

Steven D. Grierson

8th Judicial District Court
Clark County, Nevada

Electronically Filed
Feb 04 2022 09:23 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Jayon Anderson
Plaintiff

V.S.
The State of Nevada
Defendant

Case No: C-19-344266

Dept No: XVII

Hearing Date: _____

Notice of Appeal

Notice is Hereby given That The Plaintiff
Jayon Anderson, by and Through himself In proper
person, does Now appeal To The Supreme Court of
The State of Nevada, The decision of The District
Court From a order Denying Plaintiffs Motion: For
Credit ~~of~~ Time Served TO Correct an Illegal Sentence,
Which Was Filed Jan 3rd 2022 and Devoid on
January 25th 2022.

Dated This Day: Jan 25th 2022

See Exhibit-A

Respectfully Submitted.

[Signature]

CLERK OF THE COURT

RECEIVED
JAN 27 2022

1
2 I Jayou Anderson, Hereby Certify, Pursuant TO NRCP 5(b),
3 That on This 25th day of January, 2022, I mailed
4 a True and Correct Copy of The Following Foregoing.
5 NOTICE OF appeal Motion For Credit Time Served TO
6 Correct an Illegal Sentence. by depositing it in The
7 High Desert State prison, Legal Library, First-Class
8 postage, fully prepared, Address as Follows:
9

10 Attorney General of Nevada
11 100 North Carson Street
12 Carson City, Nevada 89701
13

14 Clark County District Attorney's Office
15 200 Lewis Avenue Las Vegas, NV 89155
16

17 Dated: 25th Day of Jan, 2022
18

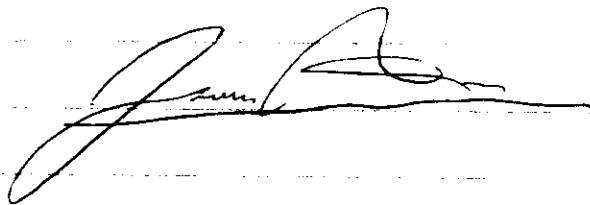
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Exhibit A

8th Judicial District Court
Clark County, Nevada

FILED

JAN 03 2022

CLERK OF COURT

Jayou Anderson

Plaintiff

V.S.

The State of Nevada

Defendant

Case No: C-19-344266-1

Dept No: XVII

Hearing Date:

January 25, 2022
11:00 AM

Motion: For Credit Time

Served TO

Correct an Illegal Sentence

Comes Now, Plaintiff Jayou Anderson in pro se,
Moves This Honorable Court by the above!
The, Seeking an order Granting This Motion
For Credit Time Served TO Correct an Illegal
Sentence, Due to Manifested Injustice Which
Resulted in Violation of N.R 3176.055, Therefor
Violating Plaintiffs 14th And 5th Amendment Rights
TO Due process Clause. This motion is based
upon The following Memorandum of Points and
Authorities; The Pleadings and papers on file IN This
Case; The attached Exhibits hereto; and The oral
Argument Requested and allowed by This Court.

Dated: 12-15-21

(1)

CLERK OF THE COURT

DEC 23 2021

RECEIVED

Memorandum of Points
§
Authorities

Traditionally, In The State of Nevada, Any Defendant-
Convicted of a Crime and Sentenced to a Term
of Imprisonment is entitled Credit against Such
Term & Sentencing. See - Slack v. State, 90 Nev. 373,
528 P.2d 703 (1974). The common Law Rule,
although discretionary in Nature, has been held-
applicable Regardless of The Sentence Imposed be it
Maximum, or Minimum, or Whatever. See - Anglin v.
State, 90 Nev. 287, 525 P.2d 34 (1979). Also,
Along The Same Lines, The Legislature has Firmly
Implemented Statutory Laws Giving The Courts
Power To Grant presentence Credits To Those of
a Convicted Crime. In This regard, NRS 176.055,
Sets forth The following: (1) whenever a Sentence of
Imprisonment in This State / State Prison is Imposed
The Court may order That Credit be Granted against
The duration of The Sentence, Including any Minimum
Term thereof prescribed by Law, for The amount of
Time Which The Defendant actually Spent in Confinement
before Conviction, based on Two premises, where (1)
Bail has been set for The Defendant and (2) The-

Defendant Was Financially Unable To Post Bail.
Under Such Circumstances, The District Court Must
Grant Such Credits. To provide otherwise would
tolerate Invidious Discrimination based upon a
defendant's Financial Status. (Emphasis added)
See - Anglin V. State, 525 P.2d at 37, Nev. Rev.
Stat. 176.055 (1989). The Supreme Court of Nevada
has upheld its Decision and application of N.R.S 176.055
In Kuykendall V. State, 122 Nev. 1285, 926 P.2d
781 (1996). In Kuykendall The Supreme Court has
acknowledged That The Word "May" Implies discretion
but Nevertheless Concluded That The Statute -
Mandated Credit For Time Served before Sentencing -
because "The purpose of N.R.S 176.055 is to ensure
That all Time Served is Credited Towards a -
Defendant's Ultimate Sentence." 122 Nev at 1287,
926 P.2d at 783. Since Kuykendall, The Supreme
Court has Repeatedly followed its Holding That, Under
N.R.S 176.055 (1), Sentencing Courts Must award
and or Grant Credit For Time Served In pre-
Sentence Confinement, See, e.g., Howey V. State,
124 Nev 408, 413, 185 P.3d 350, 354 (2008)
- ("Credit For Time Served... Remains Mandatory.")
Here, The Plaintiff Jason Anderson Spent 201 Days
In pre-sentence Custody prior To Sentencing, -

1
2 From July 3rd, 2018 TO December 11th, 2018, The
3 Plaintiff Jayon Anderson was Incarcerated and IN
4 Custody When The State Initiated it Case by
5 Criminal Complaint Case No: 18F11574X, a
6 Justice Court Case, In Which Plaintiff Served
7 161 Days before bail was Paid, Plaintiff was out
8 of Custody For 258 Days, From: Dec 11th, 2018
9 up until August 26th, 2019 where bail was IN
10 fact Revoked and Plaintiff was back IN Custody
11 up until The Sentencing Date, In Which Plaintiff was
12 Indicted and was Thereafter Booked and Charged
13 under Case No: C-19-344266-1 where Plaintiff
14 was IN Custody and Served 540 Days under
15 The District Courts Judgment and 161 Days
16 under Justice Courts Criminal Complaint. a Total of
17 701 Days Served.

18 Argument

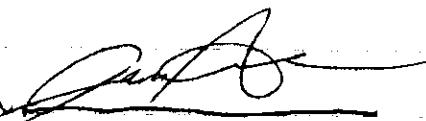
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20 The State Initiated Justice Court Case No: 18F11574X
21 On July 3rd, 2018, Plaintiff's probation For Case
22 No: C-14-299452-1 was Revoked June 7th, 2018
23 26 Days before Plaintiff was Charged by Criminal
24 Complaint of Case No: 18F11574X, The State
25 and The Court has founded all of its Decisions
26 TO Oppose and Deny Plaintiff's motion for Credit
27 Time Served is based upon The State MISINFORMATION
28 of Dates Stating Plaintiff's probation was Revoked on July 7, 2018. PS

1
2 Materially False and Incorrect In Which, is The
3 Foundation OF This Courts Decision TO Deny All
4 OF Plaintiffs Prior motions TO Correct Its Error
5 and Misapplication of N.R. 3 176.055(B). This
6 Court has acted With Indifference and adverse
7 Conduct Which DO NOT Represent The principles of
8 Judicial Codes of Conduct. Plaintiff has expressed
9 legally a Clear Showing OF This Courts Error and
10 Has NOT Received Equal Protection of The Law.
11 The 14th Amendment Forbids a State TO "Deny Any
12 person" Within its Jurisdiction The Equal Protection
13 OF Its Laws. Plaintiff has NOT made Any Appearance
14 AT any OF The Hearings Set by This Court ON
15 Any OF The motions Filed by Plaintiff Jayou Andersen
16 In Which am entitled TO be present In Court AT
17 Set Hearings. Neither The Common Law or Statutory
18 Rule of awarding Pre-Sentence Credits is being
19 applied TO Plaintiffs case. In essence, Plaintiff Jayou
20 Andersen an convicted Person In The State of Nevada, is
21 being Denied Equal Protection of The Law and His actual
22 Due process Rights, In violation of The 14th Amendment
23 OF The United States Constitution. Denying The plaintiff
24 His Rightful Credits effects The amount OF Time The
25 Plaintiff must Remain Incarcerated Which Will Result
26 In a UNLAWFUL, Illegal conviction and Imprisonment.
27
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CONCLUSION

Due TO Plaintiff Jayan Anderson being Charged
and convicted 26 Days AFTER Probation was
Revoked, U.R.S 176.055 (B) Do not apply
TO Plaintiff's case. All of The States actions
were Taken AFTER June 7, 2018 The Date Plaintiff's
probation was Revoked AFTER pleading Guilty TO
A Seperate case. Plaintiff Jayan Anderson was
In fact In Accerated under 2 Charged Documents
A Criminal Complaint Filed by The State on July 3rd
2018 Case NO: 18 F11574 X were plaintiff was
In Custody for 161 Days befor bail was posted and
540 Days under The States Indictment Charged
and convicted In Custody on Case NO: C-19-344266-1
The Instant case at hand.

Humbly Submitted 
Dated 12-15-21

See Exhibit 1. - Probation case Revoked on June 7 2018
Page 6 of 7.

~~CONFIDENTIAL~~

Exhibit 1

CASE SUMMARY

CASE NO. C-14-299452-1

See page 6 of 7
Exhibit 2

Location: Department 32
Judicial Officer: Craig, Christy
Filed on: 07/17/2014
Case Number History:
Cross-Reference Case Number: C299452
Defendant's Scope ID #: 2864329
ITAG Booking Number: 1400033981
ITAG Case ID: 1973570
Lower Court Case # Root: 14F10298
Lower Court Case Number: 14F10298X

State of Nevada
vs
Jayon Anderson

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. POSSESSION OF CONTROLLED SUBSTANCE	453.336.2a	F	06/28/2014	Case Status:	06/13/2018 Closed
Arrest: 06/28/2014					

Statistical Closures

06/13/2018 Other Manner of Disposition - Criminal
12/11/2017 Guilty Plea with Sentence (before trial) (CR)

Warrants

Bench Warrant - Anderson, Yayon (Judicial Officer: Johnson, Eric)
12/01/2017 1:55 PM Quashed
10/12/2017 3:54 PM Active
Hold Without Bond

Bench Warrant - Anderson, Yayon (Judicial Officer: Tao, Jerome T.)
07/13/2017 11:41 AM Returned - Served
11/25/2014 10:47 AM Active
Hold Without Bond

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number C-14-299452-1
Court Department 32
Date Assigned 01/04/2021
Judicial Officer Craig, Christy

PARTY INFORMATION

Defendant Anderson, Jayon

Lead Attorneys

Pro Se

Plaintiff State of Nevada

Wolfson, Steven B
702-671-2700(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

EVENTS

07/17/2014 Criminal Bindover
[1] Criminal Bindover

In #1

07/22/2014 Information
[2] Information

In #2

CASE SUMMARY

CASE NO. C-14-299452-1








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07/23/2014	Guilty Plea Agreement [3]	In #:
11/06/2014	PSI [4]	In #:
11/06/2014	PSI - Defendant Statements [5]	In #:
12/09/2014	Bench Warrant [6] Bench Warrant	In #:
05/04/2015	Case Reassigned to Department 20 Case reassigned from Judge Jerome Tao Dept 20	
07/03/2017	Bench Warrant Return [7]	In #:
10/03/2017	PSI - Defendant Statements [8]	In #:
10/03/2017	PSI - Supplemental PSI [9]	In #:
10/19/2017	Bench Warrant Filed By: Plaintiff State of Nevada [10] Bench Warrant	In #:
11/22/2017	Motion to Quash Bench Warrant [11] Motion to Quash Bench Warrant	In #:
12/11/2017	Criminal Order to Statistically Close Case [12] Criminal Order to Statistically Close Case	In #:
12/26/2017	Judgment of Conviction Party: Plaintiff State of Nevada [13] Judgment of Conviction	In #:
12/26/2017	Amended Judgment of Conviction Filed By: Plaintiff State of Nevada [14] Amended Judgment of Conviction	In #:
02/26/2018	Order Admitting Defendant to Probation & Fixing Terms Filed By: Plaintiff State of Nevada [15] Probation Agreement and Rules Order Aditting Defendant to Probation and Fixing the Terms Thereof Modified	In #:
04/11/2018	Probation Violation Report	In #:

CASE SUMMARY

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	[16]	
06/13/2018	 Amended Judgment of Conviction [17] ORDER FOR REVOCATION OF PROBATION AND SECOND AMENDED JUDGMENT OF CONVICTION	In #1
06/13/2018	 Criminal Order to Statistically Close Case [18] Criminal Order to Statistically Close Case	In #1
08/02/2018	 Amended Judgment of Conviction [19] THIRD AMENDED JUDGMENT OF CONVICTION	In #1
02/12/2019	 Motion to Dismiss Counsel Party: Defendant Anderson, Jayon [20]	In #1
03/27/2019	 Order Granting Filed By: Plaintiff State of Nevada [21] Order Granting Defendant's Pro Per Motion to Dismiss Counsel	In #1
09/04/2019	 Motion to Set Aside Filed By: Defendant Anderson, Jayon [22]	In #1
10/09/2019	 Order Denying Filed By: Plaintiff State of Nevada [23] Order Denying Defendant's Pro Per Motion to Set Aside	In #1
01/04/2021	Case Reassigned to Department 32 Judicial Reassignment to Judge Christy Craig	
	DISPOSITIONS	
07/23/2014	Plea (Judicial Officer: Johnson, Eric) 1. POSSESSION OF CONTROLLED SUBSTANCE Guilty PCN: Sequence:	
11/30/2017	Disposition (Judicial Officer: Johnson, Eric) 1. POSSESSION OF CONTROLLED SUBSTANCE Guilty PCN: Sequence:	
11/30/2017	Adult Adjudication (Judicial Officer: Johnson, Eric) 1. POSSESSION OF CONTROLLED SUBSTANCE 06/28/2014 (F) 453.336.2a (DC51127) PCN: Sequence:	
	Sentenced to Nevada Dept. of Corrections Term: Minimum: 16 Months, Maximum: 48 Months Suspended-Period of Probation: Indeterminate, Not To Exceed: 4 Years Condition 1. Additional Condition, Standard Conditions 2. Substance Abuse Evaluation	

CASE SUMMARY

CASE NO. C-14-299452-1

4 of 7

3. District Court Mental Health Program, You shall participate in and successfully complete a mental health program, which may include testing, evaluation, medication management and/or outpatient counseling, as approved and directed by the Probation Officer.

4. Satisfy All Warrants

5. Comply With Curfew Imposed By Probation Officer

6. Genetic Marker Testing and Pay \$150 Fee

7. Serve Community Service, Complete 100 hours of community service. (THIS IS SEPARATE FROM CONDITION #11 AND MUST BE DONE WHETHER WORKING OR NOT).

Fee Totals:

Administrative Assessment Fee	25.00
\$25	
DNA Analysis Fee	150.00
\$150	
Drug Analysis Fee	60.00
\$60	
Genetic Marker Analysis AA Fee	3.00
\$3	

Fee Totals \$ 238.00

12/05/2017 Amended Adult Adjudication (Judicial Officer: Johnson, Eric) Reason: Amended

1. POSSESSION OF CONTROLLED SUBSTANCE

06/28/2014 (F) 453.336.2a (DC51127)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum: 16 Months, Maximum: 48 Months

Suspended-Period of Probation: Indeterminate, Not To Exceed: 4 Years

Condition

1. Additional Condition, Standard Conditions

2. Substance Abuse Evaluation

3. District Court Mental Health Program, You shall participate in and successfully complete a mental health program, which may include testing, evaluation, medication management and/or outpatient counseling, as approved and directed by the Probation Officer.

4. Satisfy All Warrants

5. Comply With Curfew Imposed By Probation Officer

6. Genetic Marker Testing and Pay \$150 Fee

7. Serve Community Service, Complete 100 hours of community service. (THIS IS SEPARATE FROM CONDITION #11 AND MUST BE DONE WHETHER WORKING OR NOT).

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DNA Analysis Fee	150.00
\$150	
Drug Analysis Fee	60.00
\$60	
Genetic Marker Analysis AA Fee	3.00
\$3	

Fee Totals \$ 238.00

Condition

1. House Arrest, Defendant to be placed on house arrest with electronic monitoring for 90 days

06/07/2018 Amended Adult Adjudication (Judicial Officer: Johnson, Eric) Reason: Amended

1. POSSESSION OF CONTROLLED SUBSTANCE

06/28/2014 (F) 453.336.2a (DC51127)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum: 16 Months, Maximum: 48 Months

Credit for Time Served: 110 Days

Comment (06/07/18 - ORDERED, PROBATION REVOKED)

CASE SUMMARY

CASE NO. C-14-299452-1

Scf 7

HEARINGS

- 07/23/2014 **Initial Arraignment (9:30 AM)** (Judicial Officer: De La Garza, Melissa)
 Plea Entered;
 Journal Entry Details:
NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. ANDERSON ARRAIGNED AND PLED GUILTY TO POSSESSION OF CONTROLLED SUBSTANCE (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Pursuant to stipulation and/or negotiations, COURT ORDERED, Deft. GRANTED Own Recognizance (OR) Release and DIRECTED Deft. to report to P & P immediately. O.R. 11/25/14 8:30 A.M. SENTENCING (DEPT 20) ;
- 11/25/2014 **Sentencing (8:30 AM)** (Judicial Officer: Tao, Jerome T.)
 Bench Warrant Issued;
 Journal Entry Details:
Upon Court's inquiry, Ms. Miles advised she has had sporadic contact with Defendant and knew that his family was moving him back to Michigan and were trying to obtain funds to have him come back for sentencing, but he is not present. At request of the State, COURT ORDERED, A NO BAIL BENCH WARRANT WILL ISSUE. NBBW ;
- 07/13/2017 **Bench Warrant Return (9:00 AM)** (Judicial Officer: Johnson, Eric)
MINUTES
 Matter Heard;
 Journal Entry Details:
Arguments by Counsel regarding probation. COURT ORDERED Defendant released on own recognizance. State indicated it would need 90-120 days. Court referred matter to Parole and Probation (P & P) for updated PSI and FURTHER ORDERED, matter SET for Sentencing. Court directed Defendant to report to P&P within 48 hours of his release. O.R. 10/12/17 9:00 AM SENTENCING;
- 10/12/2017 **Sentencing (9:00 AM)** (Judicial Officer: Johnson, Eric)
 Bench Warrant Issued;
 Journal Entry Details:
Upon Court's inquiry, Mr. Nones could make no representations as to Defendant's whereabouts. Colloquy as to Defendant absconding for THREE (3) YEARS. At request of Ms. Thomson, COURT ORDERED, A NO BAIL BENCH WARRANT WILL ISSUE. B.W. (O.R.);
- 11/30/2017 **Motion to Quash Bench Warrant (9:00 AM)** (Judicial Officer: Johnson, Eric)
 Motion Granted;
 Journal Entry Details:
Mr. Gutierrez requested this matter be traileed for Mr. Nones to be present. Mr. Merback requested Defendant be remanded. COURT SO ORDERED and matter TRAILED. MATTER RECALLED: Mr. Merback advised the State has regained the right to argue due to the bench warrant being issued. Mr. Nones concurred. Upon Court's inquiry, Mr. Nones and Defendant advised there are no issues pursuant to the Stockmeier decision. By virtue of his plea and by Order of this Court, DEFENDANT ANDERSON ADJUDGED GUILTY of POSSESSION OF CONTROLLED SUBSTANCE (F). BENCH WARRANT QUASHED. COURT ORDERED, in addition to the \$25 Administrative Assessment fee, \$3.00 DNA Collection fee, \$60.00 Chemical Analysis fee and the \$150 DNA Analysis fee including testing to determine genetic markers, DEFENDANT SENTENCED to the Nevada Department of Corrections for a MINIMUM term of SIXTEEN (16) MONTHS with a MAXIMUM term of FORTY-EIGHT (48) MONTHS; SUSPENDED; placed on PROBATION for an indeterminate period not to exceed FOUR (4) YEARS. STANDARD CONDITIONS: 1. REPORTING: You are to report in person to the Division of Parole and Probation as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects. 2. RESIDENCE: You shall not change your place of residence without first obtaining permission from the Division of Parole and Probation, in each instance. 3. INTOXICANTS: You shall not consume or possess any alcoholic beverages WHATSOEVER or recreational marijuana in Nevada or any other State where such possession is considered legal. Upon order of the Division of Parole and Probation or its agent, you shall submit to a medically recognized test for either breath, blood or urine, to determine blood, breath or urine for alcohol, marijuana or THC content. 4. CONTROLLED SUBSTANCES: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify the Division of Parole and Probation of any prescription received. You shall submit to drug testing as required by the Division or its agent. A prescription does not include medical marijuana. 5. WEAPONS: You shall not possess, have access to, or have under your control, any firearm, explosive device or other dangerous weapon as defined by Federal, State or local law. 6. SEARCH: You shall submit your person, property, place of residence, vehicle, or areas under your control to search including electronic surveillance or monitoring of your location, at any time,

CASE SUMMARY

CASE NO. C-14-299452-1

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with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by the Division of Parole and Probation or its agent. The Defendant shall inform any other occupant of the premises where you reside or area under your control, that the premises or area may be subject to a search pursuant to this condition. 7. ASSOCIATES: You must have prior approval by the Division of Parole and Probation to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution. 8. DIRECTIVES AND CONDUCT: You shall follow the directives of the Division of Parole and Probation. 9. LAWS: You shall comply with all Municipal, County, State, and Federal laws and ordinances. 10. OUT-OF-STATE TRAVEL: You shall not leave the state without first obtaining written permission from the Division of Parole and Probation. 11. EMPLOYMENT/PROGRAM: You shall seek and maintain legal employment, or maintain a vocational or educational program approved by the Division of Parole and Probation and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division. During any period of time which you are not employed or participating in an approved program full time, the Division of Parole and Probation may require you to participate in up to 60 hours of community service work each month. 12. FINANCIAL OBLIGATION: You shall pay fees, fines, and restitution on a schedule approved by the Division of Parole and Probation. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge. SPECIAL CONDITIONS: 1. Submit to alcohol and substance abuse evaluations as deemed necessary by Parole and Probation and complete any recommended care plan, treatment or counseling program. 2. You shall participate in and successfully complete a mental health program, which may include testing, evaluation, medication management and/or outpatient counseling, as approved and directed by the Probation Officer. 3. Satisfy any outstanding warrants within the first 60 days of probation. 4. Comply with an imposed curfew by Parole and Probation as deemed necessary. 5. Complete 100 hours of community service. (THIS IS SEPARATE FROM CONDITION #11 AND MUST BE DONE WHETHER WORKING OR NOT). 6. Submit to genetic markers testing and pay a \$150 fee to the Clerk of the Court. Defendant was advised the above conditions are immediately in effect upon his leaving the Courtroom and not contingent upon the filing of the Judgment of Conviction. As Mr. Merback is requesting jail time as a condition of probation, COURT ORDERED, matter CONTINUED to Tuesday for Defendant to obtain a letter that he has employment. O.R. 12/5/17 8:30 AM SENTENCING;

12/05/2017


 Sentencing (8:30 AM) (Judicial Officer: Johnson, Eric)

Defendant Sentenced;

Journal Entry Details:

Mr. Nones advised Defendant was sentenced on 11/30, however, the Court continued the matter to today for Defendant to provide a letter that he has employment so that the Court would not impose time jail time as a condition of probation. Mr. Nones stated the letter from the employer advised there is no longer a job available but are still willing to hire him when they do have one. Mr. Nones advised Defendant is working part-time at McDonald's and requested he be placed on house arrest in lieu of being put in jail. Ms. Albritton renewed the State's request for jail time as a condition of probation. Following colloquy, COURT ORDERED: 1. Defendant to be placed on house arrest with electronic monitoring for 90 days. BOND, if any, EXONERATED. O.R.;

04/24/2018

 Revocation of Probation (8:30 AM) (Judicial Officer: Johnson, Eric)

MINUTES

Matter Continued;

Journal Entry Details:

Officer Harvey from the Division of Parole and Probation present. Court Service Officer advised Defendant is in Justice Court I. Mr. Nones stated that the offer in the new case has been rejected and Defendant is proceeding with the Preliminary Hearing. Mr. Jones requested this matter trail that hearing. Mr. Nones concurred. COURT ORDERED, matter CONTINUED THREE (3) WEEKS. CUSTODY (COC) ... CONTINUED 5/15/18 8:30 AM;

05/15/2018

 Revocation of Probation (8:30 AM) (Judicial Officer: Johnson, Eric)

Matter Continued;

Journal Entry Details:

Mr. Wilfong requested this matter be trailed for Mr. Nones to be present. MATTER TRAILED AND RECALLED: Upon Court's inquiry, Mr. Nones advised there is an offer in Defendant's other case that will take care of this case, however, it is set for tomorrow and requested this matter be continued. Following colloquy, COURT ORDERED, matter CONTINUED THREE (3) WEEKS. CUSTODY (COC) ... CONTINUED 6/7/18 9:00 AM;

06/07/2018

 Revocation of Probation (9:00 AM) (Judicial Officer: Johnson, Eric)

Probation Revoked;

Journal Entry Details:

Officer Harvey from the Division of Parole and Probation present. Mr. Gaston appeared for Mr. Nones and advised Defendant will stipulate to the violations. Defendant concurred. Court ACCEPTED stipulation. There being nothing to


CASE SUMMARY

CASE No. C-14-299452-1

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add. Court FINDS Defendant has violated the conditions of probation and ORDERED, DEFENDANT ANDERSON'S PROBATION IS REVOKED with the original sentence of SIXTEEN (16) MONTHS MINIMUM with a MAXIMUM term of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections being imposed with 110 days credit for time served. NDC;

03/19/2019

 Motion to Dismiss (8:30 AM) (Judicial Officer: Johnson, Eric)

Defendant's Pro Per Motion to Dismiss Counsel

Granted;


Journal Entry Details:

Mr. Gaston appeared for Mr. Nones and advised there is no objection to Defendant's motion. COURT ORDERED.

Motion GRANTED and the Public Defender's Office is REMOVED as counsel of record. NDC CLERK'S NOTE:

3/22/19 A copy of this Minute Order was mailed to Defendant: JAYON ANDERSON #1199691 HIGH DESERT STATE PRISON P.O. BOX 650 INDIAN SPRINGS, NV 89070;

10/01/2019

 Motion to Set Aside (8:30 AM) (Judicial Officer: Johnson, Eric)

Defendant's Pro Per Motion to Set Aside

Denied;

Journal Entry Details:

Defendant in prison and not present today. Defendant feels he was sentenced to 16-42 months but the JOC (Judgment of Conviction) stated 19-48 and that he was not given the additional time while waiting for probation revocation.

However, there was a Third Amended JOC, filed 8/2/18, that reflected the correct sentence of 16-48 with credit for time served of 110 days. Therefore, COURT ORDERED, Motion DENIED. NDC CLERK'S NOTE: 10/4/19 A copy of this Minute Order was mailed to Defendant: JAYON ANDERSON #1199691 HIGH DESERT STATE PRISON P.O. BOX 650 INDIAN SPRINGS, NV 89070;

DATE

FINANCIAL INFORMATION

Defendant Anderson, Jayon

Total Charges

Total Payments and Credits

Balance Due as of 8/11/2021

246.50

8.50

238.00

Jayen Anderson #11996911

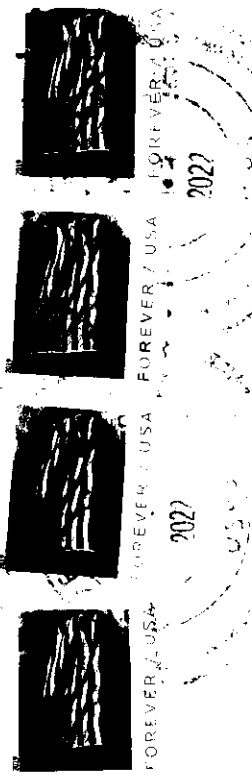
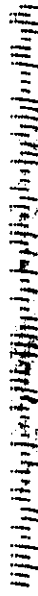
H.D.S.f

P.O Box 656

Indian Springs, NV 89070

10: Clerk of The Court
200 Lewis Avenue 3rd floor
Las Vegas, NV 89153

8910132300 0075



HIGH DESERT STATE PRISON
JAN 9 8 2022
UNIT 3C/D



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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 JAYON ANDERSON,

14 Defendant(s),
15

Case No: C-19-344266-1

Dept No: XIX

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Jayon Anderson

20 2. Judge: Crystal Eller

21 3. Appellant(s): Jayon Anderson

22 Counsel:

23 Jayon Anderson #1199691
24 P.O. Box 650
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: October 24, 2019

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): 83818

12. Child Custody or Visitation: N/A

Dated This 1 day of February 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: Jayon Anderson

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-19-344266-1**

State of Nevada
vs
Jayon Anderson

§ Location: **Department 19**
§ Judicial Officer: **Eller, Crystal**
§ Filed on: **10/24/2019**
§ Case Number History:
§ Cross-Reference Case **C344266**
§ Number:
§ Defendant's Scope ID #: **2864329**
§ Grand Jury Case Number: **19BGJ015x**
§ ITAG Case ID: **2238197**
§ Supreme Court No.: **83818**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM	200.508.2a2	F	04/01/2017	Case Status:	08/30/2021 Closed
<i>Filed As:</i> SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE					
	F		10/24/2019		
Arrest: 10/24/2019					
2. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	04/01/2017		
3. LEWDNESS WITH A CHILD UNDER THE AGE OF 14	201.230.2	F	04/01/2017		
4. LEWDNESS WITH A CHILD UNDER THE AGE OF 14	201.230.2	F	04/01/2017		

Statistical Closures

08/30/2021 Other Manner of Disposition - Criminal
02/25/2021 Guilty Plea with Sentence (before trial) (CR)
02/03/2021 Other Manner of Disposition - Criminal

Warrants

Indictment Warrant - Anderson, Jayon (Judicial Officer: Bell, Linda Marie)
12/10/2019 4:03 PM Returned - Served
10/24/2019 11:00 AM Active
Hold Without Bond

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

Case Number C-19-344266-1
Court Department 19
Date Assigned 09/07/2021
Judicial Officer Eller, Crystal
















PARTY INFORMATION

		Lead Attorneys
Defendant	Anderson, Jayon	Pro Se
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)














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

CASE SUMMARY

CASE NO. C-19-344266-1

10/24/2019	 Warrant <i>[1] Indictment warrant</i>	In #1
10/24/2019	 Indictment <i>[2]</i>	In #2
10/31/2019	 Consent <i>[3] Consent to Service by Electronic Means</i>	In #3
11/09/2019	 Transcript of Proceedings <i>[4] Reporter's Transcript of Proceedings, Grand Jury Hearing, October 23, 2019</i>	In #4
11/13/2019	 Motion Filed By: Defendant Anderson, Jayon <i>[5] Motion to Proceed Pro Se/Dismiss Counsel</i>	In #5
11/18/2019	 Motion Filed By: Defendant Anderson, Jayon <i>[6] Motion to Withdraw Counsel</i>	In #6
11/21/2019	 Order for Production of Inmate <i>[7] Order for Production of Inmate</i>	In #7
12/31/2019	 Petition for Writ of Habeas Corpus Filed by: Defendant Anderson, Jayon <i>[8] Pretrial Petition for Writ of Habeas Corpus</i>	In #8
01/02/2020	 Clerk's Notice of Hearing <i>[9] Notice of Hearing</i>	In #9
01/07/2020	 Order <i>[10] Order PWHC</i>	In #1
01/07/2020	 Writ <i>[11] Writ of Habeas Corpus</i>	In #1
02/19/2020	 Motion Filed By: Defendant Anderson, Jayon <i>[12] Motion to Withdraw Counsel for Ineffective Assistance</i>	In #1
04/17/2020	 Guilty Plea Agreement <i>[13] Guilty Plea Agreement</i>	In #1
04/21/2020	 Amended Indictment <i>[14] Amended Indictment</i>	In #1
05/14/2020	 PSI	In #1





CASE SUMMARY
CASE NO. C-19-344266-1

	[15]	
05/14/2020	 PSI - Victim Impact Statements [16]	In #1
06/17/2020	 Order for Production of Inmate [17] Order to Produce Inmate for Video Visit	In #1
07/07/2020	 Memorandum [18] Defendant's Sentencing Memorandum	In #1
07/24/2020	 Motion for Withdrawal Filed By: Defendant Anderson, Jayon [19] Motion to Withdraw Counsel for Ineffective Assistance	In #1
08/11/2020	 Recorders Transcript of Hearing [20] Recorder's Transcript of Hearing: Motion to Withdraw Counsel for Ineffective Assistance Heard on April 21, 2020	In #2
09/23/2020	 Motion to Withdraw Plea Filed By: Defendant Anderson, Jayon [21] Motion to Withdraw Guilty Plea and Points and Authorities	In #2
09/23/2020	 Motion to Withdraw Plea Filed By: Defendant Anderson, Jayon [22] Amended Motion To Withdraw Plea	In #2
10/13/2020	 Opposition [23] State's Response to Defendant s Motion to Withdraw Guilty Plea and Points and Authorities	In #2
02/03/2021	 Order Denying Motion [24] Order Denying Motion to Withdraw Guilty Plea	In #2
02/25/2021	 Judgment of Conviction [26] Judgement of Conviction	In #2
02/25/2021	 Notice of Withdrawal [27] Notice of Withdrawal of Counsel	In #2
06/08/2021	 Motion to Dismiss Counsel Party: Defendant Anderson, Jayon [28] Motion to Dismiss Counsel to Proceed In Pro Se	In #2
07/15/2021	 Motion to Amend Judgment Filed By: Defendant Anderson, Jayon [29] Motion to Amend JOC and to or Credit Time Served	In #2
07/15/2021	 Affidavit	In #2

CASE SUMMARY**CASE NO. C-19-344266-1**

	Filed By: Defendant Anderson, Jayon [30]	
07/30/2021	 Opposition to Motion Filed By: Plaintiff State of Nevada [31] State's Opposition to Defendant's Motion to Withdraw Guilty Plea and Points and Authorities	In #2
08/17/2021	 Response Filed by: Defendant Anderson, Jayon [32] Response to State's Opposition for Motion for Amendment of JOC and or Credit Time Served	In #2
08/30/2021	 Order Filed By: Plaintiff State of Nevada [33] Order Denying Defendant's Motion to Amend Judgment of Conviction to and/or Credit for Time Served	In #2
09/07/2021	Case Reassigned to Department 19 From Judge Michael Villani to Judge Crystal Eller	
09/09/2021	 Motion to Amend Judgment Filed By: Defendant Anderson, Jayon [34] Motion to Amend Judgment To And or Grant Credit Time Served	In #2
09/16/2021	 Motion for Judgment Filed By: Defendant Anderson, Jayon [35] Motion for Judgment on Motion to Amend JOC and or Credit for Time Served	In #2
09/30/2021	 Opposition [36] State s Opposition to Defendant s Motion to Amend J.O.C and/or Credit Time Served, et al	In #2
10/21/2021	 Motion to Reconsider Filed By: Defendant Anderson, Jayon [37] Motion to Reconsider Judgment for Credit Time Served	In #2
10/22/2021	 Order Filed By: Plaintiff State of Nevada [38] Order Denying Defendant's Motion for Judgment on Motion to Amend JOC And Or Credit for Time Served	In #2
10/27/2021	 Opposition [39] State's Opposition to Defendant s Motion to Reconsider Judgment for Credit Time Served	In #2
11/17/2021	 Notice of Appeal (Criminal) [40] Notice of Appeal	In #4
11/18/2021	 Case Appeal Statement Filed By: Defendant Anderson, Jayon [41] Case Appeal Statement	In #4
01/03/2022	 Motion Filed By: Defendant Anderson, Jayon [42] Motion for Credit Time Served to Correct on Illegal Sentence	In #4


CASE SUMMARY
CASE NO. C-19-344266-1

01/10/2022	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[43] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>	In #4
01/20/2022	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[44] State 's Opposition to Defendant's Motion for Credit Time Served to Correct an Illegal Sentence</i>	In #4
01/28/2022	 Notice of Appeal (Criminal) <i>[45] Notice of Appeal</i>	In #4
02/01/2022	 Case Appeal Statement <i>Case Appeal Statement</i>	In #4
<u>DISPOSITIONS</u>		
04/17/2020	Plea (Judicial Officer: Villani, Michael) 1. CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM Guilty PCN: Sequence:	
04/21/2020	Disposition (Judicial Officer: Villani, Michael) 2. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Amended Information Filed/Charges Not Addressed PCN: Sequence: 3. LEWDNESS WITH A CHILD UNDER THE AGE OF 14 Amended Information Filed/Charges Not Addressed PCN: Sequence: 4. LEWDNESS WITH A CHILD UNDER THE AGE OF 14 Amended Information Filed/Charges Not Addressed PCN: Sequence:	
02/18/2021	Disposition (Judicial Officer: Villani, Michael) 1. CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM Guilty PCN: Sequence:	
02/18/2021	Adult Adjudication (Judicial Officer: Villani, Michael) 1. CHILD ABUSE, NEGLECT, OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM 04/01/2017 (F) 200.508.2a2 (DC55236) PCN: Sequence:	
<hr/>		
Sentenced to Nevada Dept. of Corrections Term: Minimum:42 Months, Maximum:120 Months Credit for Time Served: 209 Days Other Fees 1. , \$2,304.60 Fee Totals: Administrative Assessment Fee 25.00 \$25		

CASE SUMMARY**CASE NO. C-19-344266-1**

Genetic Marker Analysis AA Fee	3.00
\$3	
Indigent Defense Civil Assessment	250.00
Fee - ASK	
Fee Totals \$	278.00
\$150 Waived	

HEARINGS

10/24/2019  **Grand Jury Indictment** (11:00 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES**Warrant**

10/24/2019 Inactive Indictment Warrant


Matter Heard;

Journal Entry Details:

Steve Lurvey, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 19BGJ015X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-19-344266-1, Department XVII. State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, NO BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. Upon Court's inquiry, the State advised there are no material witness warrants to quash. COURT FURTHER ORDERED, Exhibits 1-4 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F11574X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done. I.W. (NIC (COC-NDC)) 11/14/19 8:30 A.M. INITIAL ARRAIGNMENT (DEPT XVII) ;

SCHEDULED HEARINGS

Initial Arraignment (11/14/2019 at 8:30 AM) (Judicial Officer: Villani, Michael)

11/14/2019  **Initial Arraignment** (8:30 AM) (Judicial Officer: Villani, Michael)

Matter Continued;


Journal Entry Details:

Defendant not present. Counsel noted Defendant was not transported. COURT ORDERED, matter CONTINUED. Court instructed the State to prepare a Transport Order. NIC (COC-NDC) 12/03/19 8:30 AM ARRAIGNMENT CONTINUED;

12/10/2019 **Motion** (8:30 AM) (Judicial Officer: Villani, Michael)

Motion to Proceed Pro Se/Dismiss Counsel

Matter Heard;

12/10/2019  **Arraignment Continued** (8:30 AM) (Judicial Officer: Villani, Michael)

12/10/2019, 12/12/2019

Matter Continued;

Matter Heard;

Journal Entry Details:

Mr. Savage stated he had reviewed the Indictment with the Defendant and requested a Status Check in 30 days to discuss the case further with the Defendant. DEFENDANT ANDERSON ARRAIGNED AND PLED NOT GUILTY, and WAIVED the 60 Day Rule. COURT ORDERED, matter SET for Status Check. CUSTODY (COC-NDC) 01/14/2020 8:30 AM STATUS CHECK: TRIAL SETTING;


Matter Continued;

Matter Heard;

12/10/2019 **Motion** (8:30 AM) (Judicial Officer: Villani, Michael)

Motion to Withdraw Counsel

Denied;

12/10/2019  **All Pending Motions** (8:30 AM) (Judicial Officer: Villani, Michael)

Matter Heard;

Journal Entry Details:

CASE SUMMARY

CASE NO. C-19-344266-1

ARRAIGNMENT CONTINUED...MOTION TO PROCEED PRO SE/DISMISS COUNSEL...MOTION TO WITHDRAW COUNSEL Statement from the Defendant regarding not being present at the Grand Jury Indictment and communication issues with Ms. Coffee. Colloquy regarding timeliness of Motions to be filed. Ms. Coffee advised she had tried to visit the Defendant at High Desert State Prison but could not due to the prison being on lockdown, noting there had been issues with cooperation from the Defendant and wasn't sure how to go forward given his behavior. Colloquy regarding the Defendant. Court advised it did not see a conflict at this time and ORDERED, request to withdraw counsel DENIED. Upon Court's inquiry, the Defendant expressed if another attorney would not be appointed, then he wished to represent himself. MATTER TRAILED for the Court to Faretta Canvass the Defendant. MATTER RECALLED. Statement from the Defendant regarding the request for a different attorney and not being present at the Grand Jury Indictment. Colloquy regarding procedural Preliminary Hearing dismissal. Court FINDS no conflict to dismiss Ms. Coffee from the case. Upon Court's inquiry, Ms. Coffee advised the Defendant was wishing to make adverse decisions against her advice and to what she believed would be his detriment, noting there was a valid issue of Marcum Notice as well as issues with legal mail getting to the prison in a timely manner. Upon Court's further inquiry, Ms. Coffee stated there may be someone else from the Special Public Defender's office that could represent the Defendant. COURT ORDERED, arraignment CONTINUED for the Defendant's new counsel from the Special Public Defender's office to be present. CONTINUED TO: 12/12/2019 8:30 AM;

01/14/2020 **CANCELED Status Check: Trial Setting (8:30 AM)** (Judicial Officer: Villani, Michael)
Vacated - per Law Clerk

01/16/2020 **CANCELED Petition for Writ of Habeas Corpus (8:30 AM)** (Judicial Officer: Villani, Michael)
Vacated - per Law Clerk
Defendant's Pretrial Petition for Writ of Habeas Corpus

01/30/2020  **Status Check: Negotiations/Trial Setting (8:30 AM)** (Judicial Officer: Villani, Michael)

01/30/2020, 02/14/2020

Matter Continued;

Trial Date Set;

Journal Entry Details:


Deft. present in Nevada Dept. of Corrections custody. Mr. Savage stated the matter had been resolved; advised the Deft. would be pleading guilty, to one count of child abuse, neglect, endangerment, causing bodily or mental harm, pursuant to the Alford plea, and summarized the negotiations. Colloquy regarding interlineating the term. Upon Court's inquiry, Deft. acknowledged he wanted to accept the negotiations. Upon Court's plea canvass, DEFT. ANDERSON ARRAIGNED AND PLED GUILTY to CHILD ABUSE, NEGLECT OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM (F). PURSUANT TO THE ALFORD DECISION. COURT ADVISED, it would not go above the twelve years and it was not saying it would give the Deft. twelve years. State gave an offer of proof. Mr. Savage stated the plea to some extent was fiction; therefore, he was waiving any defects. Colloquy regarding whether the Deft. read the grand jury transcript, was advised of the witness testimony, whether Mr. Savage had gone over the police reports with the Deft., and whether the Deft. was filing pro per motions from the inception of the case. Mr. Savage stated he and another attorney from his office had visited the Deft. four times in prison about this matter. COURT ADVISED, it was NOT going to accept the plea, if the Deft. was saying no one had gone over the facts of the case with the Deft. Deft. stated he had talked about it. Ms. Luzaich stated this plea could not be accepted. COURT ADVISED, if the Deft. did not remember, Mr. Savage could go back up to the prison to speak to the Deft., and ORDERED, matter SET for trial. CUSTODY (COC-NDC) 6/9/20 - 8:30 AM - CALENDAR CALL 6/15/20 - 9:00 AM - JURY TRIAL;

Matter Continued;

Trial Date Set;

Journal Entry Details:

Mr. Savage advised Deft. was not transported, matter is close to resolving and requested to continue. COURT ORDERED, matter CONTINUED. CUSTODY (COC-NDC) CONTINUED TO: 2/7/2020 8:30 AM;

03/12/2020  **Motion (8:30 AM)** (Judicial Officer: Villani, Michael)

03/12/2020, 04/21/2020

Motion to Withdraw Counsel for Ineffective Assistance

Matter Continued;

Plea Entered;



Journal Entry Details:

Mr. Savage advised the Defendant would be requesting to withdraw the Motion to Withdraw Counsel for Ineffective Assistance. Upon Court's inquiry as to whether he wanted to proceed with Mr. Savage as counsel, Defendant concurred. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED on April 17, 2020. DEFT. ANDERSON ARRAIGNED AND PLED GUILTY PURSUANT TO THE ALFORD DECISION TO CHILD ABUSE. Offer of proof by the State. Court ACCEPTED plea, and ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for sentencing. CUSTODY 06/04/2020 8:30 AM SENTENCING ;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-19-344266-1

	<p>Matter Continued; Plea Entered; Journal Entry Details: <i>Defendant not present. Ms. Luzaich advised that the Defendant wasn't transported despite the Order being filed and requested to continue the matter, noting that she was told he was going to accept negotiations. Ms. Bush advised she was standing in for assigned counsel and wasn't sure as to whether the Defendant would accept negotiations. COURT ORDERED, matter CONTINUED; State to prepare another transport Order. CUSTODY (COC-NDC) CONTINUED TO: 03/24/2020 8:30 AM;</i></p>
06/09/2020	<p>CANCELED Calendar Call (8:30 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i></p>
06/15/2020	<p>CANCELED Jury Trial (9:00 AM) (Judicial Officer: Villani, Michael) <i>Vacated</i></p>
07/09/2020	<p> Sentencing (10:15 AM) (Judicial Officer: Villani, Michael) 07/09/2020, 08/06/2020 Matter Continued; Matter Heard; Journal Entry Details: <i>Mr. Savage advised a Motion was filed by Defendant alleging ineffective assistance of counsel and seeking to withdraw his guilty plea. Ms. Luzaich requested a Young hearing. Statement from Defendant. COURT ORDERED, Defendant's Pro Per Motion to Withdraw Counsel for Ineffective Assistance scheduled for 08/18/2020 OFF CALENDAR and Martin Hart, ESQ. APPOINTED to see if there was a legal or factual basis for a plea withdrawal. MATTER TRAILED. MATTER RECALLED. Mr. Hart now present. Mr. Hart CONFIRMED as Counsel and requested Entry of Plea transcripts be produced. Ms. Luzaich requested copy of transcript be sent to her as well. COURT SO ORDERED, and matter SET for Status Check. CUSTODY 08/27/2020 10:15 AM STATUS CHECK: PLEA WITHDRAWAL;</i> Matter Continued; Matter Heard; Journal Entry Details: <i>Ms. Savage advised Defendant had informed him he wanted to withdraw his plea, that he hadn't mailed the Pre Sentence Investigation (PSI) report to him and hadn't reviewed the PSI or sentencing memo with him. Upon Court's inquiry, Defendant confirmed wanting to speak to Mr. Savage to clear up any issues. Ms. Luzaich noted Defendant's current sentence at Nevada Department of Corrections (NDC) was about to expire and request he be remanded. COURT ORDERED, Defendant REMANDED if not already in custody on this case and matter CONTINUED. CUSTODY (COC-NDC) CONTINUED TO: 08/06/2020 10:15 AM;</i></p>
08/18/2020	<p>CANCELED Motion for Withdrawal (10:15 AM) (Judicial Officer: Villani, Michael) <i>Vacated - per Judge</i> <i>Defendant's Pro Per Motion to Withdraw Counsel for Ineffective Assistance</i></p>
08/27/2020	<p> Status Check: Status of Case (10:15 AM) (Judicial Officer: Villani, Michael) 08/27/2020, 09/08/2020, 09/24/2020 <i>Status Check: Plea Withdrawal</i> Matter Continued; Matter Continued; Matter Heard; Journal Entry Details: <i>Mr. Hart advised an Amended Motion to Withdraw Guilty Plea was filed last night. Ms. Luzaich requested time to file an opposition. COURT ORDERED, State's Opposition due by 10/08/2020 and matter SET for Argument. CUSTODY 10/15/2020 10:15 AM AMENDED MOTION TO WITHDRAW GUILTY PLEA;</i> Matter Continued; Matter Continued; Matter Heard; Journal Entry Details: <i>Upon Court's inquiry, Mr. Hart advised Defendant may want to represent himself. Upon Court's inquiry, Mr. Anderson stated he wants to keep Mr. Hart as his counsel. COURT ORDERED, matter CONTINUED for Mr. Hart to discuss the plea withdrawal with Defendant. CUSTODY CONTINUED TO: 09/24/2020 10:15 AM;</i> Matter Continued; Matter Continued; Matter Heard;</p>

CASE SUMMARY

CASE NO. C-19-344266-1

Journal Entry Details:

Due to time constraints with Clark County Detention Center's Bluejeans videoconferencing, COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 09/08/2020 10:15 AM ;

10/15/2020



Motion for Withdrawal (10:15 AM) (Judicial Officer: Villani, Michael)

10/15/2020, 10/20/2020

Amended Motion to Withdraw Guilty Plea

Matter Continued;

Denied;

Journal Entry Details:

Arguments by Counsel regarding the merits and opposition of the Motion. COURT ORDERED, matter UNDER ADVISEMENT. CUSTODY ;

Matter Continued;

Denied;

Journal Entry Details:

Counsel not present. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 10/20/2020 10:15 AM CLERK'S NOTE: Counsel notified via email /SR 10/15/2020;

01/11/2021



Minute Order (3:00 AM) (Judicial Officer: Villani, Michael)

Minute Order - No Hearing Held;

Journal Entry Details:

Defendant's Amended Motion to Withdraw Guilty Plea came before this Court, whereupon the Court took the matter under further advisement. After considering all pleadings and arguments, the Court renders its decision as follows: After reviewing the historical record and guilty plea canvass, the Court provides the following decision: Defendant entered his guilty plea pursuant to North Carolina v. Alford, 91 S.Ct. 160 (1970). The record is clear that Defendant has had ample opportunities to discuss his case with counsel before entering his plea. At entry of plea, the Court provided a thorough plea-canvas and found Defendant entered into his plea freely and voluntarily. Also, the guilty plea agreement informed Defendant of his constitutional rights. THIS COURT FINDS, based upon the totality of the circumstances, Defendant entered into the guilty plea freely and voluntarily. The basis of an Alford plea is that a defendant, although not accepting responsibility for the charged conduct, agrees with a negotiation to resolve his case by pleading to a lesser charge and avoiding a harsher penalty. Here, Defendant fails to present any fair and just reason to allow the withdrawal of his plea. Therefore, COURT ORDERD, Amended Motion to Withdraw Guilty Plea DENIED. COURT ORDER'S, Sentencing set for January 21, 2021, at 8:30 AM. CLERK'S NOTE: The above minute order has been distributed to: Lisa Luzaich <Lisa.Luzaich@clarkcountyda.com>; Martin Hart <MH@martinhartlaw.com> hvp/1/11/21;

01/21/2021



Sentencing (8:30 AM) (Judicial Officer: Villani, Michael)

01/21/2021, 02/18/2021

Matter Continued;

Per State's Request

Defendant Sentenced;


Journal Entry Details:


Upon Court's inquiry, Mr. Hart advised they were ready to proceed with Sentencing. DEFENDANT ANDERSON ADJUDGED GUILTY OF CHILD ABUSE NEGLECT OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM (F). Ms. Luzaich stated, pursuant to the negotiations, that the State would not argue for more than 12 years on the top and 4 years on the bottom. Ms. Luzaich stated the Defendant beat the six year old with a belt and was charged with child abuse and after she was placed in the care of her maternal grandparents she revealed she was sexually abused by the Defendant as well. Ms. Luzaich noted that the victim's older brother had seen a similar situation. Ms. Luzaich argued that Defendant was violent, unable to follow court orders, and was released after being incarcerated, at which time he fled to Michigan. Statement by Defendant. Upon Court's inquiry, Ms. Luzaich stated the issue of the illness of the child is not significant and noted she was born with the sexually transmitted disease (STD). Mr. Hart stated the Defendant tested negative for the STD. Mr. Hart noted this was an alford plea and the mother had written letters in support of the Defendant. Mr. Hart stated Defendant was on the low end according to Dr. Chamber's assessment, has tons of support, and traveled back to Michigan due to a death in the family. Upon Court's inquiry, Defendant stated his sentence expired on 6/20/2020. Ms. Luzaich clarified that Defendant's sentence expired on 7/28/2020 and he was eligible for credit after that date. Mr. Hart concurred and stated Defendant has 209 days credit for time served. Court noted these kind of cases are always difficult and noted it had reviewed the assessment. Pursuant to NRS 176.063, COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, WAIVED as previously taken, \$250.00 Indigent Defense Civil Assessment fee, and extradition costs in the amount of \$2,304.60, Defendant SENTENCED to a MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS AND A MINIMUM OF FORTY-TWO (42) MONTHS in the Nevada Department of Corrections (NDC), with TWO HUNDRED NINE (209) DAYS credit for time served. BOND, if any, EXONERATED. NDC;


CASE SUMMARY

CASE NO. C-19-344266-1


Matter Continued;
Per State's Request
Defendant Sentenced;
Journal Entry Details:
Court noted that the Deft. was in quarantine and ORDERED, MATTER CONTINUED. CUSTODY CONTINUED TO: 2/11/21 8:30 AM;

02/12/2021  **Minute Order** (3:00 AM) (Judicial Officer: Villani, Michael)
Minute Order - No Hearing Held;
Journal Entry Details:
By stipulation and agreement by Parties via communications with Court s Law Clerk. COURT ORDERED, matter SET for February 11, 2021 VACATED and RESET to February 18, 2021 at 8:30 AM. CLERK'S NOTE: A copy of this Minute Order was distributed via e-mail to counsel. 2/12/2021 sa;


06/29/2021  **Motion to Dismiss** (8:30 AM) (Judicial Officer: Villani, Michael)
Motion to Dismiss Counsel to Proceed In Pro Se
Granted;
Journal Entry Details:
Defendant not transported. COURT ORDERED, Motion GRANTED and directed Mr. Hart to forward a copy of the file to the Defendant. Mr. Hart confirmed he had already sent a copy to the Defendant. NDC CLERK'S NOTE: A copy of this Minute Order mailed to: Jayon Anderson #1199691 HDSP PO Box 650 Indian Springs, Nv 89070 (6/30/2021 sa);

08/04/2021  **Minute Order** (3:00 AM) (Judicial Officer: Villani, Michael)
Minute Order - No Hearing Held;
Journal Entry Details:
By stipulation and agreement by Parties via email communications with Dept. 17 Law Clerk, COURT ORDERS, matter SET for August 5, 2021, VACATED and RESET to August 19, 2021, at 8:30 AM. CLERK'S NOTE: A copy of this Minute Order was provided to counsel by e-mail and mailed to: Jayon Anderson #1199691 HDSP PO BOX 650 Indian Springs, NV 89070 (8/4/2021 sa);

08/05/2021 **CANCELED Motion to Amend Judgment** (8:30 AM) (Judicial Officer: Villani, Michael)
Vacated - per Law Clerk
Motion to Amend JOC and to or Credit Time Served

08/18/2021  **Minute Order** (1:35 PM) (Judicial Officer: Leavitt, Michelle)
Minute Order Motion to Amend Judgment of Conviction to and/or Credit Time Served
Minute Order - No Hearing Held; Minute Order Motion to Amend Judgment of Conviction to and/or Credit Time Served
Journal Entry Details:
The court having reviewed the pleadings submitted herein, denies Defendant s Motion to Amend. The defendant was given the appropriate credit towards his sentence as provided in NRS 176.055 (2) (b), and therefore, his motion is denied. Ms. Luzaich, Esq. to prepare the order for the court. The hearing on August 19, 2021 is vacated. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl;



08/19/2021 **CANCELED Motion to Amend Judgment** (8:30 AM) (Judicial Officer: Leavitt, Michelle)
Vacated
Motion to Amend JOC and to or Credit Time Served

09/30/2021  **Motion to Amend Judgment** (11:00 AM) (Judicial Officer: Eller, Crystal)
09/30/2021, 10/07/2021
Motion to Amend Judgment To And or Grant Credit Time Served
Matter Continued;
Denied;
Matter Continued;
Denied;
Journal Entry Details:
Counsel appeared via BlueJeans. Ms. Wyse requested this matter be continued until 10/7/21 as there was another motion for the instant case to be heard that day. COURT SO ORDERED. NDC MATTER CONTINUED TO: 10/07/21

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-19-344266-1

	11:00 A.M.;	
10/07/2021	Motion for Judgment (11:00 AM) (Judicial Officer: Eller, Crystal) <i>Motion for Judgment on Motion to Amend JOC and or Credit for Time Served</i> Denied;	
10/07/2021	 All Pending Motions (11:00 AM) (Judicial Officer: Eller, Crystal) Matter Heard; Journal Entry Details: <i>Ms. Luzaich, appeared via BlueJeans. MOTION TO AMEND JUDGMENT TO AND OR GRANT CREDIT TIME SERVED...MOTION FOR JUDGMENT ON MOTION TO AMEND JOC AND OR CREDIT FOR TIME SERVED</i> <i>Defendant not present. Ms. Luzaich indicated she had titled her opposition incorrectly and apologized to the Court.</i> <i>COURT NOTED this matter had been ruled upon by Judge Villani, which he had denied on 8/18/21. COURT stated its findings and ORDERED, motions DENIED. Ms. Luzaich to prepare the order. CLERK'S NOTE: A copy of this minute order was mailed to Jayon Anderson #1199691, HDSP, PO Box 650, Indian Springs, NV 89070. clm 10/7/21;</i>	
11/16/2021	 Motion to Reconsider (11:00 AM) (Judicial Officer: Eller, Crystal) <i>Motion to Reconsider Judgment for Credit Time Served</i> Denied; Journal Entry Details: <i>Ms. Dunn, Deputy District Attorney appeared via BlueJeans. Defendant not present. COURT NOTED it had read the motion and the opposition, stated its findings and ORDERED, motion DENIED. Ms. Dunn to prepare the order.</i> <i>CLERK'S NOTE: A copy of this minute order was mailed to Jayon Anderson #1199691, High Desert State Prison, PO Box 650, Indian Springs, NV 89070;</i>	
01/25/2022	Motion (11:00 AM) (Judicial Officer: Eller, Crystal) <i>Motion for Credit Time Served to Correct on Illegal Sentence</i>	
DATE	FINANCIAL INFORMATION	

Defendant Anderson, Jayon	
Total Charges	278.00
Total Payments and Credits	0.00
Balance Due as of 2/1/2022	278.00

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 24, 2019

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

October 24, 2019 11:00 AM Grand Jury Indictment

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 16C

COURT CLERK: Kimberly Estala

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Steve Lurvey , Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 19BGJ015X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-19-344266-1, Department XVII.

State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, NO BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment.

Upon Court's inquiry, the State advised there are no material witness warrants to quash. COURT FURTHER ORDERED, Exhibits 1-4 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F11574X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done.

I.W. (NIC (COC-NDC))

11/14/19 8:30 A.M. INITIAL ARRAIGNMENT (DEPT XVII)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 14, 2019

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

November 14, 2019 8:30 AM Initial Arraignment

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Olivia Black
 Carolyn Jackson

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Coffee, Amy A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present. Counsel noted Defendant was not transported. COURT ORDERED, matter CONTINUED. Court instructed the State to prepare a Transport Order.

NIC (COC-NDC)

12/03/19 8:30 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 10, 2019

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

December 10, 2019 8:30 AM All Pending Motions

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

COURT CLERK: Olivia Black
 Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Coffee, Amy A.	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- ARRAIGNMENT CONTINUED...MOTION TO PROCEED PRO SE/DISMISS
COUNSEL...MOTION TO WITHDRAW COUNSEL

Statement from the Defendant regarding not being present at the Grand Jury Indictment and communication issues with Ms. Coffee. Colloquy regarding timeliness of Motions to be filed. Ms. Coffee advised she had tried to visit the Defendant at High Desert State Prison but could not due to the prison being on lockdown, noting there had been issues with cooperation from the Defendant and wasn't sure how to go forward given his behavior. Colloquy regarding the Defendant. Court advised it did not see a conflict at this time and ORDERED, request to withdraw counsel DENIED. Upon Court's inquiry, the Defendant expressed if another attorney would not be appointed, then he wished to represent himself. MATTER TRAILED for the Court to Faretta Canvass the Defendant.

MATTER RECALLED.

Statement from the Defendant regarding the request for a different attorney and not being present at the Grand Jury Indictment. Colloquy regarding procedural Preliminary Hearing dismissal. Court FINDS no conflict to dismiss Ms. Coffee from the case. Upon Court's inquiry, Ms. Coffee advised the Defendant was wishing to make adverse decisions against her advice and to what she believed would be his detriment, noting there was a valid issue of Marcum Notice as well as issues with legal mail getting to the prison in a timely manner. Upon Court's further inquiry, Ms. Coffee stated there may be someone else from the Special Public Defender's office that could represent the Defendant. COURT ORDERED, arraignment CONTINUED for the Defendant's new counsel from the Special Public Defender's office to be present.

CONTINUED TO: 12/12/2019 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 12, 2019

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

December 12, 2019 8:30 AM Arraignment Continued

HEARD BY: Villani, Michael

COURTROOM: RJC Courtroom 11A

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Overly, Sarah	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage stated he had reviewed the Indictment with the Defendant and requested a Status Check in 30 days to discuss the case further with the Defendant. DEFENDANT ANDERSON ARRAIGNED AND PLED NOT GUILTY, and WAIVED the 60 Day Rule. COURT ORDERED, matter SET for Status Check.

CUSTODY (COC-NDC)

01/14/2020 8:30 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 30, 2020

C-19-344266-1 State of Nevada
vs
Jayon Anderson

**January 30, 2020 8:30 AM Status Check:
Negotiations/Trial Setting**

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

COURT CLERK: April Watkins

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Albright, Brandon B.	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage advised Deft. was not transported, matter is close to resolving and requested to continue. COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC)

CONTINUED TO: 2/7/2020 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 14, 2020**

C-19-344266-1

State of Nevada

vs

Jayon Anderson

February 14, 2020**10:00 AM****Status Check:
Negotiations/Trial Setting****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Andrea Natali**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES****PRESENT:**

Anderson, Jayon

Defendant

Luzaich, Elissa

Attorney

Savage, Jordan S

Attorney

State of Nevada

Plaintiff

JOURNAL ENTRIES

- Deft. present in Nevada Dept. of Corrections custody. Mr. Savage stated the matter had been resolved; advised the Deft. would be pleading guilty, to one count of child abuse, neglect, endangerment, causing bodily or mental harm, pursuant to the Alford plea, and summarized the negotiations. Colloquy regarding interlineating the term. Upon Court's inquiry, Deft. acknowledged he wanted to accept the negotiations. Upon Court's plea canvass, DEFT. ANDERSON ARRAIGNED AND PLED GUILTY to CHILD ABUSE, NEGLECT OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM (F). PURSUANT TO THE ALFORD DECISION. COURT ADVISED, it would not go above the twelve years and it was not saying it would give the Deft. twelve years. State gave an offer of proof. Mr. Savage stated the plea to some extent was fiction; therefore, he was waiving any defects. Colloquy regarding whether the Deft. read the grand jury transcript, was advised of the witness testimony, whether Mr. Savage had gone over the police reports with the Deft., and whether the Deft. was filing pro per motions from the inception of the case. Mr. Savage stated he and another attorney from his office had visited the Deft. four times in prison about this matter. COURT ADVISED, it was NOT going to accept the plea, if the Deft. was

saying no one had gone over the facts of the case with the Deft. Deft. stated he had talked about it. Ms. Luzaich stated this plea could not be accepted. COURT ADVISED, if the Deft. did not remember, Mr. Savage could go back up to the prison to speak to the Deft., and ORDERED, matter SET for trial.

CUSTODY (COC-NDC)

6/9/20 - 8:30 AM - CALENDAR CALL

6/15/20 - 9:00 AM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 12, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

March 12, 2020 8:30 AM Motion

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT: Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present. Ms. Luzaich advised that the Defendant wasn't transported despite the Order being filed and requested to continue the matter, noting that she was told he was going to accept negotiations. Ms. Bush advised she was standing in for assigned counsel and wasn't sure as to whether the Defendant would accept negotiations. COURT ORDERED, matter CONTINUED; State to prepare another transport Order.

CUSTODY (COC-NDC)

CONTINUED TO: 03/24/2020 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 21, 2020

C-19-344266-1 State of Nevada
vs
Jayon Anderson

April 21, 2020 10:15 AM Motion

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Luzaich, Elissa	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage advised the Defendant would be requesting to withdraw the Motion to Withdraw Counsel for Ineffective Assistance. Upon Court's inquiry as to whether he wanted to proceed with Mr. Savage as counsel, Defendant concurred.

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED on April 17, 2020. DEFT. ANDERSON ARRAIGNED AND PLED GUILTY PURSUANT TO THE ALFORD DECISION TO CHILD ABUSE. Offer of proof by the State. Court ACCEPTED plea, and ORDERED, matter referred to the Division of Parole and Probation (P&P) and set for sentencing.

CUSTODY

06/04/2020 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 09, 2020

C-19-344266-1 State of Nevada
vs
Jayon Anderson

July 09, 2020 10:15 AM Sentencing

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Luzaich, Elissa	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ms. Savage advised Defendant had informed him he wanted to withdraw his plea, that he hadn't mailed the Pre Sentence Investigation (PSI) report to him and hadn't reviewed the PSI or sentencing memo with him. Upon Court's inquiry, Defendant confirmed wanting to speak to Mr. Savage to clear up any issues. Ms. Luzaich noted Defendant's current sentence at Nevada Department of Corrections (NDC) was about to expire and request he be remanded. COURT ORDERED, Defendant REMANDED if not already in custody on this case and matter CONTINUED.

CUSTODY (COC-NDC)

CONTINUED TO: 08/06/2020 10:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 06, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

August 06, 2020 10:15 AM Sentencing

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	Savage, Jordan S	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Savage advised a Motion was filed by Defendant alleging ineffective assistance of counsel and seeking to withdraw his guilty plea. Ms. Luzaich requested a Young hearing. Statement from Defendant. COURT ORDERED, Defendant's Pro Per Motion to Withdraw Counsel for Ineffective Assistance scheduled for 08/18/2020 OFF CALENDAR and Martin Hart, ESQ. APPOINTED to see if there was a legal or factual basis for a plea withdrawal. MATTER TRAILED.

MATTER RECALLED.

Mr. Hart now present. Mr. Hart CONFIRMED as Counsel and requested Entry of Plea transcripts be produced. Ms. Luzaich requested copy of transcript be sent to her as well. COURT SO ORDERED, and matter SET for Status Check.

CUSTODY

C-19-344266-1

08/27/2020 10:15 AM STATUS CHECK: PLEA WITHDRAWAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 27, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**August 27, 2020 10:15 AM Status Check: Status of
Case**

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Clowers, Shanon	Attorney
	Hart, Martin W	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Due to time constraints with Clark County Detention Center's Bluejeans videoconferencing, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 09/08/2020 10:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 08, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**September 08, 2020 10:15 AM Status Check: Status of
Case**

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Hart advised Defendant may want to represent himself. Upon Court's inquiry, Mr. Anderson stated he wants to keep Mr. Hart as his counsel. COURT ORDERED, matter CONTINUED for Mr. Hart to discuss the plea withdrawal with Defendant.

CUSTODY

CONTINUED TO: 09/24/2020 10:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 24, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**September 24, 2020 10:15 AM Status Check: Status of
Case**

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Hart advised an Amended Motion to Withdraw Guilty Plea was filed last night. Ms. Luzaich requested time to file an opposition. COURT ORDERED, State's Opposition due by 10/08/2020 and matter SET for Argument.

CUSTODY

10/15/2020 10:15 AM AMENDED MOTION TO WITHDRAW GUILTY PLEA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 15, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

October 15, 2020 10:15 AM Motion for Withdrawal

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT: Anderson, Jayon Defendant

JOURNAL ENTRIES

- Counsel not present. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 10/20/2020 10:15 AM

CLERK'S NOTE: Counsel notified via email /SR 10/15/2020

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 20, 2020

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

October 20, 2020 10:15 AM Motion for Withdrawal

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

COURT CLERK: Shannon Reid

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Arguments by Counsel regarding the merits and opposition of the Motion. COURT ORDERED, matter UNDER ADVISEMENT.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 11, 2021

C-19-344266-1 State of Nevada
vs
Jayon Anderson

January 11, 2021 3:00 AM Minute Order

HEARD BY: Villani, Michael

COURTROOM: Chambers

COURT CLERK: Haly Pannullo

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Defendant's Amended Motion to Withdraw Guilty Plea came before this Court, whereupon the Court took the matter under further advisement. After considering all pleadings and arguments, the Court renders its decision as follows:

After reviewing the historical record and guilty plea canvass, the Court provides the following decision:

Defendant entered his guilty plea pursuant to North Carolina v. Alford, 91 S.Ct. 160 (1970). The record is clear that Defendant has had ample opportunities to discuss his case with counsel before entering his plea. At entry of plea, the Court provided a thorough plea-canvas and found Defendant entered into his plea freely and voluntarily. Also, the guilty plea agreement informed Defendant of his constitutional rights.

THIS COURT FINDS, based upon the totality of the circumstances, Defendant entered into the guilty plea freely and voluntarily. The basis of an Alford plea is that a defendant, although not accepting responsibility for the charged conduct, agrees with a negotiation to resolve his case by pleading to a lesser charge and avoiding a harsher penalty. Here, Defendant fails to present any fair and just reason to allow the withdrawal of his plea.

Therefore, COURT ORDERD, Amended Motion to Withdraw Guilty Plea DENIED. COURT ORDER'S, Sentencing set for January 21, 2021, at 8:30 AM.

CLERK'S NOTE: The above minute order has been distributed to:

Lisa Luzaich <Lisa.Luzaich@clarkcountyda.com>; Martin Hart <MH@martinhartlaw.com>
hvp/1/11/21

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 21, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

January 21, 2021 8:30 AM Sentencing

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

COURT CLERK: Jill Chambers

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT: Hart, Martin W Attorney
 Stanton, David L. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Court noted that the Deft. was in quarantine and ORDERED, MATTER CONTINUED.

CUSTODY

CONTINUED TO: 2/11/21 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 12, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

February 12, 2021 3:00 AM Minute Order

HEARD BY: Villani, Michael

COURTROOM: Chambers

COURT CLERK: Samantha Albrecht

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- By stipulation and agreement by Parties via communications with Court s Law Clerk. COURT ORDERED, matter SET for February 11, 2021 VACATED and RESET to February 18, 2021 at 8:30 AM.

CLERK'S NOTE: A copy of this Minute Order was distributed via e-mail to counsel. 2/12/2021 sa

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 18, 2021**

C-19-344266-1 State of Nevada
vs
Jayon Anderson

February 18, 2021 8:30 AM Sentencing

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

COURT CLERK: Samantha Albrecht

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Anderson, Jayon	Defendant
	Hart, Martin W	Attorney
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Hart advised they were ready to proceed with Sentencing. DEFENDANT ANDERSON ADJUDGED GUILTY OF CHILD ABUSE NEGLECT OR ENDANGERMENT RESULTING IN SUBSTANTIAL BODILY OR MENTAL HARM (F). Ms. Luzaich stated, pursuant to the negotiations, that the State would not argue for more than 12 years on the top and 4 years on the bottom. Ms. Luzaich stated the Defendant beat the six year old with a belt and was charged with child abuse and after she was placed in the care of her maternal grandparents she revealed she was sexually abused by the Defendant as well. Ms. Luzaich noted that the victim's older brother had seen a similar situation. Ms. Luzaich argued that Defendant was violent, unable to follow court orders, and was released after being incarcerated, at which time he fled to Michigan. Statement by Defendant.

Upon Court's inquiry, Ms. Luzaich stated the issue of the illness of the child is not significant and noted she was born with the sexually transmitted disease (STD). Mr. Hart stated the Defendant tested negative for the STD. Mr. Hart noted this was an alford plea and the mother had written letters in support of the Defendant. Mr. Hart stated Defendant was on the low end according to Dr. Chamber's

assessment, has tons of support, and traveled back to Michigan due to a death in the family.

Upon Court's inquiry, Defendant stated his sentence expired on 6/20/2020. Ms. Luzaich clarified that Defendant's sentence expired on 7/28/2020 and he was eligible for credit after that date. Mr. Hart concurred and stated Defendant has 209 days credit for time served.

Court noted these kind of cases are always difficult and noted it had reviewed the assessment. Pursuant to NRS 176.063, COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, WAIVED as previously taken, \$250.00 Indigent Defense Civil Assessment fee, and extradition costs in the amount of \$2,304.60, Defendant SENTENCED to a MAXIMUM OF ONE HUNDRED TWENTY (120) MONTHS AND A MINIMUM OF FORTY-TWO (42) MONTHS in the Nevada Department of Corrections (NDC), with TWO HUNDRED NINE (209) DAYS credit for time served.

BOND, if any, EXONERATED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 29, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

June 29, 2021 8:30 AM Motion to Dismiss

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

COURT CLERK: Samantha Albrecht

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT: Hart, Martin W
 State of Nevada Plaintiff
 Turner, Robert B. Attorney

JOURNAL ENTRIES

- Defendant not transported.

COURT ORDERED, Motion GRANTED and directed Mr. Hart to forward a copy of the file to the Defendant. Mr. Hart confirmed he had already sent a copy to the Defendant.

NDC

CLERK'S NOTE: A copy of this Minute Order mailed to:

Jayon Anderson #1199691
HDSP
PO Box 650
Indian Springs, Nv 89070 (6/30/2021 sa)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 04, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

August 04, 2021 3:00 AM Minute Order

HEARD BY: Villani, Michael **COURTROOM:** Chambers

COURT CLERK: Samantha Albrecht

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- By stipulation and agreement by Parties via email communications with Dept. 17 Law Clerk, COURT ORDERS, matter SET for August 5, 2021, VACATED and RESET to August 19, 2021, at 8:30 AM.

CLERK'S NOTE: A copy of this Minute Order was provided to counsel by e-mail and mailed to:
Jayon Anderson #1199691
HDSP
PO BOX 650
Indian Springs, NV 89070 (8/4/2021 sa)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 18, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

August 18, 2021

1:35 PM

Minute Order

**Minute Order
Motion to Amend
Judgment of
Conviction to and/or
Credit Time Served**

HEARD BY: Leavitt, Michelle

COURTROOM: No Location

COURT CLERK: Jennifer Lott

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The court having reviewed the pleadings submitted herein, denies Defendant s Motion to Amend. The defendant was given the appropriate credit towards his sentence as provided in NRS 176.055 (2) (b), and therefore, his motion is denied. Ms. Luzaich, Esq. to prepare the order for the court. The hearing on August 19, 2021 is vacated.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 30, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

**September 30, 2021 11:00 AM Motion to Amend
Judgment**

HEARD BY: Eller, Crystal

COURTROOM: RJC Courtroom 03E

COURT CLERK: Cynthia Moleres

RECORDER: Brittany Amoroso

REPORTER:

PARTIES

PRESENT: State of Nevada Plaintiff
 Wyse, Seleste A Attorney

JOURNAL ENTRIES

- Counsel appeared via BlueJeans.

Ms. Wyse requested this matter be continued until 10/7/21 as there was another motion for the instant case to be heard that day. COURT SO ORDERED.

NDC

MATTER CONTINUED TO: 10/07/21 11:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 07, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

October 07, 2021 11:00 AM All Pending Motions

HEARD BY: Eller, Crystal **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Cynthia Moleres

RECORDER: Brittany Amoroso

REPORTER:

PARTIES

PRESENT: Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Luzaich, appeared via BlueJeans.

MOTION TO AMEND JUDGMENT TO AND OR GRANT CREDIT TIME SERVED...MOTION FOR JUDGMENT ON MOTION TO AMEND JOC AND OR CREDIT FOR TIME SERVED

Defendant not present. Ms. Luzaich indicated she had titled her opposition incorrectly and apologized to the Court. COURT NOTED this matter had been ruled upon by Judge Villani, which he had denied on 8/18/21. COURT stated its findings and ORDERED, motions DENIED. Ms. Luzaich to prepare the order.

CLERK'S NOTE: A copy of this minute order was mailed to Jayon Anderson #1199691, HDSP, PO Box 650, Indian Springs, NV 89070. clm 10/7/21

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 16, 2021

C-19-344266-1 State of Nevada
 vs
 Jayon Anderson

November 16, 2021 11:00 AM Motion to Reconsider

HEARD BY: Eller, Crystal

COURTROOM: RJC Courtroom 03E

COURT CLERK: Cynthia Moleres

RECORDER: Brittany Amoroso

REPORTER:

PARTIES

PRESENT: Dunn, Ann Marie Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Dunn, Deputy District Attorney appeared via BlueJeans.

Defendant not present. COURT NOTED it had read the motion and the opposition, stated its findings and ORDERED, motion DENIED. Ms. Dunn to prepare the order.

CLERK'S NOTE: A copy of this minute order was mailed to Jayon Anderson #1199691, High Desert State Prison, PO Box 650, Indian Springs, NV 89070

CASE NO. C-19-344266-1
DEPT. NO. XVII
CDDA LISA LUZAICH (SVU)

Defendant(s): JAYON ANDERSON, #2864329

Case No(s): 19BGJ015X (RANDOMLY TRACKS TO DC VI & XVII)

Charge(s): (2) CT - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN
YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105)
(2) CT - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category
A Felony - NRS 201.230 - NOC 50975)

Def. Counsel(s): SPECIAL PUBLIC DEFENDER

WARRANT (3 WEEKS)

DEFT IS IN CUSTODY @ NDOC (18F11574X – PH 10/28 IN JC7)

LVJC CASE TO BE DSM'D 18F11574X

Exhibits:

- WA 1. Proposed Indictment
- WA 2. Jury Instructions
- WA 3. Photo
- WA 4. Photo

Exhibits 1 – 4 to be lodged with the Clerk of the Court.



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

JAYON ANDERSON #1199691
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: February 1, 2022
CASE: C-19-344266-1

RE CASE: STATE OF NEVADA vs. JAYON ANDERSON

NOTICE OF APPEAL FILED: January 28, 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; DISTRICT COURT
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

JAYON ANDERSON,

Defendant(s).

Case No: C-19-344266-1

Dept No: XIX

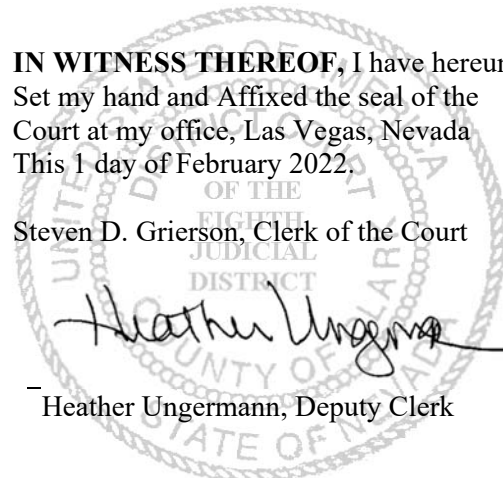
now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 1 day of February 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk





**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

February 1, 2022

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: STATE OF NEVADA vs. JAYON ANDERSON
D.C. CASE: C-19-344266-1

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed February 1, 2022. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

January 25, 2022

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Heather Ungermann
Heather Ungermann, Deputy Clerk