

Denzel Dorsey #1099468
H.D.S.P.
P.O. Box 650
Indian Springs, NV 89070

Electronically Filed
10/11/2021 2:49 PM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

IN THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA
AND FOR THE COUNTY OF CLATSOP

Electronically Filed
Oct 19 2021 10:50 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

State of Nevada,
Plaintiff,

C-17-323324-1
CASE NO. A-21-839313-W
DEPT NO. 18

✓.

Denzel Dorsey,
Defendant,

NOTICE OF APPEAL

Notice is hereby given that Denzel R. Dorsey,
Defendant above-named, hereby appeals to the
Supreme Court of Nevada from the denial of defendants
Writ of HABEAS CORPUS (post-conviction), entered
in this action on the 2nd day of October, 2021.

Dated this 2nd day of October, 2021.

RECEIVED
OCT 11 2021
CLERK OF THE COURT
RECEIVED
OCT 11 2021
CLERK OF THE COURT

[Signature]

Defendants Signature

DANIEL R. DORSEY #1099468

H.D.S.P.

P.O. Box # 650

Indian Springs, NV 89070

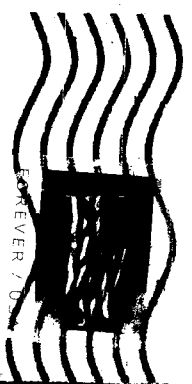
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OCT 07 2021

DISTRICT COURT
ADMINISTRATION

LAS VEGAS NV 890

4 OCT 2021 PM 3 L



Court Administration

FIFTH Judicial District Court

200 Lewis Avenue

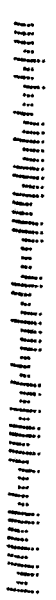
Las Vegas, NV 89155

RECEIVED

OCT 11 2021

CLERK OF THE COURT

89101-630000



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1 ASTA
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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 DENZEL DORSEY,

14 Defendant(s),
15

Case No: C-17-323324-1

Dept No: ~~IV~~ VI

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Denzel Dorsey

20 2. Judge: Jacqueline M. Bluth

21 3. Appellant(s): Denzel Dorsey

22 Counsel:

23 Denzel Dorsey #1099468
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: May 5, 2017

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

Type of Judgment or Order Being Appealed: Writ of Habeas Corpus

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 79845

12. Child Custody or Visitation: N/A

Dated This 13 day of October 2021.

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: Denzel Dorsey

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-17-323324-1

State of Nevada
vs
Denzel Dorsey

§ Location: Department 6
§ Judicial Officer: Bluth, Jacqueline M.
§ Filed on: 05/05/2017
§ Case Number History:
§ Cross-Reference Case Number: C323324
§ Defendant's Scope ID #: 2845569
§ ITAG Case ID: 2116417
§ Lower Court Case # Root: 16FH2022
§ Lower Court Case Number: 16FH2022X
§ Supreme Court No.: 79845

CASE INFORMATION

| Offense | Statute | Deg | Date | Case Type: | Felony/Gross Misdemeanor |
|--------------------------------------|-----------|-----|------------|--------------|--------------------------|
| 1. INVASION OF THE HOME | 205.067.2 | F | 11/28/2016 | | |
| Arrest: 11/28/2016 | | | | Case Status: | 10/09/2019 Closed |
| 2. MALICIOUS DESTRUCTION OF PROPERTY | 206.310 | G | 11/28/2016 | | |

Related Cases

A-21-839313-W (Writ Related Case)

Statistical Closures

10/09/2019 Guilty Plea with Sentence (before trial) (CR)

Warrants

Bench Warrant - Dorsey, Denzel (Judicial Officer: Hardy, Joe)

11/08/2018 2:41 PM Returned - Served

07/17/2018 2:38 PM Active

Hold Without Bond

Bonds

Surety #IS6K-882246 \$6,000.00

4/18/2018 Exonerated

12/3/2016 Active

Counts: 1, 2

DATE

CASE ASSIGNMENT

Current Case Assignment

| | |
|------------------|----------------------|
| Case Number | C-17-323324-1 |
| Court | Department 6 |
| Date Assigned | 09/07/2021 |
| Judicial Officer | Bluth, Jacqueline M. |

PARTY INFORMATION

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

DATE

EVENTS & ORDERS OF THE COURT

INDEX

EVENTS















05/05/2017

















Criminal Bindover
[1]

Index #1
















CASE SUMMARY
CASE NO. C-17-323324-1

| | | |
|------------|--|------------------|
| 05/09/2017 |  Information Party: Plaintiff State of Nevada <i>[2] Information</i> | <i>Index #2</i> |
| 05/25/2017 |  Reporters Transcript <i>[3] Reporter's Transcript of Preliminary Hearing May 2, 2017</i> | <i>Index #3</i> |
| 08/21/2017 |  Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>[4] State's Notice of Witnesses and/or Expert Witnesses</i> | <i>Index #4</i> |
| 08/31/2017 |  Order <i>[5] Order Re: Discovery</i> | <i>Index #5</i> |
| 11/29/2017 |  Motion to Withdraw As Counsel Filed By: Defendant Dorsey, Denzel <i>[6] Motion To Withdraw Due To Conflict</i> | <i>Index #6</i> |
| 01/19/2018 |  Ex Parte Order Filed By: Defendant Dorsey, Denzel <i>[7] Ex-Parte Order to Appoint Counsel and to Waive Court Filing Fees</i> | <i>Index #7</i> |
| 03/09/2018 |  Guilty Plea Agreement <i>[8]</i> | <i>Index #8</i> |
| 04/26/2018 |  Motion Filed By: Defendant Dorsey, Denzel <i>[9] Motion to Place on Calendar to Address Custody Status and Hold</i> | <i>Index #9</i> |
| 04/27/2018 |  PSI <i>[10]</i> | <i>Index #10</i> |
| 06/06/2018 |  Motion to Dismiss Counsel Party: Defendant Dorsey, Denzel <i>[11] Motion to Dismiss Counsel</i> | <i>Index #11</i> |
| 06/06/2018 |  Motion to Withdraw Plea Filed By: Defendant Dorsey, Denzel <i>[12] Motion to Withdraw Plea</i> | <i>Index #12</i> |
| 06/14/2018 |  Recorders Transcript of Hearing <i>[13] Recorder's Transcript of Hearing Re State's Request for Entry of Plea March 13, 2018</i> | <i>Index #13</i> |
| 07/02/2018 | Case Reassigned to Department 15 <i>Reassigned From Judge Johnson - Dept 22</i> | |
| 07/03/2018 |  Opposition Filed By: Plaintiff State of Nevada <i>[14] State's Opposition to Defendant's Pro Per Motion to Withdraw Plea</i> | <i>Index #14</i> |
| 07/24/2018 |  Motion to Quash Bench Warrant Filed By: Defendant Dorsey, Denzel | <i>Index #15</i> |

CASE SUMMARY
CASE NO. C-17-323324-1








| | | |
|------------|---|-----------|
| | <i>[15] Motion to Quash Bench Warrant</i> | |
| 07/25/2018 |  Bench Warrant <i>[16] Bench Warrant</i> | Index #16 |
| 12/05/2018 |  Motion Filed By: Defendant Dorsey, Denzel <i>[17] Motion for Expert Services (Investigator) Pursuant to Widdis</i> | Index #17 |
| 01/09/2019 |  Order Filed By: Defendant Dorsey, Denzel <i>[18] Order Granting Motion for Expert Services (Investigator) Pursuant to Widdis</i> | Index #18 |
| 02/15/2019 |  Motion Filed By: Defendant Dorsey, Denzel <i>[19] Defendant Denzel Dorsey's Motion to Withdraw Guilty Plea</i> | Index #19 |
| 02/21/2019 |  Notice Filed By: Plaintiff State of Nevada <i>[20] State's Notice of Intent to Seek Punishment as a Habitual Criminal and Notice of Prior Burglary and/or Home Invasion Convictions</i> | Index #20 |
| 02/21/2019 |  Supplemental Filed by: Defendant Dorsey, Denzel <i>[21] Supplemental Exhibit in Support of Defendant's Motion to Withdraw Guilty Plea</i> | Index #21 |
| 03/19/2019 |  Opposition Filed By: Plaintiff State of Nevada <i>[22] State's Opposition to Defendant's Motion to Withdraw Guilty Plea</i> | Index #22 |
| 03/28/2019 |  Reply Filed by: Defendant Dorsey, Denzel <i>[23] Reply to State's Opposition to Defendant's Motion to Withdraw Guilty Plea</i> | Index #23 |
| 06/11/2019 |  Notice of Motion Filed By: Plaintiff State of Nevada <i>[24] State's Notice of Motion and Motion to Remand Defendant</i> | Index #24 |
| 06/11/2019 |  Clerk's Notice of Hearing <i>[25] Notice of Hearing</i> | Index #25 |
| 07/26/2019 |  Recorders Transcript of Hearing <i>[26] Recorder's Transcript Re: Evidentiary Hearing, Defendant Denzel Dorsey's Motion to Withdraw Guilty Plea 07-11-19</i> | Index #26 |
| 08/06/2019 |  Order <i>[27] Order Denying Defendant's Motion to Withdraw Guilty Plea</i> | Index #27 |
| 08/07/2019 |  Notice of Entry of Order <i>[28] Notice of Entry of Order</i> | Index #28 |
| 09/23/2019 |  Memorandum Filed By: Defendant Dorsey, Denzel <i>[29] Defendant Denzel Dorsey's Sentencing Memorandum</i> | Index #29 |

CASE SUMMARY
CASE NO. C-17-323324-1

| | | |
|------------|--|-----------|
| 09/23/2019 |  PSI - Supplemental PSI [30] | Index #30 |
| 10/01/2019 |  Response Filed by: Plaintiff State of Nevada [31] <i>State's Response to Defendant Denzel Dorsey's Sentencing Memorandum</i> | Index #31 |
| 10/04/2019 |  Motion Filed By: Defendant Dorsey, Denzel [32] <i>Motion to Withdraw as Counsel</i> | Index #32 |
| 10/07/2019 |  Clerk's Notice of Nonconforming Document [33] <i>Clerk's Notice of Nonconforming Document</i> | Index #33 |
| 10/08/2019 |  Motion Filed By: Defendant Dorsey, Denzel [34] <i>Motion to Withdraw as Counsel</i> | Index #34 |
| 10/08/2019 |  Clerk's Notice of Hearing [35] <i>Notice of Hearing</i> | Index #35 |
| 10/09/2019 |  Judgment of Conviction [36] <i>Judgment of Conviction (Plea of Guilty)</i> | Index #36 |
| 10/15/2019 |  Notice of Appeal (Criminal) Party: Defendant Dorsey, Denzel [37] <i>Notice of Appeal</i> | Index #37 |
| 10/17/2019 |  Case Appeal Statement Filed By: Defendant Dorsey, Denzel [38] <i>Case Appeal Statement</i> | Index #38 |
| 11/22/2019 |  Order for Production of Inmate [39] <i>Order for Production of Inmate Denzel Dorsey, BAC #1099468</i> | Index #39 |
| 11/27/2019 |  Order for Production of Inmate [40] <i>Amended Order for Production of Inmate Denzel Dorsey, BAC #1099468</i> | Index #40 |
| 05/14/2020 |  Request Filed by: Defendant Dorsey, Denzel [41] <i>Amended Request for Transcript</i> | Index #41 |
| 06/09/2020 |  Recorders Transcript of Hearing [42] <i>Recorders Transcript of Hearing Re:</i> | Index #42 |
| 01/04/2021 | Case Reassigned to Department 18 <i>Judicial Reassignment to Judge Mary Kay Holthus</i> | |
| 02/03/2021 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed [43] <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i> | Index #43 |
| 03/25/2021 |  Motion to Withdraw As Counsel | Index #44 |

CASE SUMMARY




CASE NO. C-17-323324-1

| | | |
|------------|--|-----------|
| | <p>Filed By: Defendant Dorsey, Denzel <i>[44] Motion to Withdraw as Counsel</i></p> | |
| 03/25/2021 | <p> Clerk's Notice of Hearing <i>[45] Clerk's Notice of Hearing</i></p> | Index #45 |
| 09/07/2021 | <p>Case Reassigned to Department 6 <i>From Judge Mary Kay Holthus to Judge Jacqueline Bluth</i></p> | |
| 10/11/2021 | <p> Notice of Appeal (Criminal) <i>[46] Notice of Appeal</i></p> | Index #46 |
| 10/13/2021 | <p> Case Appeal Statement Filed By: Defendant Dorsey, Denzel <i>Case Appeal Statement</i></p> | Index #47 |
| | HEARINGS | |
| 05/15/2017 | <p> Initial Arraignment (10:00 AM) (Judicial Officer: Hillman, Ralph R.) Events: 05/05/2017 Criminal Bindover</p> | |
| | MINUTES | |
| | <p> Criminal Bindover <i>[1]</i> Plea Entered; Journal Entry Details: <i>Deputized Law Clerk, Alexander Vail, present on behalf of the State. DEFT. DORSEY ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT FURTHER ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. BOND 9/7/17 9:00 AM CALENDAR CALL (DEPT 22) 9/11/17 8:30 AM JURY TRIAL (DEPT 22) ;</i></p> | Index #1 |
| 09/07/2017 | <p> Calendar Call (9:00 AM) (Judicial Officer: Johnson, Susan) Matter Heard; Journal Entry Details: <i>Mr. Brower requested a continuance. Bench conference. Colloquy regarding discovery. No opposition by State to continue trial. Colloquy regarding scheduling conflicts. Counsel anticipated 3-4 days to try. COURT ORDERED, jury trial VACATED and RESET. BOND 11/30/2017 - 9:00 AM - CALENDAR CALL 12/04/2017 - 8:30 AM - JURY TRIAL;</i></p> | |
| 09/11/2017 | <p>CANCELED Jury Trial (8:30 AM) (Judicial Officer: Johnson, Susan) <i>Vacated</i></p> | |
| 11/30/2017 | <p>Calendar Call (9:00 AM) (Judicial Officer: Johnson, Susan) Matter Heard;</p> | |
| 11/30/2017 | <p>Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Johnson, Susan) <i>Defendant's Motion to Withdraw Due to Conflict</i> Motion Granted;</p> | |
| 11/30/2017 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Johnson, Susan) Matter Heard; Journal Entry Details: <i>CALENDAR CALL...DEFENDANT'S MOTION TO WITHDRAW DUE TO CONFLICT Yi Zheng, Esq., also present. Mr. Brower requested to withdraw due to conflict. COURT ORDERED, Motion GRANTED. Ms. Zheng requested two weeks for a conflicts check and to confirm. COURT ORDERED, jury trial VACATED; matter SET for status check. Counsel anticipated one week to try. BOND 12/12/2017 - 8:30 AM - STATUS CHECK: TRIAL SETTING/CONFIRMATION OF COUNSEL;</i></p> | |

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-17-323324-1

| | |
|------------|--|
| 12/04/2017 | CANCELED Jury Trial (8:30 AM) (Judicial Officer: Johnson, Susan) <i>Vacated</i> |
| 12/12/2017 |  Status Check (8:30 AM) (Judicial Officer: Johnson, Susan) 12/12/2017, 01/09/2018, 01/16/2018 <i>Status Check: Confirmation of Counsel (Drew Christiansen)/Trial Setting</i> Continued; Continued; Matter Heard; Journal Entry Details: <i>Ms. McAmis CONFIRMED AS COUNSEL; advised she received discovery today; requested a custody status hearing. Court directed Ms. McAmis to file a motion and then a hearing could be set. Colloquy regarding scheduling conflicts. COURT ORDERED, matter SET for trial. Counsel anticipated 5 days to try. Court advised it would issue a Discovery Order. CUSTODY (COC)/BOND 4/18/2018 - 8:30 AM - CALENDAR CALL 4/23/2018 - 8:30 AM - JURY TRIAL;</i> Continued; Continued; Matter Heard; Journal Entry Details: <i>Yi Zheng, Esq., also present. Ms. Zheng advised she could not confirm as counsel due to conflict and requested appointment. State requested Deft. be remanded into custody and to revoke bail. Colloquy regarding outstanding warrants and the procedural history of the case. COURT ORDERED, matter CONTINUED; Deft. REMANDED into custody, NO BAIL. Colloquy regarding contract attorneys and conflict. CUSTODY (BOND) CONTINUED TO 1/16/2018 - 8:30 AM;</i> Continued; Continued; Matter Heard; Journal Entry Details: <i>Ed Hughes, Esq., and Yi Zheng, Esq., present for Deft. Ms. Zheng requested a 30-day continuance as discovery was substantial. COURT SO ORDERED; advised Deft. needed to be present at the next hearing date. BOND CONTINUED TO 1/09/2018 - 8:30 AM;</i> |
| 03/13/2018 |  Request (8:30 AM) (Judicial Officer: Johnson, Susan) <i>State's Request for Entry of Plea</i> Plea Entered; Journal Entry Details: <i>Guilty Plea Agreement FILED IN OPEN COURT NEGOTIATIONS are as contained in the Guilty Plea Agreement. DEFT. DORSEY ARRAIGNED AND PLED GUILTY TO INVASION OF THE HOME (F). Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P); trial dates VACATED; matter SET for sentencing. Ms. McAmis advised Deft. had previously posted bail and requested an own recognizance release. No objection by State. COURT FURTHER ORDERED, own recognizance release GRANTED. Court advised Deft. if he failed to appear for his future court date he would serve a minimum of 60 months to 120 months. O.R. 7/17/18 8:30 AM SENTENCING CLERK'S NOTE: Bond was neither addressed at the 1/9/18 hearing, nor was it addressed at the hearing when counsel confirmed on 1/16/18. Bond exonerated on 4/18/2018. kc/4-18-18;</i> |
| 04/17/2018 | CANCELED Calendar Call (8:30 AM) (Judicial Officer: Johnson, Susan) <i>Vacated</i> |
| 04/23/2018 | CANCELED Jury Trial (8:30 AM) (Judicial Officer: Johnson, Susan) <i>Vacated</i> |
| 05/08/2018 |  Motion (8:30 AM) (Judicial Officer: Johnson, Susan) <i>Motion to Place on Calendar to Address Custody Status and Hold</i> Matter Heard; Journal Entry Details: <i>Colloquy regarding Presentence Investigation Report. Ms. McAmis advised Deft. had a California hold, so his Nevada cases needed to be resolved; requested Deft. be remanded on this case and to set sentencing in 30 days. Statement by Deft. COURT ORDERED, sentencing</i> |

CASE SUMMARY

CASE NO. C-17-323324-1

RESCHEDULED. O.R. 6/05/2018 - 8:30 AM - SENTENCING;

06/05/2018



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

06/05/2018, 06/12/2018, 06/28/2018

Continued;
Continued;
Set Status Check;
Continued;
Continued;
Set Status Check;
Continued;
Continued;
Set Status Check;
Journal Entry Details:

Ms. McAmis advised they could not proceed today as the Deft. wanted to withdraw his plea and dismiss her as counsel of record. Deft. advised the Motions were filed approximately 10 days ago. Court advised it needed to see the Motion before rendering a decision and ORDERED, matter CONTINUED and SET for status check. O.R. (COC) 6/12/2018 - 8:30 AM - SENTENCING/STATUS CHECK: STATUS OF MOTIONS;

06/12/2018

Status Check (8:30 AM) (Judicial Officer: Johnson, Susan)

Status Check: Status of Motion Filing
Matter Heard;

06/12/2018

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

Defendant's Motion to Dismiss Counsel
Motion Granted;

06/12/2018



All Pending Motions (8:30 AM) (Judicial Officer: Johnson, Susan)

Matter Heard;
Journal Entry Details:
SENTENCING...STATUS CHECK: STATUS OF MOTION FILING...DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL COURT ORDERED, Motion to Dismiss Counsel GRANTED; Mr. Hughes APPOINTED; matter SET for confirmation of counsel; sentencing CONTINUED. Court advised it wanted to see the transcript of the arraignment canvas. O.R. (COC) 6/28/2018 - 9:00 AM - SENTENCING/CONFIRMATION OF COUNSEL (ED HUGHES, ESQ.);

06/28/2018

Motion to Withdraw Plea (9:00 AM) (Judicial Officer: Hardy, Joe)

06/28/2018, 07/17/2018

Defendant's Motion to Withdraw Plea
Continued;
Off Calendar;
Continued;
Off Calendar;

06/28/2018

Confirmation of Counsel (9:00 AM) (Judicial Officer: Hardy, Joe)

06/28/2018, 07/17/2018

Confirmation of Counsel (Hughes, E)
Continued;
Off Calendar;
Continued;
Off Calendar;

06/28/2018



All Pending Motions (9:00 AM) (Judicial Officer: Johnson, Susan)

Matter Heard;
Journal Entry Details:
CONFIRMATION OF COUNSEL...DEFENDANT'S PRO PER MOTION TO WITHDRAW PLEA...SENTENCING Keith Brower, Esq. present. Mr. Brower advised he was notified about this matter yesterday, Mr. Hughes was out of the country, and he could not make any representations at this time due to preexisting conflicts; requested a continuance. COURT

CASE SUMMARY

CASE NO. C-17-323324-1

ORDERED, matters CONTINUED; matter SET for status check. O.R. 7/17/2018 - 8:30 AM - CONFIRMATION OF COUNSEL/DEFENDANT'S PRO PER MOTION TO WITHDRAW PLEA/STATUS CHECK: SENTENCING;

07/17/2018

Status Check (8:30 AM) (Judicial Officer: Hardy, Joe)

Status Check: Sentencing

Bench Warrant Issued;

07/17/2018



All Pending Motions (8:30 AM) (Judicial Officer: Hardy, Joe)

Matter Heard;

Journal Entry Details:

CONFIRMATION OF COUNSEL (HUGHES, E)...DEFENDANT'S MOTION TO WITHDRAW PLEA...STATUS CHECK: SENTENCING E. Hughes, Esq. present. Defendant having failed to appear, State requested the issuance of a bench warrant. Mr. Hughes appeared and stated that he did not have the Pre-Sentence Investigation Report (PSI), and had had no contact with the Defendant; therefore, he would be unable to proceed with sentencing, even if the Defendant happened to be present. Pursuant to the State's request, COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL. COURT FURTHER ORDERED Defendant's Motion to Withdraw Plea was hereby OFF CALENDAR. B.W. (O.R.);

07/31/2018



Motion to Quash Bench Warrant (8:30 AM) (Judicial Officer: Hardy, Joe)

Defendant's Motion to Quash Bench Warrant

Denied Without Prejudice;

Journal Entry Details:

Carl Arnold, Esq. CONFIRMED as counsel of record for the Defendant. Mr. Arnold advised that Defendant was currently in custody in California, and requested the bench warrant be quashed in the instant case, in order to allow the Defendant to post bail in the California case. The State submitted on the pleadings. Mr. Arnold stated that the Defendant would be unable to post bail in California, with the bench warrant pending in the instant case. COURT ORDERED Defendant's Motion to Quash Bench Warrant was hereby DENIED WITHOUT PREJUDICE, FINDING that the bench warrant remaining in place, would ensure the Defendant's appearance in court subsequent to the resolution of his California case. B.W. (O.R.);

11/08/2018



Request (8:30 AM) (Judicial Officer: Hardy, Joe)

DA Request Re: Bench Warrant Return

Matter Heard;

Journal Entry Details:

The State noted that Defendant had a fugitive hold out of California, and there was the possibility of additional charges being filed. Mr. Arnold requested thirty days to determine what was going on in the case. The State objected to a thirty day continuance, noting that the negotiations in this case called for the dismissal of Defendant's other case, which was set for a Preliminary Hearing. COURT ORDERED the sentencing date was hereby SET in two weeks. CUSTODY 11/27/18 8:30 AM SENTENCING;

11/27/2018



Sentencing (8:30 AM) (Judicial Officer: Hardy, Joe)

11/27/2018, 12/13/2018, 02/19/2019, 03/26/2019, 04/04/2019

Matter Continued;

Continued;

Continued;

Continued;

Vacate;

Matter Continued;

Continued;

Continued;

Continued;

Vacate;

Matter Continued;

Continued;

Continued;

Continued;

CASE SUMMARY
CASE NO. C-17-323324-1

Vacate;

Journal Entry Details:

Mr. Modafferi indicated that he had spoken to Sandra DiGiacomo, DDA, and both parties agreed to continue the sentencing date, to allow the State to file a response to the Motion to Withdraw Guilty Plea. Upon Court's inquiry, Mr. Modafferi requested a thirty-day continuance. There being no opposition, COURT ORDERED the sentencing date was hereby CONTINUED. CUSTODY CONTINUED TO: 3/28/19 8:30 AM;

Matter Continued;

Continued;

Continued;

Continued;

Vacate;

Journal Entry Details:

Mr. Modafferi requested the sentencing date be continued to a date subsequent to the pending Motion for Expert Services, noting that the State did not object to the continuance. Additionally, Mr. Modafferi requested the Court make a ruling on the Motion for Expert Services during the instant hearing, so that an investigator could begin looking into the factual concerns. The Court noted that it would be unable to make a ruling on the Motion for Expert Services, as it had not yet reviewed the Motion. COURT ORDERED the sentencing date was hereby CONTINUED. CUSTODY CONTINUED TO: 2/5/19 8:30 AM;

Matter Continued;

Continued;

Continued;

Continued;

Vacate;

Journal Entry Details:

Mr. Modafferi requested a continuance; advised the parties would like to get up to speed on this matter. COURT ORDERED, MATTER CONTINUED. CUSTODY 12-13-18 8:30 AM SENTENCING (DEPT. XV);

01/03/2019



Motion (8:30 AM) (Judicial Officer: Hardy, Joe)

Defendant's Motion for Expert Services (Investigator) Pursuant to Widdis

Motion Granted;

Journal Entry Details:

Upon Court's inquiry, Mr. Modafferi indicated that the investigator was needed, to determine whether there were facts and circumstances that would warrant the withdrawal of Defendant's guilty plea. Upon further inquiry by the Court, Mr. Modafferi advised that the investigator would be interviewing the Defendant, as well as other witnesses. Regarding the cost of the investigator, Mr. Modafferi stated that an ROC would be submitted to Drew Christensen, which would allow the County Administrator to determine the amount of hours needed, and to supervise the payments. The State argued that, if the investigator was investigating based upon a potential withdrawal of plea, then the investigator would be limited to the plea canvass. COURT ORDERED the Defendant's Motion for Expert Services (Investigator) Pursuant to Widdis, was hereby GRANTED, FINDING that the Defendant was INDIGENT. Due to the Court's continuing reservations regarding the need for an investigator, as well as its questions regarding scope, COURT ORDERED a status check was hereby SET regarding the retention of the investigator, and the scope of the investigation. COURT FURTHER ORDERED the sentencing date would STAND. 1/17/19 8:30 AM STATUS CHECK: INVESTIGATOR;

01/17/2019



Status Check (8:30 AM) (Judicial Officer: Hardy, Joe)

Status Check: Investigation

Matter Heard;

Journal Entry Details:

Mr. Modafferi advised that an application for appropriate investigator funds had been submitted to the Office of the County Manager, and provided the Court with a copy of said application. The Court noted that the application had been approved for \$500.00. Upon the Court's inquiry, Mr. Modafferi stated that the Court did not have to take any action at this time, and requested the pending sentencing date be reset to a date two weeks later than its current date. The State clarified that the investigator was being used solely to determine whether it would be appropriate for Defendant to withdraw his plea. Mr. Modafferi affirmed the State's representation. COURT ORDERED the sentencing date was hereby RESET. CUSTODY 2/19/19 8:30 AM SENTENCING;

CASE SUMMARY

CASE NO. C-17-323324-1

02/26/2019



Motion (8:30 AM) (Judicial Officer: Hardy, Joe)

02/26/2019, 03/26/2019, 04/04/2019, 05/23/2019, 05/28/2019, 07/08/2019, 07/11/2019

Defendant Denzel Dorsey's Motion to Withdraw Guilty Plea

Continued;

Continued;

Continued;

Continued;

Continued;

Continued;

Deferred Ruling;

Continued;

Continued;

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Deferred Ruling;

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Continued;





Continued;

Deferred Ruling;

Journal Entry Details:

The instant Motion having previously been reset, but not rescheduled on the Court's docket, and the parties having agreed to a continuance date, COURT ORDERED Defendant Denzel Dorsey's Motion to Withdraw Guilty Plea, was hereby CONTINUED. COURT FURTHER ORDERED, Defendant's sentencing date, was hereby RESET to be heard on the same date as the Motion to Withdraw Guilty Plea. CUSTODY 3/26/19 8:30 AM DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA...SENTENCING;

CASE SUMMARY
CASE NO. C-17-323324-1

| | |
|------------|---|
| 03/26/2019 |  All Pending Motions (8:30 AM) (Judicial Officer: Hardy, Joe) Matter Heard; Journal Entry Details: DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA... <i>SENTENCING Mr. Modafferi not present when the case was called. The State noted that the instant hearings were originally set to be heard on March 28, 2019, and they were moved to accommodate the State, which may account for Mr. Modafferi's absence. COURT ORDERED the instant hearings were hereby CONTINUED. CUSTODY CONTINUED TO: 4/4/19 8:30 AM CLERK'S NOTE: Mr. Modafferi was notified of the continuance date via e-mail. (KD 3/26/19);</i> |
| 04/04/2019 |  All Pending Motions (8:30 AM) (Judicial Officer: Hardy, Joe) Matter Heard; Journal Entry Details: <i>The Court noted that an Evidentiary Hearing would be necessary. Mr. Modafferi indicated he would be bringing in Daniel Dorsey, who would be willing to testify that he was the individual who committed the crime. The State advised that, out of an abundance of caution, it felt that an Evidentiary Hearing should be held. Upon Court's inquiry, the State represented that two hours would be needed for the hearing. COURT ORDERED and Evidentiary Hearing was hereby SET, and the Motion to Withdraw Guilty Plea, was hereby CONTINUED to the date of the Evidentiary Hearing. CUSTODY 5/13/19 8:30 AM DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA...EVIDENTIARY HEARING;</i> |
| 05/23/2019 | Evidentiary Hearing (10:30 AM) (Judicial Officer: Hardy, Joe) 05/23/2019, 05/28/2019, 07/08/2019, 07/11/2019 Continued; Continued; Continued; Deferred Ruling; Continued; Continued; Continued; Deferred Ruling; Continued; Continued; Continued; Deferred Ruling; Continued; Continued; Continued; Deferred Ruling; |
| 05/23/2019 |  All Pending Motions (10:30 AM) (Judicial Officer: Hardy, Joe) Matter Heard; Journal Entry Details: EVIDENTIARY HEARING... <i>DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA The Defendant not having been transported, COURT ORDERED the Motion and Evidentiary Hearing were hereby CONTINUED. CUSTODY CONTINUED TO: 5/28/19 10:30 AM;</i> |
| 05/28/2019 |  All Pending Motions (10:30 AM) (Judicial Officer: Hardy, Joe) Matter Heard; Journal Entry Details: EVIDENTIARY HEARING... <i>DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA The State advised that Defendant's brother, Davey Dorsey, who would allegedly be admitting to the subject crimes through testimony, would require independent counsel. Mr. Modafferi suggested the Court canvass Davey Dorsey, to determine whether he wished to retain counsel. EXCLUSIONARY RULE INVOKED by the State. The Court expressed its frustration with the State's failure to raise the independent counsel issue prior to the instant hearing. Matter trailed. Matter recalled. Having reviewed the law applicable to the issue raised by the State, COURT ORDERED that the Evidentiary Hearing would proceed as</i> |

CASE SUMMARY

CASE NO. C-17-323324-1

scheduled. The State noted that its investigator was currently out of the jurisdiction; therefore, the hearing may have to be bifurcated, to allow for the investigator to appear and testify. Testimony and exhibits presented (see worksheets). At Mr. Modafferi's request, the COURT ORDERED that it would consider the Preliminary Hearing transcripts, as they were already part of the record in the instant case. Additionally, the COURT TOOK JUDICIAL NOTICE of the handwritten briefs attached to the Motion to Withdraw Guilty Plea as exhibits A and B. Colloquy regarding scheduling. Mr. Modafferi indicated there was no objection to the hearing being continued to accommodate the State's investigator. COURT ORDERED the Evidentiary Hearing, as well as the Motion to Withdraw Guilty Plea, were hereby CONTINUED. CUSTODY CONTINUED TO: 7/8/19 8:30 AM;

06/25/2019



Motion to Remand (8:30 AM) (Judicial Officer: Hardy, Joe)

State's Notice of Motion and Motion to Remand Defendant

Motion Granted;

Journal Entry Details:

There being no Opposition, COURT ORDERED the State's Notice of Motion and Motion to Remand Defendant, was hereby GRANTED, RETROACTIVE to October 17, 2018. CUSTODY;

07/08/2019



All Pending Motions (10:30 AM) (Judicial Officer: Hardy, Joe)

Matter Heard;

Journal Entry Details:

EVIDENTIARY HEARING...DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA Mr. Modafferi advised he and Ms. Digiacommo agreed to continuance for later this week due to circumstances with other matters. COURT ORDERED, matters CONTINUED to 7/11/19. Upon Court's inquiry, Mr. Modafferi advised State has a testifying investigator. Mr. Rowles advised if there is problem with witness availability, he will notify opposing counsel and Chambers. IN CUSTODY CONTINUED TO: 7/11/19 10:30 AM EVIDENTIARY HEARING...DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA CLERK'S NOTE: Minutes completed upon review of JAVS recording. /cd 8-13-19/;

07/11/2019



All Pending Motions (10:30 AM) (Judicial Officer: Hardy, Joe)

Matter Heard;

Journal Entry Details:

EVIDENTIARY HEARING...DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA Testimony and exhibits presented (see worksheets). State RESTED. Due to the need to review the State's exhibit, which consisted of multiple telephone calls made by the Defendant from jail, the Court noted that it would hear arguments on this date, and would issue its decision via minute order. Mr. Modafferi argued in support of the Motion to Withdraw Guilty Plea, stating that the Court must look at the case under the permissive standard; Stevenson case cited. The State argued in opposition, stating that the Defendant had a long history of breaking and entering, and there was no information presented regarding the Defendant's brother possibly being the perpetrator, until the Defendant wished to withdraw his guilty plea. COURT ORDERED the ruling on the Evidentiary Hearing and the Motion to Withdraw Plea were hereby DEFERRED, and a status check regarding the Court's decision, and the setting of a sentencing date, or a trial date, was hereby SET. CUSTODY 8/8/19 8:30 AM STATUS CHECK: COURT'S DECISION ON THE MOTION TO WITHDRAW PLEA / SENTENCING DATE / TRIAL DATE;

08/08/2019



Status Check (8:30 AM) (Judicial Officer: Hardy, Joe)

Status Check: Court's Decision on the Motion to Withdraw Plea / Sentencing Date / Trial Date

Matter Heard;

Journal Entry Details:

The Court noted that a trial date needed to be set, as the Motion to Withdraw Plea had been denied via a written Order. COURT ORDERED a sentencing date was hereby SET. COURT FURTHER ORDERED the preparation of a new Pre-Sentence Investigation Report (PSI). Mr. Modafferi advised that he was retained only through sentencing, and requested that appellate counsel be appointed for the Defendant prior to the preparation of the Judgment of Conviction. The State noted that, procedurally, Mr. Modafferi would need to complete sentencing prior to any other counsel being appointed. The Court directed counsel to raise the issue again when appropriate. CUSTODY 10/3/19 8:30 AM SENTENCING;

10/03/2019



Sentencing (8:30 AM) (Judicial Officer: Hardy, Joe)

CASE SUMMARY

CASE NO. C-17-323324-1

Defendant Sentenced;

Journal Entry Details:

Mr. Modafferi requested the Court appoint appellant counsel for the Defendant post-sentencing. The State noted that it regained the right to argue, but would submit on the negotiations. Mr. Modafferi requested the maximum end of the potential sentence be reduced. Arguments regarding credit time served. Statements by the Defendant. DEFT DORSEY ADJUDGED GUILTY of COUNT 1 - INVASION OF THE HOME (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee, WAIVED as previously taken, \$3.00 DNA Collection fee, \$130.00 Restitution, payable to VC2191137, and \$1,200.00 Restitution, payable to VC2252568, Deft. SENTENCED under the SMALL HABITUAL CRIMINAL STATUTE to a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS and MINIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC), with FOUR HUNDRED TWENTY-THREE (423) DAYS credit time served. COURT FURTHER ORDERED COUNT 2 was hereby DISMISSED. Regarding the request for appointment of appellate counsel, COURT ORDERED that said request was DENIED at this time, as it was unsure whether the request was appropriate. BOND, if any, EXONERATED. NDC;

10/22/2019



Motion to Withdraw as Counsel (8:30 AM) (Judicial Officer: Hardy, Joe)

Defendant's Motion to Withdraw as Counsel

Motion Granted;

Journal Entry Details:

There being no opposition, COURT ORDERED Defendant's Motion to Withdraw as Counsel, was hereby GRANTED; Gary Modafferi, Esq. WITHDRAWN. NDC;

12/03/2019



Status Check (8:30 AM) (Judicial Officer: Hardy, Joe)

Status Check: Appointment of Appellate Counsel

Counsel Confirmed;

Journal Entry Details:

Terrence Jackson, Esq. CONFIRMED as appellate counsel for the Defendant. COURT ORDERED Terrence Jackson, Esq., was hereby APPOINTED as appellate counsel for the Defendant. Mr. Jackson advised that he would contact the Defendant's former counsel, and obtain the Defendant's file. NDC;

04/06/2021



Motion to Withdraw as Counsel (11:00 AM) (Judicial Officer: Holthus, Mary Kay)

Defendant's Motion to Withdraw as Counsel

In Custody Status

Granted;

Journal Entry Details:

Elissa Luzaich, Esq. present via Bluejeans video conference. Mr. Jackson and Deft. not present. Court indicated Mr. Jackson filed Motion to Withdraw, noting he was appointed for appeal and the Supreme Court affirmed findings. Court noted Deft. requested his filed. COURT ORDERED, Defendant's Motion to Withdraw as Counsel was hereby GRANTED. NDC ;

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 15, 2017

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

May 15, 2017 10:00 AM Initial Arraignment

HEARD BY: Hillman, Ralph R. **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Elizabeth Vargas

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: Brower, Keith Attorney
 Dorsey, Denzel Defendant

JOURNAL ENTRIES

- Deputized Law Clerk, Alexander Vail, present on behalf of the State.

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

BOND

9/7/17 9:00 AM CALENDAR CALL (DEPT 22)

9/11/17 8:30 AM JURY TRIAL (DEPT 22)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 07, 2017

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

September 07, 2017 9:00 AM Calendar Call

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

| | | |
|-----------------|-----------------------|-----------|
| PRESENT: | Brower, Keith | Attorney |
| | Dorsey, Denzel | Defendant |
| | State of Nevada | Plaintiff |
| | Villegas, Victoria A. | Attorney |

JOURNAL ENTRIES

- Mr. Brower requested a continuance. Bench conference. Colloquy regarding discovery. No opposition by State to continue trial. Colloquy regarding scheduling conflicts. Counsel anticipated 3-4 days to try. COURT ORDERED, jury trial VACATED and RESET.

BOND

11/30/2017 - 9:00 AM - CALENDAR CALL

12/04/2017 - 8:30 AM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 30, 2017

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

November 30, 2017 9:00 AM

All Pending Motions

HEARD BY: Johnson, Susan

COURTROOM: RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

| | | |
|-----------------|----------------------|-----------|
| PRESENT: | Brower, Keith | Attorney |
| | Dorsey, Denzel | Defendant |
| | Moreo, Thomas Joseph | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- CALENDAR CALL...DEFENDANT'S MOTION TO WITHDRAW DUE TO CONFLICT

Yi Zheng, Esq., also present. Mr. Brower requested to withdraw due to conflict. COURT ORDERED, Motion GRANTED. Ms. Zheng requested two weeks for a conflicts check and to confirm. COURT ORDERED, jury trial VACATED; matter SET for status check. Counsel anticipated one week to try.

BOND

12/12/2017 - 8:30 AM - STATUS CHECK: TRIAL SETTING/CONFIRMATION OF COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 12, 2017

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

December 12, 2017 8:30 AM Status Check

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT: Moreo, Thomas Joseph Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ed Hughes, Esq., and Yi Zheng, Esq., present for Deft. Ms. Zheng requested a 30-day continuance as discovery was substantial. COURT SO ORDERED; advised Deft. needed to be present at the next hearing date.

BOND

CONTINUED TO 1/09/2018 - 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 09, 2018

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

January 09, 2018 8:30 AM Status Check

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT: Brower, Keith Attorney
 Digiacomo, Sandra K. Attorney
 Dorsey, Denzel Defendant
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Yi Zheng, Esq., also present. Ms. Zheng advised she could not confirm as counsel due to conflict and requested appointment. State requested Deft. be remanded into custody and to revoke bail. Colloquy regarding outstanding warrants and the procedural history of the case. COURT ORDERED, matter CONTINUED; Deft. REMANDED into custody, NO BAIL. Colloquy regarding contract attorneys and conflict.

CUSTODY (BOND)

CONTINUED TO 1/16/2018 - 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 16, 2018

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

January 16, 2018 8:30 AM Status Check

HEARD BY: Johnson, Susan

COURTROOM: RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

| | | |
|-----------------|------------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | McAmis, Caitlyn | Attorney |
| | Scow, Richard H. | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- Ms. McAmis CONFIRMED AS COUNSEL; advised she received discovery today; requested a custody status hearing. Court directed Ms. McAmis to file a motion and then a hearing could be set. Colloquy regarding scheduling conflicts. COURT ORDERED, matter SET for trial. Counsel anticipated 5 days to try. Court advised it would issue a Discovery Order.

CUSTODY (COC)/BOND

4/18/2018 - 8:30 AM - CALENDAR CALL

4/23/2018 - 8:30 AM - JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 13, 2018

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

March 13, 2018 8:30 AM Request

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Keri Cromer
 Lauren Kidd

RECORDER: Norma Ramirez

REPORTER:

PARTIES

| | | |
|-----------------|-----------------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | McAmis, Caitlyn | Attorney |
| | State of Nevada | Plaintiff |
| | Villegas, Victoria A. | Attorney |

JOURNAL ENTRIES

- Guilty Plea Agreement FILED IN OPEN COURT

NEGOTIATIONS are as contained in the Guilty Plea Agreement. DEFT. DORSEY ARRAIGNED AND PLED GUILTY TO INVASION OF THE HOME (F). Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P); trial dates VACATED; matter SET for sentencing. Ms. McAmis advised Deft. had previously posted bail and requested an own recognizance release. No objection by State. COURT FURTHER ORDERED, own recognizance release GRANTED. Court advised Deft. if he failed to appear for his future court date he would serve a minimum of 60 months to 120 months.

O.R.

7/17/18 8:30 AM SENTENCING

CLERK'S NOTE: Bond was neither addressed at the 1/9/18 hearing, nor was it addressed at the hearing when counsel confirmed on 1/16/18. Bond exonerated on 4/18/2018. kc//4-18-18

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 08, 2018

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

May 08, 2018

8:30 AM

Motion

HEARD BY: Johnson, Susan

COURTROOM: RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

| | | |
|-----------------|-----------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | McAmis, Caitlyn | Attorney |
| | Niman, John T. | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- Colloquy regarding Presentence Investigation Report. Ms. McAmis advised Deft. had a California hold, so his Nevada cases needed to be resolved; requested Deft. be remanded on this case and to set sentencing in 30 days. Statement by Deft. COURT ORDERED, sentencing RESCHEDULED.

O.R.

6/05/2018 - 8:30 AM - SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****June 05, 2018**

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

June 05, 2018 8:30 AM Sentencing

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

| | | |
|-----------------|-----------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | McAmis, Caitlyn | Attorney |
| | Niman, John T. | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- Ms. McAmis advised they could not proceed today as the Deft. wanted to withdraw his plea and dismiss her as counsel of record. Deft. advised the Motions were filed approximately 10 days ago. Court advised it needed to see the Motion before rendering a decision and ORDERED, matter CONTINUED and SET for status check.

O.R. (COC)

6/12/2018 - 8:30 AM - SENTENCING/STATUS CHECK: STATUS OF MOTIONS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 12, 2018

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

June 12, 2018

8:30 AM

All Pending Motions

HEARD BY: Johnson, Susan

COURTROOM: RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT:

McAmis, Caitlyn
Niman, John T.
State of Nevada

Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- SENTENCING...STATUS CHECK: STATUS OF MOTION FILING...DEFENDANT'S PRO PER
MOTION TO DISMISS COUNSEL

COURT ORDERED, Motion to Dismiss Counsel GRANTED; Mr. Hughes APPOINTED; matter SET
for confirmation of counsel; sentencing CONTINUED. Court advised it wanted to see the transcript
of the arraignment canvas.

O.R. (COC)

6/28/2018 - 9:00 AM - SENTENCING/CONFIRMATION OF COUNSEL (ED HUGHES, ESQ.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 28, 2018

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

June 28, 2018

9:00 AM

All Pending Motions

HEARD BY: Johnson, Susan

COURTROOM: RJC Courtroom 15D

COURT CLERK:

Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT:

Dorsey, Denzel
State of Nevada
Villegas, Victoria A.

Defendant
Plaintiff
Attorney

JOURNAL ENTRIES

- CONFIRMATION OF COUNSEL...DEFENDANT'S PRO PER MOTION TO WITHDRAW
PLEA...SENTENCING

Keith Brower, Esq. present. Mr. Brower advised he was notified about this matter yesterday, Mr. Hughes was out of the country, and he could not make any representations at this time due to preexisting conflicts; requested a continuance. COURT ORDERED, matters CONTINUED; matter SET for status check.

O.R.

7/17/2018 - 8:30 AM - CONFIRMATION OF COUNSEL/DEFENDANT'S PRO PER MOTION TO
WITHDRAW PLEA/STATUS CHECK: SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 17, 2018

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

July 17, 2018

8:30 AM

All Pending Motions

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT: Pandelis, Christopher P. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- CONFIRMATION OF COUNSEL (HUGHES, E)...DEFENDANT'S MOTION TO WITHDRAW PLEA...STATUS CHECK: SENTENCING

E. Hughes, Esq. present.

Defendant having failed to appear, State requested the issuance of a bench warrant. Mr. Hughes appeared and stated that he did not have the Pre-Sentence Investigation Report (PSI), and had had no contact with the Defendant; therefore, he would be unable to proceed with sentencing, even if the Defendant happened to be present. Pursuant to the State's request, COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL.

COURT FURTHER ORDERED Defendant's Motion to Withdraw Plea was hereby OFF CALENDAR.

B.W. (O.R.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2018

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

| | | |
|---------------|---------|-------------------------------|
| July 31, 2018 | 8:30 AM | Motion to Quash Bench Warrant |
|---------------|---------|-------------------------------|

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT: Arnold, Carl E. Attorney
Pandelis, Christopher P. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Carl Arnold, Esq. CONFIRMED as counsel of record for the Defendant. Mr. Arnold advised that Defendant was currently in custody in California, and requested the bench warrant be quashed in the instant case, in order to allow the Defendant to post bail in the California case. The State submitted on the pleadings. Mr. Arnold stated that the Defendant would be unable to post bail in California, with the bench warrant pending in the instant case. COURT ORDERED Defendant's Motion to Quash Bench Warrant was hereby DENIED WITHOUT PREJUDICE, FINDING that the bench warrant remaining in place, would ensure the Defendant's appearance in court subsequent to the resolution of his California case.

B.W. (O.R.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 08, 2018

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

November 08, 2018 8:30 AM Request

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|-----------------------|-----------|
| PRESENT: | Arnold, Carl E. | Attorney |
| | Digiacomio, Sandra K. | Attorney |
| | Dorsey, Denzel | Defendant |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- The State noted that Defendant had a fugitive hold out of California, and there was the possibility of additional charges being filed. Mr. Arnold requested thirty days to determine what was going on in the case. The State objected to a thirty day continuance, noting that the negotiations in this case called for the dismissal of Defendant's other case, which was set for a Preliminary Hearing. COURT ORDERED the sentencing date was hereby SET in two weeks.

CUSTODY

11/27/18 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 27, 2018

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

November 27, 2018 8:30 AM Sentencing

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Phyllis Irby

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|------------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | Scow, Richard H. | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- Mr. Modafferi requested a continuance; advised the parties would like to get up to speed on this matter. COURT ORDERED, MATTER CONTINUED.

CUSTODY

12-13-18 8:30 AM SENTENCING (DEPT. XV)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 13, 2018

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

December 13, 2018 8:30 AM Sentencing

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|------------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | State of Nevada | Plaintiff |
| | Waters, Steven L | Attorney |

JOURNAL ENTRIES

- Mr. Modafferi requested the sentencing date be continued to a date subsequent to the pending Motion for Expert Services, noting that the State did not object to the continuance. Additionally, Mr. Modafferi requested the Court make a ruling on the Motion for Expert Services during the instant hearing, so that an investigator could begin looking into the factual concerns. The Court noted that it would be unable to make a ruling on the Motion for Expert Services, as it had not yet reviewed the Motion. COURT ORDERED the sentencing date was hereby CONTINUED.

CUSTODY

CONTINUED TO: 2/5/19 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 03, 2019**

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

January 03, 2019 8:30 AM Motion

HEARD BY: Hardy, Joe**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Kristin Duncan**RECORDER:** Matt Yarbrough**REPORTER:****PARTIES**

| | | |
|-----------------|-----------------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | State of Nevada | Plaintiff |
| | Villegas, Victoria A. | Attorney |

JOURNAL ENTRIES

- Upon Court's inquiry, Mr. Modafferi indicated that the investigator was needed, to determine whether there were facts and circumstances that would warrant the withdrawal of Defendant's guilty plea. Upon further inquiry by the Court, Mr. Modafferi advised that the investigator would be interviewing the Defendant, as well as other witnesses. Regarding the cost of the investigator, Mr. Modafferi stated that an ROC would be submitted to Drew Christensen, which would allow the County Administrator to determine the amount of hours needed, and to supervise the payments. The State argued that, if the investigator was investigating based upon a potential withdrawal of plea, then the investigator would be limited to the plea canvass. COURT ORDERED the Defendant's Motion for Expert Services (Investigator) Pursuant to Widdis, was hereby GRANTED, FINDING that the Defendant was INDIGENT. Due to the Court's continuing reservations regarding the need for an investigator, as well as its questions regarding scope, COURT ORDERED a status check was hereby SET regarding the retention of the investigator, and the scope of the investigation. COURT FURTHER ORDERED the sentencing date would STAND.

C-17-323324-1

1/17/19 8:30 AM STATUS CHECK: INVESTIGATOR

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 17, 2019**

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

January 17, 2019 8:30 AM Status Check

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|------------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | State of Nevada | Plaintiff |
| | Stephens, Robert | Attorney |

JOURNAL ENTRIES

- Mr. Modafferi advised that an application for appropriate investigator funds had been submitted to the Office of the County Manager, and provided the Court with a copy of said application. The Court noted that the application had been approved for \$500.00. Upon the Court's inquiry, Mr. Modafferi stated that the Court did not have to take any action at this time, and requested the pending sentencing date be reset to a date two weeks later than its current date. The State clarified that the investigator was being used solely to determine whether it would be appropriate for Defendant to withdraw his plea. Mr. Modafferi affirmed the State's representation. **COURT ORDERED** the sentencing date was hereby **RESET**.

CUSTODY

2/19/19 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 19, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

February 19, 2019 8:30 AM Sentencing

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|------------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | Scow, Richard H. | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- Mr. Modafferi indicated that he had spoken to Sandra DiGiacomo, DDA, and both parties agreed to continue the sentencing date, to allow the State to file a response to the Motion to Withdraw Guilty Plea. Upon Court's inquiry, Mr. Modafferi requested a thirty-day continuance. There being no opposition, COURT ORDERED the sentencing date was hereby CONTINUED.

CUSTODY

CONTINUED TO: 3/28/19 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 26, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

February 26, 2019 8:30 AM Motion

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan
Dara Yorke

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|-----------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | Kern, Samuel R. | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- The instant Motion having previously been reset, but not rescheduled on the Court's docket, and the parties having agreed to a continuance date, COURT ORDERED Defendant Denzel Dorsey's Motion to Withdraw Guilty Plea, was hereby CONTINUED. COURT FURTHER ORDERED, Defendant's sentencing date, was hereby RESET to be heard on the same date as the Motion to Withdraw Guilty Plea.

CUSTODY

3/26/19 8:30 AM DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA...SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 26, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

March 26, 2019 8:30 AM All Pending Motions

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT: Digiacomo, Sandra K. Attorney
 Dorsey, Denzel Defendant
 State of Nevada Plaintiff

JOURNAL ENTRIES

- DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA...SENTENCING

Mr. Modafferi not present when the case was called. The State noted that the instant hearings were originally set to be heard on March 28, 2019, and they were moved to accommodate the State, which may account for Mr. Modafferi's absence. COURT ORDERED the instant hearings were hereby CONTINUED.

CUSTODY

CONTINUED TO: 4/4/19 8:30 AM

CLERK'S NOTE: Mr. Modafferi was notified of the continuance date via e-mail. (KD 3/26/19)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 04, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

April 04, 2019

8:30 AM

All Pending Motions

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|----------------------|-----------|
| PRESENT: | Digiacomo, Sandra K. | Attorney |
| | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- The Court noted that an Evidentiary Hearing would be necessary. Mr. Modafferi indicated he would be bringing in Daniel Dorsey, who would be willing to testify that he was the individual who committed the crime. The State advised that, out of an abundance of caution, it felt that an Evidentiary Hearing should be held. Upon Court's inquiry, the State represented that two hours would be needed for the hearing. COURT ORDERED and Evidentiary Hearing was hereby SET, and the Motion to Withdraw Guilty Plea, was hereby CONTINUED to the date of the Evidentiary Hearing.

CUSTODY

5/13/19 8:30 AM DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA...EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 23, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

May 23, 2019

10:30 AM

All Pending Motions

HEARD BY: Hardy, Joe

COURTROOM: RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT:

Digiacomio, Sandra K.
Modafferi, Gary
State of Nevada

Attorney
Attorney
Plaintiff

JOURNAL ENTRIES

- EVIDENTIARY HEARING...DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW
GUILTY PLEA

The Defendant not having been transported, COURT ORDERED the Motion and Evidentiary
Hearing were hereby CONTINUED.

CUSTODY

CONTINUED TO: 5/28/19 10:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 28, 2019**

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

May 28, 2019**10:30 AM****All Pending Motions****HEARD BY:** Hardy, Joe**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Kristin Duncan**RECORDER:** Matt Yarbrough**REPORTER:****PARTIES**

| | | |
|-----------------|-----------------------|-----------|
| PRESENT: | Digiacombo, Sandra K. | Attorney |
| | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- EVIDENTIARY HEARING...DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW
GUILTY PLEA

The State advised that Defendant's brother, Davey Dorsey, who would allegedly be admitting to the subject crimes through testimony, would require independent counsel. Mr. Modafferi suggested the Court canvass Davey Dorsey, to determine whether he wished to retain counsel. EXCLUSIONARY RULE INVOKED by the State. The Court expressed its frustration with the State's failure to raise the independent counsel issue prior to the instant hearing. Matter trailed.

Matter recalled. Having reviewed the law applicable to the issue raised by the State, COURT ORDERED that the Evidentiary Hearing would proceed as scheduled. The State noted that its investigator was currently out of the jurisdiction; therefore, the hearing may have to be bifurcated, to allow for the investigator to appear and testify. Testimony and exhibits presented (see worksheets). At Mr. Modafferi's request, the COURT ORDERED that it would consider the Preliminary Hearing

transcripts, as they were already part of the record in the instant case. Additionally, the COURT TOOK JUDICIAL NOTICE of the handwritten briefs attached to the Motion to Withdraw Guilty Plea as exhibits A and B. Colloquy regarding scheduling. Mr. Modafferi indicated there was no objection to the hearing being continued to accommodate the State's investigator. COURT ORDERED the Evidentiary Hearing, as well as the Motion to Withdraw Guilty Plea, were hereby CONTINUED.

CUSTODY

CONTINUED TO: 7/8/19 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 25, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

June 25, 2019 8:30 AM Motion to Remand

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Rubina Feda

REPORTER:

PARTIES

PRESENT: Digiacomo, Sandra K. Attorney
 Dorsey, Denzel Defendant
 Modafferri, Gary Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- There being no Opposition, COURT ORDERED the State's Notice of Motion and Motion to Remand Defendant, was hereby GRANTED, RETROACTIVE to October 17, 2018.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 08, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

July 08, 2019 10:30 AM All Pending Motions

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Haly Pannullo
 Christopher Darling

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | Rowles, William C. | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- EVIDENTIARY HEARING...DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA

Mr. Modafferi advised he and Ms. Digiacomo agreed to continuance for later this week due to circumstances with other matters. COURT ORDERED, matters CONTINUED to 7/11/19. Upon Court's inquiry, Mr. Modafferi advised State has a testifying investigator. Mr. Rowles advised if there is problem with witness availability, he will notify opposing counsel and Chambers.

IN CUSTODY

CONTINUED TO: 7/11/19 10:30 AM EVIDENTIARY HEARING...DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA

CLERK'S NOTE: Minutes completed upon review of JAVS recording. /cd 8-13-19/

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 11, 2019**

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

July 11, 2019**10:30 AM****All Pending Motions****HEARD BY:** Hardy, Joe**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Kristin Duncan**RECORDER:** Matt Yarbrough**REPORTER:****PARTIES**

| | | |
|-----------------|-----------------------|-----------|
| PRESENT: | Digiacomio, Sandra K. | Attorney |
| | Dorsey, Denzel | Defendant |
| | Modafferri, Gary | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- EVIDENTIARY HEARING...DEFENDANT DENZEL DORSEY'S MOTION TO WITHDRAW GUILTY PLEA

Testimony and exhibits presented (see worksheets). State RESTED. Due to the need to review the State's exhibit, which consisted of multiple telephone calls made by the Defendant from jail, the Court noted that it would hear arguments on this date, and would issue its decision via minute order. Mr. Modafferri argued in support of the Motion to Withdraw Guilty Plea, stating that the Court must look at the case under the permissive standard; Stevenson case cited. The State argued in opposition, stating that the Defendant had a long history of breaking and entering, and there was no information presented regarding the Defendant's brother possibly being the perpetrator, until the Defendant wished to withdraw his guilty plea. COURT ORDERED the ruling on the Evidentiary Hearing and the Motion to Withdraw Plea were hereby DEFERRED, and a status check regarding the Court's decision, and the setting of a sentencing date, or a trial date, was hereby SET.

CUSTODY

8/8/19 8:30 AM STATUS CHECK: COURT'S DECISION ON THE MOTION TO WITHDRAW PLEA
/ SENTENCING DATE / TRIAL DATE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 08, 2019**

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

August 08, 2019 8:30 AM Status Check

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|-----------------------|-----------|
| PRESENT: | Digiacomio, Sandra K. | Attorney |
| | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- The Court noted that a trial date needed to be set, as the Motion to Withdraw Plea had been denied via a written Order. COURT ORDERED a sentencing date was hereby SET. COURT FURTHER ORDERED the preparation of a new Pre-Sentence Investigation Report (PSI).

Mr. Modafferi advised that he was retained only through sentencing, and requested that appellate counsel be appointed for the Defendant prior to the preparation of the Judgment of Conviction. The State noted that, procedurally, Mr. Modafferi would need to complete sentencing prior to any other counsel being appointed. The Court directed counsel to raise the issue again when appropriate.

CUSTODY

10/3/19 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 03, 2019**

C-17-323324-1 State of Nevada
vs
Denzel Dorsey

October 03, 2019 8:30 AM Sentencing

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

| | | |
|-----------------|-----------------------|-----------|
| PRESENT: | Digiacombo, Sandra K. | Attorney |
| | Dorsey, Denzel | Defendant |
| | Modafferi, Gary | Attorney |
| | State of Nevada | Plaintiff |

JOURNAL ENTRIES

- Mr. Modafferi requested the Court appoint appellant counsel for the Defendant post-sentencing. The State noted that it regained the right to argue, but would submit on the negotiations. Mr. Modafferi requested the maximum end of the potential sentence be reduced. Arguments regarding credit time served. Statements by the Defendant. DEFT DORSEY ADJUDGED GUILTY of COUNT 1 - INVASION OF THE HOME (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee, WAIVED as previously taken, \$3.00 DNA Collection fee, \$130.00 Restitution, payable to VC2191137, and \$1,200.00 Restitution, payable to VC2252568, Deft. SENTENCED under the SMALL HABITUAL CRIMINAL STATUTE to a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS and MINIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC), with FOUR HUNDRED TWENTY-THREE (423) DAYS credit time served. COURT FURTHER ORDERED COUNT 2 was hereby DISMISSED.

Regarding the request for appointment of appellate counsel, COURT ORDERED that said request was DENIED at this time, as it was unsure whether the request was appropriate.

BOND, if any, EXONERATED.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 22, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

**October 22, 2019 8:30 AM Motion to Withdraw as
 Counsel**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT: Modafferi, Gary Attorney
 State of Nevada Plaintiff
 Villegas, Victoria A. Attorney

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED Defendant's Motion to Withdraw as Counsel, was hereby GRANTED; Gary Modafferi, Esq. WITHDRAWN.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 03, 2019

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

December 03, 2019 8:30 AM Status Check

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT: Dorsey, Denzel Defendant
 Jackson, Terrence Michael Attorney
 Kern, Samuel R. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Terrence Jackson, Esq. CONFIRMED as appellate counsel for the Defendant. COURT ORDERED Terrence Jackson, Esq., was hereby APPOINTED as appellate counsel for the Defendant. Mr. Jackson advised that he would contact the Defendant's former counsel, and obtain the Defendant's file.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 06, 2021

C-17-323324-1 State of Nevada
 vs
 Denzel Dorsey

**April 06, 2021 11:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Luzaich, Elissa Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Elissa Luzaich, Esq. present via Bluejeans video conference.

Mr. Jackson and Deft. not present. Court indicated Mr. Jackson filed Motion to Withdraw, noting he was appointed for appeal and the Supreme Court affirmed findings. Court noted Deft. requested his filed. COURT ORDERED, Defendant's Motion to Withdraw as Counsel was hereby GRANTED.

NDC

EXHIBIT(S) LIST

Case No.: **C323324**

Hearing Date: May 28, 2019

Dept. No.: **XV**

Judge: Joe Hardy

Court Clerk: Kristin Duncan

Plaintiff: **STATE OF NEVADA**

Recorder: Matt Yarbrough

Counsel for Plaintiff: Sandra DiGiacomo, DDA

VS.

Defendant: **DORSEY, DENZEL**

Counsel for Defendant: Gary Modafferi, Esq.

EVIDENTIARY HEARING BEFORE THE COURT

STATE'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: **C323324**

Hearing Date: **May 28, 2019**

Dept. No.: **XV**

Judge: **Joe Hardy, Jr.**

Court Clerk: **Kristin Duncan**

Plaintiff: **STATE OF NEVADA**

Recorder: **Matt Yarbrough**

Counsel for Plaintiff: **Sandra Digiacomio, DDA**

vs.

Defendant: **DENZEL DORSEY**

Counsel for Defendant: **Gary Modafferi, Esq.**

EVIDENTIARY HEARING BEFORE THE COURT

DEFENDANT'S EXHIBITS

| Exhibit Number | Exhibit Description | Date Offered | Objection | Date Admitted |
|----------------|-------------------------------|--------------|-----------|---------------|
| A. | Declaration of Takiya Clemons | | | |
| B. | Declaration of Davey Dorsey | | | |
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EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

DENZEL DORSEY #1099468
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: October 13, 2021
CASE: C-17-323324-1

RE CASE: STATE OF NEVADA vs. DENZEL DORSEY

NOTICE OF APPEAL FILED: October 11, 2021

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.

DENZEL DORSEY,

Defendant(s).

Case No: C-17-323324-1

Dept No: VI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 13 day of October 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

