

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

FILED

FEB 23 2022

Electronically Filed
Feb 23 2022 04:03 p.m.

Elizabeth A. Brown
Clerk of Supreme Court

5 IN THE EIGHT JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6 IN AND FOR THE COUNTY OF CLARK

7
8 THE STATE OF NEVADA

9
10 Plaintiff,

11 vs.

12 DEMARENE COLEMAN

13 Defendant.

Case No. 05C215295-1

Dept. No. _____

Docket _____

14
15
16 **NOTICE OF APPEAL**

17 NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,

18 DEMARENE COLEMAN, in and through his proper person, hereby
19 appeals to the Supreme Court of Nevada from the ORDER denying and/or
20 dismissing the

21 Motion to Modify Sentence

22
23 ruled on the 1 day of February, 20 22.

24
25 Dated this 15 day of February, 20 22

26 Respectfully Submitted,

27 Demarene Coleman # 1007335

28
RECEIVED

FEB 23 2022

CLERK OF THE COURT

1 It is clear that the district Court did not look over petitioners
2 Motion to Modify Sentence Exhibits that was Accompany with Motion to
3 Modify Sentence. There is Clear Evidence of the plea Agreement that both
4 parties agreed to. Exhibit (A) Plea Agreement. Exhibit (B) PSI, Exhibit (E)
5 Court Minutes of Sentencing. There also is evidence of the judge on record
6 saying she will go along with what both parties agreed to Exhibit (C)
7 entry of plea page 7,8. I would like for the Nevada Supreme Court to
8 look over this Motion to Modify Sentence, and the Exhibits attached. so
9 the record will reflect there is more than sufficient Evidence to have
10 his Motion to Modify Sentence Granted.

CERTIFICATE OF SERVICE BY MAILING

I, Demarene Coleman, hereby certify, pursuant to NRCP 5(b), that on this 15
day of February, 2022, I mailed a true and correct copy of the foregoing, "Notice of
Appeal"

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

Steven D. Grierson
Clerk of Court
200 Lewis Ave 3rd Floor
Las Vegas, NV
89155-1160

Steve Wolffson
District Attorney
200 Lewis Ave
Las Vegas, NV
89155-0222

CC: FILE

DATED: this 15 day of February, 2022.

D. Coleman
Demarene Coleman # 1C073335
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Notice of

Appeal

(Title of Document)

filed in District Court Case number 05C215295-1

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

-OR-

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

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

(State specific law)

-or-

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

D. Coleman
Signature

2/15/22
Date

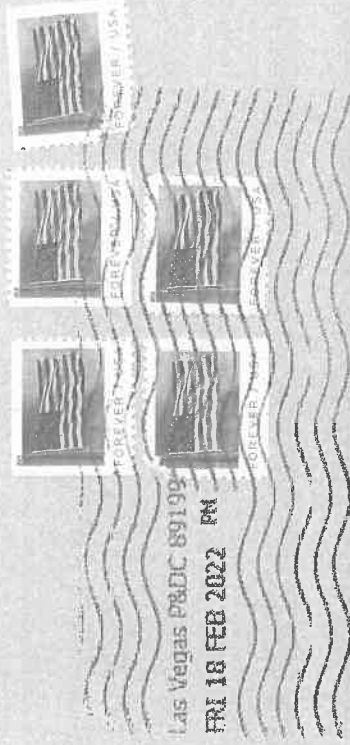
Demarene Coleman
Print Name

Defendant / Appellant
Title

Southern Desert
Correctional Center
FEB 18 2022
OUTGOING MAIL

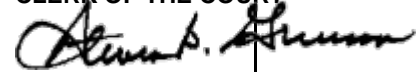
Demarene Coleman #1007335
P.O. Box 208
SDCC

Indian Springs, NV. 89070-0208



Steven D. Grierson,
Cler of the Court
200 Lewis Avenue, 3rd floor
Las Vegas, NV 89155-1160

RECEIVED
FEB 23 2022
CLERK OF THE COURT



1 ASTA
2
3
4
5
6

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

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 DEMARENE COLEMAN,

14 Defendant(s),
15

Case No: 05C215295-1

Dept No: VI

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Demarene Coleman

20 2. Judge: Jacqueline M. Bluth

21 3. Appellant(s): Demarene Coleman

22 Counsel:

23 Demarene Coleman #1007335
24 P.O. Box 208
Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

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

(702) 671-2700

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

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

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

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

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

9. Date Commenced in District Court: September 20, 2005

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

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 24 day of February 2022.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Demarene Coleman

Demarene Coleman, # 1007335
Petitioner/In Propria Persona
Post Office Box 208, SDCC
Indian Springs, Nevada 89070-0208

FILED

FEB 23 2022

IN THE EIGHT JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA Steven A. Grierson
CLERK OF COURT

IN AND FOR THE COUNTY OF CLARK

THE STATE OF NEVADA,

Plaintiff,

vs.

DEMARENE COLEMAN,

Defendant.

CASE No. OSC215295-1

DEPT. No. _____

DESIGNATION OF RECORD ON APPEAL

TO: Steven D. Grierson
Clerk of Court
200 Lewis Ave 3rd Floor
Las Vegas, NV
89155-1160

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

DATED this 15 day of February, 2022.

RESPECTFULLY SUBMITTED BY:

Demarene Coleman
Demarene Coleman # 1007335
Plaintiff/In Propria Persona

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. 05C215295-1****The State of Nevada vs Demarene Coleman**§
§
§
§
§
§
§
§
§

Location: **Department 6**
 Judicial Officer: **Bluth, Jacqueline M.**
 Filed on: **09/20/2005**
 Case Number History:
 Cross-Reference Case **C215295**
 Number:
 Defendant's Scope ID #: **1963947**
 Lower Court Case # Root: **05F15000**
 Lower Court Case Number: **05F15000A**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. FIRST DEGREE MURDER	200.010	F	01/01/1900		
2. BATTERY WITH USE OF A DEADLY WEAPON	200.481(2E)	F	01/01/1900	Case Status:	08/06/2021 Closed
3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	193.330	F	01/01/1900		

Related Cases

05C215295-2 (Multi-Defendant Case)

Statistical Closures

08/06/2021 Other Manner of Disposition - Criminal
 08/21/2007 USJR Reporting Statistical Closure
 08/28/2007 USJR Reporting Statistical Closure
 05/06/2009 USJR Reporting Statistical Closure

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

Case Number 05C215295-1
 Court Department 6
 Date Assigned 09/07/2021
 Judicial Officer Bluth, Jacqueline M.

PARTY INFORMATION

		Lead Attorneys
Defendant	Coleman, Demarene	
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

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

09/20/2005



Information

[1] INFORMATION Fee \$0.00

Index #1

09/20/2005



Criminal Bindover

[2] CRIMINAL BINDOVER

Index #2

09/20/2005

Hearing

[3] INITIAL ARRAIGNMENT

Index #3

10/07/2005















Request

[4] EX PARTE MOTION FOR APPOINTMENT OF INVESTIGATOR - RELATED PARTYID:

















Index #4

CASE SUMMARY









CASE NO. 05C215295-1

	05C215295_0002	
10/13/2005	 Order [5] ORDER - RELATED PARTYID: 05C215295_0002	Index #5
10/24/2005	 Expert Witness List [6] NOTICE OF EXPERT WITNESSES	Index #6
10/24/2005	 Expert Witness List [8] NOTICE OF WITNESSES	Index #8
10/25/2005	 Motion [7] SCHIECK'S MTN TO WITHDRAW AS COUNSEL /4	Index #7
11/01/2005	 Receipt of Copy [9] RECEIPT OF COPY - RELATED PARTYID: 05C215295_0001	Index #9
11/08/2005	Hearing [10] APPOINTMENT OF COUNSEL (COLEMAN)	Index #10
11/08/2005	Hearing [11] TRIAL SETTING (BOTH)	Index #11
11/08/2005	Motion [12] ALL PENDING MOTIONS 11/8/05	Index #12
11/08/2005	 Request [13] EX PARTE MOTION FOR RELEASE OF MEDICAL RECORDS	Index #13
11/08/2005	 Request [14] EX PARTE MOTION FOR RELEASE OF MEDICAL RECORDS	Index #14
11/10/2005	Motion [15] ALL PENDING MOTIONS 11/10/05	Index #15
11/10/2005	 Reporters Transcript [16] REPORTER'S TRANSCRIPT PRELIMINARY HEARING COLEMAN	Index #16
11/15/2005	 Order [17] ORDER RELEASING MEDICAL RECORDS	Index #17
11/17/2005	Motion [18] ALL PENDING MOTIONS 11/17/05	Index #18
11/18/2005	 Order [19] ORDER RELEASEING MEDICAL RECORDS	Index #19
11/30/2005	 Order [20] ORDER - RELATED PARTYID: 05C215295_0001	Index #20
12/07/2005	 Request [21] EX PARTE MOTION FOR APPOINTMENT OF INVESTIGATOR - RELATED PARTYID: 05C215295_0001	Index #21














CASE SUMMARY**CASE NO. 05C215295-1**

12/13/2005	 Order [22] ORDER - RELATED PARTYID: 05C215295_0001	Index #22
12/20/2005	 Petition [23] PTN FOR WRIT OF HABEAS CORPUS	Index #23
12/20/2005	 Certificate [24] CERTIFICATE OF SERVICE - RELATED PARTYID: 05C215295_0001	Index #24
12/21/2005	 Order [25] STIPULATION AND ORDER FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF HABEAS CORPUS HABEAS CORPUS- RELATED PARTYID: 05C215295_0001	Index #25
12/21/2005	 Certificate [26] CERTIFICATE OF SERVICE - RELATED PARTYID: 05C215295_0001	Index #26
12/23/2005	 Order [27] ORDER - RELATED PARTYID: 05C215295_0001	Index #27
12/23/2005	 Writ [28] WRIT OF HABEAS CORPUS - RELATED PARTYID: 05C215295_0001	Index #28
12/23/2005	 Receipt of Copy [29] RECEIPT OF COPY - RELATED PARTYID: 05C215295_0001	Index #29
12/23/2005	 Certificate [30] CERTIFICATE OF MAILING - RELATED PARTYID: 05C215295_0001	Index #30
12/29/2005	 Affidavit in Support [31] AMENDED AFFIDAVIT OF CARMINE J COLUCCI IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS HABEAS CORPUS- RELATED PARTYID: 05C215295_0001	Index #31
12/29/2005	 Certificate [32] CERTIFICATE OF SERVICE - RELATED PARTYID: 05C215295_0001	Index #32
01/20/2006	 Writ [33] RETURN TO WRIT OF HABEAS CORPUS	Index #33
01/23/2006	 Reply [34] REPLY TO STATES RETURN TO DEFENDANTS WRIT OF HABEAS CORPUS - RELATED PARTYID: 05C215295_0001	Index #34
02/02/2006	 Order [35] ORDER DENYING DEFENDANTS WRIT OF HABEAS CORPUS	Index #35
02/27/2006	 Motion [36] PTNR'S MTN IN LIMINE/13	Index #36
02/27/2006	 Receipt of Copy [37] RECEIPT OF COPY - RELATED PARTYID: 05C215295_0001	Index #37
03/14/2006	Motion	Index #38

CASE SUMMARY**CASE No. 05C215295-1**

	<i>[38] ALL PENDING MOTIONS 3/14/06</i>	
03/14/2006	Hearing <i>[39] STATUS CHECK: NEGOTIATIONS AND/OR TRIAL SETTING</i>	Index #39
05/30/2006	Hearing <i>[40] FURTHER PROCEEDINGS: COMPETENCY</i>	Index #40
07/18/2006	Hearing <i>[41] TRIAL SETTING</i>	Index #41
08/08/2006	Motion <i>[42] ALL PENDING MOTIONS 8/8/06</i>	Index #42
08/22/2006	Motion <i>[43] ALL PENDING MOTIONS 8/22/06</i>	Index #43
08/22/2006	Hearing <i>[44] STATUS CHECK: TRIAL SETTING</i>	Index #44
08/28/2006	 Order <i>[45] ORDER OF COMMITMENT</i>	Index #45
10/13/2006	 Media Request and Order <i>[46] MEDIA REQUEST AND ORDER</i>	Index #46
12/11/2006	Hearing <i>[47] FURTHER PROCEEDINGS: COMPETENCY RETURN FROM LAKES CROSSING (DEPT. V)</i>	Index #47
12/11/2006	 Conversion Case Event Type <i>[48] ORDER TO TRANSPORT DEFENDANT FROM LAKES CROSSING</i>	Index #48
12/29/2006	 Judgment <i>[49] FINDINGS OF COMPETENCY</i>	Index #49
05/22/2007	Hearing <i>[50] STATUS CHECK: CALENDAR CALL</i>	Index #50
05/24/2007	Hearing <i>[51] ENTRY OF PLEA</i>	Index #51
05/25/2007	 Expert Witness List <i>[52] NOTICE OF WITNESSES - RELATED PARTYID: 05C215295_0001</i>	Index #52
05/25/2007	 Information <i>[53] AMENDED INFORMATION</i>	Index #53
05/29/2007	Conversion Case Event Type <i>[54] SENTENCING</i>	Index #54
05/29/2007	 Information <i>[55] SECOND AMENDED INFORMATION</i>	Index #55
05/29/2007	 Guilty Plea Agreement <i>[56]</i>	Index #56














CASE SUMMARY**CASE NO. 05C215295-1**

05/30/2007	 Document Filed [57] Co-Def't Motley Amdended Information	Index #57
06/07/2007	 Memorandum [58] GUILTY PLEA MEMORANDUM/AGREEMENT	Index #58
06/07/2007	Conversion Case Event Type [59] SENTENCING	Index #59
07/24/2007	Motion [60] DEFT. COLEMAN'S MOTION VA 8/13/07 GUILTY PLEA	Index #60
07/24/2007	 Reporters Transcript [61] REPORTER'S TRANSCRIPT OF HEARING RE ENTRY OF PLEA	Index #61
08/07/2007	 Conversion Case Event Type [62] DEFTS MTN TO WDRAW GUILTY PLEA/34	Index #62
08/07/2007	 Receipt of Copy [63] RECEIPT OF COPY - RELATED PARTYID: 05C215295_0001	Index #63
08/13/2007	 Opposition [64] STATES OPPOSITION TO DEFTS MTN TO WITHDRAW GUILTY PLEA	Index #64
08/15/2007	Motion [65] ALL PENDING MOTIONS (8/14/07)	Index #65
08/22/2007	 Judgment [66] JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	Index #66
09/06/2007	Judgment [67] JUDGMENT OF CONVICTION/ADMIN ASSESSMENT	Index #67
09/06/2007	 Judgment [68] JUDGMENT OF CONVICTION/DRUG ANALYSIS FEE	Index #68
10/04/2007	 Order [69] ORDER ADMITTING DEFENDANT TO PROBATION AND FIXING THE TERMS THEREOF	Index #69
08/19/2008	 Petition [70] PETITION FOR WRIT OF HABEAS CORPUS POST CONVICTION - RELATED PARTYID: 05C215295_0001	Index #70
08/19/2008	 Request [71] MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS - RELATED PARTYID: 05C215295_0001	Index #71
08/19/2008	 Request [72] MOTION FOR THE APPOINTMENT OF COUNSEL REQUEST FOR EVIDENTIARY HEARING	Index #72
08/19/2008	 Memorandum	Index #73

CASE SUMMARY






CASE No. 05C215295-1

[73] MEMORANDUM IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS
POST CONVICTION - RELATED PARTYID: 05C215295_0001

08/27/2008	Petition [74] PTN FOR WRIT OF HABEAS CORPUS	Index #74
08/27/2008	 Order [75] ORDER FOR PETITION FOR WRIT OF HABEAS CORPUS	Index #75
10/28/2008	 Response [76] STATES RESPONSE TO DEFTS PETITION FOR WRIT OF HABEAS CORPUS	Index #76
12/01/2008	Hearing [77] AT THE REQUEST OF THE COURT HEARING: RE LOZADA APPEAL	Index #77
12/02/2008	 Notice [78] NOTICE OF HEARING	Index #78
12/10/2008	 Order [79] ORDER FOR PRODUCTION OF INMATE DEMARENE COLEMAN BAC #1007335	Index #79
02/26/2009	 Findings of Fact, Conclusions of Law and Order [80] FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER	Index #80
02/27/2009	 Notice of Entry of Decision and Order [81] NOTICE OF ENTRY OF DECISION AND ORDER	Index #81
07/29/2009	 Order [82] ORDER HONORABLY DISCHARGING PROBATIONER	Index #82
07/01/2019	 Motion Filed By: Defendant Coleman, Demarene [83] Notice of Motion and Motion to Obtain a Copy of a Sealed Record	Index #83
02/19/2020	 Petition for Writ of Mandamus Filed by: Defendant Coleman, Demarene [84] First Amendment to Petition for Writ of Mandamus	Index #84
06/14/2021	 Miscellaneous Filing Filed by: Defendant Coleman, Demarene [85] Financial Certificate	Index #85
06/14/2021	 Motion for Appointment of Attorney Filed By: Defendant Coleman, Demarene [86]	Index #86
08/06/2021	 Order [87] ORDER DENYING DEFENDANT'S MOTION FOR APPOINTMENT OF ATTORNEY	Index #87
09/07/2021	Case Reassigned to Department 6 From Judge Michael Villani to Judge Jacqueline Bluth	
01/07/2022	 Motion to Modify Sentence Filed By: Defendant Coleman, Demarene	Index #88

CASE SUMMARY

CASE NO. 05C215295-1

	<i>[88] Motion for Modification of Sentence</i>	
01/07/2022	 Notice of Motion Filed By: Defendant Coleman, Demarene <i>[89]</i>	<i>Index #89</i>
01/25/2022	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[90] State's Opposition to Defendant's Motion for Modification of Sentence</i>	<i>Index #90</i>
02/23/2022	 Notice of Appeal (Criminal) <i>[91] Notice of Appeal</i>	<i>Index #91</i>
02/23/2022	 Designation of Record on Appeal <i>[92] Designation of Record on Appeal</i>	<i>Index #92</i>
02/24/2022	 Case Appeal Statement <i>Case Appeal Statement</i>	<i>Index #93</i>
	<u>DISPOSITIONS</u>	
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. FIRST DEGREE MURDER Guilty PCN: Sequence:	
01/01/1900	Plea (Judicial Officer: User, Conversion) 2. BATTERY WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:	
05/29/2007	Disposition (Judicial Officer: User, Conversion) 3. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Amended Information Filed/Charges Not Addressed PCN: Sequence:	
08/14/2007	Disposition (Judicial Officer: User, Conversion) 1. FIRST DEGREE MURDER Guilty PCN: Sequence:	
08/14/2007	Disposition (Judicial Officer: User, Conversion)	
08/14/2007	Disposition (Judicial Officer: User, Conversion) 2. BATTERY WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:	
08/14/2007	Disposition (Judicial Officer: User, Conversion)	
08/14/2007	Adult Adjudication (Judicial Officer: User, Conversion) 1. FIRST DEGREE MURDER 01/01/1900 (F) 200.010 (200.010) PCN: Sequence:	

CASE SUMMARY

CASE NO. 05C215295-1

Converted Disposition:
Sentence# 0001: LAKES CROSSING
Converted Disposition:
Sentence# 0002:
Minimum 20 Months to Maximum 50 Months
Placement: NSP
Converted Disposition:
Sentence# 0003: CREDIT FOR TIME SERVED
Minimum 755 Days to Maximum 755 Days

08/14/2007 **Adult Adjudication** (Judicial Officer: User, Conversion)
2. BATTERY WITH USE OF A DEADLY WEAPON
01/01/1900 (F) 200.481(2E) (200.481(2E))
PCN: Sequence:

Converted Disposition:
Sentence# 0001:
Minimum 48 Months to Maximum 120 Months
Placement: NSP
Cons/Conc: Concurrent
w/Charge Item: 0001
and Sentence#: 0001

HEARINGS

10/04/2005 **Initial Arraignment** (8:30 AM)
Events: 09/20/2005 Hearing
INITIAL ARRAIGNMENT Court Clerk: Sandra Jeter Relief Clerk: Cynthia Georgilas/cg Reporter/Recorder: Carlaya Lewis Heard By: Joseph Pavlikowski
Matter Heard; INITIAL ARRAIGNMENT Court Clerk: Sandra Jeter Relief Clerk: Cynthia Georgilas/cg Reporter/Recorder: Carlaya Lewis Heard By: Joseph Pavlikowski
Journal Entry Details:
AS TO DEFENDANT COLEMAN: DEFT. COLEMAN ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial within 60 days. Defendant REMANDED to CUSTODY. AS TO DEFENDANT MOTLEY: DEFT. MOTLEY ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. Mr. Bloomfield stated he prefers to WAIVE the 60-DAY RULE but will INVOKE. State INVOKED. COURT ORDERED, 60-DAY RULE INVOKED, matter set for trial within 60 days. Mr. Bloomfield advised he was not sure why Deft. was in jail as she was placed on house arrest in Justice Court. COURT FURTHER ORDERED, defendant MOTLEY to REMAIN on HOUSE ARREST. As to BOTH DEFENDANTS: Upon inquiry, Clerk noted Blackstone indicates the Preliminary Hearing transcript has not been filed. COURT ORDERED, counsel are given the normal time after the transcript has been filed for Writ purposes. CUSTODY (COLEMAN)...H.A. (MOTLEY) 11-18-05 8:30 AM CALENDAR CALL (BOTH) 11-14-05 10:00 AM JURY TRIAL (BOTH) ;

11/08/2005 **Calendar Call** (8:30 AM)
CALENDAR CALL

11/08/2005 **Motion to Withdraw as Counsel** (8:30 AM)
Events: 10/25/2005 Motion
SCHIECK'S MTN TO WITHDRAW AS COUNSEL /4 Heard By: Jackie Glass

11/08/2005 **All Pending Motions** (8:30 AM)
ALL PENDING MOTIONS 11/8/05 Court Clerk: Sandra Jeter/sj Relief Clerk: Cynthia Georgilas Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass
Matter Heard; ALL PENDING MOTIONS 11/8/05 Court Clerk: Sandra Jeter/sj Relief Clerk: Cynthia Georgilas Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass
Journal Entry Details:
DAVID SCHIECK'S MOTION TO WITHDRAW AS COUNSEL FOR DEFT. COLEMAN...CALENDAR CALL Court NOTED it understands the Special Public Defender's Office has a conflict and ORDERED, motion to withdraw, GRANTED. FURTHER, matter CONTINUED until Thursday for appointment of counsel. Trial date, VACATED. CUSTODY

CASE SUMMARY

CASE No. 05C215295-1

	(COLEMAN)...HA (COC) (MOTLEY) 11/10/05 8:30 AM APPOINTMENT OF COUNSEL (COLEMAN)...TRIAL SETTING (BOTH) ;
11/10/2005	Motion for Confirmation of Counsel (8:30 AM) Events: 11/08/2005 Hearing APPOINTMENT OF COUNSEL (COLEMAN)
11/10/2005	Status Check (8:30 AM) Events: 11/08/2005 Hearing TRIAL SETTING (BOTH) Heard By: Jackie Glass
11/10/2005	All Pending Motions (8:30 AM) ALL PENDING MOTIONS 11/10/05 Court Clerk: Sandra Jeter Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass Matter Heard; ALL PENDING MOTIONS 11/10/05 Court Clerk: Sandra Jeter Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass Journal Entry Details: APPOINTMENT OF COUNSEL (COLEMAN)...TRIAL SETTING (BOTH) Court NOTED it has been in touch with an attorney; however, it has not received a call back to confirm whether they can accept the appointment. Therefore, COURT ORDERED, matter CONTINUED. CUSTODY (COLEMAN)...H.A. (COC) (MOTLEY) CONTINUED TO: 11/17/05 8:30 AM ;
11/14/2005	CANCELED Jury Trial (10:00 AM) Vacated
11/17/2005	Motion for Confirmation of Counsel (8:30 AM) APPOINTMENT OF COUNSEL (COLEMAN)
11/17/2005	Status Check (8:30 AM) TRIAL SETTING (BOTH) Court Clerk: Sandra Jeter Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass
11/17/2005	All Pending Motions (8:30 AM) ALL PENDING MOTIONS 11/17/05 Court Clerk: Sandra Jeter/sj Relief Clerk: Cynthia Georgilas Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass Matter Heard; ALL PENDING MOTIONS 11/17/05 Court Clerk: Sandra Jeter/sj Relief Clerk: Cynthia Georgilas Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass Journal Entry Details: APPOINTMENT OF COUNSEL (COLEMAN)...TRIAL SETTING (BOTH) COURT ORDERED, Carmine Colucci, Esq., APPOINTED as COUNSEL for deft. COLEMAN. Ms. Gaskill requested the matter continued in order for Mr. Colucci to review the discovery prior to setting the trial date. Ms. Digiacomo stated no objection and advised she provided a copy of the surveillance tape. Mr. Gibson advised he was deft. Coleman's attorney, he briefed counsel this morning and will need a couple days to get the discovery to Mr. Colucci. Ms. Gaskill stated Mr. Gibson advised there was a writ issue; requested 21 days from receipt of the transcript in order to file the Writ. Mr. Gibson stated he does have the transcript; however, it did not reach him in a timely manner because it was first sent to the Public Defender's Office. COURT ORDERED, Mr. Colucci to have 21 days from the receipt of the transcript for writ purposes. Mr. Bloomfield requested deft. MOTLEY released on Intensive Supervision as there have been issues with Judge Bixler's order to release on house arrest. Objection by the State. DENIED. Matter CONTINUED for trial setting. CUSTODY (COLEMAN)...H.A./CUSTODY (MOTLEY) 11/29/05 8:30 AM TRIAL SETTING (BOTH) CLERK'S NOTE: As of this date, Deft. Motley has not been released and is still in custody despite Bixler's order to release./sj ;
11/29/2005	Status Check (8:30 AM) TRIAL SETTING (BOTH) Court Clerk: Sandra Jeter Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass Matter Continued; TRIAL SETTING (BOTH) Court Clerk: Sandra Jeter Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass Journal Entry Details: COURT ORDERED, matter SET for TRIAL. Mr. Colucci moved for the appointment of an investigator. Court informed Mr. Colucci to submit an Ex-Parte motion and affidavit.

CASE SUMMARY

CASE No. 05C215295-1

CUSTODY (COLEMAN)...H.A.(CUSTODY) (MOTLEY) 3/14/06 8:30 AM CALENDAR CALL 3/20/06 10:00 AM JURY TRIAL ;

01/05/2006

Petition for Writ of Habeas Corpus (8:30 AM)

Events: 12/20/2005 Petition

PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Sandra Jeter Reporter/Recorder:

Carlaya Lewis Heard By: Glass, Jackie

Matter Continued; PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Sandra Jeter

Reporter/Recorder: Carlaya Lewis Heard By: Glass, Jackie

Journal Entry Details:

At the request of counsel, COURT ORDERED, matter CONTINUED. CUSTODY 3/14/06 8:30 AM CALENDAR CALL 3/20/06 10:00 AM JURY TRIAL ;

01/24/2006

Petition for Writ of Habeas Corpus (8:30 AM)

PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Sandra Jeter Reporter/Recorder:

Carlaya Lewis Heard By: Jackie Glass

Denied; PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Sandra Jeter

Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass

Journal Entry Details:

Following arguments by counsel, Court FINDS the State has met its burden and ORDERED, Writ DENIED. State to prepare the Order. CUSTODY 3/14/06 8:30 AM CALENDAR CALL (BOTH) 3/20/06 10:00 AM JURY TRIAL (BOTH) ;

03/14/2006

Calendar Call (8:30 AM)

CALENDAR CALL

03/14/2006

Motion in Limine (8:30 AM)

Events: 02/27/2006 Motion

PTNR'S MTN IN LIMINE/13 Heard By: Jackie Glass

03/14/2006

All Pending Motions (8:30 AM)

ALL PENDING MOTIONS 3/14/06 Court Clerk: Sandra Jeter/sj Relief Clerk: Teri

Braegelmann Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass

Matter Heard; ALL PENDING MOTIONS 3/14/06 Court Clerk: Sandra Jeter/sj Relief Clerk:

Teri Braegelmann Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass

Journal Entry Details:

CALENDAR CALL (BOTH)...DEFT COLEMAN'S MOTION IN LIMINE Mr. Colucci stated he and the District Attorney have discussed the possibility of negotiations; there is a percipient witness who has not been located; the DA doesn't object to a 60-day continuance and deft. will waive any defects. Mr. Bloomfield stated he wasn't part of any negotiations; he has no objection to a continuance, however, his only concern is that his deft. has been in custody for nine months and he would like her released on intensive supervision. Further advised, deft. was unable to be released on house arrest because she has no where to do house arrest. Following a conference at the bench, COURT ORDERED, matter CONTINUED two weeks for status check on negotiations; Deft. MOTLEY RELEASED on INTENSIVE SUPERVISION and ADMONISHED that if she fails to appear at the next date, a bench warrant will issue and when returned on the warrant, deft. will remain in jail until final disposition of the case. FURTHER ORDERED, calendar call and trial dates, VACATED; deft.'s motion OFF CALENDAR. CUSTODY (COLEMAN)...I.S. (MOTLEY) 3/30/06 8:30 AM STATUS CHECK: NEGOTIATIONS AND/OR TRIAL SETTING ;

03/20/2006

CANCELED Jury Trial (10:00 AM)

Vacated

03/30/2006

Status Check (8:30 AM)

Events: 03/14/2006 Hearing

STATUS CHECK: NEGOTIATIONS AND/OR TRIALSETTING Court Clerk: Sandra Jeter

Relief Clerk: Teri Braegelmann/tb Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass

Matter Heard; STATUS CHECK: NEGOTIATIONS AND/OR TRIALSETTING Court Clerk:

Sandra Jeter Relief Clerk: Teri Braegelmann/tb Reporter/Recorder: Carlaya Lewis Heard By:

Jackie Glass

Journal Entry Details:

Counsel advised this case has not negotiated. COURT ORDERED, MATTER SET FOR TRIAL. CUSTODY (COLEMAN)... I.S. (MOTLEY) 05/30/06 8:30 AM CALENDAR CALL 06/05/06

CASE SUMMARY

CASE NO. 05C215295-1

10:00 AM JURY TRIAL ;

05/30/2006

Calendar Call (8:30 AM)

CALENDAR CALL Court Clerk: Sandra Jeter Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass

Matter Heard; CALENDAR CALL Court Clerk: Sandra Jeter Reporter/Recorder: Carlaya Lewis Heard By: Jackie Glass

Journal Entry Details:

Mr. Colucci requested a competency evaluation stating he doesn't believe deft. Coleman understands the nature of the proceedings. Mr. Bloomfield stated he has no objection. COURT ORDERED, current trial date VACATED; matter RESET for TRIAL. FURTHER, deft. Coleman referred to the SPECIALTY COURTS to obtain evaluations and CONTINUED for further proceedings regarding competency. CUSTODY (COLEMAN)...I.S. (MOTLEY) 6/15/06 9:30 AM FURTHER PROCEEDINGS: COMPETENCY (COLEMAN) 8/1/06 8:30 AM CALENDAR CALL (BOTH) 8/7/06 10:00 AM JURY TRIAL (BOTH) ;

06/05/2006

CANCELED Jury Trial (10:00 AM)

Vacated

06/15/2006

Further Proceedings (9:30 AM)

Events: 05/30/2006 Hearing

FURTHER PROCEEDINGS: COMPETENCY Heard By: Jackie Glass

06/22/2006

Further Proceedings (9:30 AM)

FURTHER PROCEEDINGS: COMPETENCY Court Clerk: Sharon Chun Relief Clerk: Teri Braegemann/tb Reporter/Recorder: Carlaya Lewis Heard By: Glass, Jackie

Matter Continued; FURTHER PROCEEDINGS: COMPETENCY Court Clerk: Sharon Chun Relief Clerk: Teri Braegemann/tb Reporter/Recorder: Carlaya Lewis Heard By: Glass, Jackie

Journal Entry Details:

APPEARANCES CONTINUED: Stephanie Westbay from the Specialty Courts present. Court noted Drs. Brown and Chambers indicates competent; Dr. Sussman indicates marginally competent. Further, Court noted issues with deft. not understanding what took place. Mr. Merback stated he doesn't have any reports. COURT ORDERED, matter CONTINUED. FURTHER, Stephanie Westbay to e-mail reports to counsel. CUSTODY (COLEMAN)...I.S. (MOTLEY) 8/1/06 8:30 AM CALENDAR CALL (BOTH) 8/7/06 10:00 AM JURY TRIAL (BOTH) ;

07/18/2006

Further Proceedings (9:30 AM)

FURTHER PROCEEDINGS: COMPETENCY Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Glass, Jackie

Matter Continued; FURTHER PROCEEDINGS: COMPETENCY Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Glass, Jackie

Journal Entry Details:

APPEARANCES CONTINUED: Stephanie Westbay of the Specialty Courts present. Court noted it continued this matter to see if Dr. Essex could evaluate deft. and place him on medications which was done, however, it was done recently. Mr. Colucci stated he was unaware deft. was put on medications; inquired as to the medications deft. is currently receiving. Court FURTHER NOTED Dr. Chambers indicates competent, Dr. Brown indicates not competent and Dr. Sussman indicates marginally not competent which troubles the Court. Conference at the bench. Mr. Colucci requested the trial reset stating there are three contradictory reports and he has met with the deft., he does not understand the charges and is in no position to help prepare the defense. COURT ORDERED, current calendar call and trial dates, VACATED as to both defts.; matter CONTINUED; Ms. Westbay to send the doctors back in for re-evaluation. Mr. Colucci stated he will provide Dr. Brown's report to the State today. CUSTODY (COLEMAN)...I.S. (MOTLEY) 8/8/06 9:30 AM FURTHER PROCEEDINGS: COMPETENCY (COLEMAN)...TRIAL SETTING (COLEMAN AND MOTLEY) ;

08/01/2006

CANCELED Calendar Call (8:30 AM)

Vacated

08/07/2006

CANCELED Jury Trial (10:00 AM)

Vacated

CASE SUMMARY

CASE NO. 05C215295-1

08/08/2006	<p>Further Proceedings (9:30 AM) <i>FURTHER PROCEEDINGS: COMPETENCY</i> Heard By: Jackie Glass</p>
08/08/2006	<p>Status Check (9:30 AM) Events: 07/18/2006 Hearing <i>TRIAL SETTING</i> Heard By: Jackie Glass</p>
08/08/2006	<p>All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS 8/8/06</i> Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Matter Heard; <i>ALL PENDING MOTIONS 8/8/06</i> Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Journal Entry Details: <i>APPEARANCES CONTINUED: Stephanie Westbay of the Specialty Courts present. TRIAL SETTING (BOTH)...FURTHER PROCEEDINGS: COMPETENCY (COLEMAN)</i> Court noted Dr. Essex believes deft. hasn't been on his medications long enough to make a determination. Upon inquiry, Ms. Westbay stated she wasn't asked to do new reports. <i>COURT ORDERED, matter CONTINUED; Ms. Westbay DIRECTED to send all three doctors back in for re-evaluation. CUSTODY (COLEMAN)...I.S. (MOTLEY) CONTINUED TO: 8/22/06 9:30 AM ;</i></p>
08/22/2006	<p>Further Proceedings (9:30 AM) <i>FURTHER PROCEEDINGS: COMPETENCY</i> Heard By: Jackie Glass</p>
08/22/2006	<p>Status Check (9:30 AM) <i>TRIAL SETTING</i> Heard By: Jackie Glass</p>
08/22/2006	<p>All Pending Motions (9:30 AM) <i>ALL PENDING MOTIONS 8/22/06</i> Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Matter Heard; <i>ALL PENDING MOTIONS 8/22/06</i> Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Journal Entry Details: <i>FURTHER PROCEEDINGS: COMPETENCY (COLEMAN):</i> Court noted it has reports from Drs. Brown and Sussman which indicate not competent; therefore, pursuant to the doctors' reports and the Dusky Standard, <i>FINDS</i> deft. <i>NOT COMPETENT</i> as he is not capable of understanding the charges against him and is unable to assist counsel in his defense. Pursuant to NRS 178.425, <i>COURT ORDERED, Deft. REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, deft. will be returned to this Court. TRIAL SETTING (BOTH): Matter OFF CALENDAR at this time pending deft. Coleman's return from Lakes Crossing. Matter RECALLED at the request of Mr. Bloomfield who requested the case set for status check so it doesn't fall through the cracks. SO ORDERED. CUSTODY (COLEMAN)...I.S. (MOTLEY) 11/21/06 8:30 AM STATUS CHECK: TRIAL SETTING (BOTH) ;</i></p>
11/21/2006	<p>Status Check (8:30 AM) Events: 08/22/2006 Hearing <i>STATUS CHECK: TRIAL SETTING</i> Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Glass, Jackie Matter Continued; <i>STATUS CHECK: TRIAL SETTING</i> Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Glass, Jackie Journal Entry Details: <i>Court noted deft. Coleman should be returning from Lakes Crossing soon and ORDERED, matter CONTINUED. FURTHER, deft. Motley's PRESENCE WAIVED this date. LAKES CROSSING (COLEMAN)...I.S. (MOTLEY) CLERK'S NOTE: On 11/22/06 I spoke with Zoe at Mr. Colucci's office and advised her of the next date./sj ;</i></p>
12/12/2006	<p>Further Proceedings (9:30 AM) Events: 12/11/2006 Hearing <i>FURTHER PROCEEDINGS: COMPETENCY RETURN FROM LAKES CROSSING (DEPT. V)</i> Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Remanded; <i>FURTHER PROCEEDINGS: COMPETENCY RETURN FROM LAKES CROSSING (DEPT. V)</i> Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton</p>

CASE SUMMARY

CASE NO. 05C215295-1

Heard By: Jackie Glass

Journal Entry Details:

APPEARANCES CONTINUED: Stephanie Westbay of the Specialty Courts present. Court NOTED deft. has been RETURNED FROM LAKES CROSSING and the reports of Drs. Henson, Hiller and Neighbors indicate COMPETENT; therefore, FINDS deft. COMPETENT pursuant to the Dusky Standard as deft. is capable of understanding the nature of the charges against him and is able to assist counsel in his defense. FURTHER, the reports were sent to counsel on December 6, counsel have 10 days from that date, 12/16/06, to challenge the findings of Lakes Crossing and if no challenge has been made, this Court will enter a written finding of competency on 12/26/06 pursuant to statute which is 20 days from the date the reports were sent to counsel. COURT FURTHER ORDERED, 12/28/06, trial setting date STANDS. CUSTODY (COLEMAN) ;

12/28/2006

Status Check (8:30 AM)

STATUS CHECK: TRIAL SETTING Court Clerk: Sandra Jeter Relief Clerk: Pamela Humphrey/pdh Reporter/Recorder: Rachelle Hamilton Heard By: Glass, Jackie Matter Continued; STATUS CHECK: TRIAL SETTING Court Clerk: Sandra Jeter Relief Clerk: Pamela Humphrey/pdh Reporter/Recorder: Rachelle Hamilton Heard By: Glass, Jackie Journal Entry Details: Matter called and Mr. Colucci was not present. Therefore, Court contacted Mr. Colucci's office and was informed he is out of town. Further, Mr. Colucci's office stated Ms. Allan is scheduled to appear on behalf of Mr. Colucci and requested matter trailed for Ms. Allan's appearance. Matter recalled in the absence of Ms. Allan and, COURT ORDERED, matter CONTINUED for counsel's appearance. CUSTODY (COLEMAN) I.S. (MOTLEY) CLERK'S NOTE: On 12/29/06 both Mr. Bloomfield's and Mr. Colucci's offices were notified of next date./pdh ;

01/04/2007

Status Check (8:30 AM)

STATUS CHECK: TRIAL SETTING Court Clerk: Sandra Jeter/sj Relief Clerk: Pamela Humphrey Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Matter Heard; STATUS CHECK: TRIAL SETTING Court Clerk: Sandra Jeter/sj Relief Clerk: Pamela Humphrey Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Journal Entry Details: COURT ORDERED, matter SET for TRIAL. CUSTODY (COLEMAN)...I.S. (MOTLEY) 5/22/07 8:30 AM CALENDAR CALL 5/29/07 10:00 AM JURY TRIAL ;

05/22/2007

Calendar Call (8:30 AM)

CALENDAR CALL Relief Clerk: Teri Braegelmann Reporter/Recorder: Renee Vincent Heard By: Stewart Bell Matter Heard; CALENDAR CALL Relief Clerk: Teri Braegelmann Reporter/Recorder: Renee Vincent Heard By: Stewart Bell Journal Entry Details: Mr. Sweetin and Mr. Colucci announced ready for trial with five days for trial, 20-25 witnesses and no out of state witnesses. Mr. Bloomfield stated it looks like the case may be resolved as to deft. Motley. Upon Court's inquiry, Mr. Bloomfield advised deft. missed court previously because she was in City Jail. COURT ORDERED, matter CONTINUED; and trial dates STANDS. CUSTODY - COLEMAN I.S. - MOTLEY 05/24/07 8:30 AM STATUS CHECK: CALENDAR CALL 05/29/07 10:00 AM JURY TRIAL ;

05/24/2007

Status Check (8:30 AM)

Events: 05/22/2007 Hearing STATUS CHECK: CALENDAR CALL Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Matter Heard; STATUS CHECK: CALENDAR CALL Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Journal Entry Details: As to deft. COLEMAN: Court noted this matter is on calendar in error as to deft. Coleman and deft. has returned to the Detention Center. As to deft. MOTLEY: Mr. Bloomfield stated both parties have agreed to continue. COURT ORDERED, trial date VACATED as to deft. Motley; matter CONTINUED. CUSTODY (COLEMAN)...I.S. (MOTLEY) 6/7/07 8:30 AM ENTRY OF PLEA (MOTLEY) ;

05/29/2007

CANCELED Jury Trial (10:00 AM)

Vacated

CASE SUMMARY

CASE NO. 05C215295-1

05/29/2007

Jury Trial (10:00 AM)

TRIAL BY JURY Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass

Matter Heard; TRIAL BY JURY Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Counsel advised the matter is negotiated and NEGOTIATIONS are as contained in the Guilty Plea Agreement (GPA) FILED IN OPEN COURT. DEFT. COLEMAN EXAMINED AND PLED GUILTY to the SECOND AMENDED INFORMATION FILED IN OPEN COURT CHARGING COUNT 1 - FIRST DEGREE MURDER (F) and COUNT 2 - BATTERY WITH USE OF A DEADLY WEAPON (F). Court reviewed the possible sentences with deft., AMENDED the GPA BY INTERLINEATION to reflect same and ACCEPTED the PLEA. Matter REFERRED to P&P for preparation of presentence investigation report and SET for SENTENCING. Conference at the bench. Court NOTED it is not bound by the negotiations; however, in all likelihood, it will follow them unless something extraordinary is found. CUSTODY 7/24/07 8:30 AM SENTENCING ;

06/07/2007

Entry of Plea (8:30 AM)

Events: 05/24/2007 Hearing

ENTRY OF PLEA Court Clerk: Sandra Jeter Reporter/Recorder: Debbie Winn Heard By: Jackie Glass

Matter Heard; ENTRY OF PLEA Court Clerk: Sandra Jeter Reporter/Recorder: Debbie Winn Heard By: Jackie Glass

Journal Entry Details:

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. MOTLEY EXAMINED AND PLED GUILTY to CONSPIRACY TO COMMIT BATTERY WITH USE OF A DEADLY WEAPON (GM). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) for a PSI and set for sentencing. Mr. Bloomfield requested deft. removed from Intensive Supervision. COURT SO ORDERED. FURTHER, Court ADMONISHED deft. that IF SHE FTA'S FOR HER PSI and/or for SENTENCING, IT WILL EFFECT THE OUTCOME OF HER CASE. NIC (MOTLEY) 8/21/07 8:30 AM SENTENCING (MOTLEY) ;

07/24/2007

Sentencing (8:30 AM)

Events: 05/29/2007 Conversion Case Event Type

SENTENCING Court Clerk: Sandra Jeter/sj Relief Clerk: Roshonda Mayfield Reporter/Recorder: Rachelle Hamilton Heard By: Glass, Jackie

MINUTES

Conversion Case Event Type

[54] SENTENCING

Matter Continued; SENTENCING Court Clerk: Sandra Jeter/sj Relief Clerk: Roshonda Mayfield Reporter/Recorder: Rachelle Hamilton Heard By: Glass, Jackie

Journal Entry Details:

Mr. Colucci requested the matter continued and that the transcript of deft.'s plea be prepared so he may file a motion, if appropriate, stating he met with deft. yesterday and deft. expressed a strong desire to withdraw his plea. Court noted it took deft.'s plea and knows it is a righteous plea, however, ORDERED, matter CONTINUED; Mr. Colucci to prepare an Order and submit it to the Court Recorder. CUSTODY 8/14/07 8:30 AM DEFT.'S MOTION TO WITHDRAW GUILTY PLEA...SENTENCING ;

Index #54

08/14/2007

Sentencing (8:30 AM)

SENTENCING Heard By: Jackie Glass

08/14/2007

CANCELED Motion (8:30 AM)

Events: 07/24/2007 Motion

Vacated

08/14/2007

Change of Plea (8:30 AM)

Events: 08/07/2007 Conversion Case Event Type

DEFTS MTN TO WDRAW GUILTY PLEA/34 Heard By: Jackie Glass

CASE SUMMARY

CASE NO. 05C215295-1

08/14/2007	<p>All Pending Motions (8:30 AM) <i>ALL PENDING MOTIONS (8/14/07) Court Clerk: Tia Everett/te Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass</i> Matter Heard; ALL PENDING MOTIONS (8/14/07) Court Clerk: Tia Everett/te Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Journal Entry Details: DEFT'S MOTION TO WITHDRAW GUILTY PLEA...SENTENCING As to Deft's Motion to Withdraw Guilty Plea: Mr. Colucci argued Deft. stated he did not understand the consequences of the plea or the possibility of the charges running consecutive instead of concurrent. Mr. Sweetin argued Deft. was fully canvassed and advised of all ramifications of the plea which he entered. Court noted, the plea is valid as it was entered freely and voluntarily; therefore, COURT ORDERED, Motion DENIED and proceed with Sentencing. As to Sentencing: DEFT. COLEMAN ADJUDGED GUILTY of COUNT 1 - FIRST DEGREE MURDER (F) AND COUNT 2 - BATTERY WITH USE OF A DEADLY WEAPON (F). Matter submitted. Statement by Deft. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, as to COUNT 1 - Deft. SENTENCED to a MINIMUM of TWENTY (20) YEARS and a MAXIMUM of FIFTY (50) YEARS in the Nevada Department of Corrections (NDC) as to COUNT 2 - Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT with COUNT 1; SEVEN HUNDRED FIFTY-FIVE (755) DAYS credit for time served. Mr. Colucci moved to withdraw as counsel. COURT SO ORDERED. BOND, if any, EXONERATED. CLERK'S NOTE: minutes corrected to reflect correct sentence for count 1. 8/16/07te ;</p>	
08/21/2007	<p>Sentencing (8:30 AM) Events: 06/07/2007 Conversion Case Event Type SENTENCING Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass MINUTES Conversion Case Event Type [59] SENTENCING Granted; SENTENCING Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Journal Entry Details: DEFT. MOTLEY ADJUDGED GUILTY of CONSPIRACY TO COMMIT BATTERY WITH USE OF A DEADLY WEAPON (GM). Matter submitted. COURT ORDERED, in addition to the \$25 Administrative Assessment Fee and \$150 DNA Analysis Fee to include testing for genetic markers and/or secretor status, deft. SENTENCED to TWELVE (12) MONTHS in the CLARK COUNTY DETENTION CENTER; sentence SUSPENDED, PROBATION for an indeterminate period not to exceed TWO (2) YEARS. CONDITIONS: 1. Deft. shall submit his/her person, property, place of residence, vehicle or areas under his/her control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by the Division of Parole and Probation or its agent. 2. Comply with any curfew imposed by P&P. 3. Obtain and maintain full-time employment. 4. Have no contact whatsoever with the two other victims. 5. Complete a substance abuse counseling program. 6. Submit to random U/A's. BOND, if any, EXONERATED. COURT FURTHER ORDERED, deft. to REPORT to P&P IMMEDIATELY. NIC ;</p>	Index #59
11/18/2008	<p>Petition for Writ of Habeas Corpus (8:30 AM) Events: 08/27/2008 Petition PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Matter Heard; PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Sandra Jeter Reporter/Recorder: Rachelle Hamilton Heard By: Jackie Glass Journal Entry Details: Defendant not present and in custody at the Nevada Department of Corrections. Court FINDS defendant is not entitled to post-conviction counsel; however, ORDERED, matter to be SET for a Lozada appeal; JEA to schedule same. NDC ;</p>	
01/29/2009	<p>Request of Court (11:00 AM) Events: 12/01/2008 Hearing AT THE REQUEST OF THE COURT HEARING: RE LOZADA APPEAL Court Clerk: Kristen Brown Reporter/Recorder: Michelle Ramsey Heard By: Michael Villani Denied; AT THE REQUEST OF THE COURT HEARING: RE LOZADA APPEAL Court</p>	

CASE SUMMARY

CASE NO. 05C215295-1

Clerk: Kristen Brown Reporter/Recorder: Michelle Ramsey Heard By: Michael Villani

Journal Entry Details:

Carmine Colucci, sworn and testified. Deft. sworn and testified. Submitted by Mr. Simon. Argument by the deft. Court stated the deft's argument was the basis for the motion to withdraw; subsequent to the sentencing, the deft. did not contact Mr. Colucci, therefore, ORDERED, Motion DENIED. Mr. Simon to prepare the order. NDC ;

07/24/2019



Motion (9:00 AM) (Judicial Officer: Villani, Michael)

Events: 07/01/2019 Motion

Notice of Motion and Motion to Obtain a Copy of a Sealed Record

Motion Granted;

Journal Entry Details:

Defendant not present. Court noted Defendant wanted a copy of a sealed record and believed Defendant was requesting his Pre- Sentence Investigation (PSI) report. COURT ORDERED, Motion GRANTED; Clerk's office to forward a copy of Defendant's PSI. NDC CLERK'S NOTE: The above minute order has been distributed to: DEMARENE COLEMAN #1007335 P O BOX 208 INDIAN SPRINGS, NV 89070//ob/07/29/19;

03/13/2020



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

Minute Order - No Hearing Held;

Journal Entry Details:

Court noted Defendant filed a First Amendment Petition for Writ of Mandamus Pursuant to NRS 34.185 on February 19, 2020. Court further noted this was a time computation writ, COURT ORDERED, matter TRANSFERRED TO DEPARTMENT 15. NDC ;

03/18/2020

CANCELED Petition for Writ of Mandamus (9:00 AM) (Judicial Officer: Villani, Michael)
Vacated

07/09/2021



Motion for Appointment of Attorney (8:30 AM) (Judicial Officer: Villani, Michael)

Denied;

Journal Entry Details:

Defendant not transported. Court noted the Judgment of Conviction was filed on 8/22/2007 and Defendant had stated he might want to file for post conviction relief, however he does not set forth a basis for that relief. Court FINDS the post conviction relief is time barred, Defendant has not shown any good cause why this matter was not filed earlier to get around the time bar, and none of the issues are overly complex which would require the appointment of an attorney, therefore COURT ORDERED, Motion DENIED. Court directed the State to prepare the Order. COURT FURTHER ORDERED, matter SET for Status Check and advised the Status Check would be vacated once the Order was filed. NDC 7/29/2021 8:30 AM STATUS CHECK: ORDER CLERK'S NOTE: A copy of this Minute Order was mailed to: Demarene Coleman #1007335 SDCC PO Box 208 Indian Springs, NV 89070 (7/13/2021 sa);

07/29/2021



Status Check: Status of Case (8:30 AM) (Judicial Officer: Villani, Michael)

Status Check: Order

Matter Continued;

Order filed

Journal Entry Details:

Defendant not present. Court noted Defendant's Motion was denied and a Status Check was set for the Order to be prepared. Ms. Cole advised this was an Attorney General's case and they needed to be served. Court noted Mr. Hamner appeared at the last hearing. COURT ORDERED, State to prepare the Order for the denial of the Motion for Appointment of Attorney. Court directed the State to review the 7/9/2021 Minute Order. COURT FURTHER ORDERED, Status Check SET. Court advised the Status Check date would be vacated once the Order was filed. NDC 8/12/2021 8:30 AM STATUS CHECK: ORDER CLERK'S NOTE: A copy of this Minute Order was mailed to: Demarene Coleman #1007335 SDCC PO Box 208 Indian Springs, NV 89070 (8/2/2021 sa);

02/01/2022



Motion to Modify Sentence (11:00 AM) (Judicial Officer: Bluth, Jacqueline M.)

Motion for Modification of Sentence

Denied;

Journal Entry Details:

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE No. 05C215295-1

COURT ORDERED, Defendant's Motion for Modification of Sentence is DENIED. Defendant asks the Court to modify his sentence and amend his Judgment of Conviction to "reflect the Minimum-Maximum statute [of] twenty (20) to fifty (50)" years, or resentence such that he would be eligible for parole after ten (10) years. Defendant claims that he did not knowingly, intelligently, or voluntarily enter his guilty plea and he was sentenced based on an agreement between the parties that he would be sentenced to "Twenty (20) to Fifty (50) years." However, there is no evidence of any sort of agreement, and it is well established the Court sentences under its own discretion. Defendant does not allege that his sentence was based on a materially untrue assumption, Townsend v. Burke, 334 U.S. 736, 741, 68 S.Ct. 1252, 1255, 92 L.Ed. 1690 (1948), or that the Court has jurisdiction to modify his sentence. Passanisi v. State, 108 Nev. 319, 321, 831 P.2d 1371, 1373 (1992). Therefore, Defendant s Motion is DENIED. NDC CLERK'S NOTE: A copy of this minute order was electronically mailed to: John Afshar, Deputy District Attorney and a copy mailed to the Defendant./kb;

DATE

FINANCIAL INFORMATION

Defendant Coleman, Demarene

Total Charges

176.00

Total Payments and Credits

25.89

Balance Due as of 2/24/2022

150.11

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 04, 2005

05C215295-1

The State of Nevada vs Demarene Coleman

October 04, 2005

8:30 AM

Initial Arraignment

**INITIAL
ARRAIGNMENT**
**Court Clerk: Sandra
 Jeter Relief Clerk:
 Cynthia Georgilas/cg
 Reporter/Recorder:
 Carlaya Lewis Heard
 By: Joseph
 Pavlikowski**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coleman, Demarene

Defendant

DiGiacomo, Sandra

Attorney

Gibson, Thomas J.

Attorney

Special Public Defender

Attorney

JOURNAL ENTRIES

- AS TO DEFENDANT COLEMAN: DEFT. COLEMAN ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. COURT ORDERED, matter set for trial within 60 days. Defendant REMANDED to CUSTODY.

AS TO DEFENDANT MOTLEY: DEFT. MOTLEY ARRAIGNED, PLED NOT GUILTY and INVOKED THE 60-DAY RULE. Mr. Bloomfield stated he prefers to WAIVE the 60-DAY RULE but will INVOKE. State INVOKED. COURT ORDERED, 60-DAY RULE INVOKED, matter set for trial within 60 days. Mr. Bloomfield advised he was not sure why Deft. was in jail as she was placed on house arrest in Justice Court. COURT FURTHER ORDERED, defendant MOTLEY to REMAIN on HOUSE ARREST. As to BOTH DEFENDANTS: Upon inquiry, Clerk noted Blackstone indicates the Preliminary

Hearing transcript has not been filed. COURT ORDERED, counsel are given the normal time after the transcript has been filed for Writ purposes.

CUSTODY (COLEMAN)...H.A. (MOTLEY)

11-18-05 8:30 AM CALENDAR CALL (BOTH)

11-14-05 10:00 AM JURY TRIAL (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 08, 2005

05C215295-1

The State of Nevada vs Demarene Coleman

November 08, 2005

8:30 AM

All Pending Motions

**ALL PENDING
MOTIONS 11/8/05**
**Court Clerk: Sandra
Jeter/sj Relief Clerk:
Cynthia Georgilas
Reporter/Recorder:
Carlaya Lewis Heard
By: Jackie Glass**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Coleman, Demarene
 Di Giacomo, Marc P.
 Gibson, Thomas J.

Defendant
 Attorney
 Attorney

JOURNAL ENTRIES

- DAVID SCHIECK'S MOTION TO WITHDRAW AS COUNSEL FOR DEFT.
 COLEMAN...CALENDAR CALL

Court NOTED it understands the Special Public Defender's Office has a conflict and ORDERED,
 motion to withdraw, GRANTED. FURTHER, matter CONTINUED until Thursday for appointment
 of counsel. Trial date, VACATED.

CUSTODY (COLEMAN)...HA (COC) (MOTLEY)

11/10/05 8:30 AM APPOINTMENT OF COUNSEL (COLEMAN)...TRIAL SETTING (BOTH)

**ISTRICK COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 10, 2005**

05C215295-1

The State of Nevada vs Demarene Coleman

November 10, 2005**8:30 AM****All Pending Motions**

**ALL PENDING
MOTIONS 11/10/05
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Carlaya Lewis Heard
By: Jackie Glass**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coleman, Demarene
Sweetin, James R.

Defendant
Attorney

JOURNAL ENTRIES

- APPOINTMENT OF COUNSEL (COLEMAN)...TRIAL SETTING (BOTH)

Court NOTED it has been in touch with an attorney; however, it has not received a call back to confirm whether they can accept the appointment. Therefore, COURT ORDERED, matter CONTINUED.

CUSTODY (COLEMAN)...H.A. (COC) (MOTLEY)

CONTINUED TO: 11/17/05 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 17, 2005**

05C215295-1

The State of Nevada vs Demarene Coleman

November 17, 2005**8:30 AM****All Pending Motions**

**ALL PENDING
MOTIONS 11/17/05
Court Clerk: Sandra
Jeter/sj Relief Clerk:
Cynthia Georgilas
Reporter/Recorder:
Carlaya Lewis Heard
By: Jackie Glass**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coleman, Demarene
DiGiacomo, Sandra
Gaskill, Sarah A.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- APPOINTMENT OF COUNSEL (COLEMAN)...TRIAL SETTING (BOTH)

COURT ORDERED, Carmine Colucci, Esq., APPOINTED as COUNSEL for deft. COLEMAN. Ms. Gaskill requested the matter continued in order for Mr. Colucci to review the discovery prior to setting the trial date. Ms. Digiacomo stated no objection and advised she provided a copy of the surveillance tape. Mr. Gibson advised he was deft. Coleman's attorney, he briefed counsel this morning and will need a couple days to get the discovery to Mr. Colucci. Ms. Gaskill stated Mr. Gibson advised there was a writ issue; requested 21 days from receipt of the transcript in order to file the Writ. Mr. Gibson stated he does have the transcript; however, it did not reach him in a timely manner because it was first sent to the Public Defender's Office. COURT ORDERED, Mr. Colucci to have 21 days from the receipt of the transcript for writ purposes.

Mr. Bloomfield requested deft. MOTLEY released on Intensive Supervision as there have been issues

with Judge Bixler's order to release on house arrest. Objection by the State. DENIED.

Matter CONTINUED for trial setting.

CUSTODY (COLEMAN)...H.A./CUSTODY(MOTLEY)

11/29/05 8:30 AM TRIAL SETTING (BOTH)

CLERK'S NOTE: As of this date, Deft. Motley has not been released and is still in custody despite Bixler's order to release./sj

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 29, 2005**

05C215295-1

The State of Nevada vs Demarene Coleman

November 29, 2005**8:30 AM****Status Check****TRIAL SETTING
(BOTH) Court Clerk:
Sandra Jeter
Reporter/Recorder:
Carlaya Lewis Heard
By: Jackie Glass****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Coleman, Demarene
Colucci, Carmine J.
DiGiacomo, SandraDefendant
Attorney
Attorney**JOURNAL ENTRIES**

- COURT ORDERED, matter SET for TRIAL. Mr. Colucci moved for the appointment of an investigator. Court informed Mr. Colucci to submit an Ex-Parte motion and affidavit.

CUSTODY (COLEMAN)...H.A.(CUSTODY) (MOTLEY)

3/14/06 8:30 AM CALENDAR CALL

3/20/06 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 05, 2006

05C215295-1

The State of Nevada vs Demarene Coleman

January 05, 2006

8:30 AM

**Petition for Writ of Habeas
Corpus**

**PTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Carlaya Lewis Heard
By: Glass, Jackie**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES

PRESENT:

Coleman, Demarene
Gaskill, Sarah A.
Merback, William J.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- At the request of counsel, COURT ORDERED, matter CONTINUED.

CUSTODY

3/14/06 8:30 AM CALENDAR CALL

3/20/06 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 24, 2006**

05C215295-1

The State of Nevada vs Demarene Coleman

January 24, 2006**8:30 AM****Petition for Writ of Habeas
Corpus**

**PTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Carlaya Lewis Heard
By: Jackie Glass**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brierly, Tracey J.
Coleman, Demarene
Colucci, Carmine J.
Gaskill, Sarah A.

Attorney
Defendant
Attorney
Attorney

JOURNAL ENTRIES

- Following arguments by counsel, Court FINDS the State has met its burden and ORDERED, Writ DENIED. State to prepare the Order.

CUSTODY

3/14/06 8:30 AM CALENDAR CALL (BOTH)

3/20/06 10:00 AM JURY TRIAL (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 14, 2006**

05C215295-1

The State of Nevada vs Demarene Coleman

March 14, 2006**8:30 AM****All Pending Motions**

**ALL PENDING
MOTIONS 3/14/06
Court Clerk: Sandra
Jeter/sj Relief Clerk:
Teri Braegelmann
Reporter/Recorder:
Carlaya Lewis Heard
By: Jackie Glass**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coleman, Demarene
Colucci, Carmine J.
Smith, Brandon B.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- CALENDAR CALL (BOTH)...DEFT COLEMAN'S MOTION IN LIMINE

Mr. Colucci stated he and the District Attorney have discussed the possibility of negotiations; there is a percipient witness who has not been located; the DA doesn't object to a 60-day continuance and deft. will waive any defects. Mr. Bloomfield stated he wasn't part of any negotiations; he has no objection to a continuance, however, his only concern is that his deft. has been in custody for nine months and he would like her released on intensive supervision. Further advised, deft. was unable to be released on house arrest because she has no where to do house arrest. Following a conference at the bench, COURT ORDERED, matter CONTINUED two weeks for status check on negotiations; Deft. MOTLEY RELEASED on INTENSIVE SUPERVISION and ADMONISHED that if she fails to appear at the next date, a bench warrant will issue and when returned on the warrant, deft. will remain in jail until final disposition of the case. FURTHER ORDERED, calendar call and trial dates,

VACATED; deft.'s motion OFF CALENDAR.

CUSTODY (COLEMAN)...I.S. (MOTLEY)

3/30/06 8:30 AM STATUS CHECK: NEGOTIATIONS AND/OR TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 30, 2006**

05C215295-1

The State of Nevada vs Demarene Coleman

March 30, 2006**8:30 AM****Status Check**

**STATUS CHECK:
NEGOTIATIONS
AND/OR
TRIALSETTING
Court Clerk: Sandra
Jeter Relief Clerk:
Teri Braegelmann/tb
Reporter/Recorder:
Carlaya Lewis Heard
By: Jackie Glass**

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Bateman, Samuel G.
Coleman, Demarene
Colucci, Carmine J.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- Counsel advised this case has not negotiated. COURT ORDERED, MATTER SET FOR TRIAL.
CUSTODY (COLEMAN)... I.S. (MOTLEY)
05/30/06 8:30 AM CALENDAR CALL
06/05/06 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 30, 2006**

05C215295-1

The State of Nevada vs Demarene Coleman

May 30, 2006**8:30 AM****Calendar Call****CALENDAR CALL****Court Clerk: Sandra
Jeter****Reporter/Recorder:****Carlaya Lewis Heard****By: Jackie Glass****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coleman, Demarene

Defendant

Colucci, Carmine J.

Attorney

Merback, William J.

Attorney

JOURNAL ENTRIES

- Mr. Colucci requested a competency evaluation stating he doesn't believe deft. Coleman understands the nature of the proceedings. Mr. Bloomfield stated he has no objection. COURT ORDERED, current trial date VACATED; matter RESET for TRIAL. FURTHER, deft. Coleman referred to the SPECIALTY COURTS to obtain evaluations and CONTINUED for further proceedings regarding competency.

CUSTODY (COLEMAN)...I.S. (MOTLEY)

6/15/06 9:30 AM FURTHER PROCEEDINGS: COMPETENCY (COLEMAN)

8/1/06 8:30 AM CALENDAR CALL (BOTH)

8/7/06 10:00 AM JURY TRIAL (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 22, 2006

05C215295-1

The State of Nevada vs Demarene Coleman

June 22, 2006

9:30 AM

Further Proceedings

**FURTHER
PROCEEDINGS:
COMPETENCY
Court Clerk: Sharon
Chun Relief Clerk:
Teri Braegelmann/tb
Reporter/Recorder:
Carlaya Lewis Heard
By: Glass, Jackie**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Coleman, Demarene
Colucci, Carmine J.
Merback, William J.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Stephanie Westbay from the Specialty Courts present.
Court noted Drs. Brown and Chambers indicates competent; Dr. Sussman indicates marginally competent. Further, Court noted issues with deft. not understanding what took place. Mr. Merback stated he doesn't have any reports. COURT ORDERED, matter CONTINUED. FURTHER, Stephanie Westbay to e-mail reports to counsel.
CUSTODY (COLEMAN)...I.S. (MOTLEY)
8/1/06 8:30 AM CALENDAR CALL (BOTH)
8/7/06 10:00 AM JURY TRIAL (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 18, 2006

05C215295-1

The State of Nevada vs Demarene Coleman

July 18, 2006

9:30 AM

Further Proceedings

**FURTHER
PROCEEDINGS:
COMPETENCY
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Glass,
Jackie**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Coleman, Demarene
Colucci, Carmine J.
Sweetin, James R.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Stephanie Westbay of the Specialty Courts present. Court noted it continued this matter to see if Dr. Essex could evaluate deft. and place him on medications which was done, however, it was done recently. Mr. Colucci stated he was unaware deft. was put on medications; inquired as to the medications deft. is currently receiving. Court FURTHER NOTED Dr. Chambers indicates competent, Dr. Brown indicates not competent and Dr. Sussman indicates marginally not competent which troubles the Court. Conference at the bench. Mr. Colucci requested the trial reset stating there are three contradictory reports and he has met with the deft., he does not understand the charges and is in no position to help prepare the defense. COURT ORDERED, current calendar call and trial dates, VACATED as to both defts.; matter CONTINUED; Ms. Westbay to send the doctors back in for re-evaluation. Mr. Colucci stated he will provide Dr.

Brown's report to the State today.

CUSTODY (COLEMAN)...I.S. (MOTLEY)

8/8/06 9:30 AM FURTHER PROCEEDINGS: COMPETENCY (COLEMAN)...TRIAL SETTING
(COLEMAN AND MOTLEY)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 08, 2006

05C215295-1

The State of Nevada vs Demarene Coleman

August 08, 2006

9:30 AM

All Pending Motions

**ALL PENDING
MOTIONS 8/8/06**
**Court Clerk: Sandra
Jeter**
**Reporter/Recorder:
Rachelle Hamilton**
**Heard By: Jackie
Glass**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Coleman, Demarene
 Colucci, Carmine J.
 Merback, William J.

Defendant
 Attorney
 Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Stephanie Westbay of the Specialty Courts present.
 TRIAL SETTING (BOTH)...FURTHER PROCEEDINGS: COMPETENCY (COLEMAN)
 Court noted Dr. Essex believes deft. hasn't been on his medications long enough to make a
 determination. Upon inquiry, Ms. Westbay stated she wasn't asked to do new reports. COURT
 ORDERED, matter CONTINUED; Ms. Westbay DIRECTED to send all three doctors back in for re-
 evaluation.
 CUSTODY (COLEMAN)...I.S. (MOTLEY)
 CONTINUED TO: 8/22/06 9:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 22, 2006

05C215295-1

The State of Nevada vs Demarene Coleman

August 22, 2006

9:30 AM

All Pending Motions

**ALL PENDING
MOTIONS 8/22/06
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Coleman, Demarene
Colucci, Carmine J.
Sweetin, James R.

Defendant
Attorney
Attorney

JOURNAL ENTRIES

- FURTHER PROCEEDINGS: COMPETENCY (COLEMAN): Court noted it has reports from Drs. Brown and Sussman which indicate not competent; therefore, pursuant to the doctors' reports and the Dusky Standard, FINDS deft. NOT COMPETENT as he is not capable of understanding the charges against him and is unable to assist counsel in his defense. Pursuant to NRS 178.425, COURT ORDERED, Deft. REMANDED to the custody of the Administrator of the Division of Mental Health Development Services for the Department of Human Resources for detention and treatment at a secure facility operated by that Division. Once competency has been established, deft. will be returned to this Court.

TRIAL SETTING (BOTH): Matter OFF CALENDAR at this time pending deft. Coleman's return from Lakes Crossing.

Matter RECALLED at the request of Mr. Bloomfield who requested the case set for status check so it

05C215295-1

doesn't fall through the cracks. SO ORDERED.

CUSTODY (COLEMAN)...I.S. (MOTLEY)

11/21/06 8:30 AM STATUS CHECK: TRIAL SETTING (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 21, 2006

05C215295-1

The State of Nevada vs Demarene Coleman

November 21, 2006

8:30 AM

Status Check

STATUS CHECK:
TRIAL SETTING
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Glass,
Jackie

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Sweetin, James R.

Attorney

JOURNAL ENTRIES

- Court noted deft. Coleman should be returning from Lakes Crossing soon and ORDERED, matter CONTINUED. FURTHER, deft. Motley's PRESENCE WAIVED this date.

LAKES CROSSING (COLEMAN)...I.S. (MOTLEY)

CLERK'S NOTE: On 11/22/06 I spoke with Zoe at Mr. Colucci's office and advised her of the next date./sj

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 12, 2006

05C215295-1

The State of Nevada vs Demarene Coleman

December 12, 2006

9:30 AM

Further Proceedings

**FURTHER
PROCEEDINGS:
COMPETENCY
RETURN FROM
LAKES CROSSING
(DEPT. V) Court
Clerk: Sandra Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Clarke, Summer C.
Coleman, Demarene
Colucci, Carmine J.

Attorney
Defendant
Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Stephanie Westbay of the Specialty Courts present. Court NOTED deft. has been RETURNED FROM LAKES CROSSING and the reports of Drs. Henson, Hiller and Neighbors indicate COMPETENT; therefore, FINDS deft. COMPETENT pursuant to the Dusky Standard as deft. is capable of understanding the nature of the charges against him and is able to assist counsel in his defense. FURTHER, the reports were sent to counsel on December 6, counsel have 10 days from that date, 12/16/06, to challenge the findings of Lakes Crossing and if no challenge has been made, this Court will enter a written finding of competency on 12/26/06 pursuant to statute which is 20 days from the date the reports were sent to counsel. COURT

05C215295-1

FURTHER ORDERED, 12/28/06, trial setting date STANDS.
CUSTODY (COLEMAN)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 28, 2006**

05C215295-1

The State of Nevada vs Demarene Coleman

December 28, 2006**8:30 AM****Status Check**

STATUS CHECK:
TRIAL SETTING
Court Clerk: Sandra
Jeter Relief Clerk:
Pamela
Humphrey/pdh
Reporter/Recorder:
Rachelle Hamilton
Heard By: Glass,
Jackie

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coleman, Demarene
 Sweetin, James R.

Defendant
 Attorney

JOURNAL ENTRIES

- Matter called and Mr. Colucci was not present. Therefore, Court contacted Mr. Colucci's office and was informed he is out of town. Further, Mr. Colucci's office stated Ms. Allan is scheduled to appear on behalf of Mr. Colucci and requested matter trailed for Ms. Allan's appearance. Matter recalled in the absence of Ms. Allan and, COURT ORDERED, matter CONTINUED for counsel's appearance.

CUSTODY (COLEMAN)

I.S. (MOTLEY)

CLERK'S NOTE: On 12/29/06 both Mr. Bloomfield's and Mr. Colucci's offices were notified of next date./pdh

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 04, 2007**

05C215295-1

The State of Nevada vs Demarene Coleman

January 04, 2007**8:30 AM****Status Check****STATUS CHECK:
TRIAL SETTING
Court Clerk: Sandra
Jeter/sj Relief Clerk:
Pamela Humphrey
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Clarke, Summer C.
Coleman, Demarene
Colucci, Carmine J.Attorney
Defendant
Attorney**JOURNAL ENTRIES**

- COURT ORDERED, matter SET for TRIAL.

CUSTODY (COLEMAN)...I.S. (MOTLEY)

5/22/07 8:30 AM CALENDAR CALL

5/29/07 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 22, 2007

05C215295-1

The State of Nevada vs Demarene Coleman

May 22, 2007

8:30 AM

Calendar Call

CALENDAR CALL**Relief Clerk: Teri****Braegelmann****Reporter/Recorder:****Renee Vincent****Heard By: Stewart****Bell****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coleman, Demarene

Defendant

Colucci, Carmine J.

Attorney

Sweetin, James R.

Attorney

JOURNAL ENTRIES

- Mr. Sweetin and Mr. Colucci announced ready for trial with five days for trial, 20-25 witnesses and no out of state witnesses. Mr. Bloomfield stated it looks like the case may be resolved as to deft. Motley. Upon Court's inquiry, Mr. Bloomfield advised deft. missed court previously because she was in City Jail. COURT ORDERED, matter CONTINUED; and trial dates STANDS.

CUSTODY - COLEMAN

I.S. - MOTLEY

05/24/07 8:30 AM STATUS CHECK: CALENDAR CALL

05/29/07 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 24, 2007**

05C215295-1

The State of Nevada vs Demarene Coleman

May 24, 2007**8:30 AM****Status Check****STATUS CHECK:
CALENDAR CALL
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Pieper, Danielle K.

Attorney

JOURNAL ENTRIES

- As to deft. COLEMAN: Court noted this matter is on calendar in error as to deft. Coleman and deft. has returned to the Detention Center.

As to deft. MOTLEY: Mr. Bloomfield stated both parties have agreed to continue. COURT ORDERED, trial date VACATED as to deft. Motley; matter CONTINUED.

CUSTODY (COLEMAN)...I.S. (MOTLEY)

6/7/07 8:30 AM ENTRY OF PLEA (MOTLEY)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 29, 2007

05C215295-1

The State of Nevada vs Demarene Coleman

May 29, 2007

10:00 AM

Jury Trial

TRIAL BY JURY
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coleman, Demarene
 Colucci, Carmine J.
 Pieper, Danielle K.
 Sweetin, James R.

Defendant
 Attorney
 Attorney
 Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL: Counsel advised the matter is negotiated and NEGOTIATIONS are as contained in the Guilty Plea Agreement (GPA) FILED IN OPEN COURT. DEFT. COLEMAN EXAMINED AND PLED GUILTY to the SECOND AMENDED INFORMATION FILED IN OPEN COURT CHARGING COUNT 1 - FIRST DEGREE MURDER (F) and COUNT 2 - BATTERY WITH USE OF A DEADLY WEAPON (F). Court reviewed the possible sentences with deft., AMENDED the GPA BY INTERLINEATION to reflect same and ACCEPTED the PLEA. Matter REFERRED to P&P for preparation of presentence investigation report and SET for SENTENCING. Conference at the bench. Court NOTED it is not bound by the negotiations; however, in all likelihood, it will follow them unless something extraordinary is found.

CUSTODY

7/24/07 8:30 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 07, 2007

05C215295-1

The State of Nevada vs Demarene Coleman

June 07, 2007

8:30 AM

Entry of Plea

ENTRY OF PLEACourt Clerk: Sandra
Jeter

Reporter/Recorder:

Debbie Winn Heard

By: Jackie Glass

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Pieper, Danielle K.

Attorney

JOURNAL ENTRIES

- NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. MOTLEY EXAMINED AND PLED GUILTY to CONSPIRACY TO COMMIT BATTERY WITH USE OF A DEADLY WEAPON (GM). COURT ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) for a PSI and set for sentencing. Mr. Bloomfield requested deft. removed from Intensive Supervision. COURT SO ORDERED. FURTHER, Court ADMONISHED deft. that IF SHE FTA'S FOR HER PSI and/or for SENTENCING, IT WILL EFFECT THE OUTCOME OF HER CASE.

NIC (MOTLEY)

8/21/07 8:30 AM SENTENCING (MOTLEY)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 24, 2007

05C215295-1

The State of Nevada vs Demarene Coleman

July 24, 2007

8:30 AM

Sentencing

SENTENCING

Court Clerk: Sandra

Jeter/sj Relief Clerk:

Roshonda Mayfield

Reporter/Recorder:

Rachelle Hamilton

Heard By: Glass,

Jackie

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Coleman, Demarene

Defendant

Colucci, Carmine J.

Attorney

Pieper, Danielle K.

Attorney

JOURNAL ENTRIES

- Mr. Colucci requested the matter continued and that the transcript of deft.'s plea be prepared so he may file a motion, if appropriate, stating he met with deft. yesterday and deft. expressed a strong desire to withdraw his plea. Court noted it took deft.'s plea and knows it is a righteous plea, however, ORDERED, matter CONTINUED; Mr. Colucci to prepare an Order and submit it to the Court Recorder.

CUSTODY

8/14/07 8:30 AM DEFT.'S MOTION TO WITHDRAW GUILTY PLEA...SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 14, 2007

05C215295-1

The State of Nevada vs Demarene Coleman

August 14, 2007

8:30 AM

All Pending Motions

**ALL PENDING
MOTIONS (8/14/07)**
**Court Clerk: Tia
Everett/te**
**Reporter/Recorder:
Rachelle Hamilton**
**Heard By: Jackie
Glass**

HEARD BY:

COURTROOM: No Location

COURT CLERK:

RECORDER:

REPORTER:

PARTIES**PRESENT:**

Coleman, Demarene
 Colucci, Carmine J.
 Sweetin, James R.

Defendant
 Attorney
 Attorney

JOURNAL ENTRIES

- DEFT'S MOTION TO WITHDRAW GUILTY PLEA...SENTENCING

As to Deft's Motion to Withdraw Guilty Plea:

Mr. Colucci argued Deft. stated he did not understand the consequences of the plea or the possibility of the charges running consecutive instead of concurrent. Mr. Sweetin argued Deft. was fully canvassed and advised of all ramifications of the plea which he entered. Court noted, the plea is valid as it was entered freely and voluntarily; therefore, COURT ORDERED, Motion DENIED and proceed with Sentencing.

As to Sentencing:

DEFT. COLEMAN ADJUDGED GUILTY of COUNT 1 - FIRST DEGREE MURDER (F) AND COUNT 2 - BATTERY WITH USE OF A DEADLY WEAPON (F). Matter submitted. Statement by Deft. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, as to COUNT 1 - Deft.

SENTENCED to a MINIMUM of TWENTY (20) YEARS and a MAXIMUM of FIFTY (50) YEARS in the Nevada Department of Corrections (NDC) as to COUNT 2 - Deft. SENTENCED to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) CONCURRENT with COUNT 1; SEVEN HUNDRED FIFTY-FIVE (755) DAYS credit for time served.

Mr. Colucci moved to withdraw as counsel. COURT SO ORDERED.

BOND, if any, EXONERATED.

CLERK'S NOTE: minutes corrected to reflect correct sentence for count 1. 8/16/07te

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 21, 2007**

05C215295-1

The State of Nevada vs Demarene Coleman

August 21, 2007**8:30 AM****Sentencing**

SENTENCING
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass

HEARD BY:**COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Pieper, Danielle K.

Attorney

JOURNAL ENTRIES

- DEFT. MOTLEY ADJUDGED GUILTY of CONSPIRACY TO COMMIT BATTERY WITH USE OF A DEADLY WEAPON (GM). Matter submitted. COURT ORDERED, in addition to the \$25 Administrative Assessment Fee and \$150 DNA Analysis Fee to include testing for genetic markers and/or secretor status, deft. SENTENCED to TWELVE (12) MONTHS in the CLARK COUNTY DETENTION CENTER; sentence SUSPENDED, PROBATION for an indeterminate period not to exceed TWO (2) YEARS. CONDITIONS:

1. Deft. shall submit his/her person, property, place of residence, vehicle or areas under his/her control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by the Division of Parole and Probation or its agent. 2. Comply with any curfew imposed by P&P. 3. Obtain and maintain full-time employment. 4. Have no contact whatsoever with the two other victims. 5. Complete a substance abuse counseling program. 6. Submit to random U/A's.

BOND, if any, EXONERATED. COURT FURTHER ORDERED, deft. to REPORT to P&P IMMEDIATELY.

05C215295-1

NIC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****November 18, 2008**

05C215295-1

The State of Nevada vs Demarene Coleman

November 18, 2008 8:30 AM**Petition for Writ of Habeas
Corpus****PTN FOR WRIT OF
HABEAS CORPUS
Court Clerk: Sandra
Jeter
Reporter/Recorder:
Rachelle Hamilton
Heard By: Jackie
Glass****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Fattig, John T

Attorney

JOURNAL ENTRIES

- Defendant not present and in custody at the Nevada Department of Corrections.
Court FINDS defendant is not entitled to post-conviction counsel; however, ORDERED, matter to be
SET for a Lozada appeal; JEA to schedule same.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****January 29, 2009**

05C215295-1

The State of Nevada vs Demarene Coleman

January 29, 2009**11:00 AM****Request of Court****AT THE REQUEST
OF THE COURT
HEARING: RE
LOZADA APPEAL
Court Clerk: Kristen
Brown
Reporter/Recorder:
Michelle Ramsey
Heard By: Michael
Villani****HEARD BY:****COURTROOM:** No Location**COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**Coleman, Demarene
Simon, H. L.Defendant
Attorney**JOURNAL ENTRIES**

- Carmine Colucci, sworn and testified. Deft. sworn and testified. Submitted by Mr. Simon. Argument by the deft. Court stated the deft's argument was the basis for the motion to withdraw; subsequent to the sentencing, the deft. did not contact Mr. Colucci, therefore, ORDERED, Motion DENIED. Mr. Simon to prepare the order.
NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****July 24, 2019**

05C215295-1

The State of Nevada vs Demarene Coleman

July 24, 2019**9:00 AM****Motion****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Olivia Black**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES****PRESENT:**Stanton, David L.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Defendant not present. Court noted Defendant wanted a copy of a sealed record and believed Defendant was requesting his Pre- Sentence Investigation (PSI) report. COURT ORDERED, Motion GRANTED; Clerk's office to forward a copy of Defendant's PSI.

NDC

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

DEMARENE COLEMAN #1007335

P O BOX 208

INDIAN SPRINGS, NV 89070//ob/07/29/19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 13, 2020

05C215295-1

The State of Nevada vs Demarene Coleman

March 13, 2020

3:00 AM

Minute Order

HEARD BY: Villani, Michael

COURTROOM: Chambers

COURT CLERK: Susan Botzenhart

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Court noted Defendant filed a First Amendment Petition for Writ of Mandamus Pursuant to NRS 34.185 on February 19, 2020. Court further noted this was a time computation writ, COURT ORDERED, matter TRANSFERRED TO DEPARTMENT 15.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 09, 2021**

05C215295-1

The State of Nevada vs Demarene Coleman

July 09, 2021**8:30 AM****Motion for Appointment of
Attorney****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Samantha Albrecht**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**Hamner, Christopher S.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Defendant not transported.

Court noted the Judgment of Conviction was filed on 8/22/2007 and Defendant had stated he might want to file for post conviction relief, however he does not set forth a basis for that relief. Court FINDS the post conviction relief is time barred, Defendant has not shown any good cause why this matter was not filed earlier to get around the time bar, and none of the issues are overly complex which would require the appointment of an attorney, therefore COURT ORDERED, Motion DENIED. Court directed the State to prepare the Order. COURT FURTHER ORDERED, matter SET for Status Check and advised the Status Check would be vacated once the Order was filed.

NDC

7/29/2021 8:30 AM STATUS CHECK: ORDER

CLERK'S NOTE: A copy of this Minute Order was mailed to:
Demarene Coleman #1007335
SDCC
PO Box 208

Indian Springs, NV 89070 (7/13/2021 sa)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 29, 2021**

05C215295-1

The State of Nevada vs Demarene Coleman

July 29, 2021**8:30 AM****Status Check: Status of
Case****HEARD BY:** Villani, Michael**COURTROOM:** RJC Courtroom 11A**COURT CLERK:** Samantha Albrecht**RECORDER:** Kristine Santi**REPORTER:****PARTIES****PRESENT:**Cole, Madilyn M.
State of NevadaAttorney
Plaintiff**JOURNAL ENTRIES**

- Defendant not present.

Court noted Defendant's Motion was denied and a Status Check was set for the Order to be prepared. Ms. Cole advised this was an Attorney General's case and they needed to be served. Court noted Mr. Hamner appeared at the last hearing. COURT ORDERED, State to prepare the Order for the denial of the Motion for Appointment of Attorney. Court directed the State to review the 7/9/2021 Minute Order. COURT FURTHER ORDERED, Status Check SET. Court advised the Status Check date would be vacated once the Order was filed.

NDC

8/12/2021 8:30 AM STATUS CHECK: ORDER

CLERK'S NOTE: A copy of this Minute Order was mailed to:
Demarene Coleman #1007335
SDCC
PO Box 208

Indian Springs, NV 89070 (8/2/2021 sa)

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 01, 2022**

05C215295-1

The State of Nevada vs Demarene Coleman

February 01, 2022**11:00 AM****Motion to Modify Sentence****HEARD BY:** Bluth, Jacqueline M.**COURTROOM:** RJC Courtroom 10C**COURT CLERK:** Kristen Brown**RECORDER:****REPORTER:****PARTIES****PRESENT:****JOURNAL ENTRIES**

- COURT ORDERED, Defendant's Motion for Modification of Sentence is DENIED. Defendant asks the Court to modify his sentence and amend his Judgment of Conviction to "reflect the Minimum-Maximum statute [of] twenty (20) to fifty (50)" years, or resentence such that he would be eligible for parole after ten (10) years. Defendant claims that he did not knowingly, intelligently, or voluntarily enter his guilty plea and he was sentenced based on an agreement between the parties that he would be sentenced to "Twenty (20) to Fifty (50) years." However, there is no evidence of any sort of agreement, and it is well established the Court sentences under its own discretion. Defendant does not allege that his sentence was based on a materially untrue assumption, *Townsend v. Burke*, 334 U.S. 736, 741, 68 S.Ct. 1252, 1255, 92 L.Ed. 1690 (1948), or that the Court has jurisdiction to modify his sentence. *Passanisi v. State*, 108 Nev. 319, 321, 831 P.2d 1371, 1373 (1992). Therefore, Defendant's Motion is DENIED.

NDC

CLERK'S NOTE: A copy of this minute order was electronically mailed to: John Afshar, Deputy District Attorney and a copy mailed to the Defendant./kb



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

DEMARENE COLEMAN #1007335
P.O. BOX 208
INDIAN SPRINGS, NV 89070

DATE: February 24, 2022
CASE: 05C215295-1

RE CASE: STATE OF NEVADA vs. DEMARENE COLEMAN

NOTICE OF APPEAL FILED: February 23, 2022

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

☐

Case Appeal Statement

- NRAP 3 (a)(1), Form 2

☒

Order

☒

Notice of Entry of Order

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DESIGNATION OF
RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT MINUTES;
NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

DEMARENE COLEMAN,

Defendant(s).

Case No: 05C215295-1

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 24 day of February 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk