

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JUSTIN ALEXANDER RASHAD
LARKINS,

Appellant(s),

vs.

THE STATE OF NEVADA,
Respondent(s),

Electronically Filed
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Elizabeth A. Brown
Clerk of Supreme Court

Case No: C-20-346867-1

Docket No: 83150-COA

RECORD ON APPEAL VOLUME 3

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I N D E X

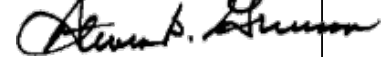
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TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)	
)	CASE NO. C-20-346867-1
Plaintiff,)	
vs.)	DEPT. LLA
)	
JUSTIN LARKINS,)	
)	Transcript of Proceedings
Defendant.)	
)	

BEFORE SHANNON WITTENBERGER, HEARING MASTER

FRIDAY, FEBRUARY 14, 2020

INITIAL ARRAIGNMENT

APPEARANCES:

FOR THE STATE: JOSHUA JUDD
Deputized Law Clerk

FOR THE DEFENDANT: KELSEY L. BERNSTEIN, ESQ.

RECORDED BY: SHARON NICHOLS, COURT RECORDER

1 **LAS VEGAS, NEVADA, FRIDAY, FEBRUARY 14, 2020, 10:41 A.M.**

2
3 THE COURT: Good morning. Appearances, please.

4 MS. BERNSTEIN: Thank you, Your Honor. Kelsey
5 Bernstein with Damian Sheets Office, Bar Number 13825, on his
6 behalf. He is present in custody. And I believe they're
7 bringing him out now.

8 THE COURT: Okay. Thank you.

9 All right. I do have a Guilty Plea Agreement which
10 indicates Mr. Larkins will plead guilty to battery with use of a
11 deadly weapon constituting domestic violence, a B Felony.

12 Parties stipulate to 2 to 5 years in the Nevada
13 Department of Corrections. State agrees not to seek habitual
14 criminal treatment and State will not oppose dismissal of
15 20F00459X.

16 Counsel is that accurate?

17 MR. JUDD: That's correct, Your Honor.

18 MS. BERNSTEIN: Yes, Your Honor.

19 THE COURT: Thank you. Mr. Larkins, is that your
20 understanding of the negotiations?

21 THE DEFENDANT: Yes, ma'am. Yes, ma'am.

22 THE COURT: I just noticed he didn't sign the
23 admonishment. And I also noticed that I don't think that's the
24 correct admonishment, because --

25 MS BERNSTEIN: He entered the plea already in -- or

1 did the admonishment in Justice Court. Do you want me to do it
2 again here?

3 THE COURT: Only because if it was the one that's
4 attached. Because this occurred after July 1st of 2019, and
5 there's a new admonishment. So I don't know which one he had
6 then. So if you could, yeah. And just let me know as soon as
7 you're ready, because I will call you, because I know you've
8 been waiting.

9 Thank you. So let's just trail that for a minute.

10 [Matter trailed at 10:42 a.m., until 10:47 a.m.]

11 THE COURT: So we are recalling page 38, Justin
12 Larkins.

13 THE DEFENDANT: Good morning, Your Honor.

14 THE COURT: Good morning.

15 So, Mr. Larkins, you indicated you agreed with the
16 negotiations.

17 And what is your true full name, please?

18 THE DEFENDANT: Justin Alexander Rashad Larkins.

19 THE COURT: And how old are you?

20 THE DEFENDANT: 32.

21 THE COURT: How far have you gone in school?

22 THE DEFENDANT: Tenth grade.

23 THE COURT: A little louder, please.

24 THE DEFENDANT: Tenth grade.

25 THE COURT: Do you read write and understand the

1 English language?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: Are you taking any medications or
4 suffering any medical conditions that would interfere with your
5 ability to understand the proceedings or the terms of your
6 agreement?

7 THE DEFENDANT: Other than antibiotics, no.

8 THE COURT: Okay. Do you understand that you're being
9 charged with battery with use of a deadly weapon constituting
10 domestic violence, a B Felony?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: And how do you plead to that charge;
13 guilty or not guilty?

14 THE DEFENDANT: Guilty.

15 THE COURT: Has anybody forced you to plead guilty?

16 THE DEFENDANT: No.

17 THE COURT: Are you pleading guilty of your own free
18 will?

19 THE DEFENDANT: Yes.

20 THE COURT: You guess?

21 THE DEFENDANT: Yes.

22 THE COURT: Oh. Sorry. Thank you.

23 And do you understand that as a consequence of your
24 plea the Court must sentence you to a minimum of 2 years and a
25 maximum of 10 years in the Nevada Department of Corrections and

1 fine you up to \$10,000?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: And do you understand you'll be required
4 to pay administrative assessment fees?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: And do you understand this is not
7 probationable?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: And do you understand sentencing is up to
10 the court, no one can promise you leniency or special treatment,
11 meaning the court does not have to follow the negotiations?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: A little louder, please.

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Thank you.

16 And I have the original Guilty Plea Agreement. Did
17 you read through it?

18 THE DEFENDANT: Yes, ma'am.

19 THE COURT: Did you understand it?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: And was your attorney available to answer
22 all your questions?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: Are you satisfied with the services of
25 your attorney?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: Did you sign the agreement?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: Is this your signature on page 5?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: Did you sign it freely and voluntarily?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Do you understand by entering your guilty
9 plea, you're giving up the constitutional rights listed in the
10 agreement?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: Do you understand that if you're not a
13 U.S. citizen, you may be deported based on your guilty plea?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Did you discuss the case and your rights
16 with your attorney?

17 THE DEFENDANT: Yes, ma'am, I have.

18 THE COURT: Do you have any questions?

19 THE DEFENDANT: Other than -- other than like the --
20 the -- the timeframe of the time itself, yeah. We've discussed
21 it, yeah.

22 THE COURT: What do you mean the timeframe of the time
23 itself?

24 THE DEFENDANT: The time that I'm going to have to do.
25 I didn't like the fact, but I guess I have to do it because --

1 THE COURT: And it's ultimately up to the sentencing
2 court.

3 THE DEFENDANT: Yeah. I know.

4 THE COURT: Okay.

5 THE DEFENDANT: Yes, ma'am, I know.

6 THE COURT: Any other questions?

7 THE DEFENDANT: No, ma'am.

8 THE COURT: And you also understand because this is
9 domestic violence related that you face additional potential
10 penalties if you're convicted of future domestic violence
11 charges; correct?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: Basically, once a felony, always a felony.
14 And do you also understand you're prohibited from owning,
15 possessing, or having under your custody control a firearm or
16 ammunition anytime in the future?

17 THE DEFENDANT: I've been prohibited since 2014, so
18 yes, ma'am.

19 THE COURT: Glad you realize that. That's -- and
20 that's all outlined in the admonishment of rights which you went
21 over with your attorney; correct?

22 THE DEFENDANT: Yes, ma'am.

23 THE COURT: Are you pleading guilty because in truth
24 and in fact on or about January 26, 2020, in Clark County,
25 Nevada, you willfully and unlawfully used force or violence

1 against or upon Sharon Hewitt with use of a deadly weapon, a
2 large rock, by throwing the rock at Sharon Hewitt? Is that
3 true?

4 THE DEFENDANT: I threw it at the window, but, yeah,
5 it's true.

6 THE COURT: Okay. So -- but you did --

7 THE DEFENDANT: Yes I did, Your Honor.

8 THE COURT: It hit her?

9 THE DEFENDANT: I don't know. I didn't see any rock
10 hit her, but, I mean, yeah, I guess.

11 THE COURT: Well, I mean, that doesn't quite -- you
12 have to willfully and unlawfully use force or violence against
13 or upon Sharon Hewitt with a deadly weapon, which in this
14 situation is a rock. Is that what happened?

15 THE DEFENDANT: I guess. Yes, ma'am.

16 THE COURT: And what was your relationship with her at
17 that time?

18 THE DEFENDANT: It's my mother.

19 THE COURT: I will accept your plea as being freely
20 and voluntarily entered. I will order a PSI and you return to
21 court for sentencing on this date.

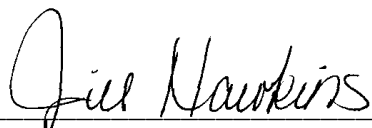
22 MS. BERNSTEIN: Your Honor, he -- I apologize. He
23 previously had a PSI that he indicates was prepared in October.
24 I'm just not certain about that case.

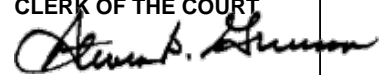
25 THE COURT: Okay. Do you we know if there was --

1 THE CLERK: Yeah. He did have one in November of
2 2019.
3 THE COURT: What was that case number?
4 THE CLERK: C343544.
5 THE COURT: All right. So, we can use the one from
6 C343544, and you'll return to court for sentencing on this date.
7 THE CLERK: That'll be February 26, 8:30, Department
8 10.
9 THE COURT: Thank you very much.
10 MS. BERNSTEIN: Thank you.
11 THE COURT: Have a good day.
12 THE DEFENDANT: You too.
13 THE COURT: Thank you.

14 THE PROCEEDINGS CONCLUDED AT 10:52 A.M.

15
16
17
18
19
20
21 ATTEST: I do hereby certify that I have truly and correctly
22 transcribed the audio-video proceedings in the above-entitled
case to the best of my ability.

23 
24 JILL HAWKINS
25 Court Recorder



1 RTRAN

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DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

JUSTIN LARKINS,

Defendant.

CASE NO. C-20-346867-1
DEPT. 10

BEFORE THE HONORABLE TIERRA JONES, DISTRICT COURT JUDGE

WEDNESDAY, FEBRUARY 26, 2020
RECORDER'S TRANSCRIPT RE:
SENTENCING

APPEARANCES:

For the State:

JOHN JONES, Esq.
Chief Deputy District Attorney

BRANDON ALBRIGHT, Esq.
Deputy District Attorney

For Defendant:

DAMIAN SHEETS, Esq.

RECORDED BY: VICTORIA BOYD, COURT RECORDER

1
2 Las Vegas, Nevada, Wednesday, February 26, 2020 at 9:49 a.m.
3

4
5 THE COURT: C-346867, State of Nevada v. Justin Larkins. Mr. Larkin is
6 present in custody. Mr. Sheets is here on his behalf. Mr. Albright is on behalf of the
7 State. This is the date and time set for sentencing. Are both parties prepared to go
8 forward?

9 MR. SHEETS: We are, Your Honor.

10 MR. ALBRIGHT: Yes, Your Honor.

11 THE COURT: Is your victim speaker here, State?

12 MR. ALBRIGHT: Yes, Your Honor, both of them are.

13 THE COURT: Do you intend for them to speak?

14 MR. ALBRIGHT: Yes, Your Honor.

15 THE COURT: I'm going to need you guys to wait. I've got to get some of
16 these other cases out of here before we take the victim speakers so just hold on for
17 a second, let me get some of these other people out of here.

18 MR. ALBRIGHT: That being said, Your Honor, it is a stipulated sentence so I
19 won't be - -

20 THE COURT: Mr. Jones is more than capable.

21 Mr. Sheets, have a seat. I'm going to come back to you.

22 (Break in Proceedings.)

23 THE COURT: You have two victim speakers. Pursuant to statute would you
24 like them to speak last?

25 MR. JONES: Yes, Your Honor.

1 THE COURT: So other than that is everyone prepared to go forward?

2 MR. SHEETS: We are, Your Honor.

3 MR. JONES: State is ready, Your Honor. I think we're using a PSI from a
4 different case. I do have a copy of the declaration of arrest from this case if the
5 Court - -

6 THE COURT: I've read it. State, you stand by the stipulated sentence?

7 MR. JONES: State is submitting on that, Your Honor.

8 THE COURT: Mr. Larkin, what if anything would you like to say before I
9 pronounce sentence against you?

10 THE DEFENDANT: I just want to say I apologize to the victims. I was drunk
11 that night and I thank God nobody but me got hurt. The punishment is severe of
12 course, but I do apologize and I was raised by her - - I know I shouldn't have acted
13 that way, you know, even I've seen things in my lifetime and everything, I apologize.

14 THE COURT: Okay. Thank you, sir. Mr. Sheets.

15 MR. SHEETS: Your Honor, I would submit on the negotiations. I think that
16 this is a close, not all the way at the maximum underlying plea, but it's close.

17 THE COURT: State, your first victim.

18 MR. JONES: Your Honor, for the record this is Brandon Jordan.

19 THE COURT: You can stand right there at the table with Mr. Jones.

20 (BRANDON-MICHAEL JORDAN SWORN.)

21 THE COURT: Thank you, sir. Sir, what would you like to tell me today?

22 MR. JORDAN: Basically I feel as if he's not truly remorseful of what he's
23 done. It was a calculated move. The fact that he had alcohol in his system I don't
24 think it makes a difference because this was weeks in advance that he was telling
25 us that he was going to come and harm us in the most violent way he can. Also

1 he's got a history of violence so this is just going to continue. In his mind I believe
2 that jail is just like a vacation spot and so I'm not sure he's truly remorseful.

3 THE COURT: Okay. Thank you very much, sir.

4 Mr. Sheets, do you have any questions?

5 MR. SHEETS: No, Your Honor.

6 THE COURT: Thank you for being here today, sir.

7 State, your next victim speaker.

8 MR. JONES: Sharon Hewitt.

9 (SHARON HEWITT SWORN.)

10 THE COURT: And, ma'am, what would you like to tell me today.

11 MS. HEWITT: Okay. So this is my son and this is very painful. Your Honor,
12 he has been going progressively in more and more and more trouble, and I'm going
13 to be as brief as possible but I just want to explain.

14 THE COURT: Take your time.

15 MS. HEWITT: So in November of 2019 he was in Clark County and I went to
16 see him and I said you know, you can't keep going in and out of prison - - jail.
17 You've got to pull yourself together. You need to get a job. You need to straighten
18 up. You can't keep going this way. You're getting too old. And he told me that he
19 would rather go in and out of prison or jail than make \$10 an hour. He said all he
20 wanted to do was be a fighter. And I said well, I think that's crazy because those
21 street fights you die or whatever but I'll try to help you this one last time. And I told
22 him that he was at a crossroads, I could see it, that if he didn't make the right
23 choices something really bad was going to happen, either he was going to get killed
24 - - he's been shot. He's been stabbed, his own fault, or he was going to hurt
25 somebody and have to go to prison forever. So I agreed to let him come to our

1 place. He had been trespassed from there. He wasn't supposed to be there but I
2 said well, you can come and you can spend the night.

3 He gets into it - - he hates his brother simply because he was born. There is
4 no understanding that - - there is no explanation for that. So I told my son Brandon
5 that was just here I said listen, we have to help him this one last time because I
6 really believe that something really bad is going to happen and I need to know that I
7 did everything that I could as a mom so whatever happen, happen. And my son
8 Brandon said, Mom, he's going to get us put out. Mom, he's going to start a fight.
9 Mom, are you crazy, he's going to - - and I said, no, we've got to try one last time. I
10 warned him there would be no violence in the house so on December 30th - -well,
11 the 29th, him and his brother got into it because he was playing PlayStation and
12 Brandon-Michael told him God, you've been on it for nine months or nine hours,
13 does Mom want to watch something. And so he said well, Mom, do you want to
14 watch something. I said, no, it's okay and I told Brandon to be quite.

15 So the next morning I woke up and I knew that he was angry and I know that
16 he was angry because this is a lot of resentment. He's an adult now. So I got up
17 really early. I told Justin to get ready to get out and Brandon-Michael was just sitting
18 on the couch with - - he had the sheepish grin like okay, I had too much to drink, I
19 said some things I shouldn't have. That's the look he gave. And Justin jumped out -
20 - he was kind of aggressive so Brandon just smiled at him and they start, you know,
21 going back and forth, and Brandon was like you're not going to be a fighter, you
22 know, you need to get a job and stop laying around. So then he said My kids and
23 he just leaped on him, he just like a - - he didn't even walk around. He just leapt and
24 so they're tussling. I had to separate them. I had to physically pinch his nerve and
25 pull him off and I wasn't trying to hurt him, Your Honor. I just - - there cannot be no

1 violence in my house so I made Brandon leave. I made Justin go with me all the
2 way to my job and I told him that this - -

3 THE COURT: Ma'am, I'm so sorry to cut you off. Who is outside that door?
4 I'm so sorry, ma'am, I just want to hear everything that you're saying and all I can
5 hear out there is whoever outside that door.

6 MS. HEWITT: Yes, ma'am, thank you.

7 THE COURT: Okay.

8 MS. HEWITT: So I made him leave and I made Justin go all the way to work
9 with me so he wouldn't come back and try to find his brother. And I told him that this
10 - - he can't stay at the house anymore. I still love him. I can see him somewhere
11 else and that was December 30th and the next day of course the end of the year. So
12 on January 10th - - on January 7th he got arrested for fighting because his girlfriend,
13 something, she was getting arrested and he fought the officers. They let him out on
14 his own recognizance on January 8th. That Saturday, January the 11th, he called me
15 on the phone and he left messages when all this happened I erased them by
16 accident - - he said I request an audience with you, Mother, you chose the wrong
17 side and I'm going to kill you and Brandon and it was just horrible. And I'm coming
18 right now, I'm coming to your house right now. So Brandon wasn't home, and I'm
19 glad. I put on my clothes, I got prepared. The idea being is I didn't want to have
20 any problems at our property so I walked with him off the property. We walk all the
21 way to Sam's Town. He verbally abused me. He said that his girlfriend said that he
22 had (inaudible) scratches on his neck and that I was trying to hurt him, and all I was
23 trying to do is separate my children, and so he was like - - it was just horrible. He
24 said you promised me that you would love me forever through the water to the end
25 and if I can't have my mother nobody can, and I'm like what are you talking about. I

1 still love you, this hasn't changed but you were wrong, what you did was wrong. I'm
2 not going to stand by and let you hurt somebody so he said well, I can tell that
3 Brandon has been working out and you're pretty strong too so in about two weeks
4 you should be ready, and I said ready for what, forget about that. Listen if that's the
5 way you feel you stay away from us, we won't come near you and let God decide
6 who is right or who is wrong.

7 He has been a bully for so long that for him to whine that by accident I
8 scratched his neck or I pinched a nerve because I was trying to separate them so
9 that was the 11th, and then on the day, January 26th, this is the day the pro football
10 was on, my side won, and before that we got the horrible news about Kobe Bryant's
11 plane crashing and the passengers and everything and you know, I went to sleep
12 and I woke up cause I heard somebody banging, and then my son Brandon-Michael
13 was like, Mom, I think it's Justin out there and by that time glass was breaking, he
14 was throwing rocks through there, through the windows he was hollering come out,
15 come out, come out, I'm going to kill you. I'm not going to say all the verbal stuff but
16 it was so bad. So Brandon grabbed a bat and I don't know what he was thinking. I
17 don't know if he thought that he was going outside and I took the bat from him and I
18 said, no, no, do not go out there, let him come in. I called 911. I called 911 while
19 the rocks were going through, the glass was breaking and the operator was asking
20 me something like was somebody bleeding or just what are you talking about, can
21 you send somebody here. He's coming to kill us. And the security guards knew,
22 Your Honor. I mean it was so loud. Everybody was out. Nobody came to help us,
23 not the security, not the police. We were just there and I had - - after this happened
24 on December the 30th I told my son, Brandon, I said we're going to have to be
25 prepared. He's crazy. He wants to kill us. So I got him some pepper spray. I was

1 going to get me some pepper spray but I didn't have a chance to. So he was trying
2 to come in the windows screaming that he was going to kill us and he was like a
3 feral, vicious, rabid dog. I mean he didn't care if he was hurting himself. He was
4 just - - oh, my God, it was horrible.

5 And so he was coming in the window and he - - okay. He saw me and he was
6 like you're here too, you can get it too and then he picked up like this huge boulder
7 and when we moved the rocks are still in the place. He picked up this huge boulder
8 and he threw it through the window and I don't know - - I was just in shock like I
9 cannot believe this. And I don't know if I was going to try to catch the rock, I don't
10 know if - - but it landed on my foot and I don't that think that my foot is broken but it's
11 black and it's swollen and it's just horrible and he was coming - - he was screaming.
12 He was coming in the window and he wasn't - - he forgot all about Brandon. He was
13 just focused - - I got to get to me. And when he was coming through the window
14 Brandon-Michael hit him with the pepper spray and he got him good and he said
15 that won't stop me or something but then he ran off and they apprehended him.

16 Judge, I have been in that place February 18th four years. Never had no
17 trouble. Never had - - I was in good standing. I'm a respectable person and they
18 boarded up our windows and I said okay, I waited a couple of days because he's
19 broken out other people's windows before and they fixed them just like that so I
20 waited and finally I had to call. I said you think you'll have the windows fixed by
21 Superbowl Sunday. I mean we're living in a boarded up - - and they didn't pull the
22 glass out, Your Honor. All they did was just like board it a little bit. It wasn't even
23 secure. It was cold during those times. The glass it was like you're just stuck living
24 in a loop over and over and over again.

1 So I paid the rent twice. I said okay and then I started getting mad like wait a
2 minute, we're victims. I have a police report. So when I was going to Court the
3 victims advocate said talk to them, get some kind of paperwork, how much the
4 windows costs so we can get an estimate, try to work this out so they can be fixed.
5 So I went to the office. I talked to the manager. That manager looked me in the eye
6 and said oh, that was your son, your son did that so you have to pay for those
7 windows. They are \$250 a piece, a \$1000, and we are not going to fix those
8 windows until you pay but maybe we can do a payment plan. And I said are you
9 serious. I've never been late. I've never missed a payment so with that being said I
10 decided I'm not going to pay anymore so we had to spend money to move. I've
11 been absent from work because in my mind this has been so traumatic that - - well,
12 the only time I've missed work is like today and like the other time. I push forward
13 every single day but I've been late a couple of times and I got wrote up about that.

14 My concern today and I'm his mother - - he's not somebody that I just met.
15 I'm telling you that if he could just get into an argument and a fight on January 11th
16 or 8th with a police officer, the 7th. They let him out and on January 11th, he comes
17 and verbally abuses me for three hours, and he wanted to fight then, and I kept
18 saying I'm an old woman, I'm not going to fight you, what's wrong with you and so it
19 was premediated. On January 26th he sent me a text, Good morning, God bless
20 you. And then the next thing I know he's doing this so I want to say, and this is what
21 I'm afraid of, he's had more than ten years of domestic violence. He's beat his
22 children's mother. He got his kids taken. They've gotten into fights before ten years
23 ago the same thing they got into it and I had to separate. He's fighting officers.
24 He's escalated to the point where he doesn't care what happens to him and he does
25 not have a conscious. I believe that if he doesn't - - he considers going to Clark

1 County, CCDC, as a vacation. He's there in his own little room. He gets three
2 meals a day and he's cool with that. I believe that he should go sit in prison for
3 some time because if he doesn't, Your Honor, he is going to hurt somebody. He's
4 going to kill somebody, maybe an officer just trying to do their job, maybe - - I don't
5 know. I don't know. But I do know that you should always be able to go home and
6 he can never come home again. And if he - - nobody else cares about him. He
7 doesn't get along - - he's alienated his father's side of the family. He's alienated
8 everybody. The only people that care about him is us. So for him to do that to us
9 he'll do it to anybody and I respectfully ask - - and I'm not being vindictive, Your
10 Honor, I'm not. I'm just saying that he needs to really sit down for some time and I
11 know that you have minimal(phonic) and time served and I don't know but I just
12 know that he needs to get this violence, whatever it is out because right now he's a
13 menace to society and a danger, not just to me and us but to anybody. When we
14 were walking around on the 11th he was bumping into people and cursing them out.
15 Kids crying. It was just bad, Your Honor. It was just bad.

16 I have come to Court many times to help him get out. I've let him do house
17 arrest. I've done everything that I could possibly do. This last time, Your Honor, I
18 said to Brandon, I said to myself and I told him you are at a crossroads. You need
19 to choose very carefully. And this is what he does. And I don't think I'm going to
20 ever get over this, Your Honor.

21 THE COURT: Thank you very much, ma'am, and thank you very much for
22 being here today. I appreciate it.

23 Mr. Sheets, did you have any questions?

24 MR. SHEETS: No, Your Honor.

25 THE COURT: Thank you very much.

1 Mr. Larkins, you had your opportunity. Now it's my opportunity. I'm the only
2 person that is going to speak from here on out. I mean look what you've done to
3 that woman. That woman is devastated. I hope you take this time that you're about
4 to do in prison to reflect on that and reflect on the relationships that have come and
5 the relationships that have gone and how you're going to change that when you are
6 eventually released because I hope you have a plan when you go before the parole
7 board.

8 In accordance with the laws of the State of Nevada you're going to be
9 adjudicated guilty of battery with use of a deadly weapon constituting domestic
10 violence. In addition to the \$25 administrative assessment, your DNA was taken in
11 2010 so it's waived, the \$3 DNA assessment fee, you're going to be sentenced to
12 24-60 months in Nevada Department of Corrections. You have 31 days credit for
13 time served.

14 MR. SHEETS: Thank you, Your Honor.

15 MR. JONES: He was on probation at the time, wasn't he in the C343 - -

16 THE COURT: Was he on probation at this time?

17 MR. SHEETS: I don't believe he was - -

18 MS. HEWITT: I have the paperwork, Your Honor.

19 THE COURT: Hold on. What day did this occur?

20 MR. JONES: This occurred in January, January 27th.

21 THE COURT: He got an honorable discharge on January 14th.

22 MR. JONES: Okay. Thank you, Your Honor.

23 THE COURT: You have 31 days credit for time served.

24 THE DEFENDANT: Could I ask one thing? I'm going to prison. Is it okay if I
25 get my birth certificate? I need my birth certificate.

1 THE COURT: Well, you have to address that. I can't order anybody because
2 I don't have it. I can't order anything turned over - -

3 THE DEFENDANT: She has it.

4 THE COURT: I can't order her to do anything. I have no jurisdiction over her,
5 sir. I would order you not to have any contact with her. I think you need to figure
6 out in prison - - I met with the director of prisons on Friday and he has plans to help
7 you guys get that stuff done while you're in custody. I think you need to figure out
8 how to get that done while you're inside because I think it's in everybody's best
9 interest for you not to have any contact with her.

10 THE DEFENDANT: Yes, ma'am.

11 (Proceedings concluded at 10:05 a.m.)

12
13 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio/video
14 proceedings in the above-entitled case to the best of my ability.

15

16

17

Victoria W. Boyd

3-29-2022

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Victoria W. Boyd
Court Recorder/Transcriber

Date

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Certification of Copy and Transmittal of Record

State of Nevada }
County of Clark } SS:

Pursuant to the Court of Appeals order dated February 25, 2022, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the supplemental trial court record for the case referenced below. The record comprises volume three with pages numbered 289 through 309.

STATE OF NEVADA,

Plaintiff(s),

vs.

JUSTIN ALEXANDER RASHAD LARKINS
aka JUSTIN ALEXANDER LARKINS,

Defendant(s),


Case No: C-20-346867-1

Dept. No: X

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 March 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk