORMATION**

		Lead Attorneys
<b>Defendant</b>	<b>Perry, Genaro Richard</b>	
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)
















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

06/19/2014  Criminal Bindover  
[1] Criminal Bindover

In  
#1



















**CASE SUMMARY**  
**CASE NO. C-14-298879-1**













06/25/2014	 Information <i>[2] Information</i>	In #2
06/25/2014	 Notice of Witnesses and/or Expert Witnesses <i>[3] Notice of Expert Witnesses</i>	In #3
06/29/2014	 Reporters Transcript <i>[4] Reporter's Transcript of Waiver of Preliminary Hearing 06-19-14</i>	In #4
07/03/2014	 Supplemental Witness List <i>[6] Supplemental Notice of Expert Witnesses</i>	In #6
07/03/2014	 Notice of Witnesses and/or Expert Witnesses <i>[5] Notice of Witnesses</i>	In #5
07/09/2014	 Notice of Witnesses and/or Expert Witnesses <i>[7] Notice of Witnesses</i>	In #7
09/23/2014	 Stipulation and Order <i>[8] Stipulation and Order to Continue Trial</i>	In #8
10/16/2014	 Ex Parte Motion <i>[9] Ex Parte Motion for Release of Medical Records</i>	In #9
10/16/2014	 Order to Release Medical Records <i>[10] Order Releasing Medical Records</i>	In #10
10/17/2014	 Ex Parte Motion <i>[13] Ex Parte Motion for Release of Medical Records</i>	In #13
10/17/2014	 Ex Parte Motion <i>[14] Ex Parte Motion for Release of Medical Records</i>	In #14
10/17/2014	 Order to Release Medical Records <i>[11] Order Releasing Medical Records</i>	In #11
10/17/2014	 Order to Release Medical Records <i>[12] Order Releasing Medical Records</i>	In #12
01/08/2015	 Supplemental Witness List <i>[15] Supplemental Notice of Witnesses</i>	In #15
05/14/2015	 Supplemental Witness List <i>[16] Second Supplemental Notice of Expert Witnesses</i>	In #16
		In

# CASE SUMMARY

## CASE NO. C-14-298879-1










06/15/2015	 Motion <i>[17] Motion to Admit Evidence Pursuant to NRS 48.045</i>	#1
07/01/2015	 Ex Parte Motion <i>[18] Ex Parte Motion for Release of Medical Records</i>	In #1
07/01/2015	 Order <i>[24] Order Releasing Medical Records</i>	In #2
07/01/2015	 Ex Parte Motion <i>[19] Ex Parte Motion for Release of Medical Records</i>	In #1
07/01/2015	 Order <i>[25] Order Releasing Medical Records</i>	In #2
07/01/2015	 Ex Parte Motion <i>[20] Ex Parte Motion for Release of Medical Records</i>	In #2
07/01/2015	 Order <i>[26] Order Releasing Medical Records</i>	In #2
07/01/2015	 Ex Parte Motion <i>[21] Ex Parte Motion for Release of Medical Records</i>	In #2
07/01/2015	 Order <i>[27] Order Releasing Medical Records</i>	In #2
07/01/2015	 Ex Parte Motion <i>[22] Ex Parte Motion for Release of Medical Records</i>	In #2
07/01/2015	 Order <i>[28] Order Releasing Medical Records</i>	In #2
07/01/2015	 Ex Parte Motion <i>[23] Ex Parte Motion for Release of Medical Records</i>	In #2
07/01/2015	 Order <i>[29] Order Releasing Medical Records</i>	In #2
07/20/2015	 Opposition <i>[30] State's Opposition to Defendant's Motion to Admit Evidence Pursuant to NRS 48.045</i>	In #2
08/05/2015	 Notice of Motion <i>[31] State's Notice of Motion and Motion to Admit Evidence Pursuant to NRS 48.045</i>	In #2
08/11/2015	 Opposition to Motion	In #2

**CASE SUMMARY**  
**CASE NO. C-14-298879-1**

	<i>[32] Opposition to State's Motion to Admit Evidence Pursuant to NRS 48.045</i>	
10/01/2015	 Verdict <i>[33]</i>	In #2
10/01/2015	 Stipulation and Order Filed by: Plaintiff State of Nevada <i>[34] Stipulation and Order</i>	In #2
10/01/2015	 Instructions to the Jury <i>[35]</i>	In #2
11/04/2015	 Notice of Appeal (Criminal) <i>[36] Notice of Appeal</i>	In #2
11/10/2015	 PSI <i>[37]</i>	In #2
11/10/2015	 PSI - Victim Impact Statements <i>[38]</i>	In #2
01/05/2016	 Memorandum <i>[39] Sentencing Memorandum on Behalf of Genaro Perry</i>	In #2
01/07/2016	 Criminal Order to Statistically Close Case <i>[40] Criminal Order to Statistically Close Case</i>	In #4
01/22/2016	 Judgment of Conviction <i>[41] JUDGMENT OF CONVICTION (JURY TRIAL)</i>	In #4
02/26/2016	 Request <i>[42] Request for Rough Draft Transcript</i>	In #4
03/31/2016	 Recorders Transcript of Hearing <i>[43] Recorder's Rough Draft Transcript of Hearing: Defendant's Motion to Admit Evidence Pursuant to NRS 48.045, August 31, 2015</i>	In #4
03/31/2016	 Recorders Transcript of Hearing <i>[44] Recorder's Rough Draft Transcript of Hearing: Sentencing, January 6, 2016</i>	In #4
03/31/2016	 Recorders Transcript of Hearing <i>[45] Recorder's Rough Draft Transcript of Hearing: Calendar Call, July 21, 2014</i>	In #4
03/31/2016	 Recorders Transcript of Hearing <i>[46] Recorder's Rough Draft Transcript of Hearing: Sentencing, November 16, 2015</i>	In #4
03/31/2016	 Recorders Transcript of Hearing	In #4

# CASE SUMMARY














CASE NO. C-14-298879-1

	<i>[47] Recorder's Rough Draft Transcript of Hearing: Sentencing, November 23, 2015</i>	
03/31/2016	 <b>Recorders Transcript of Hearing</b> <i>[48] Recorder's Rough Draft Transcript of Hearing: Defendant's Motion to Admit Evidence Pursuant to NRS 48.045 Petrocelli Hearing, September 17, 2015</i>	In #4
03/31/2016	 <b>Recorders Transcript of Hearing</b> <i>[49] Recorder's Rough Draft Transcript of Hearing: Calendar Call, September 21, 2015</i>	In #4
04/13/2016	 <b>Transcript of Proceedings</b> <i>[50] Recorder's Rough Draft Transcript of Proceedings Bench Trial Day 1 September 29, 2015</i>	In #5
04/13/2016	 <b>Reporters Transcript</b> <i>[51] 2015 Recorder's Rough Draft Transcript of Proceedings Bench Trial Day 2 Wednesday, September 30,</i>	In #5
04/13/2016	 <b>Transcript of Proceedings</b> <i>[52] Recorder's Rough Draft Transcript of Proceedings Bench Trial Day 3 Thursday, October 1, 2015</i>	In #5
04/13/2016	 <b>Transcript of Proceedings</b> <i>[53] Recorder's Rough Draft Transcript of Proceedings Jury Trial Day 1 Wednesday, May 6, 2015</i>	In #5
04/13/2016	 <b>Transcript of Proceedings</b> <i>[54] Recorder's Rough Draft Transcript of Proceedings Jury Trial Day 2 Thursday, May 7, 2015</i>	In #5
01/18/2017	 <b>NV Supreme Court Clerks Certificate/Judgment - Affirmed</b> <i>[55] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>	In #5
02/01/2017	 <b>Application to Proceed in Forma Pauperis</b> Filed By: Defendant Perry, Genaro Richard <i>[56]</i>	In #5
02/01/2017	 <b>Filed Under Seal</b> Filed By: Defendant Perry, Genaro Richard <i>[57] Financial Certificate</i>	In #5
02/07/2017	 <b>Motion</b> <i>[58] Motion To Appoint Counsel</i>	In #5
02/07/2017	 <b>Petition for Writ of Habeas Corpus</b> <i>[60] Evidentiary Hearing Petition for Writ of Habeas Corpus (Post-Conviction)</i>	In #6
02/07/2017	 <b>Motion</b> <i>[59] Motion To Withdraw Counsel</i>	In #5
02/07/2017	 <b>Motion for New Trial</b> Filed By: Defendant Perry, Genaro Richard <i>[61] Motion for a New Trial with Newly Discovered Evidence. Motion to Vacate</i>	In #6

**CASE SUMMARY**  
**CASE NO. C-14-298879-1**


02/24/2017	 Order for Petition for Writ of Habeas Corpus [62]	In #6
02/24/2017	 Notice of Hearing [63]	In #6
03/01/2017	 Order to Proceed In Forma Pauperis Granted for: Defendant Perry, Genaro Richard [64]	In #6
03/22/2017	 Motion [65] Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference	In #6
04/07/2017	 Response [67] State's Response to Defendant's Petition for Writ of Habeas Corpus, Request for an Evidentiary Hearing, and Motion to Appoint Counsel	In #6
04/07/2017	 Opposition [66] State's Opposition to Defendant's Motion for New Trial With Newly Discovered Evidence and Motion to Vacate	In #6
04/28/2017	 Amended Judgment of Conviction [68] AMENDED JUDGMENT OF CONVICTION (NUNC PRO TUNC) (JURY TRIAL)	In #6
05/15/2017	 Notice of Change of Hearing [69] Notice of Change of Hearing	In #6
08/08/2017	 Amended Judgment of Conviction [70] Amended Judgment of Conviction (Jury Trial)	In #7
02/15/2018	 Stipulation and Order Filed by: Defendant Perry, Genaro Richard [71] Stipulation and Order to Extend Time	In #7
09/04/2018	 Stipulation and Order Filed by: Defendant Perry, Genaro Richard [72] Stipulation and Order to Extend Time	In #7
11/20/2018	 Stipulation and Order Filed by: Defendant Perry, Genaro Richard [73] Stipulation and Order to Extend Time	In #7
01/02/2019	 Motion Filed By: Defendant Perry, Genaro Richard [74] Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference	In #7
04/29/2019	Administrative Reassignment - Judicial Officer Change To Judge Jacqueline M. Bluth	

**CASE SUMMARY****CASE NO. C-14-298879-1**

02/03/2021	 Motion for Order Filed By: Defendant Perry, Genaro Richard <i>[75] Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Print Analysis of Evidence Impounded at Crime Scene</i>	In #7
02/04/2021	 Clerk's Notice of Hearing <i>[76] Notice of Hearing</i>	In #7
02/11/2021	 Response Filed by: Plaintiff State of Nevada <i>[77] State's Response to Defendant's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Fingerprint Analysis of Evidence Impounded at Crime Scene</i>	In #7
04/16/2021	 Order <i>[78] Order Denying Defendant's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Fingerprint Analysis of Evidence Impounded at Crime Scene</i>	In #7
05/12/2021	 Criminal Order to Statistically Close Case <i>[79] Criminal Order to Statistically Close Case</i>	In #7
05/14/2021	 Notice of Appeal (Criminal) Party: Defendant Perry, Genaro Richard <i>[80] Notice of Appeal</i>	In #8
06/01/2021	 Case Appeal Statement Filed By: Defendant Perry, Genaro Richard <i>[81] Case Appeal Statement</i>	In #8
07/01/2021	 Request Filed by: Defendant Perry, Genaro Richard <i>[82] Request for Transcript</i>	In #8
07/22/2021	 Notice of Appeal (Criminal) <i>[83] Notice of Appeal</i>	In #8
07/22/2021	 Designation of Record on Appeal <i>[84] Designation of Record on Appeal</i>	In #8
07/22/2021	 Motion Filed By: Defendant Perry, Genaro Richard <i>[85] Motion to Withdraw Counsel</i>	In #8
07/22/2021	 Case Appeal Statement Filed By: Defendant Perry, Genaro Richard <i>[86] Case Appeal Statement</i>	In #8
08/09/2021	 Recorders Transcript of Hearing <i>[87] Recorder's Transcript of Proceedings: Petitioner's Motion Requesting Order Directing The Las Vegas</i>	In #8

**CASE SUMMARY****CASE NO. C-14-298879-1**

*Metropolitan Police Department To Conduct Genetic Marker And Latent Print Analysis Of Evidence Impounded At Crime Scene (Via audio ~ Via BlueJeans) 02/17/2021*

08/10/2021	 Certificate of Service <i>[88] Certificate of Service</i>	In #8
09/01/2021	 Order <i>[89] Order Granting Defendant's Motion to Withdraw as Counsel</i>	In #8
09/07/2021	Case Reassigned to Department 17 <i>From Judge Jacqueline Bluth to Judge Michael Villani</i>	
11/29/2021	 Motion to Modify Sentence Filed By: Defendant Perry, Genaro Richard <i>[90] Motion for Modification of Sentence</i>	In #5
11/29/2021	 Motion to Modify Sentence Filed By: Defendant Perry, Genaro Richard <i>[91] Motion to Modify and or Correct Illegal Sentence</i>	In #5
11/29/2021	 Supplement Filed by: Defendant Perry, Genaro Richard <i>[92] Supplement for Genaro Richard Perry's Writ of Habeas Corpus</i>	In #5
12/15/2021	 Opposition <i>[93] State's Opposition to Defendant's Motion to Modify and/or Correct Illegal Sentence</i>	In #5
12/16/2021	 Motion Filed By: Defendant Perry, Genaro Richard <i>[94] Motion to Transport to Clark County Detention Center /Video Conference in Nevada Department of Corrections @ Southern Desert Correctional Center</i>	In #5
12/29/2021	 Order <i>[95] Order Denying Defendant's Motion for Modification of Sentence</i>	In #5
01/07/2022	 Motion Filed By: Defendant Perry, Genaro Richard <i>[96] Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference</i>	In #5
01/14/2022	 Response Filed by: Defendant Perry, Genaro Richard <i>[97] Response to Opposition to Defendant's Motion to Modify and or Correct Illegal Sentence</i>	In #5
01/27/2022	 Notice of Appeal (Criminal) Party: Defendant Perry, Genaro Richard <i>[98] Notice of Appeal (Criminal)</i>	In #5
01/27/2022	 Designation of Record on Appeal Filed By: Defendant Perry, Genaro Richard	In #5

**CASE SUMMARY**  
**CASE NO. C-14-298879-1**

[99] Designation of Record on Appeal

01/31/2022



Case Appeal Statement

Case Appeal Statement

In  
#1

**DISPOSITIONS**

10/01/2015

**Plea** (Judicial Officer: Cadish, Elissa F.)

1. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

3. GRAND LARCENY AUTO

Guilty

PCN: Sequence:

4. ASSAULT WITH A DEADLY WEAPON

Guilty

PCN: Sequence:

5. COERCION

Guilty

PCN: Sequence:

6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE

Guilty

PCN: Sequence:

7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION

Guilty

PCN: Sequence:

01/06/2016

**Disposition** (Judicial Officer: Cadish, Elissa F.)

1. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

3. GRAND LARCENY AUTO

Guilty

PCN: Sequence:

4. ASSAULT WITH A DEADLY WEAPON

Guilty

PCN: Sequence:

5. COERCION

Guilty

PCN: Sequence:

6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE

Guilty

PCN: Sequence:



**CASE SUMMARY**  
**CASE NO. C-14-298879-1**

7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION

Guilty

PCN: Sequence:

01/06/2016 **Adult Adjudication** (Judicial Officer: Cadish, Elissa F.)  
1. ROBBERY WITH USE OF A DEADLY WEAPON  
05/01/2014 (F) 200.380 (DC50138)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections  
Term: Minimum:36 Months, Maximum:120 Months  
Consecutive Enhancement:for Use of Deadly Weapon, Minimum:36 Months, Maximum:120 Months

01/06/2016 **Adult Adjudication** (Judicial Officer: Cadish, Elissa F.)  
2. FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON  
05/01/2014 (F) 200.460.3b (DC50185)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections  
Term: Minimum:18 Months, Maximum:60 Months  
Concurrent: Charge 1

01/06/2016 **Adult Adjudication** (Judicial Officer: Cadish, Elissa F.)  
3. GRAND LARCENY AUTO  
05/01/2014 (F) 205.228.3 (DC56014)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections  
Term: Minimum:24 Months, Maximum:96 Months  
Consecutive: Charge 1 & 2

01/06/2016 **Adult Adjudication** (Judicial Officer: Cadish, Elissa F.)  
4. ASSAULT WITH A DEADLY WEAPON  
05/01/2014 (F) 200.471.2b (DC50201)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections  
Term: Minimum:18 Months, Maximum:60 Months  
Concurrent: Charge 3

01/06/2016 **Adult Adjudication** (Judicial Officer: Cadish, Elissa F.)  
5. COERCION  
05/01/2014 (F) 207.190.2a (DC53159)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections  
Term: Minimum:18 Months, Maximum:60 Months  
Concurrent: Charge 4

01/06/2016 **Adult Adjudication** (Judicial Officer: Cadish, Elissa F.)  
6. BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE  
05/01/2014 (F) 200.481 (DC57937)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections  
Term: Minimum:18 Months, Maximum:48 Months  
Concurrent: Charge 5

01/06/2016 **Adult Adjudication** (Judicial Officer: Cadish, Elissa F.)

**CASE SUMMARY****CASE NO. C-14-298879-1****7. PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION**

05/01/2014 (F) 199.305 (DC52996)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:12 Months, Maximum:36 Months

Concurrent: Charge 6

Credit for Time Served: 597 Days

Comments: Aggregate total 96/336 months in NDC

**Fee Totals:**

AA Fee - Battery	
Domestic Violence	35.00
\$35	
Administrative	
Assessment Fee	25.00
\$25	
DNA Analysis Fee	150.00
\$150	
Genetic Marker	
Analysis AA Fee	3.00
\$3	
Indigent Defense	
Civil Assessment	250.00
Fee - ASK	
Fee Totals \$	463.00
Other Fees	
1. , \$18,103.28	

**HEARINGS**

06/26/2014

**Initial Arraignment** (1:00 PM) (Judicial Officer: De La Garza, Melisa)

Plea Entered;

Journal Entry Details:

*DEFT. PERRY ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. CUSTODY (COC) 7/21/2014 9:30 A.M. Calendar Call (Dept. 6) 7/28/2014 10:00 A.M. Jury Trial (Dept. 6) ;*

07/21/2014

**Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)

Matter Heard;

Journal Entry Details:

*Mr. Stephens advised he has provided discovery to defense counsel, the Clark County Detention Center (CCDC) records and jail phone calls; the victim is still seeking treatment for the injuries, so all of the medical records are not available to be provided to defense counsel; the State is ready for trial, but if the defense would like a continuance due to all the discovery not being disclosed, and discovery is ongoing, the State is not opposed if the defense needs a continuance. Mr. Smillie advised he has discussed matters with the Deft. in regards to the lack of medical records; the injury to the eye is significant and may be important for use prior to going to trial; the Deft. has invoked, but counsel does not wish to proceed to trial until the records are received and the Deft. is being detained on other matters. Colloquy regarding the continuance of the over flow eligible trial to the September stack. Court noted that in light of the short trial setting and discovery being provided, the defense would like a continuance with the understanding the Deft. will waive to allow the setting. Upon the inquiry of the Court, the Deft. stated he will WAIVE speedy to allow the September 29th setting. COURT ORDERED, trial VACATED and CONTINUED. CUSTODY 9-22-14 9:30 AM CALENDAR CALL 9-29-14 10:00 AM JURY TRIAL ;*

07/28/2014

**CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)*Vacated - per Judge*

09/22/2014

**Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)

Matter Heard;

Journal Entry Details:


*Mr. Shetler advised they are not ready for trial, and there is a stipulation for a continuance of the trial as there are outstanding medical issues and they don't have the victim's medical records. Colloquy regarding the continuance of*

# CASE SUMMARY


CASE NO. C-14-298879-1

*the over flow eligible trial. There being no opposition, COURT ORDERED, trial VACATED and CONTINUED. CUSTODY 11-24-14 9:30 AM CALENDAR CALL 12-1-14 10:00 AM JURY TRIAL ;*


09/29/2014 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)  
*Vacated - per Judge*


11/24/2014  **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)  
Matter Heard;  
Journal Entry Details:  
*Ms. Digiacoimo advised there is no opposition to the requested continuance by the defense. Mr. Smiley requested a continuance advising they've tried, and continue to try working with the approved county vendor list for a medical exert which is needed on the case; one has yet to be obtained, and which is necessary due to the substantial bodily injury charge. Court stated, good cause is found for the continuance. Colloquy regarding the continuation of the trial. COURT ORDERED, trial CONTINUED. CUSTODY 2-9-15 9:30 AM CALENDAR CALL 2-17-15 10:00 AM JURY TRIAL ;*

12/01/2014 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)  
*Vacated - per Judge*

02/09/2015  **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)  
Matter Heard;  
Journal Entry Details:  
*Mr. Shelter advised he has a doctor authorized to do work on the exact extent of the victims injuries, he does not yet have the report, or a date for when the report will be complete, parties have discussed a trial setting in early May, and a 7-10 day status check is requested to attempt to resolve things. Mr. Stephens advised the case is over flow eligible. COURT ORDERED, trial CONTINUED; proceedings SET for status check. CUSTODY 2-18-15 8:30 AM STATUS CHECK: NEGOTIATIONS 4-27-15 9:30 AM CALENDAR CALL 5-4-15 10:00 AM JURY TRIAL ;*

02/17/2015 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)  
*Vacated - per Judge*

02/18/2015  **Status Check** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  
**02/18/2015, 02/23/2015**  
*Status Check Negotiations*  
Matter Heard;  
Matter Heard;  
Journal Entry Details:  
*Defendant not present At the request of Mr. Shetler and there being no opposition, COURT ORDERED, proceedings STAND as calendared; matters may be re calendared for entry of plea should an agreement be reached. CUSTODY 4-27-15 9:30 AM CALENDAR CALL 5-4-15 10:00 AM JURY TRIAL ;*  
Matter Heard;  
Matter Heard;  
Journal Entry Details:  
*Mr. Shetler advised there is an agreement that needs to be finalized in writing and signed. COURT ORDERED, matter CONTINUED CUSTODY 2-23-15 8:30 AM STATUS CHECK: NEGOTIATIONS ;*

04/27/2015  **Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)  
**04/27/2015, 04/29/2015**  
Matter Heard;  
Matter Heard;  
Journal Entry Details:  
*Mr. Shetler announced he is ready to proceed to trial and advised he has spoken with Ms. Baharav and there's a doctor they will both use for testimony, but he will not be available until Friday and the CSI will not be available until Thursday; it's requested the trial begin Wednesday and will be done by Friday. Ms. Sudano stated she and Ms. Baharav have trials next week and they are looking at getting the trial done. Colloquy regarding trial logistics. COURT ORDERED, case to trial May 5th @ 1:30 PM; by Friday counsel are to provide proposed jury instructions in Word to Judicial Executive Assistant (J.E.A.), and unless there are an unusual number of exhibits they can be brought in at time of trial to be marked. CUSTODY 5-5-15 1:30 PM JURY TRIAL ;*  
Matter Heard;  
Matter Heard;  
Journal Entry Details:

# CASE SUMMARY

CASE NO. C-14-298879-1

*Mr. Stephens announced the State is ready to proceed to trial; 7-9 witnesses, 4-5 days, zero out of state witnesses, and the trial is Overflow eligible. Mr. Shetler announced the defense is ready. COURT ORDERED, proceedings CONTINUED to determine if this case will be heard by this Court, or if it will be sent to Overflow. CUSTODY 4-29-15 8:30 AM CALENDAR CALL 55-4-15 10:00 AM JURY TRIAL ;*

05/04/2015 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)  
*Vacated - per Judge*

05/06/2015  **Jury Trial** (1:30 PM) (Judicial Officer: Cadish, Elissa F.)

**05/06/2015-05/07/2015**

Trial Continues;

Trial Date Set;

Trial date reset.

Journal Entry Details:

*OUTSIDE THE PRESENCE OF THE JURORS: Ms. Baharav advised the State is down to five witnesses. Mr. Shetler advised the expert doctor is not available and he asked to continue the matter to have a doctor present to testify. Ms. Baharav advised the State is prepared to go forward without the doctor and the Defense was going to use their doctor. Mr. Shetler stated there is two sides to the argument, his client is more comfortable to have a doctor take the stand and he wanted the doctor to review the medical records. Ms. Baharav stated she is comfortable for no doctor to take the stand and they can use the medical records; also they have agreed to use the records as they are and Mr. Shetler would discuss this with his client. Court noted if they don't stipulate for the records to come in without the doctor then the State may have a problem. Mr. Shetler advised he would to review this with his client. Court reviewed the time of the case and noted the Deft has been in custody close to a year; therefore, if this case continues her next criminal stack is June/July and September. Court advised she will step out and reminded counsel this case is overflow eligible. Mr. Shetler stated he will be on vacation in July. Matter trailed. MATTER RECALLED: Mr. Shetler asked to continue the trial to have an expert witness. Court indicated to Mr. Shetler that he knew his doctor would not be available and that he would be using the State's witness but he also cannot be here for the trial and Deft understands that he will be four months more in custody. Court suggested counsel talk about another negotiation. Upon Court's inquiry, Defendant advised he agreed to continue the trial date because of not having a doctor present and he understands that counsel has a vacation scheduled in July but he would like to keep this Judge. Court advised this case may go to overflow and that this case is scheduled the same week as her trial for War Machine. COURT ORDERED, Trial VACATED and Trial date RESET. State's exhibits returned to Ms. Baharav. Court asked the Marshal to advised the jury panel they are dismissed. CUSTODY 9/21/15 9:30 AM CALENDAR CALL 9/28/15 10:00 AM JURY TRIAL ;*


Trial Continues;

Trial Date Set;

Trial date reset.

Journal Entry Details:

*OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Colloquy regarding scheduling, witness testimony, and proceedings going forward. Ms. Baharav stated parties have discussed the potential stipulation to the medical records in lieu of live testimony, and noted concerns by defense counsel that they would like to be heard prior to the witnesses. Court stated the issue will be discussed at the end of the day. Colloquy regarding instructions, peremptory challenges, the jury selection process and alleged relationship between the Defendant and victim. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Introductory comments by the Court. Roll of prospective jurors called and sworn by the Clerk. Introductions on behalf of the State by Ms. Baharav and on behalf of the Defendant by Mr. Shetler as to the names of prospective witnesses to be called and the general nature of the case. General voir dire of prospective jurors by the Court. COURT ORDERED, matter CONTINUED to May 7th @ 1 PM.;*

08/31/2015  **Motion to Admit Evidence** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

**08/31/2015, 09/17/2015**

*Motion to Admit Evidence Pursuant to NRS 48.045*

Continued;

Granted;

Continued;

Granted;

Journal Entry Details:

*Court noted the State's motion did not make the calendar, but it can be addressed. Mr. Shetler stated he spoke about it with the State. Colloquy. Arguments by counsel. Ms. Sudano moved for a Petrocelli hearing. COURT SO ORDERED; State's motion will not be heard as it's contingent on the door being opened, and should it come up will be taken up outside the presence. Court stated this will be the only matter calendared and requested counsel be on time.*

*CUSTODY 9-17-15 8:30 AM PETROCELLI HEARING...DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045 ;*

09/17/2015 **Petrocelli Hearing** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

# CASE SUMMARY

CASE NO. C-14-298879-1

Off Calendar;

09/17/2015



**All Pending Motions** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)

Matter Heard;

Journal Entry Details:

*DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045...PETROCELLI HEARING Colloquy regarding calendared matters and the lack of a need for the Petrocelli Hearing. Arguments by counsel. Court stated findings and ORDERED, motion GRANTED in the limited extent described in connection with the self defense defense. Mr. Shetler stated he has spoken with the Defendant and they are comfortable with a Bench Trial. Colloquy regarding the scheduling of the trial. Ms. Sudano stated the State is ready to go forward; and barring any emergency, there should be no issues. COURT ORDERED, request for Bench Trial GRANTED; matters to be discussed further at the calendar call. 9-21-15 9:30 AM CALENDAR CALL 9-28-15 10:00 AM JURY TRIAL ;*

09/21/2015



**Calendar Call** (9:30 AM) (Judicial Officer: Cadish, Elissa F.)

Matter Heard;

Journal Entry Details:

*Parties announced ready. Ms. Sudano advised four to five days, seven to nine witnesses and one out of state witness. COURT ORDERED, trial date STANDS. Mr. Shetler advised Deft. requested that he inquire as to waiving jury panel. Ms. Sudano advised the State will not stipulate to waive jury panel. Colloquy. Court instructed counsel to have jury instructions to chambers by Wednesday. CUSTODY 9/28/15 1:30 PM JURY TRIAL ;*

09/28/2015

**CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Cadish, Elissa F.)

*Vacated - per Judge*

09/29/2015



**Bench Trial** (1:30 PM) (Judicial Officer: Cadish, Elissa F.)

**09/29/2015-10/01/2015**

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

*Stipulation and Order FILED IN OPEN COURT Ms. Sudano requested the Stipulation and Order be signed as both parties agree to WAIVE a trial by jury; Stipulation and Order SIGNED IN OPEN COURT. Argument by counsel regarding the self-defense instructions. Instructions settled. Upon Court's inquiry, Mr. Shetler made no objection to the Verdict Form, stating he reviewed it with Deft. Colloquy regarding the parties agreeing to the Court reading the Instructions in-chambers. Instructions read in-chambers. Closing statements by Ms. Sudano. Closing arguments by Mr. Shetler. At the hour of 12:00 p.m. the Court retired to deliberate. At the hour of 12:58 p.m. the Court returned with its VERDICT in accordance with the written Verdict Form which was FILED IN OPEN COURT. COURT FINDS Deft. GUILTY as follows: COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON, COUNT 2 - FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON, COUNT 3 - GRAND LARCENY AUTO, COUNT 4 - ASSAULT WITH A DEADLY WEAPON, COUNT 5 - COERCION, COUNT 6 - BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE, and COUNT 7 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION. COURT ORDERED Deft. REMANDED into CUSTODY WITHOUT BAIL, matter REFERRED to the Division of Parole and Probation (P&P) and SET for Sentencing. CUSTODY 11/16/15 8:30 A.M. SENTENCING CLERK'S NOTE: This Minute Order was corrected to reflect seven guilty charges. sb/ 11/04/15;*

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

*Colloquy regarding scheduling. Testimony and exhibits presented, (see worksheets). State rests. Court advised Deft. of his right not to testify. Colloquy regarding instructions and scheduling. Defense rests. Further colloquy regarding scheduling. COURT ORDERED, Matter CONTINUED. CUSTODY CONTINUED TO: 10/01/15 10:00 A.M. ;*

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:


*Court noted parties have agreed to a Non-Jury Trial with this Court as the trier of fact, rather than a Jury. Ms. Sudano and Mr. Shetler concurred. Court noted the Defendant is in custody, and a ruling will be issued based upon the facts of the law; proceedings were continued previously due to the unavailability of the doctor, who is now available. Ms. Sudan concurred. Colloquy regarding proceedings going forward. Opening statement on behalf of the State by Ms. Sudano, and on behalf of the Defendant by Mr. Shetler. Mr. Shetler advised parties have stipulated to the admission of State's Exhibits 1-37. COURT SO ORDERED. Exclusionary Rule INVOKED. Testimony and Exhibits presented (See*

# CASE SUMMARY

CASE NO. C-14-298879-1

Worksheet). Colloquy regarding proceedings going forward. Court advised the Defendant as to his constitutional rights as to any testimony. COURT ORDERED, matter CONTINUED TO September 30th @ 10:30 AM.;

11/16/2015

 **Sentencing (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

**11/16/2015, 11/23/2015, 01/06/2016**

Continued;

Continued;

Defendant Sentenced;

Journal Entry Details:

Court noted the receipt of the Presentence Investigation Report (PSI), and Sentencing Memorandum, and the review of several of the Defendant's certificates of completion of various programs. Upon the inquiry of the Court, Mr. Shetler stated he decided not to provide a letter to the Court. By virtue of the findings from the Non Jury Trial, Defendant PERRY ADJUDGED GUILTY OF COUNT I, ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT II, FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON (F), COUNT III, GRAND LARCENY AUTO (F), COUNT IV, ASSAULT WITH A DEADLY WEAPON (F), COUNT V, COERCION (F), COUNT VI, BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE (F), AND COUNT VII, PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION (F). Arguments by counsel. Statement by Defendant. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, \$3.00 DNA Collection fee, \$250.00 Indigent Defense Civil Assessment fee, and \$35.00 Domestic Violence fee, as to COUNT I, Defendant SENTENCED to a MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS, AND A MINIMUM OF THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC), PLUS A CONSECUTIVE SENTENCE OF A MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS, AND A MINIMUM OF THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC) for the use of a deadly weapon, and Restitution of \$18,103.28, as to COUNT II, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT I, as to COUNT III, a MAXIMUM OF NINETY-SIX (96) MONTHS, AND A MINIMUM OF TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNTS I, AND II, as to COUNT IV, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT III, as to COUNT V, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT IV, and as to COUNT VI, a MAXIMUM OF FORTY-EIGHT (48) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT V, and as to COUNT VII, a MAXIMUM OF THIRTY-SIX (36) MONTHS, AND A MINIMUM OF TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT VI; for an AGGREGATE sentence of a MAXIMUM OF THREE HUNDRED THIRTY-SIX (336) MONTHS, AND A MINIMUM OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC), WITH FIVE HUNDRED NINETY-SEVEN (597) DAYS credit for time served. NDC;

Continued;

Continued;

Defendant Sentenced;

Journal Entry Details:

Mr. Shetler advised he received the Pre-Sentence Investigation Report (PSI) on November 12th, the Deft. wants more time to discuss matters, and requested a continuance for the preparation of the sentencing memorandum. Argument in opposition of continuance by Ms. Sudano; understand Mr. Shetler was ill, and he was allowed to recover, but there is a speaker present. Upon inquiry of Ms. Sudano, Mr. Shetler stated he is not opposed to allowing the victim to speak today. Speaker SWORN and TESTIFIED. Colloquy regarding continuing sentencing, COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 1/6/16 8:30 AM;

Continued;

Continued;

Defendant Sentenced;

Journal Entry Details:

Ms. Coccamo moved for a continuance on behalf of Mr. Shetler. Mr. Hamner noted the presence of a speaker. COURT ORDERED, matter CONTINUED. CUSTODY 11-23-15 8:30 AM SENTENCING;

04/24/2017

**Petition for Writ of Habeas Corpus (8:30 AM)** (Judicial Officer: Cadish, Elissa F.)

**04/24/2017, 05/01/2017, 06/02/2017**

Events: 02/07/2017 Petition for Writ of Habeas Corpus

Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)

## MINUTES



Petition for Writ of Habeas Corpus

[60] Evidentiary Hearing Petition for Writ of Habeas Corpus (Post-Conviction)

Continued;

In  
#C

**CASE SUMMARY**  
**CASE NO. C-14-298879-1**

	Continued; Continued; Continued;	
04/24/2017	<b>Motion for New Trial</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 02/07/2017 Motion for New Trial <i>Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence. Motion to Vacate</i> Denied;	
04/24/2017	<b>Motion to Withdraw as Counsel</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 02/07/2017 Motion <i>Defendant's Pro Per Motion to Withdraw Counsel</i> Granted;	
04/24/2017	<b>Motion for Appointment</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Events: 02/07/2017 Motion <i>Defendant's Pro Per Motion to Appoint Counsel</i> Granted;	
04/24/2017	<b>Motion</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference</i> Denied;	
04/24/2017	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Matter Heard; Journal Entry Details: <i>Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)...Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence. Motion to Vacate...Defendant's Pro Per Motion to Withdraw Counsel...Defendant's Pro Per Motion to Appoint Counsel...Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference Defendant not present. Court stated findings and ORDERED, Defendant's Pro Per Motion to Withdraw Counsel GRANTED; Defendant's Pro Per Motion to Appoint Counsel GRANTED to supplement the Petition For Writ of Habeas Corpus; Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference DENIED to the extent it seeks to have the Defendant transported for today's proceedings, and Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence DENIED; matter SET for confirmation of counsel. FURTHER ORDERED, pursuant to the receipt of communication from the Nevada Department of Corrections, the Judgment of Conviction is to be amended to remove the aggregate sentence imposed due to the offense date of May 1, 2014, which is prior to the aggregation point of July 1, 2014. NDC 5-1-17 8:30 AM Confirmation of Counsel...Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)... CLERK'S NOTE: Drew Christensen notified of calendared proceedings.;</i>	
05/01/2017	<b>Confirmation of Counsel</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Confirmed;	
05/01/2017	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) Matter Heard; Journal Entry Details: <i>Confirmation of Counsel...Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)(Evidentiary Hearing) Ms. Anderlik stated Ms. Schwartzer will confirm as counsel, and requested a continuance to obtain the file. COURT ORDERED, Gene Schwartzer CONFIRMED as counsel; matte SET for status check. NDC 5-31-17 8:30 AM Status Check...Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)(Evidentiary Hearing) ;</i>	
06/02/2017	 <b>Status Check</b> (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <b>06/02/2017, 06/28/2017, 08/30/2017, 11/01/2017</b> Continued; Continued; Matter Heard; Matter Heard; Journal Entry Details:	

# CASE SUMMARY

CASE NO. C-14-298879-1

*Defendant not present. Appearing on behalf of the Defendant, Lance Hendron Esq. Court noted proceedings were calendared for status check on the habeas briefing schedule. Mr. Hendron stated there are ongoing investigations and requested 60 days to file a supplement. COURT ORDERED, Defendant's supplement is due January 15, 2018, State's response March 15, 2018, Defendant's reply April 16, 2018; matter SET for argument, and at which time it will be determined if an evidentiary hearing is needed; Defendant is to be transported at the request of Mr. Hendron; State to prepare the transport order unless otherwise is heard from Mr. Hendron. NDC 4-30-18 8:30 AM ARGUMENT ;*

Continued;

Continued;

Matter Heard;

Matter Heard;

Journal Entry Details:

*Defendant not present. Court noted proceedings were calendared to set a briefing schedule on the post conviction matter. Ms. Allen requested 60 days for investigative purposes and matters that need to be completed prior to setting briefing. COURT ORDERED, proceedings CONTINUED. NDC 11-1-17 8:30 AM STATUS CHECK ;*

Continued;

Continued;

Matter Heard;

Matter Heard;

Journal Entry Details:

*Defendant not present. Present on behalf of the Defendant, Deputy Public Defender Maxwell Berkley. Mr. Berkley stated he will stand in for this case, and his understanding is attorney Schwartzter will ask for a 60 day status check, and for which there is no objection by the state. Mr. Rose concurred. COURT ORDERED, matter CONTINUED. NDC 8-30-17 8:30 AM STATUS CHECK;*

Continued;

Continued;


Matter Heard;

Matter Heard;

Journal Entry Details:

*Mr. Gallo requested a continuance to determine what investigation needs to be done. Mr. Zadrowski concurred. COURT ORDERED, matter CONTINUED. NDC CONTINUED TO 6/28/17 8:30 AM;*

10/15/2018 **CANCELED Argument** (8:30 AM) (Judicial Officer: Cadish, Elissa F.)  
*Vacated - per Stipulation and Order*

01/30/2019  **Motion** (8:30 AM) (Judicial Officer: Bixler, James)  
**01/30/2019, 02/11/2019**

*Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference*

Continued;

Matter Heard;

Journal Entry Details:


*Defendant not present. Ms. Schwartzter requested additional time for briefing and the transport of the Defendant. COURT ORDERED, briefing schedule AMENDED; Defendant's brief is due May 13th, State's response July 15th, Defendant's response August 15th, hearing CONTINUED to September 9th. Ms. Schwartzter stated she will be arguing for an evidentiary hearing. COURT ORDERED, Defendant WILL NOT be transported for the argument on the writ. NDC 9-9-19 8:30 AM ARGUMENT: WRIT OF HABEAS CORPUS;*

Continued;

Matter Heard;

Journal Entry Details:

*Defendant not present. Mr. Turner stated Ms. Schwartzter is appellant counsel. Court noted the history of proceedings. Colloquy regarding the grounds for the writ and counsel. Mr. Turner stated all he has is the Defendant's Pro Per motion and he does not have the procedural status of the case now. COURT ORDERED, proceedings CONTINUED for the presence of counsel. NDC 2-11-19 8:30 AM Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference CLERK'S NOTE: Attorney Jean Schwartzter notified of calendared proceedings.;*

09/09/2019  **Argument** (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.)

Off Calendar;

Journal Entry Details:



*Defendant not present. Record made by Ms. Schwartzter in regards to stipulation and order to extend time. Colloquy regarding Motion to Compel as to Metro. COURT ORDERED, matter OFF CALENDAR. NDC;*



EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. C-14-298879-1**

03/11/2020	<b>CANCELED Argument</b> (9:30 AM) (Judicial Officer: Bluth, Jacqueline M.) <i>Vacated - On in Error</i>
02/17/2021	 <b>Motion for Order</b> (11:00 AM) (Judicial Officer: Bluth, Jacqueline M.) <i>Petitioner's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Print Analysis of Evidence Impounded at Crime Scene</i> Denied; Journal Entry Details: <i>Argument by Ms. Schwartz and Ms. Mishler. Court stated findings and ORDERED, Petitioner's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Print Analysis of Evidence Impounded at Crime Scene DENIED. Colloquy regarding ruling. NDC ;</i>
08/16/2021	 <b>Motion</b> (11:00 AM) (Judicial Officer: Clark Newberry, Tara) <i>Motion to Withdraw Counsel</i> Granted; Motion to Withdraw Counsel Journal Entry Details: <i>Court noted the Deft. was in the custody of the Nevada Department of Corrections (NDC). COURT ORDERED Motion to Withdraw as Counsel GRANTED; Ms. Schwartz ORDERED to provide the file and documents to Deft. State DIRECTED to prepare the order. NDC CLERK S NOTE: A copy of this minute order has been mailed to: Genaro Perry, #1153366, Southern Desert Correctional Center, PO Box 208, Indian Springs, Nevada 89070-0208, and e-mailed to Jean Schwartz. // cbm 09-01-2021 ;</i>
12/20/2021	 <b>Motion to Modify Sentence</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Motion for Modification of Sentence</i> Denied; Journal Entry Details: <i>Betsy Allen, Esq. and Defendant not present. Court advised it was basing its decision on the pleadings on file herein and not accepting oral argument; COURT ADOPTED the Procedural History as set forth by the State. Court FINDS Defendant was sentenced within statutory guidelines, has failed to establish that his sentence was based upon a material untrue assumption or mistake of fact and any claim regarding parole eligibility must be served upon the Attorney General, therefore ORDERED, Motion DENIED and status check SET for the order. Court directed the State to prepare the Order and advised the status check would be vacated once the Order was filed. NDC 1/10/2022 8:30 AM STATUS CHECK: ORDER CLERK'S NOTE: A copy of this Minute Order was mailed to Genaro Perry #1153366 SDCC PO Box 208 Indian Springs, NV 89070 (12/28/2021 SA);</i>
01/10/2022	<b>CANCELED Motion</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated - Moot</i> <i>Motion to Transport to Clark County Detention Center /Video Conference in Nevada Department of Corrections @ Southern Desert Correctional Center</i>
01/10/2022	<b>CANCELED Status Check: Status of Case</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i> <i>Status Check: Order</i>
01/31/2022	<b>CANCELED Motion</b> (8:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i> <i>Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference</i>

DATE

FINANCIAL INFORMATION

<b>Defendant</b> Perry, Genaro Richard	
Total Charges	464.50
Total Payments and Credits	1.50
<b>Balance Due as of 1/31/2022</b>	<b>463.00</b>

**ORDR**

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
ELISE M. CONLIN  
Deputy District Attorney  
Nevada Bar #14856  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

GENARO RICHARD PERRY,  
#1456173

Defendant.

CASE NO: C-14-298879-1

DEPT NO: XVII

**ORDER DENYING DEFENDANT'S MOTION FOR MODIFICATION OF  
SENTENCE**

DATE OF HEARING: December 20, 2021  
TIME OF HEARING: 08:30 A.M.

THIS MATTER having come on for hearing before the above-entitled Court on the 20th day of December, 2021, the Defendant not being present, BETSY ALLEN, ESQ. appeared on behalf of Defendant, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through ELISE M. CONLIN, Deputy District Attorney, and the Court without argument, based on the pleadings and good cause appearing therefor,

Court advised it was basing its decision on the pleadings on file herein; COURT ADOPTED the Procedural History as set forth by the State. Court FINDS Defendant was

///

///

///

1 sentenced within statutory guidelines, has failed to establish that his sentence was based upon  
2 a material untrue assumption or mistake of fact and any claim  
3 regarding parole eligibility must be served upon the Attorney General, therefore ORDERED,  
4 Motion DENIED.

5 Dated this 29th day of December, 2021

6 

7  
8 359 99A CE8C C304  
Michael Villani  
District Court Judge

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

10  
11 BY /s/ ELISE M. CONLIN  
12 ELISE M. CONLIN  
Deputy District Attorney  
13 Nevada Bar #14856  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

28 14F07966X/jh/DVU

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 State of Nevada

CASE NO: C-14-298879-1

7 vs

DEPT. NO. Department 17

8 Genaro Perry  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 12/29/2021

15 Clark County District Attorney's Office .

PDMotions@clarkcountynvda.com

16 Patricia Pinotti .

plpinotti@gmail.com

17 Travis Shetler .

travisssetler@gmail.com

18 Jean Schwartzer

jean.schwartzzer@gmail.com

19 District Court Department 17

dept17lc@clarkcountycourts.us

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 26, 2014**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**June 26, 2014      1:00 PM      Initial Arraignment**

**HEARD BY:** De La Garza, Melisa      **COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Dania Batiste  
Deborah Miller

**RECORDER:** Kiara Schmidt

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Roberts, Tara M.	Attorney
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- DEFT. PERRY ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY (COC)

7/21/2014 9:30 A.M. Calendar Call (Dept. 6)  
7/28/2014 10:00 A.M. Jury Trial (Dept. 6)

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 21, 2014**

---

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

---

**July 21, 2014      9:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

**JOURNAL ENTRIES**

- Mr. Stephens advised he has provided discovery to defense counsel, the Clark County Detention Center (CCDC) records and jail phone calls; the victim is still seeking treatment for the injuries, so all of the medical records are not available to be provided to defense counsel; the State is ready for trial, but if the defense would like a continuance due to all the discovery not being disclosed, and discovery is ongoing, the State is not opposed if the defense needs a continuance. Mr. Smillie advised he has discussed matters with the Deft. in regards to the lack of medical records; the injury to the eye is significant and may be important for use prior to going to trial; the Deft. has invoked, but counsel does not wish to proceed to trial until the records are received and the Deft. is being detained on other matters. Colloquy regarding the continuance of the over flow eligible trial to the September stack. Court noted that in light of the short trial setting and discovery being provided, the defense would like a continuance with the understanding the Deft. will waive to allow the setting. Upon the inquiry of the Court, the Deft. stated he will WAIVE speedy to allow the September 29th setting. COURT ORDERED, trial VACATED and CONTINUED.

**CUSTODY**

PRINT DATE: 01/31/2022

Page 2 of 39

Minutes Date: June 26, 2014

9-22-14 9:30 AM CALENDAR CALL

9-29-14 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 22, 2014**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**September 22, 2014    9:30 AM      Calendar Call**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Colleen R.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Shetler advised they are not ready for trial, and there is a stipulation for a continuance of the trial as there are outstanding medical issues and they don't have the victim's medical records. Colloquy regarding the continuance of the over flow eligible trial. There being no opposition, COURT ORDERED, trial VACATED and CONTINUED.

**CUSTODY**

11-24-14    9:30 AM    CALENDAR CALL

12-1-14    10:00 AM    JURY TRIAL



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 24, 2014**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**November 24, 2014      9:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	DiGiacomo, Sandra	Attorney
	Perry, Genaro Richard	Defendant
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. Digiacomo advised there is no opposition to the requested continuance by the defense. Mr. Smiley requested a continuance advising they've tried, and continue to try working with the approved county vendor list for a medical exert which is needed on the case; one has yet to be obtained, and which is necessary due to the substantial bodily injury charge. Court stated, good cause is found for the continuance. Colloquy regarding the continuation of the trial. COURT ORDERED, trial CONTINUED.

CUSTODY

2-9-15    9:30 AM    CALENDAR CALL

2-17-15 10:00 AM    JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 09, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**February 09, 2015      9:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**      Perry, Genaro Richard      Defendant  
                                 Shetler, Travis E      Attorney  
                                 State of Nevada      Plaintiff  
                                 Stephens, Robert      Attorney

**JOURNAL ENTRIES**

- Mr. Shelter advised he has a doctor authorized to do work on the exact extent of the victims injuries, he does not yet have the report, or a date for when the report will be complete, parties have discussed a trial setting in early May, and a 7-10 day status check is requested to attempt to resolve things. Mr. Stephens advised the case is over flow eligible. COURT ORDERED, trial CONTINUED; proceedings SET for status check.

**CUSTODY**

2-18-15 8:30 AM STATUS CHECK: NEGOTIATIONS

4-27-15 9:30 AM CALENDAR CALL

5-4-15 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 18, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**February 18, 2015      8:30 AM      Status Check**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Cannizzaro, Nicole J.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	Smillie, Ross	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Shetler advised there is an agreement that needs to be finalized in writing and signed. COURT ORDERED, matter CONTINUED

CUSTODY

2-23-15 8:30 AM STATUS CHECK: NEGOTIATIONS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 23, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**February 23, 2015      8:30 AM      Status Check**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed  
                                 Adrienne Theeck

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**      Brown, Colleen R.      Attorney  
                                 Shetler, Travis E      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant not present

At the request of Mr. Shetler and there being no opposition, COURT ORDERED, proceedings STAND as calendared; matters may be re calendared for entry of plea should an agreement be reached.

**CUSTODY**

4-27-15 9:30 AM CALENDAR CALL

5-4-15 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 27, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**April 27, 2015      9:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Stephens, Robert	Attorney

**JOURNAL ENTRIES**

- Mr. Stephens announced the State is ready to proceed to trial; 7-9 witnesses, 4-5 days, zero out of state witnesses, and the trial is Overflow eligible. Mr. Shetler announced the defense is ready. COURT ORDERED, proceedings CONTINUED to determine if this case will be heard by this Court, or if it will be sent to Overflow.

**CUSTODY**

4-29-15    8:30 AM    CALENDAR CALL

55-4-15    10:00 AM    JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 29, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**April 29, 2015      8:30 AM      Calendar Call**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Mr. Shetler announced he is ready to proceed to trial and advised he has spoken with Ms. Baharav and there's a doctor they will both use for testimony, but he will not be available until Friday and the CSI will not be available until Thursday; it's requested the trial begin Wednesday and will be done by Friday. Ms. Sudano stated she and Ms. Baharav have trials next week and they are looking at getting the trial done. Colloquy regarding trial logistics. COURT ORDERED, case to trial May 5th @ 1:30 PM; by Friday counsel are to provide proposed jury instructions in Word to Judicial Executive Assistant (J.E.A.), and unless there are an unusual number of exhibits they can be brought in at time of trial to be marked.

**CUSTODY**

5-5-15 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 06, 2015**

---

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

---

**May 06, 2015**

**1:30 PM**

**Jury Trial**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Colleen R.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Colloquy regarding scheduling, witness testimony, and proceedings going forward. Ms. Baharav stated parties have discussed the potential stipulation to the medical records in lieu of live testimony, and noted concerns by defense counsel that they would like to be heard prior to the witnesses. Court stated the issue will be discussed at the end of the day. Colloquy regarding instructions, peremptory challenges, the jury selection process and alleged relationship between the Defendant and victim. IN THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Introductory comments by the Court. Roll of prospective jurors called and sworn by the Clerk. Introductions on behalf of the State by Ms. Baharav and on behalf of the Defendant by Mr. Shetler as to the names of prospective witnesses to be called and the general nature of the case. General voir dire of prospective jurors by the Court. COURT ORDERED, matter CONTINUED to May 7th @ 1 PM.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 07, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**May 07, 2015****1:00 PM****Jury Trial****HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Nora Pena**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES****PRESENT:**

Brown, Colleen R.

Attorney

Perry, Genaro Richard

Defendant

Shetler, Travis E

Attorney

State of Nevada

Plaintiff

Sudano, Michelle L.

Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURORS: Ms. Baharav advised the State is down to five witnesses. Mr. Shetler advised the expert doctor is not available and he asked to continue the matter to have a doctor present to testify. Ms. Baharav advised the State is prepared to go forward without the doctor and the Defense was going to use their doctor. Mr. Shetler stated there is two sides to the argument, his client is more comfortable to have a doctor take the stand and he wanted the doctor to review the medical records. Ms. Baharav stated she is comfortable for no doctor to take the stand and they can use the medical records; also they have agreed to use the records as they are and Mr. Shetler would discuss this with his client. Court noted if they don't stipulate for the records to come in without the doctor then the State may have a problem. Mr. Shetler advised he would to review this with his client. Court reviewed the time of the case and noted the Deft has been in custody close to a year; therefore, if this case continues her next criminal stack is June/July and September. Court advised she will step out and reminded counsel this case is overflow eligible. Mr. Shetler stated he will be on vacation in July. Matter trailed.



MATTER RECALLED: Mr. Shetler asked to continue the trial to have an expert witness. Court indicated to Mr. Shetler that he knew his doctor would not be available and that he would be using the State's witness but he also cannot be here for the trial and Deft understands that he will be four months more in custody. Court suggested counsel talk about another negotiation. Upon Court's inquiry, Defendant advised he agreed to continue the trial date because of not having a doctor present and he understands that counsel has a vacation scheduled in July but he would like to keep this Judge. Court advised this case may go to overflow and that this case is scheduled the same week as her trial for War Machine. COURT ORDERED, Trial VACATED and Trial date RESET. State's exhibits returned to Ms. Baharav. Court asked the Marshal to advised the jury panel they are dismissed.

CUSTODY

9/21/15 9:30 AM CALENDAR CALL

9/28/15 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 31, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**August 31, 2015      8:30 AM      Motion to Admit Evidence**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**      Perry, Genaro Richard      Defendant  
                                 Shetler, Travis E      Attorney  
                                 State of Nevada      Plaintiff  
                                 Sudano, Michelle L.      Attorney

**JOURNAL ENTRIES**

- Court noted the State s motion did not make the calendar, but it can be addressed. Mr. Shetler stated he spoke about it with the State. Colloquy. Arguments by counsel. Ms. Sudano moved for a Petrocelli hearing. COURT SO ORDERED; State s motion will not be heard as it s contingent on the door being opened, and should it come up will be taken up outside the presence. Court stated this will be the only matter calendared and requested counsel be on time.

**CUSTODY**

9-17-15 8:30 AM PETROCELLI HEARING...DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 17, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**September 17, 2015      8:30 AM**

**All Pending Motions**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Caccamo, Anais-Marie H.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION TO ADMIT EVIDENCE PURSUANT TO NRS 48.045...PETROCELLI HEARING

Colloquy regarding calendared matters and the lack of a need for the Petrocelli Hearing. Arguments by counsel. Court stated findings and ORDERED, motion GRANTED in the limited extent described in connection with the self defense defense. Mr. Shetler stated he has spoken with the Defendant and they are comfortable with a Bench Trial. Colloquy regarding the scheduling of the trial. Ms. Sudano stated the State is ready to go forward; and barring any emergency, there should be no issues. COURT ORDERED, request for Bench Trial GRANTED; matters to be discussed further at the calendar call.

9-21-15 9:30 AM CALENDAR CALL

9-28-15 10:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 21, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**September 21, 2015      9:30 AM      Calendar Call**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Parties announced ready. Ms. Sudano advised four to five days, seven to nine witnesses and one out of state witness. COURT ORDERED, trial date STANDS. Mr. Shetler advised Deft. requested that he inquire as to waiving jury panel. Ms. Sudano advised the State will not stipulate to waive jury panel. Colloquy. Court instructed counsel to have jury instructions to chambers by Wednesday.

CUSTODY

9/28/15 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 29, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**September 29, 2015      1:30 PM      Bench Trial**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney
	Turner, Robert B.	Attorney

**JOURNAL ENTRIES**

- Court noted parties have agreed to a Non-Jury Trial with this Court as the trier of fact, rather than a Jury. Ms. Sudano and Mr. Shetler concurred. Court noted the Defendant is in custody, and a ruling will be issued based upon the facts of the law; proceedings were continued previously due to the unavailability of the doctor, who is now available. Ms. Sudan concurred. Colloquy regarding proceedings going forward. Opening statement on behalf of the State by Ms. Sudano, and on behalf of the Defendant by Mr. Shetler. Mr. Shetler advised parties have stipulated to the admission of State's Exhibits 1-37. COURT SO ORDERED. Exclusionary Rule INVOKED. Testimony and Exhibits presented (See Worksheet). Colloquy regarding proceedings going forward. Court advised the Defendant as to his constitutional rights as to any testimony. COURT ORDERED, matter CONTINUED TO September 30th @ 10:30 AM.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 30, 2015**

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

**September 30, 2015      1:00 PM      Bench Trial**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Shelley Boyle

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney
	Turner, Robert B.	Attorney

**JOURNAL ENTRIES**

- Colloquy regarding scheduling. Testimony and exhibits presented, (see worksheets). State rests. Court advised Deft. of his right not to testify. Colloquy regarding instructions and scheduling. Defense rests. Further colloquy regarding scheduling. COURT ORDERED, Matter CONTINUED.

CUSTODY

CONTINUED TO: 10/01/15 10:00 A.M.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 01, 2015**

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

**October 01, 2015      10:00 AM      Bench Trial**

**HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Shelley Boyle**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Caccamo, Anais-Marie H.	Attorney
	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Stipulation and Order FILED IN OPEN COURT

Ms. Sudano requested the Stipulation and Order be signed as both parties agree to WAIVE a trial by jury; Stipulation and Order SIGNED IN OPEN COURT. Argument by counsel regarding the self-defense instructions. Instructions settled. Upon Court's inquiry, Mr. Shetler made no objection to the Verdict Form, stating he reviewed it with Deft. Colloquy regarding the parties agreeing to the Court reading the Instructions in-chambers. Instructions read in-chambers. Closing statements by Ms. Sudano. Closing arguments by Mr. Shetler. At the hour of 12:00 p.m. the Court retired to deliberate. At the hour of 12:58 p.m. the Court returned with its VERDICT in accordance with the written Verdict Form which was FILED IN OPEN COURT. COURT FINDS Deft. GUILTY as follows: COUNT 1 - ROBBERY WITH USE OF A DEADLY WEAPON, COUNT 2 - FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON, COUNT 3 - GRAND LARCENY AUTO, COUNT 4 - ASSAULT WITH A DEADLY WEAPON, COUNT 5 - COERCION, COUNT 6 - BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE, and



COUNT 7 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION. COURT ORDERED Deft. REMANDED into CUSTODY WITHOUT BAIL, matter REFERRED to the Division of Parole and Probation (P&P) and SET for Sentencing.

CUSTODY

11/16/15 8:30 A.M. SENTENCING

CLERK'S NOTE: This Minute Order was corrected to reflect seven guilty charges. sb/ 11/04/15

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 16, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**November 16, 2015      8:30 AM      Sentencing**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed  
                                 Natalie Ortega

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Caccamo, Anais-Marie H.	Attorney
	Perry, Genaro Richard	Defendant
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Ms. Coccamo moved for a continuance on behalf of Mr. Shetler. Mr. Hamner noted the presence of a speaker. COURT ORDERED, matter CONTINUED.

CUSTODY

11-23-15 8:30 AM    SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 23, 2015**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**November 23, 2015      8:30 AM      Sentencing**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed  
                                 Natalie Ortega

**RECORDER:**    Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Mr. Shetler advised he received the Pre-Sentence Investigation Report (PSI) on November 12th, the Deft. wants more time to discuss matters, and requested a continuance for the preparation of the sentencing memorandum. Argument in opposition of continuance by Ms. Sudano; understand Mr. Shetler was ill, and he was allowed to recover, but there is a speaker present. Upon inquiry of Ms. Sudano, Mr. Shetler stated he is not opposed to allowing the victim to speak today. Speaker SWORN and TESTIFIED. Colloquy regarding continuing sentencing, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 1/6/16 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 06, 2016**

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

**January 06, 2016      8:30 AM      Sentencing**

**HEARD BY:** Cadish, Elissa F.**COURTROOM:** RJC Courtroom 15B**COURT CLERK:** Keith Reed**RECORDER:** Jessica Kirkpatrick**REPORTER:****PARTIES**

<b>PRESENT:</b>	Perry, Genaro Richard	Defendant
	Shetler, Travis E	Attorney
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Court noted the receipt of the Presentence Investigation Report (PSI), and Sentencing Memorandum, and the review of several of the Defendant's certificates of completion of various programs. Upon the inquiry of the Court, Mr. Shetler stated he decided not to provide a letter to the Court. By virtue of the findings from the Non Jury Trial, Defendant PERRY ADJUDGED GUILTY OF COUNT I, ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT II, FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON (F), COUNT III, GRAND LARCENY AUTO (F), COUNT IV, ASSAULT WITH A DEADLY WEAPON (F), COUNT V, COERCION (F), COUNT VI, BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE (F), AND COUNT VII, PREVENTING OR DISSUADING WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING PROSECUTION (F). Arguments by counsel. Statement by Defendant. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, \$3.00 DNA Collection fee, \$250.00 Indigent Defense Civil Assessment fee, and \$35.00 Domestic Violence fee, as to COUNT I, Defendant SENTENCED to a MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS, AND A MINIMUM OF THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC), PLUS A

CONSECUTIVE SENTENCE OF A MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS, AND A MINIMUM OF THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC) for the use of a deadly weapon, and Restitution of \$18,103.28, as to COUNT II, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT I, as to COUNT III, a MAXIMUM OF NINETY-SIX (96) MONTHS, AND A MINIMUM OF TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC) CONSECUTIVE TO COUNTS I, AND II, as to COUNT IV, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT III, as to COUNT V, a MAXIMUM OF SIXTY (60) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT IV, and as to COUNT VI, a MAXIMUM OF FORTY-EIGHT (48) MONTHS, AND A MINIMUM OF EIGHTEEN (18) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT V, and as to COUNT VII, a MAXIMUM OF THIRTY-SIX (36) MONTHS, AND A MINIMUM OF TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT WITH COUNT VI ; for an AGGREGATE sentence of a MAXIMUM OF THREE HUNDRED THIRTY-SIX (336) MONTHS, AND A MINIMUM OF NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC), WITH FIVE HUNDRED NINETY-SEVEN (597) DAYS credit for time served.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 24, 2017**

---

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

---

**April 24, 2017**

**8:30 AM**

**All Pending Motions**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed  
Aja Brown

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:** Beverly, Leah C      Attorney  
Shetler, Travis E  
State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)...Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence. Motion to Vacate...Defendant's Pro Per Motion to Withdraw Counsel...Defendant's Pro Per Motion to Appoint Counsel...Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference

Defendant not present.

Court stated findings and ORDERED, Defendant's Pro Per Motion to Withdraw Counsel GRANTED; Defendant's Pro Per Motion to Appoint Counsel GRANTED to supplement the Petition For Writ of Habeas Corpus; Defendant's Pro Per Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference DENIED to the extent it seeks to have the Defendant transported for today's proceedings, and Defendant's Pro Per Motion for a New Trial with Newly Discovered Evidence DENIED; matter SET for confirmation of counsel. FURTHER ORDERED, pursuant to the receipt of communication from the Nevada

Department of Corrections, the Judgment of Conviction is to be amended to remove the aggregate sentence imposed due to the offense date of May 1, 2014, which is prior to the aggregation point of July 1, 2014.

NDC

5-1-17 8:30 AM Confirmation of Counsel...Defendant's Pro Per Petition for Writ of Habeas Corpus (Post Conviction) (Evidentiary Hearing)...

CLERK'S NOTE: Drew Christensen notified of calendared proceedings.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 01, 2017**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**May 01, 2017      8:30 AM      All Pending Motions**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**      Anderlik, Elizabeth J.      Attorney  
                                 State of Nevada      Plaintiff  
                                 Zadrowski, Bernard B.      Attorney

**JOURNAL ENTRIES**

- Confirmation of Counsel...Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)(Evidentiary Hearing)

Ms. Anderlik stated Ms. Schwartzer will confirm as counsel, and requested a continuance to obtain the file. COURT ORDERED, Gene Schwartzer CONFIRMED as counsel; matte SET for status check.

NDC

5-31-17 8:30 AM Status Check...Defendant's Pro Per Petition For Writ Of Habeas Corpus (Post-Conviction)(Evidentiary Hearing)



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 02, 2017**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**June 02, 2017      8:30 AM      Status Check**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Louisa Garcia

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**      Gallo, James C      Attorney  
                                 Perry, Genaro Richard      Defendant  
                                 State of Nevada      Plaintiff  
                                 Zadrowski, Bernard B.      Attorney

**JOURNAL ENTRIES**

- Mr. Gallo requested a continuance to determine what investigation needs to be done. Mr. Zadrowski concurred. COURT ORDERED, matter CONTINUED.

NDC

CONTINUED TO 6/28/17 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 28, 2017**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**June 28, 2017      8:30 AM      Status Check**

**HEARD BY:** Cadish, Elissa F.

**COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**      Rose, Steven      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Present on behalf of the Defendant, Deputy Public Defender Maxwell Berkley. Mr. Berkley stated he will stand in for this case, and his understanding is attorney Schwartzer will ask for a 60 day status check, and for which there is no objection by the state. Mr. Rose concurred. COURT ORDERED, matter CONTINUED.

NDC

8-30-17 8:30 AM STATUS CHECK

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 30, 2017**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**August 30, 2017      8:30 AM      Status Check**

**HEARD BY:** Cadish, Elissa F.      **COURTROOM:** RJC Courtroom 15B

**COURT CLERK:** Keith Reed

**RECORDER:** Jessica Kirkpatrick

**REPORTER:**

**PARTIES**

**PRESENT:**      Allen, Betsy      Attorney  
                         O'Halloran, Rachel      Attorney  
                         State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Court noted proceedings were calendared to set a briefing schedule on the post conviction matter. Ms. Allen requested 60 days for investigative purposes and matters that need to be completed prior to setting briefing. COURT ORDERED, proceedings CONTINUED.

NDC

11-1-17 8:30 AM STATUS CHECK

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 01, 2017**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**November 01, 2017      8:30 AM      Status Check**

**HEARD BY:**    Cadish, Elissa F.

**COURTROOM:**    RJC Courtroom 15B

**COURT CLERK:**    Keith Reed

**RECORDER:**      Paula Walsh

**REPORTER:**

**PARTIES**

**PRESENT:**      Holthus, Mary Kay      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Appearing on behalf of the Defendant, Lance Hendron Esq. Court noted proceedings were calendared for status check on the habeas briefing schedule. Mr. Hendron stated there are ongoing investigations and requested 60 days to file a supplement. COURT ORDERED, Defendant's supplement is due January 15, 2018, State's response March 15, 2018, Defendant's reply April 16, 2018; matter SET for argument, and at which time it will be determined if an evidentiary hearing is needed; Defendant is to be transported at the request of Mr. Hendron; State to prepare the transport order unless otherwise is heard from Mr. Hendron.

NDC

4-30-18 8:30 AM ARGUMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 30, 2019**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**January 30, 2019      8:30 AM      Motion**

**HEARD BY:** Bixler, James      **COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Keith Reed

**RECORDER:** De'Awna Takas

**REPORTER:**

**PARTIES**

**PRESENT:**      State of Nevada      Plaintiff  
                                 Turner, Robert B.      Attorney

**JOURNAL ENTRIES**

- Defendant not present.

Mr. Turner stated Ms. Schwartzer is appellant counsel. Court noted the history of proceedings. Colloquy regarding the grounds for the writ and counsel. Mr. Turner stated all he has is the Defendant's Pro Per motion and he does not have the procedural status of the case now. COURT ORDERED, proceedings CONTINUED for the presence of counsel.

NDC

2-11-19 8:30 AM Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference

CLERK'S NOTE: Attorney Jean Schwartzer notified of calendared proceedings.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 11, 2019**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**February 11, 2019      8:30 AM      Motion**

**HEARD BY:** Bixler, James      **COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Keith Reed

**RECORDER:** De'Awna Takas

**REPORTER:**

**PARTIES**

**PRESENT:**      Rhoades, Kristina A.      Attorney  
                                 Schwartzer, Jean      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Ms. Schwartzer requested additional time for briefing and the transport of the Defendant. COURT ORDERED, briefing schedule AMENDED; Defendant's brief is due May 13th, State's response July 15th, Defendant's response August 15th, hearing CONTINUED to September 9th. Ms. Schwartzer stated she will be arguing for an evidentiary hearing. COURT ORDERED, Defendant WILL NOT be transported for the argument on the writ.

NDC

9-9-19 8:30 AM ARGUMENT: WRIT OF HABEAS CORPUS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 09, 2019**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**September 09, 2019      9:30 AM      Argument**

**HEARD BY:**    Bluth, Jacqueline M.

**COURTROOM:**    RJC Courtroom 10C

**COURT CLERK:**    Keith Reed  
                                 Shannon Reid

**RECORDER:**    Trisha Garcia

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Schwartzter, Jean	Attorney
	State of Nevada	Plaintiff
	Turner, Robert B.	Attorney

**JOURNAL ENTRIES**

- Defendant not present.

Record made by Ms. Schwartzter in regards to stipulation and order to extend time. Colloquy regarding Motion to Compel as to Metro. COURT ORDERED, matter OFF CALENDAR.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 17, 2021**

---

C-14-298879-1      State of Nevada  
vs  
Genaro Perry

---

**February 17, 2021      11:00 AM      Motion for Order**

**HEARD BY:** Bluth, Jacqueline M.

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Keith Reed

**RECORDER:** De'Awna Takas

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Mishler, Karen	Attorney
	Schwartzter, Jean	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Argument by Ms. Schwartzter and Ms. Mishler. Court stated findings and ORDERED, Petitioner's Motion Requesting Order Directing the Las Vegas Metropolitan Police Department to Conduct Genetic Marker and Latent Print Analysis of Evidence Impounded at Crime Scene DENIED. Colloquy regarding ruling.

NDC



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 16, 2021**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**August 16, 2021      11:00 AM      Motion      Motion to Withdraw Counsel**

**HEARD BY:** Clark Newberry, Tara      **COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Carina Bracamontez-Munguia

**RECORDER:** Robin Page

**REPORTER:**

**PARTIES**

**PRESENT:**      Meng, Yu      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Court noted the Deft. was in the custody of the Nevada Department of Corrections (NDC). COURT ORDERED Motion to Withdraw as Counsel GRANTED; Ms. Schwartzer ORDERED to provide the file and documents to Deft. State DIRECTED to prepare the order.

NDC

CLERK S NOTE: A copy of this minute order has been mailed to: Genaro Perry, #1153366, Southern Desert Correctional Center, PO Box 208, Indian Springs, Nevada 89070-0208, and e-mailed to Jean Schwartzer. // cbm 09-01-2021

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 20, 2021**

---

C-14-298879-1      State of Nevada  
                                 vs  
                                 Genaro Perry

---

**December 20, 2021      8:30 AM      Motion to Modify Sentence**

**HEARD BY:** Villani, Michael      **COURTROOM:** RJC Courtroom 11A

**COURT CLERK:** Samantha Albrecht

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

**PRESENT:**      Conlin, Elise M      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Betsy Allen, Esq. and Defendant not present.

Court advised it was basing its decision on the pleadings on file herein and not accepting oral argument; COURT ADOPTED the Procedural History as set forth by the State. Court FINDS Defendant was sentenced within statutory guidelines, has failed to establish that his sentence was based upon a material untrue assumption or mistake of fact and any claim regarding parole eligibility must be served upon the Attorney General, therefore ORDERED, Motion DENIED and status check SET for the order. Court directed the State to prepare the Order and advised the status check would be vacated once the Order was filed.

NDC

1/10/2022 8:30 AM STATUS CHECK: ORDER

CLERK'S NOTE: A copy of this Minute Order was mailed to Genaro Perry #1153366 SDCC PO Box 208 Indian Springs, NV 89070 (12/28/2021 SA)

PRINT DATE: 01/31/2022

Page 38 of 39

Minutes Date: June 26, 2014



STATE'S

EXHIBITS

CASE NO. C298879

Date Offered OBJ Admitted Date

1	PHOTOGRAPH	9/29/15	✓	STP	✓	9/29/15
2	"	"	✓	"	✓	"
3	"	"	✓	"	✓	"
4	"	"	✓	"	✓	"
5	"	"	✓	"	✓	"
6	"	"	✓	"	✓	"
7	"	"	✓	"	✓	"
8	"	"	✓	"	✓	"
9	"	"	✓	"	✓	"
10	"	"	✓	"	✓	"
11	"	"	✓	"	✓	"
12	"	"	✓	"	✓	"
13	"	"	✓	"	✓	"
14	"	"	✓	"	✓	"
15	"	"	✓	"	✓	"
16	"	"	✓	"	✓	"
17	"	"	✓	"	✓	"
18	"	"	✓	"	✓	"
19	"	"	✓	"	✓	"
20	"	"	✓	"	✓	"
21	"	"	✓	"	✓	"
22	"	"	✓	"	✓	"
23	"	"	✓	"	✓	"
24	PHOTOGRAPH	9/29/15	✓	STP	✓	9/29/15

## STATE'S

## EXHIBITS

CASE NO. CZ98879

Date	Offered	OBJ	Admitted	Date
11/1/80	11/1/80	11/1/80	11/1/80	11/1/80
11/2/80	11/2/80	11/2/80	11/2/80	11/2/80
11/3/80	11/3/80	11/3/80	11/3/80	11/3/80
11/4/80	11/4/80	11/4/80	11/4/80	11/4/80
11/5/80	11/5/80	11/5/80	11/5/80	11/5/80
11/6/80	11/6/80	11/6/80	11/6/80	11/6/80
11/7/80	11/7/80	11/7/80	11/7/80	11/7/80
11/8/80	11/8/80	11/8/80	11/8/80	11/8/80
11/9/80	11/9/80	11/9/80	11/9/80	11/9/80
11/10/80	11/10/80	11/10/80	11/10/80	11/10/80
11/11/80	11/11/80	11/11/80	11/11/80	11/11/80
11/12/80	11/12/80	11/12/80	11/12/80	11/12/80
11/13/80	11/13/80	11/13/80	11/13/80	11/13/80
11/14/80	11/14/80	11/14/80	11/14/80	11/14/80
11/15/80	11/15/80	11/15/80	11/15/80	11/15/80
11/16/80	11/16/80	11/16/80	11/16/80	11/16/80
11/17/80	11/17/80	11/17/80	11/17/80	11/17/80
11/18/80	11/18/80	11/18/80	11/18/80	11/18/80
11/19/80	11/19/80	11/19/80	11/19/80	11/19/80
11/20/80	11/20/80	11/20/80	11/20/80	11/20/80
11/21/80	11/21/80	11/21/80	11/21/80	11/21/80
11/22/80	11/22/80	11/22/80	11/22/80	11/22/80
11/23/80	11/23/80	11/23/80	11/23/80	11/23/80
11/24/80	11/24/80	11/24/80	11/24/80	11/24/80
11/25/80	11/25/80	11/25/80	11/25/80	11/25/80
11/26/80	11/26/80	11/26/80	11/26/80	11/26/80
11/27/80	11/27/80	11/27/80	11/27/80	11/27/80
11/28/80	11/28/80	11/28/80	11/28/80	11/28/80
11/29/80	11/29/80	11/29/80	11/29/80	11/29/80
11/30/80	11/30/80	11/30/80	11/30/80	11/30/80

[illegible]

\* Exhibits originally marked for 5/6/15. Judge ordered all exhibits returned. see minutes for 5/7/15. Exhibits are now marked as 9/29/15.



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

GENARO R. PERRY #1153366  
P.O. BOX 208  
INDIAN SPRINGS, NV 89070

DATE: January 31, 2022  
CASE: C-14-298879-1

**RE CASE:** STATE OF NEVADA vs. GENARO RICHARD PERRY

NOTICE OF APPEAL FILED: January 27, 2022

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

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

- ☐ Case Appeal Statement  
- NRAP 3 (a)(1), Form 2
- ☐ Order
- ☒ Notice of Entry of Order

---

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DESIGNATION OF RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S MOTION FOR MODIFICATION OF SENTENCE; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

GENARO RICHARD PERRY,

Defendant(s).

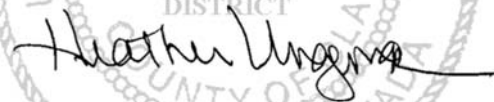
Case No: C-14-298879-1

Dept No: VI

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 31 day of January 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk