

Heather A. Brown
CLERK OF THE COURT

1 DARON MORRIS
2 #1189105

3 ELY STATE PRISON
4 P.O. BOX 1989
5 ELY, NV 89301

Electronically Filed
Mar 17 2022 11:34 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

6 IN THE Eighth Judicial District Court of THE STATE OF
7 NEVADA, IN AND FOR THE County of CLARK

10 Petitioner,

CASE NO: 13F00482 A-D

11 v.

Dept NO: 11

12 THE STATE OF NEVADA,

13 Respondant,

NOTICE OF APPEAL

18 Comes now, Daron Morris, in pro se, and HEREBY
19 Notifies this Honorable Court that he intends on Appealing His
20 2017 Conviction By the way of Habeas Corpus.

22 Submitted

24 X 1 - M - 2-24-22

26 CERTIFICATE OF SERVICE

28 I, Daron Morris HEREBY certify that I mailed A true and
29 Correct copy of the foregoing to: 200 LEWIS AVE 3RD floor

30 RECEIVED NV 89155

31 FEB 28 2022

32 X 1 - M - 2-24-22

33 CLERK OF THE COURT (Page 1 of 1)

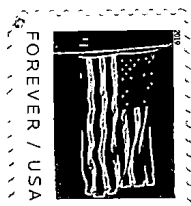
Darcia Morris

1189105

P.O. Box 1989

3141 NV 89301

259-68-8



Clerk of Court

Eighth Judicial District Court

200 Lewis Ave / 3rd Floor

Las Vegas, NV 89155

Confidential Legal Mail

ELY STATE PRISON
FEB 24 2022


CLERK OF THE COURT

ASTA

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

STATE OF NEVADA,

Plaintiff(s),

vs.

DARON MORRIS,

Defendant(s),

Case No: C-13-287414-4

Dept No: X

CASE APPEAL STATEMENT

1. Appellant(s): Daron Morris

2. Judge: Douglas W. Herndon

3. Appellant(s): Daron Morris

Counsel:

Daron Morris #1189105
P.O. Box 1989
Ely, NV 89301

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney
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: February 13, 2013

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

Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 14 day of March 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: Daron Morris

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-13-287414-4

State of Nevada
vs
Daron Morris

§ Location: Department 10
§ Judicial Officer: Jones, Tierra
§ Filed on: 02/13/2013
§ Case Number History:
§ Cross-Reference Case Number: C287414
§ Defendant's Scope ID #: 2797197
§ Grand Jury Case Number: 12AGJ110
§ ITAG Case ID: 1469334

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. CONSPIRACY TO COMMIT BATTERY	200.481.2	G	01/04/2013	Subtype:	Homicide
2. BATTERY WITH A DEADLY WEAPON	200.481.2e1	F	01/04/2013	Case Status:	11/29/2017 Closed
3. CONSPIRACY TO COMMIT BURGLARY	205.060.2	G	01/04/2013		
4. BURGLARY WHILE IN POSSESSION OF A FIREARM	205.060.4	F	01/04/2013		
5. CONSPIRACY TO COMMIT ROBBERY	200.380	F	01/04/2013		
6. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	01/04/2013		
7. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	01/04/2013		
8. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	01/04/2013		
9. CONSPIRACY TO COMMIT MURDER	200.010	F	01/04/2013		
10. MURDER WITH USE OF A DEADLY WEAPON	200.010	F	01/04/2013		
11. MURDER WITH USE OF A DEADLY WEAPON	200.010	F	01/04/2013		
12. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	F	01/04/2013		

Related Cases

C-13-287414-1 (Multi-Defendant Case)
C-13-287414-2 (Multi-Defendant Case)
C-13-287414-3 (Multi-Defendant Case)

Statistical Closures

11/29/2017 Guilty Plea with Sentence (before trial) (CR)

Warrants

Indictment Warrant - Morris, Daron (Judicial Officer: Bell, Linda Marie)
02/21/2013 Returned - Served
02/13/2013 12:23 PM Active
Hold Without Bond

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number C-13-287414-4
Court Department 10
Date Assigned 09/25/2020
Judicial Officer Jones, Tierra

PARTY INFORMATION

Defendant Morris, Daron

Lead Attorneys
Drummond, Craig W.
Retained


CASE SUMMARY

CASE NO. C-13-287414-4

702-366-9966(W)

Plaintiff State of Nevada







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

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
02/13/2013	 Indictment <i>[1] Indictment</i>	In #1
02/13/2013	 Warrant <i>[2] Indictment Warrant</i>	In #2
02/13/2013	No Bail Set (Judicial Officer: Bell, Linda Marie)	
02/15/2013	 Indictment Warrant Return <i>[3]</i>	In #3
02/20/2013	 Substitution of Attorney Filed by: Defendant Morris, Daron <i>[4]</i>	In #4
02/26/2013	 Media Request and Order Party: Plaintiff State of Nevada <i>[5] Media Request and Order Allowing Camera Access to Court Proceedings</i>	In #5
03/01/2013	 Transcript of Proceedings <i>[6] Reporter's Transcript of Proceedings - Grand Jury Hearing February 12, 2013</i>	In #6
03/08/2013	 Notice of Intent to Seek Death Penalty <i>[7] Notice of Intent to Seek Death Penalty</i>	In #7
04/18/2013	 Petition <i>[8] Petition for Writ of Habeas Corpus</i>	In #8
05/28/2013	 Return <i>[9] Return to Writ of Habeas Corpus</i>	In #9
08/19/2013	 Application <i>[10] Defendant's Application for Widdis Fees</i>	In #1
09/18/2013	 Order <i>[11] Order for Daily Transcript</i>	In #1
10/30/2013	 Reporters Transcript <i>[12] Reporter's Transcript of Petition for Writ Motion for Severance - September 10, 2013</i>	In #1
01/15/2014	 Order Granting	In #1

CASE SUMMARY
CASE NO. C-13-287414-4

	<i>[13] Order</i>	
02/03/2014	 Notice of Witnesses and/or Expert Witnesses <i>[14] Notice of Expert Witnesses</i>	In #1
02/06/2014	 Notice <i>[15] Notice of Intent of Evidence in Aggravation</i>	In #1
02/12/2014	 Notice of Witnesses and/or Expert Witnesses <i>[16] Notice of Witnesses</i>	In #1
03/06/2014	 Notice of Association of Counsel <i>[17] Notice of Association of Counsel</i>	In #1
03/18/2014	 Order Granting <i>[18] Order</i>	In #1
06/18/2014	 Order <i>[19] Order</i>	In #1
06/18/2014	 Ex Parte Motion <i>[20] Ex Parte Motion for Release of Evidence</i>	In #2
07/28/2014	 Notice of Witnesses and/or Expert Witnesses <i>[21] Notice of Witnesses</i>	In #2
01/14/2015	 Recorders Transcript of Hearing <i>[22] Recorder's Transcript of Jackson v. Denno Hearing (Sims & Williams); Status Check: Trial Setting; and Argument: Motions to be Filed (Morris) January 6, 2015</i>	In #2
02/05/2015	 Recorders Transcript of Hearing <i>[23] Recorder's Transcript of Status Check: Set Jackson v. Denno Hearing. Heard on Tuesday, January 27, 2015</i>	In #2
03/23/2015	 Recorders Transcript of Hearing <i>[24] Recorder's Transcript of Las Vegas Metropolitan Police Department's Motion for Clarification of Order Granting Defendant's Motion for Production of Suspect Interviews Conducted by Detective Martin Wildemann; State's Joinder; and Status Check: Set Jackson v. Denno Hearing March 17, 2015</i>	In #2
06/11/2015	 Ex Parte Application <i>[25] Ex Parte Application for Widdis Fees</i>	In #2
06/18/2015	 Recorders Transcript of Hearing <i>[26] Recorder's Transcript of Proceedings Status Check: Set Jackson v. Denno Hearing June 16, 2015</i>	In #2
06/29/2015	 Motion <i>[27] Motion to Withdraw as Counsel for Defendant</i>	In #2
07/10/2015		In

CASE SUMMARY
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	 Recorders Transcript of Hearing <i>[28] Recorder's Transcript of Carl Arnold Esq.'s Motion to Withdraw as Counsel for Defendant July 9, 2015</i>	#2
12/03/2015	 Stipulation and Order <i>[29] Stipulation and Order to Continue Jackson V. Denno Hearing</i>	In #2
01/27/2016	 Recorders Transcript of Hearing <i>[30] Recorder's Transcript of LVMPD'S Motion for Protective Order (Sims); Lance J. Hendron, Esq.'s Motion to Withdraw as Attorney of Record (Williams); and Status Check Resetting of the Denno Hearing (Sims, Williams & Morris) January 26, 2016</i>	In #2
03/25/2016	 Notice of Witnesses and/or Expert Witnesses <i>[31] Supplemental Notice of Expert Witnesses</i>	In #2
05/06/2016	 Recorders Transcript of Hearing <i>[32] Recorder's Transcript of Jackson v. Denno Hearing April 15, 2015</i>	In #2
05/09/2016	 Recorders Transcript of Hearing <i>[33] Recorder's Transcript of Calendar Call</i>	In #2
05/19/2016	 Recorders Transcript of Hearing <i>[34] Recorder's Transcript of Status Check: Jackson v. Denno Hearing/Trial Setting May 5, 2016</i>	In #2
09/08/2016	 Supplemental Witness List <i>[35] State's Notice of Witnesses and/or Supplemental Notice of Witnesses</i>	In #2
09/19/2016	 Supplemental Witness List <i>[36] Supplemental Notice of Witnesses and/or Second Supplemental Notice of Witnesses</i>	In #2
10/27/2016	 Recorders Transcript of Hearing <i>[37] Recorder's Transcript of Status Check: Trial Readiness October 25, 2016</i>	In #2
12/07/2016	 Recorders Transcript of Hearing <i>[38] Recorder's Transcript of All Pending Motions September 22, 2016</i>	In #2
12/20/2016	 Recorders Transcript of Hearing <i>[39] Recorder's Transcript of Status Check: Trial Readiness, 11/17/16</i>	In #2
01/13/2017	 Recorders Transcript of Hearing <i>[40] Recorder's Transcript of Status Check: Trial Readiness January 12, 2017</i>	In #4
02/16/2017	 Motion <i>[41] Notice of Motion and Motion to File an Amended Indictment</i>	In #4
02/24/2017	 Recorders Transcript of Hearing <i>[42] Recorder's Transcript of All Pending Motions February 23, 2017</i>	In #4

CASE SUMMARY






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03/06/2017	 Request for Attendance of Out-Of-State Witness <i>[44] Request for Attendance of Out-of-State Witness Laurice Brightman</i>	In #4
03/06/2017	 Certificate <i>[43] Certificate for Attendance of Out-of-State Witness Laurice Brightman</i>	In #4
03/06/2017	 Order <i>[45] Order for Payment of Witness Fees</i>	In #4
03/09/2017	 Notice <i>[46] Notice of Evidence in Support of Aggravating Circumstances</i>	In #4
03/16/2017	 Supplemental Witness List <i>[47] Second Supplemental Notice of Witnesses and/or Third Supplemental Notice of Witnesses</i>	In #4
03/22/2017	 Joinder <i>[49] Joinder to Defendant Maurice Sims' Opposition to State's Motion to File an Amended Indictment</i>	In #4
03/22/2017	 Motion to Continue <i>[48] Motion to Continue Calendar Call and Trial Date</i>	In #4
03/27/2017	 Recorders Transcript of Hearing <i>[50] Recorder's Transcript of All Pending Motions 03/23/2017</i>	In #5
04/06/2017	 Indictment <i>[51] Amended Indictment</i>	In #5
04/21/2017	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada <i>[52] Recorder's Transcript of All Pending Motions April 20, 2017</i>	In #5
05/01/2017	 Recorders Transcript of Hearing <i>[53] Recorder's Transcript of All Pending Motions April 24, 2017</i>	In #5
06/28/2017	 Recorders Transcript of Hearing <i>[54] Recorder's Transcript of Status Check: Trial Readiness; Motion to Suppress Defendant Maurice Sims' Statement to LVMPD (Sims); Defendant's Motion for Evidentiary Hearing to Determine Methodology Utilized by State to Determine Death Penalty Eligibility in this Case (Sims)</i>	In #5
07/18/2017	 Ex Parte Motion Filed By: Defendant Morris, Daron <i>[55] Defendant's Ex-Parte Motion for Transportation for Medical Treatment</i>	In #5
07/24/2017	 Order Filed By: Defendant Morris, Daron <i>[56] Order regarding Defendant's Ex-Parte Motion for Transportation for Medical Treatment</i>	In #5
08/16/2017		In

CASE SUMMARY
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	 Amended Order Filed By: Defendant Morris, Daron <i>[57] Amended Order for Transport</i>	#5
08/17/2017	 Recorders Transcript of Hearing <i>[58] Recorder's Transcript of Status Check: Trial Readiness (Sims) and Argument: Motions (Morris), Wednesday, August 16, 2017</i>	In #5
08/28/2017	 Request for Attendance of Out-Of-State Witness Filed By: Plaintiff State of Nevada <i>[59] Request of Attendance of Out-Of-State Witness Laurice Brightman</i>	In #5
08/28/2017	 Notice Filed By: Defendant Morris, Daron <i>[60] Notice of Expert Witnesses NRS 174.234 (1)</i>	In #6
08/31/2017	 Order Filed By: Plaintiff State of Nevada <i>[61] Order for Payment of Witness Fees</i>	In #6
08/31/2017	 Certificate Filed By: Plaintiff State of Nevada <i>[62] Certificate for Attendance of Out-of-State Witness Laurice Brightman</i>	In #6
09/05/2017	 Recorders Transcript of Hearing <i>[63] Recorder's Transcript of Calendar Call</i>	In #6
09/08/2017	 Guilty Plea Agreement <i>[65]</i>	In #6
09/11/2017	 Recorders Transcript of Hearing <i>[64] Recorder's Transcript of Entry of Plea</i>	In #6
10/20/2017	 PSI <i>[66]</i>	In #6
11/15/2017	 Memorandum Filed By: Defendant Morris, Daron <i>[67] Defendant's Sentencing Memorandum</i>	In #6
11/29/2017	 Judgment of Conviction <i>[68] Judgment of Conviction (Plea of Guilty)</i>	In #6
03/15/2018	 Recorders Transcript of Hearing <i>[69] Sentencing, November 16, 2017</i>	In #6
04/25/2018	 Amended Judgment of Conviction <i>[70] Amended Judgment of Conviction (Plea of Guilty)</i>	In #7

CASE SUMMARY
CASE NO. C-13-287414-4

09/08/2020	 Notice of Department Reassignment <i>[71] Notice of Department Reassignment</i>	<i>In #7</i>
09/08/2020	 Notice of Department Reassignment <i>[72] Notice of Department Reassignment</i>	<i>In #7</i>
09/29/2020	 Notice of Department Reassignment <i>[73] Notice of Department Reassignment</i>	<i>In #7</i>
03/11/2022	 Notice of Appeal (Criminal) Party: Defendant Morris, Daron <i>[74] Notice of Appeal</i>	<i>In #7</i>
03/14/2022	 Case Appeal Statement <i>Case Appeal Statement</i>	<i>In #7</i>
<u>DISPOSITIONS</u>		
09/08/2017	Plea (Judicial Officer: Herndon, Douglas W.) 3. CONSPIRACY TO COMMIT BURGLARY Guilty PCN: Sequence: 4. BURGLARY WHILE IN POSSESSION OF A FIREARM Guilty PCN: Sequence: 5. CONSPIRACY TO COMMIT ROBBERY Guilty PCN: Sequence: 6. ROBBERY WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence: 7. ROBBERY WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence: 8. ROBBERY WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:	
09/08/2017	Plea (Judicial Officer: Herndon, Douglas W.) 9. CONSPIRACY TO COMMIT MURDER Guilty PCN: Sequence: 10. MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence: 11. MURDER WITH USE OF A DEADLY WEAPON Guilty PCN: Sequence:	

CASE SUMMARY
CASE NO. C-13-287414-4

12. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

11/16/2017 **Disposition** (Judicial Officer: Herndon, Douglas W.)

1. CONSPIRACY TO COMMIT BATTERY

Dismissed

PCN: Sequence:

2. BATTERY WITH A DEADLY WEAPON

Dismissed

PCN: Sequence:

3. CONSPIRACY TO COMMIT BURGLARY

Guilty

PCN: Sequence:

4. BURGLARY WHILE IN POSSESSION OF A FIREARM

Guilty

PCN: Sequence:

5. CONSPIRACY TO COMMIT ROBBERY

Guilty

PCN: Sequence:

6. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

7. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

8. ROBBERY WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

9. CONSPIRACY TO COMMIT MURDER

Guilty

PCN: Sequence:

10. MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

11. MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

12. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

Guilty

PCN: Sequence:

11/16/2017 **Adult Adjudication** (Judicial Officer: Herndon, Douglas W.)

3. CONSPIRACY TO COMMIT BURGLARY

01/04/2013 (G) 205.060.2 (DC50445)

PCN: Sequence:

Sentenced to CCDC

Term: 365 Days

CASE SUMMARY
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11/16/2017	Adult Adjudication (Judicial Officer: Herndon, Douglas W.) 4. BURGLARY WHILE IN POSSESSION OF A FIREARM 01/04/2013 (F) 205.060.4 (DC50426) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:72 Months, Maximum:180 Months Concurrent: Charge 3
11/16/2017	Adult Adjudication (Judicial Officer: Herndon, Douglas W.) 5. CONSPIRACY TO COMMIT ROBBERY 01/04/2013 (F) 200.380 (DC50147) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:28 Months, Maximum:72 Months Concurrent: Charge 3
11/16/2017	Adult Adjudication (Judicial Officer: Herndon, Douglas W.) 6. ROBBERY WITH USE OF A DEADLY WEAPON 01/04/2013 (F) 200.380 (DC50138) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:72 Months, Maximum:180 Months Consecutive Enhancement:Use of Deadly Weapon, Minimum:48 Months, Maximum:120 Months Concurrent: Charge 3
11/16/2017	Adult Adjudication (Judicial Officer: Herndon, Douglas W.) 7. ROBBERY WITH USE OF A DEADLY WEAPON 01/04/2013 (F) 200.380 (DC50138) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:72 Months, Maximum:180 Months Consecutive Enhancement:Use of Deadly Weapon, Minimum:48 Months, Maximum:120 Months Concurrent: Charge 3
11/16/2017	Adult Adjudication (Judicial Officer: Herndon, Douglas W.) 8. ROBBERY WITH USE OF A DEADLY WEAPON 01/04/2013 (F) 200.380 (DC50138) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:72 Months, Maximum:180 Months Consecutive Enhancement:Use of Deadly Weapon, Minimum:48 Months, Maximum:120 Months Concurrent: Charge 3
11/16/2017	Adult Adjudication (Judicial Officer: Herndon, Douglas W.) 9. CONSPIRACY TO COMMIT MURDER 01/04/2013 (F) 200.010 (DC50038) PCN: Sequence: Sentenced to Nevada Dept. of Corrections Term: Minimum:48 Months, Maximum:120 Months Concurrent: Charge 3
11/16/2017	Adult Adjudication (Judicial Officer: Herndon, Douglas W.) 10. MURDER WITH USE OF A DEADLY WEAPON 01/04/2013 (F) 200.010 (DC50001) PCN: Sequence:

CASE SUMMARY**CASE NO. C-13-287414-4**

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Consecutive Enhancement: Use of Deadly Weapon, Minimum: 96 Months, Maximum: 240 Months

11/16/2017 **Adult Adjudication** (Judicial Officer: Herndon, Douglas W.)

11. MURDER WITH USE OF A DEADLY WEAPON

01/04/2013 (F) 200.010 (DC50001)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Life without the possibility of parole

Consecutive Enhancement: Use of Deadly Weapon, Minimum: 96 Months, Maximum: 240 Months

Consecutive: Charge 10

11/16/2017 **Adult Adjudication** (Judicial Officer: Herndon, Douglas W.)

12. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

01/04/2013 (F) 200.010 (DC50031)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum: 96 Months, Maximum: 240 Months

Consecutive Enhancement: Use of Deadly Weapon, Minimum: 48 Months, Maximum: 120 Months

Consecutive: Charge 11

Credit for Time Served: 1770 Days

Fee Totals:

Administrative

Assessment Fee

25.00

\$25

Criminal Fine

250.00

DNA Analysis Fee

150.00

\$150

Genetic Marker

Analysis AA Fee

3.00

\$3

Indigent Defense


Civil Assessment

250.00

Fee - ASK

Fee Totals \$

678.00

HEARINGS02/13/2013  **Grand Jury Indictment** (11:45 AM) (Judicial Officer: Bell, Linda Marie)**MINUTES**

No Bail Set (Judicial Officer: Bell, Linda Marie)

Matter Heard;

Journal Entry Details:

Chris Pace, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 12AGJ110D to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-13-287414-4, Department 3. Mr. DiGiacomo requested a warrant and argued bail. COURT ORDERED, NO BAIL BENCH WARRANT WILL ISSUE. FURTHER, Exhibit(s) 1-17 lodged with Clerk of District Court. Matter SET for arraignment. B.W. 02/21/13 9:00 AM INITIAL ARRAIGNMENT (DC 3) ;

02/21/2013 **Initial Arraignment** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)02/21/2013 **Indictment Warrant Return** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)02/21/2013  **All Pending Motions** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Plea Entered;

Journal Entry Details:

INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN Pam Weckerly, Deputy District Attorney, present on

CASE SUMMARY**CASE NO. C-13-287414-4**

behalf of the State. Defendant Morris present, in custody, represented by Carl Arnold, Esq. DEFENDANT MORRIS ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. Further, COURT ORDERED, counsel will have 21 days from receipt of the Grand Jury transcript to file any writs. Conference at the Bench. Court stated it understands that this case has gone before the Death Penalty committee, therefore, COURT ORDERED, matter CONTINUED for a Status Check as to their decision and also as to a briefing schedule. Court directed counsel to discuss a briefing schedule prior to next hearing date. CUSTODY 3/19/13 9:00 AM STATUS CHECK: DEATH PENALTY/BRIEFING SCHEDULE 2/27/14 9:00 AM CALENDAR CALL 3/3/14 10:00 AM JURY TRIAL;

03/19/2013

**Status Check (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)*Status Check: Death Penalty Review/ Briefing Schedule**Matter Heard; Status Check: Death Penalty Review/Briefing Schedule**Journal Entry Details:*

Marc DiGiacomo, Deputy District Attorney present on behalf of the State. Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq. Defendant Williams present, in custody, represented by Lance Hendron, Esq. Defendant Range present, in custody, represented by Alzora Jackson, Deputy Special Public Defender. Defendant Morris present, in custody, without counsel, Carl Arnold, Esq. Court stated that it will proceed as to Defendants Simms, Williams and Range and recall matter when Mr. Arnold is present for Defendant Morris. Ms. Jackson advised that Michael Hyte, Deputy Special Public Defender, also represents Defendant Range, however, Mr. Hyte is not present today. Mr. DiGiacomo advised that a Notice of Intent to Seek the Death Penalty was filed as to Defendant Simms and Defendant Morris, but was not filed as to Defendant Range or Defendant Williams. Court stated it would like to set a status check every 90 days to make sure that the trial date can be maintained. COURT ORDERED a Status Check will be set at 9am on June 18, September 17, December 17 and February 4. As to motions, Court will set a briefing schedule. COURT ORDERED, all motions to be filed by October 1, any oppositions to be filed by November 1, and any replies to be filed by December 2, with argument on motions to be set for January 7 at 9am. Further, COURT ORDERED, any Motions to Sever to be filed by June 3. Mr. DiGiacomo advised that they may be able to resolve without the need to file an opposition. COURT ORDERED, Motion to Sever and how to proceed will be discussed at Status Check which is set for June 18. Mr. Hendron requested a thirty-day extension to file a Writ. For the record, Mr. DiGiacomo objected. COURT ORDERED, GRANTED as to all Defendants; Counsel will have thirty days from today to file any Writs. MATTER RECALLED: Marc DiGiacomo, Deputy District Attorney, present on behalf of the State.. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Conference at the Bench. Court stated that the State intends to seek the Death Penalty as to Defendant Morris. Court also stated the series of status checks which were set, briefing schedule for motions, and the thirty day extension for the filing of any writs. As this is a Death Penalty case, Mr. Arnold advised that he will discuss with Drew Christiansen about having another attorney appointed. COURT ORDERED, matter set for a Status Check as to appointment of second counsel for Defendant Morris. CUSTODY (ALL) 4/2/13 9:00 AM STATUS CHECK: APPOINTMENT OF SECOND ATTORNEY (MORRIS) 6/18/13 9:00 AM STATUS CHECK; PENDING ISSUES/MOTION TO SEVER (ALL) 9/17/13 9:00 AM STATUS CHECK (ALL) 12/17/13 9:00 AM STATUS CHECK (ALL) 1/7/14 9:00 AM ARGUMENT ON MOTIONS (ALL) 2/4/14 9:00 AM STATUS CHECK (ALL) ;

04/02/2013

**Status Check (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)**04/02/2013, 04/23/2013, 05/07/2013, 05/21/2013***Status Check: Appointment of Second Counsel**Matter Continued;**Continued; Status Check: Appointment of Second Counsel**Continued; Status Check: Appointment of Second Counsel**Matter Heard; Status Check: Appointment of Second Counsel**Journal Entry Details:*

Megan Thomson, Deputy District Attorney, present on behalf of the State. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Court advised that he spoke with Drew Christensen as to the general policy and was advised that the County's position is that statutorily if a Defendant has retained counsel, there is no obligation to appoint a second counsel, however, Defendant may be entitled to ancillary defense costs. Court stated it did not discuss if Defendant was indigent, whether Mr. Arnold could be appointed. Mr. Arnold advised that he discussed that with Mr. Christensen and if Defendant is indigent, Mr. Arnold would not be appointed. Mr. Arnold advised that the family wants him to represent the Defendant. Court directed Mr. Arnold that he could apply for witness fees, investigative fees and other things. CUSTODY ;

*Matter Continued;**Continued; Status Check: Appointment of Second Counsel**Continued; Status Check: Appointment of Second Counsel**Matter Heard; Status Check: Appointment of Second Counsel**Journal Entry Details:*

Maria Lavell, Deputy District Attorney, present on behalf of the State. Defendant not present nor represented by counsel, Carl Arnold, Esq. COURT ORDERED, matter CONTINUED to 5/21/13 and Petition for Writ of Habeas Corpus set for hearing on 5/21 is CONTINUED to 6/18 to be heard with Petitions filed by co-defendants. CUSTODY

CASE SUMMARY

CASE NO. C-13-287414-4

5/21/13 9:00 AM STATUS CHECK: APPOINTMENT OF SECOND COUNSEL 6/18/13 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS ;

Matter Continued;

Continued; Status Check: Appointment of Second Counsel

Continued; Status Check: Appointment of Second Counsel

Matter Heard; Status Check: Appointment of Second Counsel

Journal Entry Details:

Maria Lavell, Deputy District Attorney, present on behalf of the State. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Conference at the Bench. COURT ORDERED, matter CONTINUED. Court advised that it will contact Drew Christensen's office. CUSTODY CONTINUED TO: 5/7/13 9:00 AM ;

Matter Continued;

Continued; Status Check: Appointment of Second Counsel

Continued; Status Check: Appointment of Second Counsel

Matter Heard; Status Check: Appointment of Second Counsel

Journal Entry Details:

Pam Weckerly, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Carl Arnold Esq. Mr. Arnold advised he spoke with Drew Christensen, who is out of the office until 4/08/2013, although he believes second counsel will be appointed. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 4/23/2103 9:00 AM ;

06/18/2013 **Status Check (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)

Status Check: Pending Issues

06/18/2013 **Petition for Writ of Habeas Corpus (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)

06/18/2013, 08/08/2013, 09/10/2013

Matter Continued;

06/18/2013  **All Pending Motions (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)

Matter Heard;

Journal Entry Details:

STATUS CHECK: PENDING ISSUES/MOTION TO SEVER (ALL DEFENDANTS)... PETITION FOR WRIT OF HABEAS CORPUS (DEFENDANTS SIMS, WILLIAMS AND MORRIS) Parker Brooks, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, represented by Tony Scow, Esq. Defendant Williams present, in custody, represented by Lance Hendron, Esq. Defendant Range present, in custody, represented by Alzora Jackson and Michael Hyte, Deputy Special Public Defenders. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Court noted that parties have agreed to continue hearing on writ and time is needed to respond to Motions to Sever. Upon inquiry by the Court, Mr. Brooks advised that no motion to sever has been filed, but they are not due until June 3. COURT ORDERED, Writ and Motion to Sever will be heard on July 30. Court advised the State to review motions to sever and if in agreement, advise counsel and the Court. CUSTODY 7/30/13 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS...MOTION TO SEVER ;

08/08/2013 **Motion to Sever (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)

08/08/2013, 09/10/2013

Defendant's Motion to Sever (to be filed)

Matter Continued;

08/08/2013  **All Pending Motions (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)

Matter Heard;

Journal Entry Details:

Mark Digiaco and Pam Weckerly, Deputy District Attorneys, present on behalf of the State. Defendant Sims present in custody and represented by Ivette Maningo Esq. and Anthony Sgro Esq. Defendant Williams present in custody and represented by Lance Hendron Esq. Defendant Range present in custody and represented by Alzora Jackson, Deputy Special Public Defender. Defendant Morris present in custody and represented by Carl Arnold Esq. COURT ORDERED, as to Defendant Range, Motion to Sever GRANTED based on the stipulation between the parties. Court stated he will address Mr. Sgro's request for a stay before the motions to sever. Mr. Digiaco stated Defendant Morris may or may not want a severance; however, should Defendant Morris seek a severance, he believes the State would agree as the State intends to use the statements of Defendants Williams and Simms against Defendant Morris at trial. Upon Court's inquiry, Mr. Arnold advised he does not intend to seek a severance and the State's intent to use co-defendants statements at trial was not a factor in his decision. Mr. Sgro argued all statements made could be detrimental to Defendant Morris and he believes by Mr. Arnold not seeking a severance for Defendant Morris in this case, the other co-defendant s rights are being affected. Further, Mr. Sgro argued the fact that Mr. Arnold is not 250 qualified further affects the co-defendants rights and stated if the Court is inclined to deny the motion to sever he

CASE SUMMARY

CASE NO. C-13-287414-4

would request the Court stay the case in order to bring the issue before the Supreme Court. Court stated he will not grant a stay in this case as counsel is permitted to seek a severance based on the legal merits, not on co-defendant's counsel's decision not to seek a severance. Mr. Hendron requested time to supplement in writing as to the severance issues raised today. COURT ORDERED, Matters CONTINUED and Mr. Sgro's request for Stay DENIED. FURTHER ORDERED, defense supplements due on or before 8/22/2013 and State's supplement due on or before 9/05/2013 CUSTODY CONTINUED TO: 9/10/2013 9:00 AM;

09/10/2013



All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Matter Heard;

Journal Entry Details:

DEFENDANT SIMS: DEFENDANT'S MOTION TO STRIKE THE STATE'S NOTICE OF INTENT TO SEEK THE DEATH PENALTY BASED ON THE COST OF CAPITAL PUNISHMENT AND ATTENDANT POLICY CONSIDERATIONS, OR IN THE ALTERNATIVE, MOTION TO STAY CAPITAL PROCEEDINGS PENDING THE OUTCOME OF THE AUDIT RELATED TO ASSEMBLY BILL 444. DEFENDANT MAURICE SIMS' MOTION TO SEVER TRIAL DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS DEFENDANT WILLIAMS: DEFENDANT SASHA WILLIAMS' MOTION TO SEVER TRIAL DEFENDANT'S PETITION FOR WRIT OF HABEAS COUPS DEFENDANT RANGE: FURTHER PROCEEDINGS: ALL CO-DEFENDANT'S MOTIONS DEFENDANT MORRIS: DEFENDANT'S MOTION TO SEVER (TO BE FILED) DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS Pam Weckerly and Marc DiGiacomo, Deputy District Attorneys present on behalf of the State. Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq. Defendant Williams present, in custody, represented by Lance Hendron, Esq. Defendant Range present, in custody, represented by Alzora Jackson and Michael Hyte, Deputy Special Public Defenders. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Court noted that Defendant Range has nothing on calendar as he was previously severed from co-defendants and Defendant Morris is not requesting to sever. Argument by Ms. Maningo as to Defendant Sims' Motion to Sever, noting Burton issues with regard to Sims and Morris. Ms. Maningo also argued as to tactical defenses and sharing of peremptory challenges. Argument by Mr. Hendron for Defendant Williams that Counts 1 and 2 are against Defendants Morris and Sims, and Defendant Williams does not need a death qualified jury, so that affects jury selection. Ms. Jackson clarified that Defendant Range is not in the January 4 incident. Argument by Mr. DiGiacomo. Court inquired if counsel knew a statute which would allow additional peremptory challenges. Mr. DiGiacomo believed that both sides would have to be given the same number, but did not know of a statute. Court stated that Defendant Morris wants to stay joined, but want counts to be severed. Ms. Maningo advised that they have withdrawn that request. Argument by Mr. Hendron. COURT ORDERED, GRANT motion to sever Defendant Morris from Defendants Sims and Williams; DENIED as to Defendants Sims and Williams. Argument by Mr. Arnold as to Defendant Morris' Petition for Writ of Habeas Corpus. Response by Mr. DiGiacomo. Statements by the Court. COURT ORDERED, Petition DENIED. Court stated that there was sufficient evidence of involvement of Defendant Morris with Defendant Sims for an indictment to be returned and it is up to the jury to decide weight to be given, therefore, indictment will stand. Mr. Arnold then left the Courtroom. Argument by Mr. Sgro as to Defendant Sims Petition for Writ of Habeas Corpus on conspiracy and attempt murder counts, based on sufficiency of evidence and inadequate instruction, and as to balance of writ based on totality of the impropriety of the proceedings. Court stated that as to legal instructions, they do not have trial standards, and Court does not think they were inadequate or inappropriate instructions, so only issue is sufficiency of evidence, and from a totality of circumstances, there is sufficient evidence to maintain. Court addressed bad acts type of evidence, stalking/harassment issue and that selling marijuana is not relevant, but not prejudicial and not sufficient to justify dismissal of larceny. COURT ORDERED, DENIED. Argument by Mr. Hendron as to Defendant Williams' Petition for Writ of Habeas Corpus. as there is no evidence of conspiracy to commit murder, and as to attempt murder, there is no evidence that she had a firearm, therefore, Mr. Hendron requested Counts 9 and 12 be dismissed. Argument by Mr. DiGiacomo. Statements by the Court. COURT ORDERED, DENIED; there is enough evidence for indictment to stand and up to the jury to decide. Argument by Mr. Sgro as to Defendant Sims' Motion to Strike the State's Notice of Intent to Seek the Death Penalty, noting the price of a death penalty case, and that they are on notice that a change is coming. Mr. Sgro presented a PowerPoint presentation which was marked and admitted as Court's Exhibit #1. Argument by Ms. Weckerly, with response by Mr. Sgro. COURT ORDERED, motion DENIED. Court stated reasons motion was denied and invited counsel to take matter up on appeal. Court further stated it does not believe it has the ability to impose what is being requested. Further, as to second portion of motion to stay, COURT ORDERED, DENIED. Ms. Maningo advised that she would like to brief motion to sever counts again. Court stated she may refile in a reasonable amount of time. Colloquy regarding resetting of trial. Ms. Weckerly stated that the State's preference is to start with Sims and Williams. Mr. Sgro stated objection to that. Court noted that matter is on for another status check next week, so it will be discussed at that time, after counsel has reviewed their schedules. CUSTODY (COC) - SIMS CUSTODY -- WILLIAMS, RANGE, MORRIS ;

09/17/2013



Status Check (10:00 AM) (Judicial Officer: Herndon, Douglas W.)

Status Check: Pending Issues

Matter Heard;

Journal Entry Details:

Mark DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Sims present in custody and represented by Ivette Maningo Esq. and Anthony Sgro Esq. Defendant Williams present in custody and represented by Lance Hendron Esq. Defendant Range present in custody and represented by Alzora Jackson and Michael Hyte,

CASE SUMMARY**CASE NO. C-13-287414-4**

Deputy Special Public Defenders. Defendant Morris present in custody and represented by Carl Arnold Esq. Court noted matter is on calendar today to discuss trial dates and in which order Defendants will go to trial. Mr. DiGiacomo stated he would request to leave the current trial dates as set and at calendar call set which Defendant is ready. Mr. Sgro stated his position would be to request Defendant Sims be tried second in order and he would provide the Court an affidavit for in camera review as to his reasons which support his position. Court stated he was hopeful parties would have an agreement as to the order, however, he would typically try at least one of the capital cases first as they tend to be more lengthy. Ms. Arnold stated he has no issue going to trial first with Defendant Morris. Court DIRECTED Mr. Sgro to provide the Court with an ex parte affidavit for in camera review as to his position and the Court shall determine if the information is something the Court will consider in his decision; although if the Court finds the information is irrelevant to the issue he will return the affidavit to counsel and place the matter on calendar for further arguments as to all parties' positions. Mr. DiGiacomo objected to counsel being allowed to provide the Court with an ex parte communication which could be affect the State's right to determine which Defendant they choose to proceed to trial with first. Further discussion regarding trial. Court DIRECTED Mr. Sgro to submit the affidavit no later than 10/01/2013. CUSTODY (ALL) ;

10/29/2013

**Status Check (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)*Status Check: Trial-Setting Order**Trial Date Set; Status Check: Trial Setting**Journal Entry Details:*

Mark DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq. Defendant Williams present, in custody, represented by Lance Hendron, Esq. Defendant Range present, in custody, represented by Alzora Jackson and Michael Hyte, Special Deputy Public Defenders. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Mr. Sgro advised that there is an issue regarding the preparation of the transcript, noting that the Writ cannot be done until he receives the transcript. Sharon Howard, Court Reporter, advised Mr. Sgro that transcript will be e-filed tomorrow. As to trial setting, Court advised that it received affidavit of Mr. Sgro and found nothing deeply strategic which could not be argued, so Court will return affidavit. Court stated death penalty cases will go first, and as Defendant Morris has volunteered to go first, COURT ORDERED, Defendant Morris will remain on the previously set stack of March 3, 2014, with Defendants Sims and Williams going next, and Defendant Range last. Mr. DiGiacomo requested that trials be stacked to go one after the other. Mr. Sgro requested lag time between cases. Based on schedules of Court and counsel, COURT ORDERED, Defendant Morris will be set on stack to begin 3/3/14; Defendants Sims and Williams will be set on stack to begin 7/21/14 and Defendant Range will be set on stack to begin 9/22/14. CUSTODY (ALL) 2/27/14 9:00 AM CALENDAR CALL (MORRIS) 3/3/14 10:00 AM JURY TRIAL (MORRIS) 7/17/14 9:00 AM CALENDAR CALL (SIMS & WILLIAMS) 7/21/14 10:00 AM JURY TRIAL (SIMS & WILLIAMS) 9/18/14 9:00 AM CALENDAR CALL (RANGE) 9/22/14 10:00 AM JURY TRIAL (RANGE) ;

12/17/2013

**Status Check (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)*Status Check: Pending Issues***MINUTES***Matter Heard;**Journal Entry Details:*

Mark DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, represented by Ivette Maningo, Esq. Defendant Williams present, in custody, represented by Lance Hendron, Esq. Defendant Range present, in custody, represented by Alzora Jackson and Michael Hyte, Special Deputy Public Defenders. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Colloquy as to Trial scheduling. COURT ORDERED, Trial Date STANDS, matter SET for Status Check regarding deadline for motion filing. CUSTODY 1-7-14 9:00 AM STATUS CHECK: MOTION DEADLINES 2-27-14 9:00 AM CALENDAR CALL 3-3-14 10:00 AM JURY TRIAL ;

SCHEDULED HEARINGS**Status Check (01/07/2014 at 9:00 AM)** (Judicial Officer: Herndon, Douglas W.)*Status Check: Motion Deadlines*

01/07/2014

Argument (9:00 AM) (Judicial Officer: Herndon, Douglas W.)*Argument on Motions**Briefing Schedule Set;*

01/07/2014

Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.)*Status Check: Motion Deadlines**Matter Heard;*

01/07/2014

**All Pending Motions (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)

CASE SUMMARY

CASE NO. C-13-287414-4

Matter Heard;

Journal Entry Details:

Marc DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Sims present in custody and represented by Ivette Maningo Esq. and Anthony Sgro Esq. Defendant Williams present in custody and represented by Lance Hendron Esq. Defendant Range present in custody and represented by Alzora Jackson and Michael Hyte, Deputy Special Public Defenders. Defendant Morris present in custody and represented by Carol Arnold Esq. Court noted today's status check is to set a briefing schedule for motions which need to be filed. Further, Court noted Mr. Arnold had previously indicated he will not be filing any motions and will proceed to trial in March. Mr. Arnold agreed with the Court's representations. COURT ORDERED, briefing schedule set as follows; Defendants' motions due on or before 4/08/2014; State's response due on or before 5/20/2014; Defendants' replies due on or before 6/10/2014; and motions SET for Argument. CUSTODY (ALL) 7/22/2014 ARGUMENT ON MOTIONS (WILLIAMS) (RANGE) (MORRIS) ;

02/04/2014



Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Status Check: Pending Issues

Off Calendar; Status Check: Pending Issues

Journal Entry Details:

No parties present. Court stated that all counsel on behalf of all Defendants decided and informed the Court that there are no issues to come before the Court at this time. COURT ORDERED, OFF CALENDAR CUSTODY ;

02/27/2014



Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Matter Heard;

Journal Entry Details:

Sam Bateman, Deputy District Attorney, present on behalf of the State. Defendant Morris present, in custody, without counsel. Alzora Jackson, Esq. and Michael Hyte, Esq. present on behalf of co-defendant Range. Lance Hendron, Esq. present on behalf of co-defendant Williams. Counsel not present on behalf of co-defendant Sims. Court stated that Mark DiGiacomo, Deputy District Attorney, and Carl Arnold, Esq., Defendant's counsel, advised previously that they have agreed to continue the trial. Upon inquiry by the Court, Defendant concurred that he has had conversations with Mr. Arnold regarding continuing the trial. COURT ORDERED, Jury Trial is VACATED. Further, at request of counsel, all Defendant's will be on calendar on March 13 to discuss the trial schedule for all Defendants. CUSTODY 3/13/14 9:00 AM STATUS CHECK: TRIAL SETTING ;

03/03/2014

CANCELED Jury Trial (10:00 AM) (Judicial Officer: Herndon, Douglas W.)

Vacated - per Judge

03/13/2014



Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Status Check: Trial Setting

Matter Heard; Status Check: Trial Setting




Journal Entry Details:

Marc DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq. Defendant Williams present, in custody, represented by Lance Hendron, Esq. Defendant Range present, in custody, represented by David Schieck and Michael Hyte, Special Deputy Public Defenders. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Mr. Hyte stated that sequence of trials was an issue. Court stated it has no reason to change any trial dates, and will set Defendant Morris for trial based on Court and Counsel's schedule. Mr. Sgro advised that if Defendant Morris' trial is set before Defendant Sims' trial in September, he would have no problem, however, if Defendant Morris is set after September, Mr. Sgro stated he would like Defendant Morris to take the date set in September for Defendant Sims, and revisit the trial date for Defendant Sims. Argument by Mr. DiGiacomo as to right to a sequence of trials. Response by Mr. Sgro. Court stated that an order was not issued as to sequence. Matter trailed as Mr. Arnold was not present. Matter recalled with same parties and Mr. Arnold present. Mr. Arnold advised that Mr. Tomscheck, co-counsel, was present earlier. Mr. Arnold advised he received discovery and has submitted a request for experts, therefore he will need approximately 3-4 months to be ready. Mr. DiGiacomo stated issue with Defendant Sims' case being moved because of both of their trial schedules. Mr. Arnold advised that he will be out of the Country from July 17-26. Upon inquiry by the Court, Mr. DiGiacomo estimated two weeks for trial. As to argument on motions set for hearing on 7/22, Mr. Hendron advised he will be in a murder trial the week of July 21, before Judge Cadish which may go beyond one week. Mr. DiGiacomo suggested that Morris motion could be done on that date and other Defendants' motions on another date. Mr. Sgro requested all Defendants' motions be heard on the same date. Court stated it will discuss schedule with Judge Cadish, and Court will move argument to the end of the following week. COURT ORDERED, Defendant Morris set for trial on August 4, with Calendar Call on July 31; argument on motions RESET to 7/31. Court stated that if any motions need to be heard prior to Calendar Call date, i.e., jury questionnaire, counsel may calendar those motions to be heard on another date. CUSTODY 7/31/14 9:00 AM ARGUMENT ON MOTIONS (ALL DEFENDANTS) 7/31/14 9:00 AM CALENDAR CALL (MORRIS) 8/4/14 10:00 AM JURY TRIAL (MORRIS) ;


EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-13-287414-4

07/29/2014	CANCELED All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - On in Error</i>
07/31/2014	Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.) Matter Heard;
07/31/2014	Argument (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Argument on Motions (to be filed)</i> Off Calendar;
07/31/2014	 All Pending Motions (9:00 AM) (Judicial Officer: Herndon, Douglas W.) Matter Heard; Journal Entry Details: <i>CALENDAR CALL...ARGUMENT ON MOTIONS (to be filed) Pam Weckerly, Esq. and Marc DiGiacomo, Deputy District Attorneys, present on behalf of the State. Defendant Morris present, in custody, represented by Carl Arnold, Esq. and Joshua Tomscheck, Esq. At request of Counsel, COURT ORDERED, Trial will be RESET to start on Wednesday, August 6 at 10:30 AM, and matter will be set for a Status Check as to negotiation on August 4 at 1:30pm. Further, there was no argument as no motions were filed. CUSTODY 8/4/14 1:30 PM STATUS CHECK: NEGOTIATION 8/6/14 10:30 AM JURY TRIAL ;</i>
08/04/2014	 Status Check (1:30 PM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Negotiation</i> Off Calendar; Status Check: Negotiation Journal Entry Details: <i>Pamela Weckerly, Deputy District Attorney, present on behalf of the State. Defendant Morris present, in custody, represented by Carl Arnold, Esq. and Joshua Tomscheck, Esq. Mr. Arnold advised that they thought this matter would be negotiated, however, after meeting with family and defendant over the weekend, the case has not been resolved. Because of their efforts to try to resolve, Mr. Tomscheck advised that they did not prepare for trial, so they are not ready to proceed on Wednesday. Therefore, Mr. Tomscheck requested that trial be continued to the December 8 stack. Upon inquiry by the Court as to outstanding offer, Ms. Weckerly stated that they will continue to engage in discussions with counsel, but will rescind the current offer. Further, Ms. Weckerly submitted on request to continue trial date. COURT ORDERED, Oral request to continue trial be defense is GRANTED; Jury Trial is VACATED and RESET. Upon inquiry by the Court, Mr. Tomscheck advised that they may be filing some motions. COURT ORDERED, any motions to be filed by September 2; oppositions to be filed by September 19; replies to be filed by October 3 and motions will be set for hearing on October 9. CUSTODY 10/9/14 9:00 AM ARGUMENT ON MOTIONS (to be filed) 12/4/14 9:00 AM CALENDAR CALL 12/8/14 10:00 AM JURY TRIAL ;</i>
08/06/2014	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Judge</i>
09/02/2014	 Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Trial Setting</i> Off Calendar; Status Check: Trial Setting Journal Entry Details: <i>DEFENDANT SIMS' MOTION TO CONTINUE TRIAL SETTING...STATUS CHECK: RESETTING OF JACKSON v. DENNO HEARING (SIMS & WILLIAMS) Pam Weckerly, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, represented by Meredith Weiner, Esq. appearing for Ivette Maningo, Esq. and Anthony Sgro, Esq. Defendant Williams present, in custody, represented by Lance Hendron, Esq. Defendant Range present, in custody, represented by Michael Hyte, Esq. Defendant Morris present, in custody, not represented by Josh Tomscheck, Esq. Colloquy regarding resetting of Jackson v. Denno hearing, with Ms. Weckerly requesting it be set before October 6. Upon inquiry by the Court, counsel estimated a two hour hearing. COURT ORDERED, matter set for hearing on 9/23/14. There being no opposition, COURT ORDERED, Defendant Sims' Motion to Continue Trial is GRANTED; Calendar Call and Jury Trial for Defendant Sims and Defendant Williams are VACATED. Colloquy regarding resetting of trial for Defendant Sims and Defendant Williams, with Ms. Weckerly advising that counsel has discussed late March or early April, and estimating a 2-3 week trial. Court indicated that is a Civil Stack for the Court, however, Court will review matters that are set on that stack and trial will be reset at next hearing. Mr. Hyte requested that calendar call and jury trial for Defendant Range be vacated as he would like to schedule Defendant Range's trial after Defendants Williams and Sims. Ms. Weckerly advised that the State would like Defendant Range to follow Defendants Williams and Sims, perhaps the first part of May. COURT ORDERED, Calendar Call and Jury Trial are VACATED and will be reset at next hearing As to Defendant Morris, COURT ORDERED, December 8 trial date stands. CUSTODY (ALL DEFTS) 9/23/14 10:30 AM JACKSON v DENNO HEARING (DEFTS WILLIAMS & SIMS)... STATUS CHECK: TRIAL DATE (DEFTS WILLIAMS, SIMS & RANGE) ;</i>

CASE SUMMARY
CASE NO. C-13-287414-4

10/09/2014	 Argument (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Argument on Motions (to be filed)</i> Matter Heard; Argument on Motions (to be filed) Journal Entry Details: <i>Mr. Arnold advised that the motions have not been filed due to him being in trial and Mr. Tomsheck's schedule; further, the defense has several Motions to file. Mr. Arnold also noted he will not be ready for trial calendared for December 8, 2014. Ms. Jones advised that assigned Deputy D.A. Marc DiGiacomo had no opposition to counsel's request to continue trial; however, requested the calendar call date remain and be set as a Status Check regarding resetting of the trial. COURT ORDERED, briefing schedule SET as follows: Defense to file any Motions on or before, Tuesday, November 25, 2014; State to file opposition no later than Wednesday, December 17, 2014; defense to file a reply by January 2, 2015; matter SET for argument. COURT FURTHER ORDERED, calendar call and trial dates are VACATED; matter SET for Status Check. CUSTODY 1/6/2015 10:30 am Status Check: Argument on Motions (To Be Filed) ;</i>
12/04/2014	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Judge</i>
12/08/2014	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Judge</i>
01/06/2015	Status Check (10:30 AM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Reset Trial</i> Matter Heard;
01/06/2015	Argument (10:30 AM) (Judicial Officer: Herndon, Douglas W.) <i>Argument: Motions to be Filed</i> Matter Heard;
01/06/2015	CANCELED All Pending Motions (10:30 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - On in Error</i>
01/06/2015	 All Pending Motions (10:30 AM) (Judicial Officer: Herndon, Douglas W.) Matter Heard; Journal Entry Details: <i>Elana Graham, Deputy District Attorney, present on behalf of the State. Defendant not present in custody and represented by Alzora Jackson, Deputy Special Public Defender. Ms. Jackson advised she has been informed Defendant refused to be transported. Upon Court's inquiry, Ms. Jackson advised parties have not discussed trial dates at this time and believes matter will have to be continued. COURT ORDERED, matter OFF CALENDAR and instructed Ms. Jackson to meet and confer with all parties to discuss trial dates and contact the Court with the agreed upon date in order for an minute order to be issued setting the trial date. RECALLED. Anthony Sgro Esq. and Ivette Maningo Esq. present on behalf of Defendant Sims. Lance Hendron Esq. present on behalf of Defendant Williams. Joshua Tomsheck Esq. present on behalf of Defendant Morris. Court noted Defendants not transported for the 9:00 am calendar. Further, Court advised Ms. Jackson was previously present. Upon Court's inquiry, Mr. Sgro advised he has spoken with the State, who advised they can set the trial for any month except June. Ms. Graham confirmed the representations. Additionally, Mr. Sgro advised the statements which are the subject of the Jackson v. Denno hearing were taken by Detective Wildemann; the Detective has a catch phrase which he uses during his interviews of "do you think I can crap a lawyer right know"; which interferes with miranda rights. Further, Mr., Sgro advised he has subpoenaed the last twenty-five (25) statements prior to these statements taken in this case from Metro; however, he received the standard response letter stating the subpoena does not comply with requirements; therefore, he would request either the State's assistance or a Court order to obtain the transcripts of these statements taken. Court stated he will issue a Court order stating that Metro is to comply with the subpoena and produce the last twenty-five (25) suspect interviews conducted by Detective Wildemann. Ms. Graham stated she believes the State will have an objection to that information. Court stated he is not ordering the State to do anything at this point; however, once the information is obtained State may make any objections at that time and they will be addressed. Colloquy regarding trial scheduling. Court instructed parties to meet and confer regarding trial dates and notify the Court of the date reached; parties may contact Court for a conference call, if needed. COURT ORDERED, matter SET for Status Check as to the Jackson v. Denno hearing in three weeks. CUSTODY (ALL) 1/27/2015 9:00 AM STATUS CHECK: SET JACKSON V. DENNO HEARING ;</i>
01/27/2015	 Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) 01/27/2015, 03/17/2015

CASE SUMMARY

CASE NO. C-13-287414-4

Status Check: Set Jackson v. Denno Hearing

Continued;

Trial Date Set; Status Check: Set Jackson v. Denno Hearing

Journal Entry Details:

LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S MOTION FOR CLARIFICATION OF ORDER GRANTING DEFENDANT'S MOTION FOR PRODUCTION OF SUSPECT INTERVIEWS CONDUCTED BY DETECTIVE MARTIN WILDEMANN (DEFT. SIMS) STATE'S JOINDER TO LAS VEGAS METROPOLITAN POLICE DEPARTMENT MOTION FOR CLARIFICATION OF ORDER GRANTING DEFENDANT'S MOTION FOR PRODUCTION OF SUSPECT INTERVIEWS CONDUCTED BY DETECTIVE MARTIN WILDEMANN (DEFT. SIMS) STATUS CHECK: SET JACKSON V. DENNO HEARING (ALL DEFTS.) APPEARANCES CONTINUED: Pamela Weckerly, Chf. Dep. D.A. present on behalf of the State; Charlotte Bible, LVMPD Asst. Gen. Counsel present on behalf of Las Vegas Metropolitan Police Department. Ivette Maningo, Esq. and Melinda Weaver, Esq. present on behalf of Deft. Sims who is present in custody; Lance Hendron, Esq. present on behalf of Deft. Williams who is present in custody; Alzora Jackson, Dep. Spl. P.D. and Michael Hyte, Dep. Spl. P.D. present on behalf of Deft. Range who is present in custody; Joshua Tomscheck, Esq. present on behalf of Deft. Morris who is present in custody. COURT NOTED, Mr. Sgro contacted the Court and counsel regarding his inability to appear. Mr. Hendron stated the parties were trying to make the 3/20/15 date work; therefore, would request an additional 30 days thereafter to set the Jackson V. Denno (JVD) Hearing. Colloquy regarding the 3/20/15 date. COURT ORDERED, Las Vegas Metro Motion and State's Joinder CONTINUED to 4/20/15 9:00 AM. Upon Court's inquiry regarding whether the 5/18/15 date would work for the JVD hearing; Ms. Maningo requested additional time. COURT ORDERED, JVD hearing SET for 6/1/15 9:00 AM. Colloquy regarding a trial setting in April through June of 2016; further, colloquy regarding whether the cases would be tried together or separately and the order in which the cases would be tried. Ms. Maningo stated she would like to review the minutes regarding whether Deft. Morris trial would go first. Upon Court's inquiry regarding whether there were any conflicts with counsel's schedule on the April/May and July 2016 trial stack, counsel voiced no conflicts with the stack. Ms. Jackson stated the State was requesting Deft. Morris trial go forward first. Ms. Maningo advised she had a murder trial setting on 3/14/16 and might run into the 4/18/15 trial stack. State anticipated 3 weeks for the Co-Defendants case, 1 and 1/2 weeks for Deft. Morris trial, and 1 week for Deft. Range trial. COURT ORDERED trials SET. CUSTODY (COC) (DEFT. SIMS) // CUSTODY (DEFT. WILLIAMS, RANGE, & MORRIS) 4/20/15 9:00 AM - LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S MOTION FOR CLARIFICATION OF ORDER GRANTING DEFENDANT'S MOTION FOR PRODUCTION OF SUSPECT INTERVIEWS CONDUCTED BY DETECTIVE MARTIN WILDEMANN (DEFT. SIMS) STATE'S JOINDER TO LAS VEGAS METROPOLITAN POLICE DEPARTMENT MOTION FOR CLARIFICATION OF ORDER GRANTING DEFENDANT'S MOTION FOR PRODUCTION OF SUSPECT INTERVIEWS CONDUCTED BY DETECTIVE MARTIN WILDEMANN (DEFT. SIMS) 6/1/15 9:00 AM - JACKSON V. DENNO HEARING (ALL DEFTS) 4/14/16 9:00 AM - CALENDAR CALL (DEFT. MORRIS) 4/18/16 10:00 AM - JURY TRIAL (DEFT. MORRIS) 4/28/16 9:00 AM - CALENDAR CALL (DEFTS. SIMS & WILLIAMS) 5/2/16 10:00 AM - JURY TRIAL (DEFTS. SIMS & WILLIAMS) 6/23/16 9:00 AM - CALENDAR CALL (DEFT. RANGE) 6/27/16 10:00 AM - JURY TRIAL (DEFT. RANGE) ;

Continued;

Trial Date Set; Status Check: Set Jackson v. Denno Hearing

Journal Entry Details:

Tierra Jones, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, not represented by Mr. Maningo, Esq. Defendant Williams present, in custody, not represented by Mr. Hendron, Esq. Defendant Range present, in custody, not represented by Mr. Schieck, Esq. Defendant Morris present, in custody, not represented by Mr. Arnold, Esq. Court noted counsel is currently in trial and requested matter be continued to 2/03/15 and ORDERED, matter CONTINUED. CUSTODY (ALL) CONTINUED TO: 2/3/15 9:00 AM ;

06/16/2015



Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Denno Hearing

Matter Heard;






Journal Entry Details:

Marc DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, not represented by Melinda Weaver, Esq. Defendant Williams present, in custody, represented by Lance Hendron, Esq. Defendant Range not present, in custody, represented by Alzora Jackson, Esq. Defendant Morris present, in custody, represented by Carl Arnold, Esq. Charlotte Bible, LVMPD Asst. Gen. Counsel present on behalf of Las Vegas Metropolitan Police Department STATUS CHECK: SET JACKSON V DENNO HEARING...DEFENDANT'S MOTION FOR A PROTECTIVE ORDER Matter TRAILED and RECALLED for all parties to be present. Discussion regarding Las Vegas Metropolitan Police Department's Motion for a Protective Order. Ms. Jackson advised she has not received copies of the transcripts yet. Mr. DiGiacomo advised he was waiting for a ruling on the motion before disseminating. COURT ORDERED, motion preliminary GRANTED as to the seventeen (17) interviews; noting further discussion may be done at Jackson v Denno Hearing as well as any oppositions may be filed. Court will review the one (1) interview in question and if turned over, it will be under the protective order as well. Colloquy regarding amount of time needed for Jackson v Denno hearing. COURT FURTHER ORDERED, Jackson v. Denno SET and Status Check on motion SET. CUSTODY(COC) 9/21/15 10:00 AM JACKSON v DENNO HEARING...STATUS CHECK: LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S MOTION FOR A PROTECTIVE ORDER(SIMS) ;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-13-287414-4


07/09/2015	 Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Motion to Withdraw as Counsel for Defendant</i> Granted; Journal Entry Details: <i>Taleen Pandukht, Deputy District Attorney, present on behalf of the State. Defendant Morris present, in custody, represented by Carl Arnold, Esq. and Joshua Tomsheck, Esq. Upon Court's inquiry, Defendant indicated that he cannot afford to hire an attorney. Mr. Tomsheck advised he has associated in as counsel on this matter, noting Mr. Christensen had requested a continuance to discuss appointment. COURT ORDERED, motion GRANTED; Carl Arnold, Esq. WITHDRAWN; Joshua Tomsheck, Esq. APPOINTED; noting Court will speak with Mr. Christensen about appointing additional counsel and will place back on calendar should there be a conflict. CUSTODY ;</i>
01/25/2016	CANCELED Jackson v Denno Hearing (10:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Attorney or Pro Per</i>
01/26/2016	 Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Resetting of the Denno Hearing</i> Matter Heard; Journal Entry Details: <i>Marc DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, not represented by Ivette Maningo, Esq. Defendant Williams present, in custody, represented by Gary Guymon, Esq. Defendant Range not present, in custody, represented by Alzora Jackson, Esq. Defendant Morris present, in custody. Defendant Range not present, in custody, represented by Alzora Jackson, Deputy Special Public Defender. LANCE J. HENDRON, ESQ'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD...STATUS CHECK: RESETTING OF THE DENNO HEARING Application for Court Appointed Counsel FILED IN OPEN COURT. Upon Court s Inquiry, Mr. Guymon is available for appointment. COURT ORDERED, Lance J. Hendron s Motion to Withdraw GRANTED, Gary Guymon APPOINTED, noting appointment is necessary due to financial issue. Discussion regarding resetting of the Denno hearing. COURT ORDERED, Jackson v Denno SET. CUSTODY 3/11/16 9:00 AM JACKSON v DENNO HEARING (ALL DEFENDANTS) ;</i>
04/12/2016	 Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Calendar Call</i> Matter Heard; Journal Entry Details: <i>Marc DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Morris present, in custody, represented by Joshua Tomsheck, Esq. and Craig Drummond, Esq. Mr. DiGiacomo announced ready. Mr. Tomsheck advised the defense is not ready to proceed to trial. Following Conference at the Bench, Court stated pursuant to representations made at the bench, he understands the need for a continuance, therefore, ORDERED, trial VACATED and RESET. Mr. Tomsheck advised he spoke with the Defendant who understands the need for a continuance. Defendant concurred. CUSTODY 11/10/16 9:00 AM CALENDAR CALL 11/14/16 10:00 AM JURY TRIAL;</i>
04/15/2016	 Jackson v Denno Hearing (9:00 AM) (Judicial Officer: Herndon, Douglas W.) Off Calendar; Journal Entry Details: <i>Also present: Defendant Sims, in custody, represented by Anthony Sgro, Esq. Mr. Sgro stated for the record that two of the defendants have pled within the last two days; therefore, State has deemed the hearing moot. Further, Mr. Sgro requested a status check be set as the defense would like to review the issues and confirm a hearing is not needed. Mr. DiGiacomo noted the State does not believe the detective needs to testify due to the Court having a copy of the recording. Discussion regarding trial settings. State announced ready for trial and will submit to the Court as to the continuance. Conference at the Bench. COURT ORDERED, status check SET, Trial VACATED, noting parties will review their calendars as September 26, 2016 was discussed as a potential trial date. CUSTODY 4/28/16 9:00 AM STATUS CHECK: JACKSON V DENNO HEARING/TRIAL SETTING (BOTH) ;</i>
04/18/2016	CANCELED Jury Trial (10:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Vacated - per Judge</i>
05/05/2016	 Status Check (9:00 AM) (Judicial Officer: Herndon, Douglas W.) <i>Status Check: Jackson v Denno Hearing</i> Matter Heard; Journal Entry Details: <i>Pamela Weckerly, Deputy District Attorney, present on behalf of the State. Defendant Sims present, in custody, represented by Ivette Maningo, Esq and Anthony Sgro, Esq. Defendant Morris, in custody, represented by Craig</i>

CASE SUMMARY

CASE NO. C-13-287414-4

Drummond, Esq. Also present: Charlotte Bible, Las Vegas Metropolitan Police Department. Alzora Jackson, Special Public Defender, present on behalf of Defendant Range. Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq. Mr. Sgro advised parties have conducted further research and believe the Jackson v Denno Hearing needs to move forward. Discussion regarding witnesses they plan to call and trial setting. COURT ORDERED trial SET. COURT FURTHER ORDERED, briefing schedule SET as follows: Defense to file opposition on or before May 19, 2016; response on or before June 2, 2016; matter SET for argument. Ms. Weckerly advised Ms. Bible continues to be noticed for the court dates. Court stated she does not to be present at the future hearings. Discussion regarding in-camera review of records. Following Conference at the Bench, court stated he will provide the item discussed that was determined discoverable some time ago. Ms. Jackson noted she is present on behalf of Defendant Range and requested that she be noticed on anything related to case. COURT SO NOTED. CUSTODY 6/6/16 1:00 PM JACKSON V DENNO 9/22/16 9:00 AM CALENDAR CALL 9/26/16 10:00 AM JURY TRIAL ;

06/06/2016 **CANCELED Jackson v Denno Hearing (1:00 PM)** (Judicial Officer: Herndon, Douglas W.)
Vacated


09/22/2016  **Further Proceedings (1:30 PM)** (Judicial Officer: Herndon, Douglas W.)

Status Check on Trial

Matter Heard;

Journal Entry Details:

As to Case C287414-4, Court stated Mr. Tomscheck has communicated with the State that he will not be ready to proceed on co-defendant Morris' trial set for November. Ms. Weckerly opposed continuance of both trials. Mr. Tomscheck argued as to the necessity of developing a mitigation case and hire a specialist. Court stated there were not any motions filed by prior counsel nor was a mitigation specialist hired. State submitted. Court stated trial will be scheduled in court's civil stack. COURT ORDERED, trial VACATED and RESET; Briefing Schedule SET as follows: motions to be filed on or before January 13, 2017; State to file opposition on or before February 3, 2017; Defense to file response on or before February 17, 2017, matter SET for Argument. Court stated he intends to schedule monthly status check to ensure parties stay on track preparing for trial. COURT ORDERED, Status Check SET. As to Case C287414-1..State's Motion to Strike Defense Expert George Schiro FILED IN OPEN COURT. As to Defendant Sims Motion to Continue Trial. Ms. Maningo submitted. Ms. Weckerly noted opposition and submitted. Based on pleadings and discussions, COURT ORDERED, Motion to Continue Trial GRANTED, trial VACATED and RESET, noting motion has merit. Court stated trial dates were discussed in chambers, noting parties agreed that it would be appropriate for co-defendant's trial to be heard prior to defendant Sims' trial. Discussion as to resetting certain motions. COURT ORDERED, Motion to Suppress Defendant Maurice Sims Statement to LVMPD; Defendant's Motion to Strike Aggravating Circumstances 4, 5, and 8, and to Preclude the Presentation of Improper Evidence at Penalty Hearing; Defendant's Motion in Limine to Strike " Custodian of Records" Witnesses; and Defendant's Motion in Limine to Strike All Expert Witnesses Insufficiently Noticed Pursuant to NRS 174.234 CONTINUED. COURT FURTHER ORDERED, Briefing Schedule SET as follows: motions to be filed on or before January 13, 2017; State to file opposition on or before February 3, 2017; Defense to file response on or before February 17, 2017, matter SET for Argument. Court noted briefing schedule will apply to motions continued, as well as, any future motions. As to Defendant's Motion in Limine to Strike the State's Forensic Firearms Identification Expert; or Alternatively, to Limit the Testimony Regarding Firearm Identification, Ballistic Imagining, or Tool Mark Identification, Defense requested to withdraw the motion. COURT SO ORDERED. As to Defendant's Motion for Individual Sequestered Voir Dire, Arguments by counsel. COURT ORDERED, Ruling Deferred, noting parties may revisit if issues arise during Voir Dire. As to Defendant's Motion to Sever Count 13 (Possession of Firearm by Ex-Felon). State had no opposition. COURT ORDERED, motion GRANTED, noting counsel may prepare an amended information prior to trial. As to Motion to Strike the State's Notice of Intent to Seek the Death Penalty Pursuant to the Fourteenth Amendment, Alternatively, Pursuant to the Eight Amendment; Alternatively, Motion to Stay Proceedings. Arguments by Counsel. COURT ORDERED, matter UNDER ADVISEMENT, noting counsel may provide supplemental briefs. Mr. Sgro requested at least thirty days to research further. Court granted request, noting parties will discuss date further. As to Defendant's Motion to Sever Counts 1 & 2, Arguments by counsel. Court stated FINDINGS and ORDERED, motion DENIED. Discussion regarding witness testimony. As to Defendant's Motion to Dismiss Counts 6, 7, & 8. Arguments by counsel. Court stated FINDINGS, and ORDERED, motion DENIED. As to Motion to Limine to Preclude Admission of any Alleged Gang Affiliation of the Defendant, Ms. Sgro stated parties agreed to not introduce during the "trial phase". State concurred. Court stated parties will discuss date to return for a decision on the Motion to Strike the State's Notice of Intent to seek the Death Penalty Pursuant to the Fourteenth Amended, Alternately Pursuant to the Eighth Amendment; Alternatively, Motion to stay Proceedings at the hearing on October 6, 2016. CUSTODY 10/6/16 9:00 AM STATE'S MOTION TO RECONSIDER COURT'S RULING ON DEFENDANT'S MOTION TO COMPEL DISCOVERY BASED ON DISTRICT ATTORNEY OPEN FILE POLICY..STATUS CHECK: SUPPLEMENTAL BRIEFS/DECISION:STRIKE NOTICE OF INTENT TO SEEK DEATH PENALTY (SIMS) 10/25/16 9:00 AM STATUS CHECK: TRIAL READINESS (MORRIS) 2/23/17 9:00 AM ARGUMENT: MOTIONS (MORRIS) 3/30/17 9:00 AM CALENDAR CALL (MORRIS) 4/03/17 10:00 AM JURY TRIAL (MORRIS) 4/20/17 9:00 AM CALENDAR CALL (SIMS) 4/24/17 10:00 AM JURY TRIAL (SIMS) ;

10/25/2016  **Status Check (9:00 AM)** (Judicial Officer: Herndon, Douglas W.)

CASE SUMMARY**CASE NO. C-13-287414-4****10/25/2016, 11/17/2016, 01/12/2017***Status Check: Trial Readiness*

Continued;

Matter Heard;

Matter Heard;

Journal Entry Details:

Conference at the Bench. Court stated parties continue to prepare for trial, noting Court is going to reset the trial to the week before the setting of March 30, 2017 to allow time for the trial phase to be completed prior to April 10, 2017 as Court will not be available. Further, Court stated the Penalty Phase would be heard on April 17, 2017, if needed. COURT ORDERED, trial VACATED and RESET, noting parties to notify Court should there be any conflicts.

CUSTODY 3/23/17 9:00 AM CALENDAR CALL 3/27/2017 10:00 AM JURY TRIAL;

Continued;

Matter Heard;

Matter Heard;

Journal Entry Details:

Michelle Fleck, Deputy District Attorney, present on behalf of the State, appearing on behalf of Pamela Weckerly, Deputy District Attorney. Defendant Morris present, in custody, represented by Craig Drummond, Esq. Mr. Drummond advised he represents the defendant along with Mr. Tomscheck who is currently out of the jurisdiction. Discussion regarding briefing schedule. Mr. Drummond advised briefing schedule was set on September 22, 2016. COURT ORDERED, Status Check SET, briefing schedule STANDS. CUSTODY 1/12/17 9:00 AM STATUS CHECK: TRIAL READINESS;

Continued;

Matter Heard;


Matter Heard;

Journal Entry Details:

Marc DiGiacomo, Deputy District Attorney, present on behalf of the State. Defendant Morris present, in custody, represented by Craig Drummond, Esq. Mr. Drummond indicated they are ready for trial, noting they believe to have a mitigation expert. Mr. DiGiacomo stated that the State is anticipating to be ready as well. Court stated a briefing schedule can be set at the next hearing. Mr. Drummond advised the defense plans on filing motions in November as soon as Mr. Tomscheck is done with trial. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 11/17/16 9:00 AM;

11/10/2016 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
Vacated - per Judge

11/14/2016 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Herndon, Douglas W.)
Vacated - per Judge

02/23/2017  **Argument** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Argument: Motions

Continued;

Journal Entry Details:


ARGUMENT: SUPPLEMENTAL BRIEFS/DECISION: MOTION TO STRIKE NOTICE OF DEATH PENALTY...MOTION TO SUPPRESS DEFENDANT MAURICE SIMS STATEMENT TO LVMPD, DEFENDANT'S MOTION IN LIMINE TO STRIKE " CUSTODIAN OF RECORDS" WITNESSES...DEFENDANT'S MOTION IN LIMINE TO STRIKE ALL EXPERT WITNESSES INSUFFICIENTLY NOTICED PURSUANT TO NRS 174.234...DEFENDANT'S MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE...STATE'S MOTION TO STRIKE DEFENSE EXPERT GEORGE SCHIRO...DEFENDANT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES 4, 5, AND 8 AND TO PRECLUDE THE PRESENTATION OF IMPROPER EVIDENCE AT PENALTY HEARING As to Defendant Sims, Court stated there are additional motions that are scheduled to be heard next Tuesday, therefore, he is going to continue all motion set for today. COURT ORDERED, matter CONTINUED. As to Defendant Morris, Court stated there are not any motions on calendar for Deft. Morris. Mr. Tomscheck concurred and noted that the defense met with their mitigation expert yesterday. Further, counsel believes the defense is going to need additional time to prepare for trial, noting the mitigation expert indicated she needs six months to complete everything. Court stated he is not going to vacate the trial date at this point, advising counsel to continue to prepare for trial for March 27, 2017. Counsel may file a written motion closer to the trial date should the defense be in the same position. Mr. Drummond advised Dr. Paglini would like to review all the school records prior to completing the full evaluation, noting the defense is still waiting to receive them. Court noted case is four years old. Ms. Weckerly noted opposition to any continuance, noting she will provide the Court with jury questionnaire this Friday. 2/28/17 9:00 AM MOTIONS (SIMS) CLERK'S NOTE: Following Court hearing, parties stipulated to reset all motions to March 23, 2017. dm;

03/23/2017 **Calendar Call** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

CASE SUMMARY
CASE NO. C-13-287414-4


Matter Heard;

03/23/2017 **Motion** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
State's Motion to File an Amended Indictment
Granted;

03/23/2017  **All Pending Motions** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
Matter Heard;
Journal Entry Details:
Also present: Ivette Maningo, Esq. and Alecia Exley, Esq. present on behalf of Defendant Sims. STATE'S MOTION TO FILE AN AMENDED INDICTMENT...CALENDAR CALL Court stated matter is on calendar for calendar call as to Mr. Morris, noting a motion to continue trial was filed, however, was not calendared until April 4 but will be heard today. Further, Mr. Sims's matter was on calendar for several motions as well as both defendants are on for the State's motion to file an indictment. Court stated he received an opposition from Ms. Maningo and a joinder, noting he did not receive a reply from the State. Ms. Weckerly advised the State is not going to file a reply and argued in support of motion. Arguments by Ms. Maningo and Mr. Tomscheck. COURT ORDERED, motion to continue trial GRANTED. As to the motion to file amended indictment, Court stated FINDINGS and ORDERED, motion GRANTED. Discussion regarding trial settings. COURT FURTHER ORDERED, trial VACATED and RESET; Status Check SET. Upon Court's inquiry, parties agreed to reset all motions relating to defendant Sims that are calendared for today to April 20. COURT SO ORDERED. CUSTODY 4/20/17 9:00 AM STATUS CHECK: TRIAL READINESS (BOTH) 4/20/17 9:00 AM MOTIONS (SIMS)...ARGUMENT: SUPPLEMENTAL BRIEFS/DECISION: MOTION TO STRIKE NOTICE OF DEATH PENALTY..MOTION TO SUPPRESS DEFENDANT MAURICE SIMS' STATEMENT TO LVMPD..DEFENDANT'S MOTION IN LIMINE TO STRIKE "CUSTODIAN OF RECORDS" WITNESSES...DEFENDANT'S MOTION IN LIMINE TO STRIKE ALL EXPERT WITNESSES INSUFFICIENTLY NOTICED PURSUANT TO NRS 174.234....DEFENDANT'S MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE...STATE'S MOTION TO STRIKE DEFENSE EXPERT GEORGE SCHIRO DEFENDANT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES 4, 5, AND 8; AND TO PRECLUDE THE PRESENTATION OF IMPROPER EVIDENCE AT PENALTY HEARING 9/14/17 9:00 AM CALENDAR CALL (MORRIS) 9/18/17 10:00 AM JURY TRIAL (MORRIS) 10/19/17 9:00 AM CALENDAR CALL (SIMS) 10/23/17 10:00 AM JURY TRIAL (SIMS);

03/27/2017 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Herndon, Douglas W.)
Vacated - per Judge

04/04/2017 **CANCELED Motion to Continue Trial** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)
Vacated - per Judge
Defendant's Motion to Continue Calendar Call and Trial Date

04/20/2017  **Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Maddox, William)
04/20/2017, 04/24/2017, 06/27/2017
Continued;
Continued;
Matter Heard;
Journal Entry Details:
MOTION TO SUPPRESS DEFENDANT MAURICE SIMS STATEMENT TO LVMPD..DEFENDANT'S MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE..STATUS CHECK: TRIAL READINESS Also present: Deft. Sims present, in custody, represented by Ivette Maningo, Esq. Mr. Tomscheck advised Mr. Morris is on calendar for trial readiness, noting the defense anticipates being ready for the September trial date. As to Mr. Sims, Ms. Maningo stated chambers advised parties that the motions are going to be continued to July 11 to allow Judge Herndon to hear them. Ms. Weckerly concurred, noting the State will be ready for both trials. Ms. Maningo stated this is a 250 case, however, the defense is waiving the presence of co-counsel since they are just getting a new date. COURT ORDERED, motions CONTINUED. CUSTODY 7/11/17 9:00 AM MOTION TO SUPPRESS DEFENDANT MAURICE SIMS STATEMENT TO LVMPD..DEFENDANT'S MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE..STATUS CHECK: TRIAL READINESS (SIMS);
Continued;
Continued;
Matter Heard;
Journal Entry Details:
Also present: Defendant Sims, represented by Tony Sgro, Esq. and Ivette Maningo, Esq. Court stated Deft. Morris is on calendar for a status check regarding trial readiness. Mr. Tomscheck advised Mr. Drummond will be present as he is on his way from another hearing. Further, Mr. Tomscheck stated the defense needs until September to be fully prepared for

CASE SUMMARY

CASE NO. C-13-287414-4

the penalty phase of the trial, noting everything is going according to plan at this time. Upon Court's inquiry, Mr. Tomsheck stated the defense has the same mitigation expert. Discussion regarding jury questionnaire and filing of motions relating to Deft. Morris. COURT ORDERED, Briefing Schedule SET as follows: defense to file any motions by July 14, 2017, State to file any opposition on or before August 4, 2017; Defense to file reply on or before August 11, 2017; matter SET for Argument; Status Check SET in sixty (60) days. Mr. Tomsheck inquired if the Court will be keeping this case for trial. Court stated departments who will be hearing murder trials will keep whatever murder trial they have as well as absorbing any murder trials. Discussion regarding pilot project. Discussion as to State's Motion to Strike the Defense Expert, George Schiro and the Defense Notice to Strike State's Experts for Insufficient Notice. Court stated motions were based on a timeliness issues and believes they are moot, however, may be re-raised prior to trial. COURT ORDERED, motions OFF CALENDAR as moot. Mr. DiGiacomo stated there is one other issue that needs to be address as to the motion to strike custodian of records, noting issue of getting curriculum vitae for the custodians that the State is going to call. Arguments by counsel. Court stated he will sign a Court Order if AT & T will not designate a specific expert and may be discussed further at the last status check prior to trial. As to Defendant's Motion for Evidentiary Hearing to Determine Methodology Utilized by State to Determine Death Penalty Eligibility in this Case, Ms. Maningo stated there was no opposition filed by the State. Mr. DiGiacomo advised an opposition was not filed as he thought it was a supplement to one of the defense motions, however, the State objects. Court requested the State file a written opposition. COURT ORDERED, motion CONTINUED. As to Defendant's Motion To Strike Aggravating Circumstances 4, 5, and 8; and to Preclude the Presentation of Improper Evidence at Penalty Hearing, Ms. Maningo stated she believes the State is arguing the motion is premature, noting motion was filed early as there is not much time in between a verdict and the start of penalty. Arguments by Mr. DiGiacomo. Ms. Maningo stated the defense is fine with deferring argument until after the verdict, noting the defense will be arguing more aggravators. Ms. Maningo stated the defense will file a supplement to make sure the pleading is clear. COURT ORDERED, matter OFF CALENDAR, noting parties to determine when hearing will be heard after verdict is rendered. As to Motion to Suppress Defendant Maurice Sims Statement to LVMPD. Ms. Weckerly stated she believes the Court made a ruling previously on motion, however, may have left the issue open in case the defense wanted to file a supplement. Court concurred with Ms. Weckerly, noting nothing new has been filed and he believes there was discussion and did not believe there was anything in there upon which he would grant a motion to suppress. Ms. Maningo requested an opportunity to go back through the transcripts and minutes to make sure parties are clear and address it with the Court again if necessary. COURT ORDERED, motion CONTINUED. As to Motion to Strike State's Notice of Death Penalty, Mr. Sgro provided a CD to be marked as Defense AA and admitted as a Court Exhibit. (See worksheets). Further, Mr. Sgro requested to play a CD which was a portion of a hearing relative to A.B. 237. Arguments by Mr. Sgro, requesting an Evidentiary Hearing to review the protocols and see if they violate the Eighth Amendment. CD was played. Further arguments by Mr. Sgro. Matter recessed and resumed. Same parties present. Arguments by Mr. DiGiacomo and Mr. Sgro. Court DENIED, request for evidentiary hearing, noting it is not appropriate at this time. Discussion regarding resetting of the two motions. Upon Court's inquiry, Ms. Weckerly requested two weeks to file an opposition to the methodology motion. COURT ORDERED, Briefing Schedule SET as follows: State to file opposition on or before May 12, 2017, defense to reply on or before May 26, 2017, matter SET for argument. COURT FURTHER ORDERED, Status Check SET. CUSTODY (BOTH) 6/27/17 9:00 AM TRIAL READINESS (MORRIS) 6/27/17 9:00 AM MOTION TO SUPPRESS DEFENDANT SIMS STATEMENT TO LVMP...MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE 8/16/17 9:00 AM ARGUMENT: MOTIONS (MORRIS);
Continued;
Continued;
Matter Heard;
Journal Entry Details:
Court stated the attorneys spoke with his Judicial Executive Assistant and would like motions to be heard on Monday at 10:00 a.m. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 4/24/17 10:00 AM ;

08/16/2017



Argument (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Argument: Motions
Matter Heard;
Journal Entry Details:

Also present: Codefendant Sims, in custody, represented by Ivette Maningo, Esq. Ms. Maningo requested Court waive Mr. Christensen's appearance, noting there are no issues at this time. Discussion regarding trial date. COURT ORDERED, trial VACATED and RESET, matter SET for Status Check. Court stated it is his understanding that parties anticipate being ready as to Mr. Morris for the September 18, 2017 trial date. Mr. Tomsheck concurred, noting the only possible issue would be the medical procedure for his client that he has spoken to the State and Court about previously. Court requested counsel speak to the jail about making arrangements and inform the Court if there are any issues. Upon Court's inquiry, Ms. Weckerly concurred there was an offer extended of life without sentence, noting parties will continue to have discussions. COURT ORDERED, calendar call VACATED and RESET. Discussion regarding jury questionnaire. Mr. Tomsheck requested the trial be dark on September 29. Court stated that would not be a problem. CUSTODY 8/31/17 9:00 AM CALENDAR CALL (MORRIS) 10/19/17 9:00 AM STATUS CHECK: TRIAL READINESS (SIMS) 1/18/18 9:00 AM CALENDAR CALL (SIMS) 1/29/18 10:00 AM JURY TRIAL (SIMS) ;

08/31/2017



Calendar Call (9:00 AM) (Judicial Officer: Herndon, Douglas W.)


CASE SUMMARY

CASE NO. C-13-287414-4

Matter Heard;

Journal Entry Details:

Mr. Tomscheck stated parties are ready for trial set for September 18, 2017. Discussion regarding jury questionnaire. COURT ORDERED, matter SET for Status Check to review the questionnaires. Court will contact counsel when questionnaires are available to pick up. CUSTODY 9/14/17 1:00 PM STATUS CHECK: JURY QUESTIONNAIRES;

09/08/2017  **Entry of Plea** (9:00 AM) (Judicial Officer: Adair, Valerie)

Plea Entered;

Journal Entry Details:

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. MORRIS ARRAIGNED AND PLED GUILTY TO COUNT 3- CONSPIRACY TO COMMIT BURGLARY (GM), COUNT 4- BURGLARY WHILE IN POSSESSION OF A FIREARM (F), COUNT 5 - CONSPIRACY TO COMMIT ROBBERY, COUNTS 6 - 8, ROBBERY WITH USE OF DEADLY WEAPON (F), COUNT 9 - CONSPIRACY TO COMMIT MURDER (F), COUNTS 10 and 11 - MURDER WITH USE OF A DEADLY WEAPON (F) and COUNT 12 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F). Mr. Digiacomo advised Counts 1, 2 and 13 will be dismissed. Mr. Digiacomo further advised the Notice of Intent to Seek the Death Penalty is WITHDRAWN. Court ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. CUSTODY 11/16/17 9:00 AM;


09/13/2017 **CANCELED Status Check** (10:30 AM) (Judicial Officer: Herndon, Douglas W.)

Vacated

Status Check: Jury Questionnaires

09/18/2017 **CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Herndon, Douglas W.)

Vacated

11/16/2017  **Sentencing** (9:00 AM) (Judicial Officer: Herndon, Douglas W.)

Defendant Sentenced;

Journal Entry Details:

Ms. Cannizzaro advised Ms. Weckerly will be present shortly. Matter TRAILED and RECALLED. Ms. Weckerly now present. Ms. Weckerly noted there are five victim speakers present today. DEFT MORRIS ADJUDGED GUILTY of COUNT 3 - CONSPIRACY TO COMMIT BATTERY (GM), COUNT 4 - BATTERY WITH A DEADLY WEAPON (F), COUNT 5 - CONSPIRACY TO COMMIT ROBBERY (F), COUNTS 6, 7, & 8 - ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT 9 - CONSPIRACY TO COMMIT MURDER (F), COUNTS 10 & 11 - MURDER WITH USE OF A DEADLY WEAPON (F), and COUNT 12 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F). Arguments by counsel. Statement by Defendant. Victim Speakers sworn and testified. COURT ORDERED, in addition to the \$25.00 Administrative Assessment Fee, \$150.00 DNA Analysis Fee including testing to determine genetic markers, \$250.00 Indigent Defense Civil Assessment Fee, \$3.00 DNA Collection Fee, and a \$250.00 Fine, Deft. SENTENCED on COUNT 3 to THREE HUNDRED SIXTY SIXTY-FIVE (365) DAYS in the Clark County Detention Center (CCDC), COUNT 4 to a MINIMUM of SEVENTY-TWO (72) DAYS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 5 to a MINIMUM of TWENTY-EIGHT (28) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 6 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with a AGGREGATE sentence of a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 7 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with a AGGREGATE sentence of a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 8 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with a AGGREGATE sentence of a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 9 to a MINIMUM of FORTY-EIGHT (48) MONTHS to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 10 to a term of LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE, PLUS a CONSECUTIVE sentence of a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-13-287414-4

(NDC) for Deadly Weapon Enhancement, CONCURRENT with Count 3, COUNT 11 to a term of LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE, PLUS a CONSECUTIVE sentence of a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC) for Deadly Weapon Enhancement, CONSECUTIVE to Count 10, and on COUNT 12 to a MINIMUM of NINETY-SIX (96) MONTHS to a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with an AGGREGATE sentence of a MINIMUM of ONE HUNDRED FORTY-FOUR (144) MONTHS and a MAXIMUM of THREE HUNDRED SIXTY (360) MONTHS in the Nevada Department of Corrections (NDC), CONSECUTIVE to Count 11, with ONE THOUSAND SEVEN HUNDRED SEVENTY (1,070) DAYS credit for time served. COURT FURTHER ORDER, all remaining count DISMISSED. BOND, if any, EXONERATED. NDC;

DATE

FINANCIAL INFORMATION

Defendant Morris, Daron

Total Charges

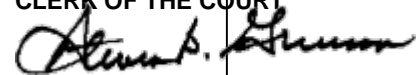
683.00

Total Payments and Credits

5.00

Balance Due as of 3/14/2022

678.00



DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DARON MORRIS, #2797197

Defendant.

CASE NO. C-13-287414-4

DEPT. NO. III

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 3 – CONSPIRACY TO COMMIT BURGLARY (Gross Misdemeanor – NRS 199.480, 205.060); COUNT 4 – BURGLARY WHILE IN POSSESSION OF A FIREARM (Category B Felony – NRS 205.060); COUNT 5 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony – NRS 199.480, 200.380); COUNTS 6, 7 & 8 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony – NRS 200.380, 193.165); COUNT 9 – CONSPIRACY TO COMMIT MURDER (Category B Felony – NRS 199.480, 200.010); COUNTS 10 & 11 – MURDER WITH USE OF A DEADLY WEAPON (Category A Felony – NRS 200.010, 200.030, 193.165) and COUNT 12 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony – NRS 200.010, 200.030, 193.330, 193.165), thereafter, on the 16th day of November, 2017, the Defendant was present in court for sentencing with his counsel CRAIG DRUMMOND, Esq., and JOSH TOMSHECK, Esq., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee,

<input type="checkbox"/> Nolle Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent. (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input type="checkbox"/> Transferred (before/during trial)	<input type="checkbox"/> Conviction
<input type="checkbox"/> Other Manner of Disposition	

1 including testing to determine genetic markers, , \$250.00 Indigent Defense Civil
2 Assessment Fee, \$3.00 DNA Collection Fee, and a \$250.00 Fine, the Defendant is
3 sentenced as follows:

4 COUNT 3 – to THREE HUNDRED SIXTY-FIVE (365) DAYS in the Clark
5 County Detention Center (CCDC);

6 COUNT 4 – to a MINIMUM of SEVENTY-TWO (72) MONTHS and a
7 MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of
8 Corrections (NDC); COUNT 4 is to run CONCURRENT with COUNT 3

9 COUNT 5 - to a MINIMUM of TWENTY-EIGHT (28) MONTHS and a
10 MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of
11 Corrections (NDC); COUNT 5 is to run CONCURRENT with COUNT 3

12 COUNT 6 - to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM
13 of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of
14 Corrections (NDC); PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-
15 EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS
16 in the Nevada Department of Corrections (NDC) for the Deadly Weapon
17 Enhancement, with a TOTAL AGGREGATE sentence of a MINIMUM of ONE
18 HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300)
19 MONTHS in the Nevada Department of Corrections (NDC); COUNT 6 is to run
20 CONCURRENT with COUNT 3;

21 COUNT 7 - to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM
22 of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of
23 Corrections (NDC); PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-
24 EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS
25 in the Nevada Department of Corrections (NDC) for the Deadly Weapon
26 Enhancement, with a TOTAL AGGREGATE sentence of a MINIMUM of ONE
27 HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300)
28 MONTHS in the Nevada Department of Corrections (NDC); COUNT 7 is to run

1 CONCURRENT with COUNT 3;

2 COUNT 8 - to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM
3 of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of
4 Corrections (NDC); PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-
5 EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS
6 in the Nevada Department of Corrections (NDC) for the Deadly Weapon
7 Enhancement, with a TOTAL AGGREGATE sentence of a MINIMUM of ONE
8 HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300)
9 MONTHS in the Nevada Department of Corrections (NDC); COUNT 8 is to run
10 CONCURRENT with COUNT 3;

11 COUNT 9 – to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM
12 of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of
13 Corrections (NDC); COUNT 9 is to run CONCURRENT with COUNT 3;

14 COUNT 10 – LIFE in the Nevada Department of Corrections (NDC) WITHOUT
15 the POSSIBILITY OF PAROLE, PLUS a CONSECUTIVE sentence of a MINIMUM of
16 NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240)
17 MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon
18 Enhancement; COUNT 10 is to run CONCURRENT with COUNT 3;

19 COUNT 11 - LIFE in the Nevada Department of Corrections (NDC) WITHOUT
20 the POSSIBILITY OF PAROLE, PLUS a CONSECUTIVE sentence of a MINIMUM of
21 NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240)
22 MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon
23 Enhancement; COUNT 11 is to run CONSECUTIVE with COUNT 10;

24 COUNT 12 – to a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of
25 TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections
26 (NDC), PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48)
27 MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the
28 Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with

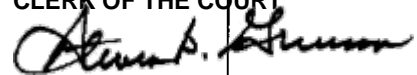
1 a TOTAL AGGREGATE sentence of a MINIMUM of ONE HUNDRED FORTY-FOUR
2 (144) MONTHS and a MAXIMUM of THREE HUNDRED SIXTY (360) MONTHS in the
3 Nevada Department of Corrections (NDC); COUNT 12 is to run CONSECUTIVE to
4 COUNT 11; ALL REMAINING COUNTS ARE DISMISSED.

5 The Defendant is to receive ONE THOUSAND SEVEN HUNDRED SEVENTY
6 (1,770) DAYS credit for time served.

7
8 DATED this 20th day of November, 2017.

9
10
11 
DOUGLAS W. HERNDON
DISTRICT JUDGE

12 msf



DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DARON MORRIS, #2797197

Defendant.

CASE NO. C-13-287414-4

DEPT. NO. III

AMENDED JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 3 – CONSPIRACY TO COMMIT BURGLARY (Gross Misdemeanor – NRS 199.480, 205.060); COUNT 4 – BURGLARY WHILE IN POSSESSION OF A FIREARM (Category B Felony – NRS 205.060); COUNT 5 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony – NRS 199.480, 200.380); COUNTS 6, 7 & 8 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony – NRS 200.380, 193.165); COUNT 9 – CONSPIRACY TO COMMIT MURDER (Category B Felony – NRS 199.480, 200.010); COUNTS 10 & 11 – MURDER WITH USE OF A DEADLY WEAPON (Category A Felony – NRS 200.010, 200.030, 193.165) and COUNT 12 – ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony – NRS 200.010, 200.030, 193.330, 193.165), thereafter, on the 16th day of November, 2017, the Defendant was present in court for sentencing with his counsel CRAIG DRUMMOND, Esq., and JOSH TOMSHECK, Esq., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee,

1 including testing to determine genetic markers, , \$250.00 Indigent Defense Civil
2 Assessment Fee, \$3.00 DNA Collection Fee, and a \$250.00 Fine, the Defendant is
3 sentenced as follows:

4 COUNT 3 – to THREE HUNDRED SIXTY-FIVE (365) DAYS in the Clark
5 County Detention Center (CCDC);

6 COUNT 4 – to a MINIMUM of SEVENTY-TWO (72) MONTHS and a
7 MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of
8 Corrections (NDC); COUNT 4 is to run CONCURRENT with COUNT 3

9 COUNT 5 - to a MINIMUM of TWENTY-EIGHT (28) MONTHS and a
10 MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of
11 Corrections (NDC); COUNT 5 is to run CONCURRENT with COUNT 3

12 COUNT 6 - to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM
13 of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of
14 Corrections (NDC); PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-
15 EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS
16 in the Nevada Department of Corrections (NDC) for the Deadly Weapon
17 Enhancement, with a TOTAL AGGREGATE sentence of a MINIMUM of ONE
18 HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300)
19 MONTHS in the Nevada Department of Corrections (NDC); COUNT 6 is to run
20 CONCURRENT with COUNT 3;

21 COUNT 7 - to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM
22 of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of
23 Corrections (NDC); PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-
24 EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS
25 in the Nevada Department of Corrections (NDC) for the Deadly Weapon
26 Enhancement, with a TOTAL AGGREGATE sentence of a MINIMUM of ONE
27 HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300)
28 MONTHS in the Nevada Department of Corrections (NDC); COUNT 7 is to run

1 CONCURRENT with COUNT 3;

2 COUNT 8 - to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM
3 of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of
4 Corrections (NDC); PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-
5 EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS
6 in the Nevada Department of Corrections (NDC) for the Deadly Weapon
7 Enhancement, with a TOTAL AGGREGATE sentence of a MINIMUM of ONE
8 HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300)
9 MONTHS in the Nevada Department of Corrections (NDC); COUNT 8 is to run
10 CONCURRENT with COUNT 3;

11 COUNT 9 - to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM
12 of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of
13 Corrections (NDC); COUNT 9 is to run CONCURRENT with COUNT 3;

14 COUNT 10 - LIFE in the Nevada Department of Corrections (NDC) WITHOUT
15 the POSSIBILITY OF PAROLE, PLUS a CONSECUTIVE sentence of a MINIMUM of
16 NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240)
17 MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon
18 Enhancement; COUNT 10 is to run CONCURRENT with COUNT 3;

19 COUNT 11 - LIFE in the Nevada Department of Corrections (NDC) WITHOUT
20 the POSSIBILITY OF PAROLE, PLUS a CONSECUTIVE sentence of a MINIMUM of
21 NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240)
22 MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon
23 Enhancement; COUNT 11 is to run CONSECUTIVE with COUNT 10;

24 COUNT 12 - to a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of
25 TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections
26 (NDC), PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48)
27 MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the
28 Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with

1 a TOTAL AGGREGATE sentence of a MINIMUM of ONE HUNDRED FORTY-FOUR
2 (144) MONTHS and a MAXIMUM of THREE HUNDRED SIXTY (360) MONTHS in the
3 Nevada Department of Corrections (NDC); COUNT 12 is to run CONSECUTIVE to
4 COUNT 11; ALL REMAINING COUNTS ARE DISMISSED.

5 The Defendant is to receive ONE THOUSAND SEVEN HUNDRED SEVENTY
6 (1,770) DAYS credit for time served.

7 THEREAFTER, on the 16th day of April, 2018, the Court finds, in accordance
8 with NRS 176.035, the date of the above crimes having been committed prior to July 1,
9 2014, the sentences do not meet the aggregation standard and therefore, the Court will
10 administratively amend the Judgment of Conviction to REMOVE THE AGGREGATE
11 SENTENCE. All remaining sentences stand.

12
13 DATED this 16th day of April, 2018.

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16 DOUGLAS W. HERNDON
17 DISTRICT JUDGE

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msf

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 13, 2013

C-13-287414-4 State of Nevada
vs
Daron Morris

February 13, 2013 11:45 AM Grand Jury Indictment

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Courtroom 03F

COURT CLERK: Shelly Landwehr

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT: Di Giacomo, Marc P. Attorney
State of Nevada Plaintiff

JOURNAL ENTRIES

- Chris Pace, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 12AGJ110D to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-13-287414-4, Department 3. Mr. DiGiacomo requested a warrant and argued bail. COURT ORDERED, NO BAIL BENCH WARRANT WILL ISSUE. FURTHER, Exhibit(s) 1-17 lodged with Clerk of District Court. Matter SET for arraignment.

B.W.

02/21/13 9:00 AM INITIAL ARRAIGNMENT (DC 3)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 21, 2013

C-13-287414-4 State of Nevada
 vs
 Daron Morris

February 21, 2013 9:00 AM All Pending Motions

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- INITIAL ARRAIGNMENT...INDICTMENT WARRANT RETURN

Pam Weckerly, Deputy District Attorney, present on behalf of the State.
Defendant Morris present, in custody, represented by Carl Arnold, Esq.

DEFENDANT MORRIS ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE.
COURT ORDERED, matter set for trial. Further, COURT ORDERED, counsel will have 21 days from receipt of the Grand Jury transcript to file any writs.

Conference at the Bench. Court stated it understands that this case has gone before the Death Penalty committee, therefore, COURT ORDERED, matter CONTINUED for a Status Check as to their decision and also as to a briefing schedule. Court directed counsel to discuss a briefing schedule prior to next hearing date.

CUSTODY

3/19/13 9:00 AM STATUS CHECK: DEATH PENALTY/BRIEFING SCHEDULE

C-13-287414-4

2/27/14 9:00 AM CALENDAR CALL

3/3/14 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 19, 2013**

C-13-287414-4 State of Nevada
vs
Daron Morris

March 19, 2013	9:00 AM	Status Check	Status Check: Death Penalty Review/Briefing Schedule
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HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Deputy District Attorney present on behalf of the State.
 Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq.
 Defendant Williams present, in custody, represented by Lance Hendron, Esq.
 Defendant Range present, in custody, represented by Alzora Jackson, Deputy Special Public
 Defender.
 Defendant Morris present, in custody, without counsel, Carl Arnold, Esq.

Court stated that it will proceed as to Defendants Simms, Williams and Range and recall matter when Mr. Arnold is present for Defendant Morris.

Ms. Jackson advised that Michael Hyte, Deputy Special Public Defender, also represents Defendant Range, however, Mr. Hyte is not present today.

Mr. DiGiacomo advised that a Notice of Intent to Seek the Death Penalty was filed as to Defendant

Simms and Defendant Morris, but was not filed as to Defendant Range or Defendant Williams.

Court stated it would like to set a status check every 90 days to make sure that the trial date can be maintained. COURT ORDERED a Status Check will be set at 9am on June 18, September 17, December 17 and February 4. As to motions, Court will set a briefing schedule. COURT ORDERED, all motions to be filed by October 1, any oppositions to be filed by November 1, and any replies to be filed by December 2, with argument on motions to be set for January 7 at 9am. Further, COURT ORDERED, any Motions to Sever to be filed by June 3. Mr. DiGiacomo advised that they may be able to resolve without the need to file an opposition. COURT ORDERED, Motion to Sever and how to proceed will be discussed at Status Check which is set for June 18.

Mr. Hendron requested a thirty-day extension to file a Writ. For the record, Mr. DiGiacomo objected. COURT ORDERED, GRANTED as to all Defendants; Counsel will have thirty days from today to file any Writs.

MATTER RECALLED:

Marc DiGiacomo, Deputy District Attorney, present on behalf of the State..
Defendant Morris present, in custody, represented by Carl Arnold, Esq.

Conference at the Bench.

Court stated that the State intends to seek the Death Penalty as to Defendant Morris. Court also stated the series of status checks which were set, briefing schedule for motions, and the thirty day extension for the filing of any writs.

As this is a Death Penalty case, Mr. Arnold advised that he will discuss with Drew Christiansen about having another attorney appointed. COURT ORDERED, matter set for a Status Check as to appointment of second counsel for Defendant Morris.

CUSTODY (ALL)

4/2/13 9:00 AM STATUS CHECK: APPOINTMENT OF SECOND ATTORNEY (MORRIS)

6/18/13 9:00 AM STATUS CHECK; PENDING ISSUES/MOTION TO SEVER (ALL)

9/17/13 9:00 AM STATUS CHECK (ALL)

12/17/13 9:00 AM STATUS CHECK (ALL)

1/7/14 9:00 AM ARGUMENT ON MOTIONS (ALL)

2/4/14 9:00 AM STATUS CHECK (ALL)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 02, 2013

C-13-287414-4 State of Nevada
 vs
 Daron Morris

April 02, 2013 9:00 AM Status Check

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carol Green
 Tia Everett

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pam Weckerly, Deputy District Attorney, present on behalf of the State. Defendant present in custody and represented by Carl Arnold Esq.

Mr. Arnold advised he spoke with Drew Christensen, who is out of the office until 4/08/2013, although he believes second counsel will be appointed. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 4/23/2103 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 23, 2013

C-13-287414-4 State of Nevada
 vs
 Daron Morris

April 23, 2013

9:00 AM

Status Check

**Status Check:
Appointment of
Second Counsel**

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Maria Lavell, Deputy District Attorney, present on behalf of the State.
Defendant Morris present, in custody, represented by Carl Arnold, Esq.

Conference at the Bench. COURT ORDERED, matter CONTINUED. Court advised that it will
contact Drew Christensen's office.

CUSTODY

CONTINUED TO: 5/7/13 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 07, 2013**

C-13-287414-4 State of Nevada
vs
Daron Morris

May 07, 2013**9:00 AM****Status Check**

**Status Check:
Appointment of
Second Counsel**

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Maria Lavell, Deputy District Attorney, present on behalf of the State.
Defendant not present nor represented by counsel, Carl Arnold, Esq.

COURT ORDERED, matter CONTINUED to 5/21/13 and Petition for Writ of Habeas Corpus set for hearing on 5/21 is CONTINUED to 6/18 to be heard with Petitions filed by co-defendants.

CUSTODY

5/21/13 9:00 AM STATUS CHECK: APPOINTMENT OF SECOND COUNSEL

6/18/13 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****May 21, 2013**

C-13-287414-4 State of Nevada
vs
Daron Morris

May 21, 2013**9:00 AM****Status Check**

**Status Check:
Appointment of
Second Counsel**

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carol Green
Tia Everett

RECORDER:**REPORTER:** Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Megan Thomson, Deputy District Attorney, present on behalf of the State.
Defendant Morris present, in custody, represented by Carl Arnold, Esq.

Court advised that he spoke with Drew Christensen as to the general policy and was advised that the County's position is that statutorily if a Defendant has retained counsel, there is no obligation to appoint a second counsel, however, Defendant may be entitled to ancillary defense costs. Court stated it did not discuss if Defendant was indigent, whether Mr. Arnold could be appointed. Mr. Arnold advised that he discussed that with Mr. Christensen and if Defendant is indigent, Mr. Arnold would not be appointed. Mr. Arnold advised that the family wants him to represent the Defendant. Court directed Mr. Arnold that he could apply for witness fees, investigative fees and other things.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 18, 2013

C-13-287414-4 State of Nevada
 vs
 Daron Morris

June 18, 2013

9:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

PARTIES

PRESENT:

JOURNAL ENTRIES

- STATUS CHECK: PENDING ISSUES/MOTION TO SEVER (ALL DEFENDANTS)... PETITION FOR WRIT OF HABEAS CORPUS (DEFENDANTS SIMS, WILLIAMS AND MORRIS)

Parker Brooks, Deputy District Attorney, present on behalf of the State.

Defendant Sims present, in custody, represented by Tony Scow, Esq.

Defendant Williams present, in custody, represented by Lance Hendron, Esq.

Defendant Range present, in custody, represented by Alzora Jackson and Michael Hyte, Deputy Special Public Defenders.

Defendant Morris present, in custody, represented by Carl Arnold, Esq.

Court noted that parties have agreed to continue hearing on writ and time is needed to respond to Motions to Sever. Upon inquiry by the Court, Mr. Brooks advised that no motion to sever has been filed, but they are not due until June 3. COURT ORDERED, Writ and Motion to Sever will be heard on July 30. Court advised the State to review motions to sever and if in agreement, advise counsel and the Court.

CUSTODY

7/30/13 9:00 AM PETITION FOR WRIT OF HABEAS CORPUS...MOTION TO SEVER

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 08, 2013**

C-13-287414-4 State of Nevada
vs
Daron Morris

August 08, 2013 9:00 AM All Pending Motions

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Tia Everett**RECORDER:****REPORTER:** Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark Digiacomio and Pam Weckerly, Deputy District Attorneys, present on behalf of the State. Defendant Sims present in custody and represented by Ivette Maningo Esq. and Anthony Sgro Esq. Defendant Williams present in custody and represented by Lance Hendron Esq. Defendant Range present in custody and represented by Alzora Jackson, Deputy Special Public Defender. Defendant Morris present in custody and represented by Carl Arnold Esq.

COURT ORDERED, as to Defendant Range, Motion to Sever GRANTED based on the stipulation between the parties. Court stated he will address Mr. Sgro's request for a stay before the motions to sever. Mr. Digiacomio stated Defendant Morris may or may not want a severance; however, should Defendant Morris seek a severance, he believes the State would agree as the State intends to use the statements of Defendants Williams and Simms against Defendant Morris at trial. Upon Court's inquiry, Mr. Arnold advised he does not intend to seek a severance and the State's intent to use co-defendants statements at trial was not a factor in his decision. Mr. Sgro argued all statements made could be detrimental to Defendant Morris and he believes by Mr. Arnold not seeking a severance for Defendant Morris in this case, the other co-defendant s rights are being affected. Further, Mr. Sgro argued the fact that Mr. Arnold is not 250 qualified further affects the co-defendants rights and stated if the Court is inclined to deny the motion to sever he would request the Court stay the case in order to bring the issue before the Supreme Court. Court stated he will not grant a stay in this case as

counsel is permitted to seek a severance based on the legal merits, not on co-defendant s counsel s decision not to seek a severance. Mr. Hendron requested time to supplement in writing as to the severance issues raised today. COURT ORDERED, Matters CONTINUED and Mr. Sgro s request for Stay DENIED. FURTHER ORDERED, defense supplements due on or before 8/22/2013 and State s supplement due on or before 9/05/2013

CUSTODY

CONTINUED TO: 9/10/2013 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 10, 2013

C-13-287414-4 State of Nevada
 vs
 Daron Morris

September 10, 2013 9:00 AM All Pending Motions

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- DEFENDANT SIMS:

DEFENDANT'S MOTION TO STRIKE THE STATE'S NOTICE OF INTENT TO SEEK THE DEATH PENALTY BASED ON THE COST OF CAPITAL PUNISHMENT AND ATTENDANT POLICY CONSIDERATIONS, OR IN THE ALTERNATIVE, MOTION TO STAY CAPITAL PROCEEDINGS PENDING THE OUTCOME OF THE AUDIT RELATED TO ASSEMBLY BILL 444.

DEFENDANT MAURICE SIMS' MOTION TO SEVER TRIAL

DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

DEFENDANT WILLIAMS:

DEFENDANT SASHA WILLIAMS' MOTION TO SEVER TRIAL

DEFENDANT'S PETITION FOR WRIT OF HABEAS COUPS

DEFENDANT RANGE:

FURTHER PROCEEDINGS: ALL CO-DEFENDANT'S MOTIONS

DEFENDANT MORRIS:

DEFENDANT'S MOTION TO SEVER (TO BE FILED)

DEFENDANT'S PETITION FOR WRIT OF HABEAS CORPUS

Pam Weckerly and Marc DiGiacomo, Deputy District Attorneys present on behalf of the State.
Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq.
Defendant Williams present, in custody, represented by Lance Hendron, Esq.
Defendant Range present, in custody, represented by Alzora Jackson and Michael Hyte, Deputy
Special Public Defenders,
Defendant Morris present, in custody, represented by Carl Arnold, Esq.

Court noted that Defendant Range has nothing on calendar as he was previously severed from co-defendants and Defendant Morris is not requesting to sever.

Argument by Ms. Maningo as to Defendant Sims' Motion to Sever, noting Burton issues with regard to Sims and Morris. Ms. Maningo also argued as to tactical defenses and sharing of peremptory challenges. Argument by Mr. Hendron for Defendant Williams that Counts 1 and 2 are against Defendants Morris and Sims, and Defendant Williams does not need a death qualified jury, so that affects jury selection. Ms. Jackson clarified that Defendant Range is not in the January 4 incident. Argument by Mr. DiGiacomo. Court inquired if counsel knew a statute which would allow additional peremptory challenges. Mr. DiGiacomo believed that both sides would have to be given the same number, but did not know of a statute. Court stated that Defendant Morris wants to stay joined, but want counts to be severed. Ms. Maningo advised that they have withdrawn that request. Argument by Mr. Hendron. COURT ORDERED, GRANT motion to sever Defendant Morris from Defendants Sims and Williams; DENIED as to Defendants Sims and Williams.

Argument by Mr. Arnold as to Defendant Morris' Petition for Writ of Habeas Corpus. Response by Mr. DiGiacomo. Statements by the Court. COURT ORDERED, Petition DENIED. Court stated that there was sufficient evidence of involvement of Defendant Morris with Defendant Sims for an indictment to be returned and it is up to the jury to decide weight to be given, therefore, indictment will stand. Mr. Arnold then left the Courtroom.

Argument by Mr. Sgro as to Defendant Sims Petition for Writ of Habeas Corpus on conspiracy and attempt murder counts, based on sufficiency of evidence and inadequate instruction, and as to balance of writ based on totality of the impropriety of the proceedings. Court stated that as to legal instructions, they do not have trial standards, and Court does not think they were inadequate or inappropriate instructions, so only issue is sufficiency of evidence, and from a totality of circumstances, there is sufficient evidence to maintain. Court addressed bad acts type of evidence, stalking/harassment issue and that selling marijuana is not relevant, but not prejudicial and not sufficient to justify dismissal of larceny. COURT ORDERED, DENIED.

Argument by Mr. Hendron as to Defendant Williams' Petition for Writ of Habeas Corpus. as there is no evidence of conspiracy to commit murder, and as to attempt murder, there is no evidence that she had a firearm, therefore, Mr. Hendron requested Counts 9 and 12 be dismissed. Argument by Mr. DiGiacomo. Statements by the Court. COURT ORDERED, DENIED; there is enough evidence for indictment to stand and up to the jury to decide.

Argument by Mr. Sgro as to Defendant Sims' Motion to Strike the State's Notice of Intent to Seek the Death Penalty, noting the price of a death penalty case, and that they are on notice that a change is coming. Mr. Sgro presented a PowerPoint presentation which was marked and admitted as Court's Exhibit #1. Argument by Ms. Weckerly, with response by Mr. Sgro. COURT ORDERED, motion DENIED. Court stated reasons motion was denied and invited counsel to take matter up on appeal. Court further stated it does not believe it has the ability to impose what is being requested. Further, as to second portion of motion to stay, COURT ORDERED, DENIED.

Ms. Maningo advised that she would like to brief motion to sever counts again. Court stated she may refile in a reasonable amount of time. Colloquy regarding resetting of trial. Ms. Weckerly stated that the State's preference is to start with Sims and Williams. Mr. Sgro stated objection to that. Court noted that matter is on for another status check next week, so it will be discussed at that time, after counsel has reviewed their schedules.

CUSTODY (COC) - SIMS

CUSTODY -- WILLIAMS, RANGE, MORRIS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 17, 2013

C-13-287414-4 State of Nevada
 vs
 Daron Morris

September 17, 2013 10:00 AM Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green
 Tia Everett

RECORDER:

REPORTER: JoAnn Melendez

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark Digiacomio, Deputy District Attorney, present on behalf of the State. Defendant Sims present in custody and represented by Ivette Maningo Esq. and Anthony Sgro Esq. Defendant Williams present in custody and represented by Lance Hendron Esq. Defendant Range present in custody and represented by Alzora Jackson and Michael Hyte, Deputy Special Public Defenders. Defendant Morris present in custody and represented by Carl Arnold Esq.

Court noted matter is on calendar today to discuss trial dates and in which order Defendants will go to trial. Mr. Digiacomio stated he would request to leave the current trial dates as set and at calendar call set which Defendant is ready. Mr. Sgro stated his position would be to request Defendant Sims be tried second in order and he would provide the Court an affidavit for in camera review as to his reasons which support his position. Court stated he was hopeful parties would have an agreement as to the order, however, he would typically try at least one of the capital cases first as they tend to be more lengthy. Ms. Arnold stated he has no issue going to trial first with Defendant Morris. Court DIRECTED Mr. Sgro to provide the Court with an ex parte affidavit for in camera review as to his position and the Court shall determine if the information is something the Court will consider in his decision; although if the Court finds the information is irrelevant to the issue he will return the affidavit to counsel and place the matter on calendar for further arguments as to all parties' positions.

Mr. Digiacomo objected to counsel being allowed to provide the Court with an ex parte communication which could be affect the State's right to determine which Defendant they choose to proceed to trial with first. Further discussion regarding trial. Court DIRECTED Mr. Sgro to submit the affidavit no later than 10/01/2013.

CUSTODY (ALL)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 29, 2013**

C-13-287414-4 State of Nevada
vs
Daron Morris

October 29, 2013**9:00 AM****Status Check****Status Check: Trial
Setting****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq.
Defendant Williams present, in custody, represented by Lance Hendron, Esq.
Defendant Range present, in custody, represented by Alzora Jackson and Michael Hyte, Special
Deputy Public Defenders.
Defendant Morris present, in custody, represented by Carl Arnold, Esq.

Mr. Sgro advised that there is an issue regarding the preparation of the transcript , noting that the Writ cannot be done until he receives the transcript. Sharon Howard, Court Reporter, advised Mr. Sgro that transcript will be e-filed tomorrow.

As to trial setting, Court advised that it received affidavit of Mr. Sgro and found nothing deeply strategic which could not be argued, so Court will return affidavit. Court stated death penalty cases will go first, and as Defendant Morris has volunteered to go first, COURT ORDERED, Defendant Morris will remain on the previously set stack of March 3, 2014, with Defendants Sims and Williams going next, and Defendant Range last. Mr. DiGiacomo requested that trials be stacked to go one after the other. Mr. Sgro requested lag time between cases. Based on schedules of Court and counsel,

COURT ORDERED, Defendant Morris will be set on stack to begin 3/3/14; Defendants Sims and Williams will be set on stack to begin 7/21/14 and Defendant Range will be set on stack to begin 9/22/14.

CUSTODY (ALL)

2/27/14 9:00 AM CALENDAR CALL (MORRIS)

3/3/14 10:00 AM JURY TRIAL (MORRIS)

7/17/14 9:00 AM CALENDAR CALL (SIMS & WILLIAMS)

7/21/14 10:00 AM JURY TRIAL (SIMS & WILLIAMS)

9/18/14 9:00 AM CALENDAR CALL (RANGE)

9/22/14 10:00 AM JURY TRIAL (RANGE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 17, 2013

C-13-287414-4 State of Nevada
 vs
 Daron Morris

December 17, 2013 9:00 AM Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Ying Pan

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mark DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Sims present, in custody, represented by Ivette Maningo, Esq.
Defendant Williams present, in custody, represented by Lance Hendron, Esq.
Defendant Range present, in custody, represented by Alzora Jackson and Michael Hyte, Special
Deputy Public Defenders.
Defendant Morris present, in custody, represented by Carl Arnold, Esq.

Colloquy as to Trial scheduling. COURT ORDERED, Trial Date STANDS, matter SET for Status
Check regarding deadline for motion filing.

CUSTODY

1-7-14 9:00 AM STATUS CHECK: MOTION DEADLINES

2-27-14 9:00 AM CALENDAR CALL

3-3-14 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 07, 2014

C-13-287414-4 State of Nevada
 vs
 Daron Morris

January 07, 2014 9:00 AM All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green
 Tia Everett

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc Digiacomio, Deputy District Attorney, present on behalf of the State. Defendant Sims present in custody and represented by Ivette Maningo Esq. and Anthony Sgro Esq. Defendant Williams present in custody and represented by Lance Hendron Esq. Defendant Range present in custody and represented by Alzora Jackson and Michael Hyte, Deputy Special Public Defenders. Defendant Morris present in custody and represented by Carol Arnold Esq.

Court noted today's status check is to set a briefing schedule for motions which need to be filed. Further, Court noted Mr. Arnold had previously indicated he will not be filing any motions and will proceed to trial in March. Mr. Arnold agreed with the Court's representations. COURT ORDERED, briefing schedule set as follows; Defendants' motions due on or before 4/08/2014; State's response due on or before 5/20/2014; Defendants' replies due on or before 6/10/2014; and motions SET for Argument.

CUSTODY (ALL)

7/22/2014 ARGUMENT ON MOTIONS (WILLIAMS) (RANGE) (MORRIS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 04, 2014

C-13-287414-4 State of Nevada
 vs
 Daron Morris

February 04, 2014

9:00 AM

Status Check

**Status Check:
Pending Issues**

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

Court stated that all counsel on behalf of all Defendants decided and informed the Court that there are no issues to come before the Court at this time. COURT ORDERED, OFF CALENDAR

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 27, 2014

C-13-287414-4 State of Nevada
 vs
 Daron Morris

February 27, 2014 9:00 AM Calendar Call

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Sam Bateman, Deputy District Attorney, present on behalf of the State.
Defendant Morris present, in custody, without counsel.
Alzora Jackson, Esq. and Michael Hyte, Esq. present on behalf of co-defendant Range.
Lance Hendron, Esq. present on behalf of co-defendant Williams.
Counsel not present on behalf of co-defendant Sims.

Court stated that Mark DiGiacomo, Deputy District Attorney, and Carl Arnold, Esq., Defendant's counsel, advised previously that they have agreed to continue the trial. Upon inquiry by the Court, Defendant concurred that he has had conversations with Mr. Arnold regarding continuing the trial. COURT ORDERED, Jury Trial is VACATED.

Further, at request of counsel, all Defendant's will be on calendar on March 13 to discuss the trial schedule for all Defendants.

CUSTODY

3/13/14 9:00 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 13, 2014**

C-13-287414-4 State of Nevada
vs
Daron Morris

March 13, 2014 9:00 AM Status Check Status Check: Trial Setting

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq.
Defendant Williams present, in custody, represented by Lance Hendron, Esq.
Defendant Range present, in custody, represented by David Schieck and Michael Hyte, Special
Deputy Public Defenders.
Defendant Morris present, in custody, represented by Carl Arnold, Esq.

Mr. Hyte stated that sequence of trials was an issue. Court stated it has no reason to change any trial dates, and will set Defendant Morris for trial based on Court and Counsel's schedule. Mr. Sgro advised that if Defendant Morris' trial is set before Defendant Sims' trial in September, he would have no problem, however, if Defendant Morris is set after September, Mr. Sgro stated he would like Defendant Morris to take the date set in September for Defendant Sims, and revisit the trial date for Defendant Sims. Argument by Mr. DiGiacomo as to right to a sequence of trials. Response by Mr. Sgro. Court stated that an order was not issued as to sequence. Matter trailed as Mr. Arnold was not present.

Matter recalled with same parties and Mr. Arnold present. Mr. Arnold advised that Mr. Tomscheck,

co-counsel, was present earlier. Mr. Arnold advised he received discovery and has submitted a request for experts, therefore he will need approximately 3-4 months to be ready. Mr. DiGiacomo stated issue with Defendant Sims' case being moved because of both of their trial schedules. Mr. Arnold advised that he will be out of the Country from July 17-26. Upon inquiry by the Court, Mr. DiGiacomo estimated two weeks for trial.

As to argument on motions set for hearing on 7/22, Mr. Hendron advised he will be in a murder trial the week of July 21, before Judge Cadish which may go beyond one week. Mr. DiGiacomo suggested that Morris motion could be done on that date and other Defendants' motions on another date. Mr. Sgro requested all Defendants' motions be heard on the same date. Court stated it will discuss schedule with Judge Cadish, and Court will move argument to the end of the following week. COURT ORDERED, Defendant Morris set for trial on August 4, with Calendar Call on July 31; argument on motions RESET to 7/31. Court stated that if any motions need to be heard prior to Calendar Call date, i.e., jury questionnaire, counsel may calendar those motions to be heard on another date.

CUSTODY

7/31/14 9:00 AM ARGUMENT ON MOTIONS (ALL DEFENDANTS)

7/31/14 9:00 AM CALENDAR CALL (MORRIS)

8/4/14 10:00 AM JURY TRIAL (MORRIS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 31, 2014

C-13-287414-4 State of Nevada
 vs
 Daron Morris

July 31, 2014

9:00 AM

All Pending Motions

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Carol Green

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- CALENDAR CALL...ARGUMENT ON MOTIONS (to be filed)

Pam Weckerly, Esq. and Marc DiGiacomo, Deputy District Attorneys, present on behalf of the State. Defendant Morris present, in custody, represented by Carl Arnold, Esq. and Joshua Tomsheck, Esq.

At request of Counsel, COURT ORDERED, Trial will be RESET to start on Wednesday, August 6 at 10:30 AM, and matter will be set for a Status Check as to negotiation on August 4 at 1:30pm. Further, there was no argument as no motions were filed.

CUSTODY

8/4/14 1:30 PM STATUS CHECK: NEGOTIATION

8/6/14 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 04, 2014**

C-13-287414-4 State of Nevada
vs
Daron Morris

August 04, 2014**1:30 PM****Status Check****Status Check:
Negotiation****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Carol Green**RECORDER:****REPORTER:** Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pamela Weckerly, Deputy District Attorney, present on behalf of the State.
Defendant Morris present, in custody, represented by Carl Arnold, Esq. and Joshua Tomsheck, Esq.

Mr. Arnold advised that they thought this matter would be negotiated, however, after meeting with family and defendant over the weekend, the case has not been resolved. Because of their efforts to try to resolve, Mr. Tomsheck advised that they did not prepare for trial, so they are not ready to proceed on Wednesday. Therefore, Mr. Tomsheck requested that trial be continued to the December 8 stack. Upon inquiry by the Court as to outstanding offer, Ms. Weckerly stated that they will continue to engage in discussions with counsel, but will rescind the current offer. Further, Ms. Weckerly submitted on request to continue trial date. COURT ORDERED, Oral request to continue trial be defense is GRANTED; Jury Trial is VACATED and RESET.

Upon inquiry by the Court, Mr. Tomsheck advised that they may be filing some motions. COURT ORDERED, any motions to be filed by September 2; oppositions to be filed by September 19; replies to be filed by October 3 and motions will be set for hearing on October 9.

CUSTODY

10/9/14 9:00 AM ARGUMENT ON MOTIONS (to be filed)

12/4/14 9:00 AM CALENDAR CALL

12/8/14 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 02, 2014

C-13-287414-4 State of Nevada
vs
Daron Morris

September 02, 2014 9:00 AM Status Check Status Check: Trial Setting

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Carol Green
Deborah Miller

RECORDER:

REPORTER: Sharon Howard

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- DEFENDANT SIMS' MOTION TO CONTINUE TRIAL SETTING...STATUS CHECK: RESETTING OF JACKSON v. DENNO HEARING (SIMS & WILLIAMS)

Pam Weckerly, Deputy District Attorney, present on behalf of the State.
Defendant Sims present, in custody, represented by Meredith Weiner, Esq. appearing for Ivette Maningo, Esq. and Anthony Sgro, Esq.
Defendant Williams present, in custody, represented by Lance Hendron, Esq.
Defendant Range present, in custody, represented by Michael Hyte, Esq.
Defendant Morris present, in custody, not represented by Josh Tomscheck, Esq.

Colloquy regarding resetting of Jackson v. Denno hearing, with Ms. Weckerly requesting it be set before October 6. Upon inquiry by the Court, counsel estimated a two hour hearing. COURT ORDERED, matter set for hearing on 9/23/14.

There being no opposition, COURT ORDERED, Defendant Sims' Motion to Continue Trial is GRANTED; Calendar Call and Jury Trial for Defendant Sims and Defendant Williams are

VACATED. Colloquy regarding resetting of trial for Defendant Sims and Defendant Williams, with Ms. Weckerly advising that counsel has discussed late March or early April, and estimating a 2-3 week trial. Court indicated that is a Civil Stack for the Court, however, Court will review matters that are set on that stack and trial will be reset at next hearing.

Mr. Hyte requested that calendar call and jury trial for Defendant Range be vacated as he would like to schedule Defendant Range's trial after Defendants Williams and Sims. Ms. Weckerly advised that the State would like Defendant Range to follow Defendants Williams and Sims, perhaps the first part of May. COURT ORDERED, Calendar Call and Jury Trial are VACATED and will be reset at next hearing

As to Defendant Morris, COURT ORDERED, December 8 trial date stands.

CUSTODY (ALL DEFTS)

9/23/14 10:30 AM JACKSON v DENNO HEARING (DEFTS WILLIAMS & SIMS)...
STATUS CHECK: TRIAL DATE (DEFTS WILLIAMS, SIMS & RANGE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****October 09, 2014**

C-13-287414-4 State of Nevada
vs
Daron Morris

October 09, 2014	9:00 AM	Argument	Argument on Motions (to be filed)
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HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Dania Batiste
Deborah Miller**RECORDER:****REPORTER:** Robert Cangemi**PARTIES**

PRESENT: Arnold, Carl E.	Attorney
Jones, Tierra D.	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Arnold advised that the motions have not been filed due to him being in trial and Mr. Tomscheck's schedule; further, the defense has several Motions to file. Mr. Arnold also noted he will not be ready for trial calendared for December 8, 2014. Ms. Jones advised that assigned Deputy D.A. Marc DiGiacomo had no opposition to counsel's request to continue trial; however, requested the calendar call date remain and be set as a Status Check regarding resetting of the trial.

COURT ORDERED, briefing schedule SET as follows: Defense to file any Motions on or before, Tuesday, November 25, 2014; State to file opposition no later than Wednesday, December 17, 2014; defense to file a reply by January 2, 2015; matter SET for argument. COURT FURTHER ORDERED, calendar call and trial dates are VACATED; matter SET for Status Check.

CUSTODY

1/6/2015 10:30 am Status Check: Argument on Motions (To Be Filed)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 06, 2015

C-13-287414-4 State of Nevada
 vs
 Daron Morris

January 06, 2015 10:30 AM All Pending Motions

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Tia Everett

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Elana Graham, Deputy District Attorney, present on behalf of the State. Defendant not present in custody and represented by Alzora Jackson, Deputy Special Public Defender.

Ms. Jackson advised she has been informed Defendant refused to be transported. Upon Court's inquiry, Ms. Jackson advised parties have not discussed trial dates at this time and believes matter will have to be continued. COURT ORDERED, matter OFF CALENDAR and instructed Ms. Jackson to meet and confer with all parties to discuss trial dates and contact the Court with the agreed upon date in order for an minute order to be issued setting the trial date.

RECALLED.

Anthony Sgro Esq. and Ivette Maningo Esq. present on behalf of Defendant Sims. Lance Hendron Esq. present on behalf of Defendant Williams. Joshua Tomsheck Esq. present on behalf of Defendant Morris.

Court noted Defendants not transported for the 9:00 am calendar. Further, Court advised Ms. Jackson was previously present. Upon Court's inquiry, Mr. Sgro advised he has spoken with the State, who advised they can set the trial for any month except June. Ms. Graham confirmed the

representations. Additionally, Mr. Sgro advised the statements which are the subject of the Jackson v. Denno hearing were taken by Detective Wildemann; the Detective has a catch phrase which he uses during his interviews of "do you think I can crap a lawyer right know"; which interferes with miranda rights. Further, Mr., Sgro advised he has subpoenaed the last twenty-five (25) statements prior to these statements taken in this case from Metro; however, he received the standard response letter stating the subpoena does not comply with requirements; therefore, he would request either the State's assistance or a Court order to obtain the transcripts of these statements taken. Court stated he will issue a Court order stating that Metro is to comply with the subpoena and produce the last twenty-five (25) suspect interviews conducted by Detective Wildemann. Ms. Graham stated she believes the State will have an objection to that information. Court stated he is not ordering the State to do anything at this point; however, once the information is obtained State may make any objections at that time and they will be addressed. Colloquy regarding trial scheduling. Court instructed parties to meet and confer regarding trial dates and notify the Court of the date reached; parties may contact Court for a conference call, if needed. COURT ORDERED, matter SET for Status Check as to the Jackson v. Denno hearing in three weeks.

CUSTODY (ALL)

1/27/2015 9:00 AM STATUS CHECK: SET JACKSON V. DENNO HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 27, 2015

C-13-287414-4 State of Nevada
vs
Daron Morris

January 27, 2015 9:00 AM Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Tia Everett
Deborah Miller

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Tierra Jones, Deputy District Attorney, present on behalf of the State.
Defendant Sims present, in custody, not represented by Mr. Maningo, Esq.
Defendant Williams present, in custody, not represented by Mr. Hendron, Esq.
Defendant Range present, in custody, not represented by Mr. Schieck, Esq.
Defendant Morris present, in custody, not represented by Mr. Arnold, Esq.

Court noted counsel is currently in trial and requested matter be continued to 2/03/15 and
ORDERED, matter CONTINUED.

CUSTODY (ALL)

CONTINUED TO: 2/3/15 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 17, 2015**

C-13-287414-4 State of Nevada
vs
Daron Morris

**March 17, 2015 9:00 AM Status Check Status Check: Set
Jackson v. Denno
Hearing**

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Andrea Natali

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S MOTION FOR CLARIFICATION OF ORDER GRANTING DEFENDANT'S MOTION FOR PRODUCTION OF SUSPECT INTERVIEWS CONDUCTED BY DETECTIVE MARTIN WILDEMANN (DEFT. SIMS) STATE'S JOINDER TO LAS VEGAS METROPOLITAN POLICE DEPARTMENT MOTION FOR CLARIFICATION OF ORDER GRANTING DEFENDANT'S MOTION FOR PRODUCTION OF SUSPECT INTERVIEWS CONDUCTED BY DETECTIVE MARTIN WILDEMANN (DEFT. SIMS) STATUS CHECK: SET JACKSON V. DENNO HEARING (ALL DEFTS.)

APPEARANCES CONTINUED: Pamela Weckerly, Chf. Dep. D.A. present on behalf of the State; Charlotte Bible, LVMPD Asst. Gen. Counsel present on behalf of Las Vegas Metropolitan Police Department. Ivette Maningo, Esq. and Melinda Weaver, Esq. present on behalf of Deft. Sims who is present in custody; Lance Hendron, Esq. present on behalf of Deft. Williams who is present in custody; Alzora Jackson, Dep. Spcl. P.D. and Michael Hyte, Dep. Spcl. P.D. present on behalf of Deft.

Range who is present in custody; Joshua Tomsheck, Esq. present on behalf of Deft. Morris who is present in custody.

COURT NOTED, Mr. Sgro contacted the Court and counsel regarding his inability to appear. Mr. Hendron stated the parties were trying to make the 3/20/15 date work; therefore, would request an additional 30 days thereafter to set the Jackson V. Denno (JVD) Hearing. Colloquy regarding the 3/20/15 date. COURT ORDERED, Las Vegas Metro Motion and State's Joinder CONTINUED to 4/20/15 9:00 AM.

Upon Court's inquiry regarding whether the 5/18/15 date would work for the JVD hearing; Ms. Maningo requested additional time. COURT ORDERED, JVD hearing SET for 6/1/15 9:00 AM.

Colloquy regarding a trial setting in April through June of 2016; further, colloquy regarding whether the cases would be tried together or separately and the order in which the cases would be tried. Ms. Maningo stated she would like to review the minutes regarding whether Deft. Morris trial would go first. Upon Court's inquiry regarding whether there were any conflicts with counsel's schedule on the April/May and July 2016 trial stack, counsel voiced no conflicts with the stack. Ms. Jackson stated the State was requesting Deft. Morris trial go forward first. Ms. Maningo advised she had a murder trial setting on 3/14/16 and might run into the 4/18/15 trial stack. State anticipated 3 weeks for the Co-Defendants case, 1 and 1/2 weeks for Deft. Morris trial, and 1 week for Deft. Range trial. COURT ORDERED trials SET.

CUSTODY (COC) (DEFT. SIMS) // CUSTODY (DEFT. WILLIAMS, RANGE, & MORRIS)

4/20/15 9:00 AM - LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S MOTION FOR CLARIFICATION OF ORDER GRANTING DEFENDANT'S MOTION FOR PRODUCTION OF SUSPECT INTERVIEWS CONDUCTED BY DETECTIVE MARTIN WILDEMAN (DEFT SIMS) STATE'S JOINDER TO LAS VEGAS METROPOLITAN POLICE DEPARTMENT MOTION FOR CLARIFICATION OF ORDER GRANTING DEFENDANT'S MOTION FOR PRODUCTION OF SUSPECT INTERVIEWS CONDUCTED BY DETECTIVE MARTIN WILDEMAN (DEFT. SIMS)

6/1/15 9:00 AM - JACKSON V. DENNO HEARING (ALL DEFTS)

4/14/16 9:00 AM - CALENDAR CALL (DEFT. MORRIS)

4/18/16 10:00 AM - JURY TRIAL (DEFT. MORRIS)

4/28/16 9:00 AM - CALENDAR CALL (DEFTS. SIMS & WILLIAMS)

5/2/16 10:00 AM - JURY TRIAL (DEFTS. SIMS & WILLIAMS)

6/23/16 9:00 AM - CALENDAR CALL (DEFT. RANGE)

6/27/16 10:00 AM - JURY TRIAL (DEFT. RANGE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 16, 2015

C-13-287414-4 State of Nevada
 vs
 Daron Morris

June 16, 2015 9:00 AM Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Marc DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Sims present, in custody, not represented by Melinda Weaver, Esq.
Defendant Williams present, in custody, represented by Lance Hendron, Esq.
Defendant Range not present, in custody, represented by Alzora Jackson, Esq.
Defendant Morris present, in custody, represented by Carl Arnold, Esq.
Charlotte Bible, LVMPD Asst. Gen. Counsel present on behalf of Las Vegas Metropolitan Police Department

STATUS CHECK: SET JACKSON V DENNO HEARING...DEFENDANT'S MOTION FOR A PROTECTIVE ORDER

Matter TRAILED and RECALLED for all parties to be present. Discussion regarding Las Vegas Metropolitan Police Department's Motion for a Protective Order. Ms. Jackson advised she has not received copies of the transcripts yet. Mr. DiGiacomo advised he was waiting for a ruling on the motion before disseminating. COURT ORDERED, motion preliminary GRANTED as to the seventeen (17) interviews; noting further discussion may be done at Jackson v Denno Hearing as well as any oppositions may be filed. Court will review the one (1) interview in question and if turned over, it will be under the protective order as well. Colloquy regarding amount of time needed for Jackson v

Denno hearing. COURT FURTHER ORDERED, Jackson v. Denno SET and Status Check on motion SET.

CUSTODY(COC)

9/21/15 10:00 AM JACKSON v DENNO HEARING...STATUS CHECK: LAS VEGAS
METROPOLITAN POLICE DEPARTMENT'S MOTION FOR A PROTECTIVE ORDER(SIMS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 09, 2015

C-13-287414-4 State of Nevada
 vs
 Daron Morris

**July 09, 2015 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Taleen Pandukht, Deputy District Attorney, present on behalf of the State.
Defendant Morris present, in custody, represented by Carl Arnold, Esq. and Joshua Tomsheck, Esq.

Upon Court's inquiry, Defendant indicated that he cannot afford to hire an attorney. Mr. Tomsheck advised he has associated in as counsel on this matter, noting Mr. Christensen had requested a continuance to discuss appointment. COURT ORDERED, motion GRANTED; Carl Arnold, Esq. WITHDRAWN; Joshua Tomsheck, Esq. APPOINTED; noting Court will speak with Mr. Christensen about appointing additional counsel and will place back on calendar should there be a conflict.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 26, 2016

C-13-287414-4 State of Nevada
 vs
 Daron Morris

January 26, 2016 9:00 AM Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Marc DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Sims present, in custody, not represented by Ivette Maningo, Esq.
Defendant Williams present, in custody, represented by Gary Guymon, Esq.
Defendant Range not present, in custody, represented by Alzora Jackson, Esq.
Defendant Morris present, in custody.
Defendant Range not present, in custody, represented by Alzora Jackson, Deputy
Special Public Defender.

LANCE J. HENDRON, ESQ'S MOTION TO WITHDRAW AS ATTORNEY OF RECORD...STATUS
CHECK: RESETTING OF THE DENNO HEARING

Application for Court Appointed Counsel FILED IN OPEN COURT.

Upon Court s Inquiry, Mr. Guymon is available for appointment. COURT ORDERED, Lance J.
Hendron s Motion to Withdraw GRANTED, Gary Guymon APPOINTED, noting appointment is
necessary due to financial issue. Discussion regarding resetting of the Denno hearing. COURT
ORDERED, Jackson v Denno SET.

CUSTODY

3/11/16 9:00 AM JACKSON v DENNO HEARING (ALL DEFENDANTS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 12, 2016

C-13-287414-4 State of Nevada
 vs
 Daron Morris

April 12, 2016 9:00 AM Calendar Call

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Marc DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Morris present, in custody, represented by Joshua Tomsheck, Esq. and Craig Drummond, Esq.

Mr. DiGiacomo announced ready. Mr. Tomsheck advised the defense is not ready to proceed to trial. Following Conference at the Bench, Court stated pursuant to representations made at the bench, he understands the need for a continuance, therefore, ORDERED, trial VACATED and RESET. Mr. Tomsheck advised he spoke with the Defendant who understands the need for a continuance. Defendant concurred.

CUSTODY

11/10/16 9:00 AM CALENDAR CALL

11/14/16 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 15, 2016

C-13-287414-4 State of Nevada
vs
Daron Morris

April 15, 2016 9:00 AM Jackson v Denno Hearing

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Also present: Defendant Sims, in custody, represented by Anthony Sgro, Esq.

Mr. Sgro stated for the record that two of the defendants have pled within the last two days; therefore, State has deemed the hearing moot. Further, Mr. Sgro requested a status check be set as the defense would like to review the issues and confirm a hearing is not needed. Mr. DiGiacomo noted the State does not believe the detective needs to testify due to the Court having a copy of the recording. Discussion regarding trial settings. State announced ready for trial and will submit to the Court as to the continuance. Conference at the Bench. COURT ORDERED, status check SET, Trial VACATED, noting parties will review their calendars as September 26, 2016 was discussed as a potential trial date.

CUSTODY

4/28/16 9:00 AM STATUS CHECK: JACKSON V DENNO HEARING/TRIAL SETTING (BOTH)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 05, 2016

C-13-287414-4 State of Nevada
 vs
 Daron Morris

May 05, 2016 9:00 AM Status Check

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pamela Weckerly, Deputy District Attorney, present on behalf of the State.
Defendant Sims present, in custody, represented by Ivette Maningo, Esq and Anthony Sgro, Esq.
Defendant Morris, in custody, represented by Craig Drummond, Esq.

Also present: Charlotte Bible, Las Vegas Metropolitan Police Department.
Alzora Jackson, Special Public Defender, present on behalf of Defendant Range.
Defendant Sims present, in custody, represented by Ivette Maningo, Esq. and Anthony Sgro, Esq.

Mr. Sgro advised parties have conducted further research and believe the Jackson v Denno Hearing needs to move forward. Discussion regarding witnesses they plan to call and trial setting. COURT ORDERED trial SET. COURT FURTHER ORDERED, briefing schedule SET as follows: Defense to file opposition on or before May 19, 2016; response on or before June 2, 2016; matter SET for argument. Ms. Weckerly advised Ms. Bible continues to be noticed for the court dates. Court stated she does not to be present at the future hearings. Discussion regarding in-camera review of records. Following Conference at the Bench, court stated he will provide the item discussed that was determined discoverable some time ago. Ms. Jackson noted she is present on behalf of Defendant Range and requested that she be noticed on anything related to case. COURT SO NOTED.

C-13-287414-4

CUSTODY

6/6/16 1:00 PM JACKSON V DENNO

9/22/16 9:00 AM CALENDAR CALL

9/26/16 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 22, 2016

C-13-287414-4 State of Nevada
 vs
 Daron Morris

September 22, 2016 1:30 PM Further Proceedings

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- As to Case C287414-4, Court stated Mr. Tomsheck has communicated with the State that he will not be ready to proceed on co-defendant Morris' trial set for November. Ms. Weckerly opposed continuance of both trials. Mr. Tomsheck argued as to the necessity of developing a mitigation case and hire a specialist. Court stated there were not any motions filed by prior counsel nor was a mitigation specialist hired. State submitted. Court stated trial will be scheduled in court's civil stack. COURT ORDERED, trial VACATED and RESET; Briefing Schedule SET as follows: motions to be filed on or before January 13, 2017; State to file opposition on or before February 3, 2017; Defense to file response on or before February 17, 2017, matter SET for Argument. Court stated he intends to schedule monthly status check to ensure parties stay on track preparing for trial. COURT ORDERED, Status Check SET.

As to Case C287414-1..State's Motion to Strike Defense Expert George Schiro FILED IN OPEN COURT.

As to Defendant Sims Motion to Continue Trial. Ms. Maningo submitted. Ms. Weckerly noted opposition and submitted. Based on pleadings and discussions, COURT ORDERED, Motion to Continue Trial GRANTED, trial VACATED and RESET, noting motion has merit. Court stated trial dates were discussed in chambers, noting parties agreed that it would be appropriate for co-defendant's trial to be heard prior to defendant Sims' trial.

Discussion as to resetting certain motions. COURT ORDERED, Motion to Suppress Defendant Maurice Sims Statement to LVMPD; Defendant's Motion to Strike Aggravating Circumstances 4, 5, and 8, and to Preclude the Presentation of Improper Evidence at Penalty Hearing; Defendant's Motion in Limine to Strike "Custodian of Records" Witnesses; and Defendant's Motion in Limine to Strike All Expert Witnesses Insufficiently Noticed Pursuant to NRS 174.234 CONTINUED. COURT FURTHER ORDERED, Briefing Schedule SET as follows: motions to be filed on or before January 13, 2017; State to file opposition on or before February 3, 2017; Defense to file response on or before February 17, 2017, matter SET for Argument. Court noted briefing schedule will apply to motions continued, as well as, any future motions.

As to Defendant's Motion in Limine to Strike the State's Forensic Firearms Identification Expert; or Alternatively, to Limit the Testimony Regarding Firearm Identification, Ballistic Imaging, or Tool Mark Identification, Defense requested to withdraw the motion. COURT SO ORDERED.

As to Defendant's Motion for Individual Sequestered Voir Dire, Arguments by counsel. COURT ORDERED, Ruling Deferred, noting parties may revisit if issues arise during Voir Dire.

As to Defendant's Motion to Sever Count 13 (Possession of Firearm by Ex-Felon). State had no opposition. COURT ORDERED, motion GRANTED, noting counsel may prepare an amended information prior to trial.

As to Motion to Strike the State's Notice of Intent to Seek the Death Penalty Pursuant to the Fourteenth Amendment, Alternatively, Pursuant to the Eight Amendment; Alternatively, Motion to Stay Proceedings. Arguments by Counsel. COURT ORDERED, matter UNDER ADVISEMENT, noting counsel may provide supplemental briefs. Mr. Sgro requested at least thirty days to research further. Court granted request, noting parties will discuss date further.

As to Defendant's Motion to Sever Counts 1 & 2, Arguments by counsel. Court stated FINDINGS and ORDERED, motion DENIED. Discussion regarding witness testimony.

As to Defendant's Motion to Dismiss Counts 6, 7, & 8. Arguments by counsel. Court stated FINDINGS, and ORDERED, motion DENIED.

As to Motion to Limine to Preclude Admission of any Alleged Gang Affiliation of the Defendant, Ms. Sgro stated parties agreed to not introduce during the "trial phase". State concurred.

Court stated parties will discuss date to return for a decision on the Motion to Strike the State's Notice

of Intent to seek the Death Penalty Pursuant to the Fourteenth Amended, Alternately Pursuant to the Eighth Amendment; Alternatively, Motion to stay Proceedings at the hearing on October 6, 2016.

CUSTODY

10/6/16 9:00 AM STATE'S MOTION TO RECONSIDER COURT'S RULING ON DEFENDANT'S MOTION TO COMPEL DISCOVERY BASED ON DISTRICT ATTORNEY OPEN FILE POLICY..STATUS CHECK: SUPPLEMENTAL BRIEFS/DECISION:STRIKE NOTICE OF INTENT TO SEEK DEATH PENALTY (SIMS)

10/25/16 9:00 AM STATUS CHECK: TRIAL READINESS (MORRIS)

2/23/17 9:00 AM ARGUMENT: MOTIONS (MORRIS)

3/30/17 9:00 AM CALENDAR CALL (MORRIS)

4/03/17 10:00 AM JURY TRIAL (MORRIS)

4/20/17 9:00 AM CALENDAR CALL (SIMS)

4/24/17 10:00 AM JURY TRIAL (SIMS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 25, 2016

C-13-287414-4 State of Nevada
 vs
 Daron Morris

October 25, 2016 9:00 AM Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Marc DiGiacomo, Deputy District Attorney, present on behalf of the State.
Defendant Morris present, in custody, represented by Craig Drummond, Esq.

Mr. Drummond indicated they are ready for trial, noting they believe to have a mitigation expert. Mr. DiGiacomo stated that the State is anticipating to be ready as well. Court stated a briefing schedule can be set at the next hearing. Mr. Drummond advised the defense plans on filing motions in November as soon as Mr. Tomscheck is done with trial. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 11/17/16 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 17, 2016

C-13-287414-4 State of Nevada
 vs
 Daron Morris

November 17, 2016 9:00 AM Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Michelle Fleck, Deputy District Attorney, present on behalf of the State, appearing on behalf of Pamela Weckerly, Deputy District Attorney.
Defendant Morris present, in custody, represented by Craig Drummond, Esq.

Mr. Drummond advised he represents the defendant along with Mr. Tomsheck who is currently out of the jurisdiction. Discussion regarding briefing schedule. Mr. Drummond advised briefing schedule was set on September 22, 2016. COURT ORDERED, Status Check SET, briefing schedule STANDS.

CUSTODY

1/12/17 9:00 AM STATUS CHECK: TRIAL READINESS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 12, 2017

C-13-287414-4 State of Nevada
 vs
 Daron Morris

January 12, 2017 9:00 AM Status Check

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney

JOURNAL ENTRIES

- Conference at the Bench. Court stated parties continue to prepare for trial, noting Court is going to reset the trial to the week before the setting of March 30, 2017 to allow time for the trial phase to be completed prior to April 10, 2017 as Court will not be available. Further, Court stated the Penalty Phase would be heard on April 17, 2017, if needed. COURT ORDERED, trial VACATED and RESET, noting parties to notify Court should there be any conflicts.

CUSTODY

3/23/17 9:00 AM CALENDAR CALL

3/27/2017 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 23, 2017

C-13-287414-4 State of Nevada
 vs
 Daron Morris

February 23, 2017 9:00 AM Argument

HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller
 Brynn Griffiths

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Drummond, Craig W.	Attorney
	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

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ARGUMENT: SUPPLEMENTAL BRIEFS/DECISION: MOTION TO STRIKE NOTICE OF DEATH PENALTY...MOTION TO SUPPRESS DEFENDANT MAURICE SIMS STATEMENT TO LVMPD, DEFENDANT'S MOTION IN LIMINE TO STRIKE " CUSTODIAN OF RECORDS" WITNESSES...DEFENDANT'S MOTION IN LIMINE TO STRIKE ALL EXPERT WITNESSES INSUFFICIENTLY NOTICED PURSUANT TO NRS 174.234...DEFENDANT'S MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE...STATE'S MOTION TO STRIKE DEFENSE EXPERT GEORGE SCHIRO...DEFENDANT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES 4, 5, AND 8 AND TO PRECLUDE THE PRESENTATION OF IMPROPER EVIDENCE AT PENALTY HEARING

As to Defendant Sims, Court stated there are additional motions that are scheduled to be heard next Tuesday, therefore, he is going to continue all motion set for today. COURT ORDERED, matter CONTINUED.

As to Defendant Morris, Court stated there are not any motions on calendar for Deft. Morris. Mr. Tomscheck concurred and noted that the defense met with their mitigation expert yesterday. Further, counsel believes the defense is going to need additional time to prepare for trial, noting the mitigation expert indicated she needs six months to complete everything. Court stated he is not going to vacate the trial date at this point, advising counsel to continue to prepare for trial for March 27, 2017. Counsel may file a written motion closer to the trial date should the defense be in the same position. Mr. Drummond advised Dr. Paglini would like to review all the school records prior to completing the full evaluation, noting the defense is still waiting to receive them. Court noted case is four years old. Ms. Weckerly noted opposition to any continuance, noting she will provide the Court with jury questionnaire this Friday.

2/28/17 9:00 AM MOTIONS (SIMS)

CLERK'S NOTE: Following Court hearing, parties stipulated to reset all motions to March 23, 2017.
dm

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 23, 2017**

C-13-287414-4 State of Nevada
vs
Daron Morris

March 23, 2017**9:00 AM****All Pending Motions****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller
Anntoinette Naumec-Miller
Haly Pannullo

RECORDER: Sara Richardson**REPORTER:****PARTIES**

PRESENT:	Drummond, Craig W.	Attorney
	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Also present: Ivette Maningo, Esq. and Alecia Exley, Esq. present on behalf of Defendant Sims.

STATE'S MOTION TO FILE AN AMENDED INDICTMENT...CALENDAR CALL

Court stated matter is on calendar for calendar call as to Mr. Morris, noting a motion to continue trial was filed, however, was not calendared until April 4 but will be heard today. Further, Mr. Sims's matter was on calendar for several motions as well as both defendants are on for the State's motion to file an indictment. Court stated he received an opposition from Ms. Maningo and a joinder, noting he did not receive a reply from the State. Ms. Weckerly advised the State is not going to file a reply and argued in support of motion. Arguments by Ms. Maningo and Mr. Tomsheck. COURT ORDERED, motion to continue trial GRANTED. As to the motion to file amended indictment, Court stated FINDINGS and ORDERED, motion GRANTED. Discussion regarding trial settings. COURT

FURTHER ORDERED, trial VACATED and RESET; Status Check SET. Upon Court's inquiry, parties agreed to reset all motions relating to defendant Sims that are calendared for today to April 20. COURT SO ORDERED.

CUSTODY

4/20/17 9:00 AM STATUS CHECK: TRIAL READINESS (BOTH)

4/20/17 9:00 AM MOTIONS (SIMS)....ARGUMENT: SUPPLEMENTAL BRIEFS/DECISION: MOTION TO STRIKE NOTICE OF DEATH PENALTY..MOTION TO SUPPRESS DEFENDANT MAURICE SIMS' STATEMENT TO LVMPD..DEFENDANT'S MOTION IN LIMINE TO STRIKE "CUSTODIAN OF RECORDS" WITNESSES...DEFENDANT'S MOTION IN LIMINE TO STRIKE ALL EXPERT WITNESSES INSUFFICIENTLY NOTICED PURSUANT TO NRS 174.234....DEFENDANT'S MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE...STATE'S MOTION TO STRIKE DEFENSE EXPERT GEORGE SCHIRO
DEFENDANT'S MOTION TO STRIKE AGGRAVATING CIRCUMSTANCES 4, 5, AND 8; AND TO PRECLUDE THE PRESENTATION OF IMPROPER EVIDENCE AT PENALTY HEARING

9/14/17 9:00 AM CALENDAR CALL (MORRIS)

9/18/17 10:00 AM JURY TRIAL (MORRIS)

10/19/17 9:00 AM CALENDAR CALL (SIMS)

10/23/17 10:00 AM JURY TRIAL (SIMS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 20, 2017

C-13-287414-4 State of Nevada
vs
Daron Morris

**April 20, 2017 9:00 AM Status Check: Trial
Readiness**

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT: Morris, Daron Defendant

JOURNAL ENTRIES

- Court stated the attorneys spoke with his Judicial Executive Assistant and would like motions to be heard on Monday at 10:00 a.m. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 4/24/17 10:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 24, 2017**

C-13-287414-4 State of Nevada
vs
Daron Morris

April 24, 2017**1:00 PM****Status Check: Trial
Readiness****HEARD BY:** Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C**COURT CLERK:** Deborah Miller**RECORDER:** Sara Richardson**REPORTER:****PARTIES**

PRESENT:	Di Giacomo, Marc P.	Attorney
	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Also present: Defendant Sims, represented by Tony Sgro, Esq. and Ivette Maningo, Esq.

Court stated Deft. Morris is on calendar for a status check regarding trial readiness. Mr. Tomsheck advised Mr. Drummond will be present as he is on his way from another hearing. Further, Mr. Tomsheck stated the defense needs until September to be fully prepared for the penalty phase of the trial, noting everything is going according to plan at this time. Upon Court's inquiry, Mr. Tomsheck stated the defense has the same mitigation expert. Discussion regarding jury questionnaire and filing of motions relating to Deft. Morris. COURT ORDERED, Briefing Schedule SET as follows: defense to file any motions by July 14, 2017, State to file any opposition on or before August 4, 2017; Defense to file reply on or before August 11, 2017; matter SET for Argument; Status Check SET in sixty (60) days. Mr. Tomsheck inquired if the Court will be keeping this case for trial. Court stated departments who will be hearing murder trials will keep whatever murder trial they have as well as absorbing any murder trials. Discussion regarding pilot project.

Discussion as to State's Motion to Strike the Defense Expert, George Schiro and the Defense Notice to Strike State's Experts for Insufficient Notice. Court stated motions were based on a timeliness issues and believes they are moot, however, may be re-raised prior to trial. COURT ORDERED, motions OFF CALENDAR as moot. Mr. DiGiacomo stated there is one other issue that needs to be address as to the motion to strike custodian of records, noting issue of getting curriculum vitae for the custodians that the State is going to call. Arguments by counsel. Court stated he will sign a Court Order if AT & T will not designate a specific expert and may be discussed further at the last status check prior to trial.

As to Defendant's Motion for Evidentiary Hearing to Determine Methodology Utilized by State to Determine Death Penalty Eligibility in this Case, Ms. Maningo stated there was no opposition filed by the State. Mr. DiGiacomo advised an opposition was not filed as he thought it was a supplement to one of the defense motions, however, the State objects. Court requested the State file a written opposition. COURT ORDERED, motion CONTINUED.

As to Defendant's Motion To Strike Aggravating Circumstances 4, 5, and 8; and to Preclude the Presentation of Improper Evidence at Penalty Hearing, Ms. Maningo stated she believes the State is arguing the motion is premature, noting motion was filed early as there is not much time in between a verdict and the start of penalty. Arguments by Mr. DiGiacomo. Ms. Maningo stated the defense is fine with deferring argument until after the verdict, noting the defense will be arguing more aggravators. Ms. Maningo stated the defense will file a supplement to make sure the pleading is clear. COURT ORDERED, matter OFF CALENDAR, noting parties to determine when hearing will be heard after verdict is rendered.

As to Motion to Suppress Defendant Maurice Sims Statement to LVMPD. Ms. Weckerly stated she believes the Court made a ruling previously on motion, however, may have left the issue open in case the defense wanted to file a supplement. Court concurred with Ms. Weckerly, noting nothing new has been filed and he believes there was discussion and did not believe there was anything in there upon which he would grant a motion to suppress. Ms. Maningo requested an opportunity to go back through the transcripts and minutes to make sure parties are clear and address it with the Court again if necessary. COURT ORDERED, motion CONTINUED.

As to Motion to Strike State's Notice of Death Penalty, Mr. Sgro provided a CD to be marked as Defense AA and admitted as a Court Exhibit. (See worksheets). Further, Mr. Sgro requested to play a CD which was a portion of a hearing relative to A.B. 237. Arguments by Mr. Sgro, requesting an Evidentiary Hearing to review the protocols and see if they violate the Eighth Amendment. CD was played. Further arguments by Mr. Sgro. Matter recessed and resumed. Same parties present. Arguments by Mr. DiGiacomo and Mr. Sgro. Court DENIED, request for evidentiary hearing, noting it is not appropriate at this time.

Discussion regarding resetting of the two motions. Upon Court's inquiry, Ms. Weckerly requested two weeks to file an opposition to the methodology motion. COURT ORDERED, Briefing Schedule

SET as follows: State to file opposition on or before May 12, 2017, defense to reply on or before May 26, 2017, matter SET for argument. COURT FURTHER ORDERED, Status Check SET.

CUSTODY (BOTH)

6/27/17 9:00 AM TRIAL READINESS (MORRIS)

6/27/17 9:00 AM MOTION TO SUPPRESS DEFENDANT SIMS STATEMENT TO LVMP...MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE

8/16/17 9:00 AM ARGUMENT: MOTIONS (MORRIS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 27, 2017

C-13-287414-4 State of Nevada
vs
Daron Morris

June 27, 2017 9:00 AM Status Check: Trial Readiness

HEARD BY: Maddox, William

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- MOTION TO SUPPRESS DEFENDANT MAURICE SIMS STATEMENT TO
LVMPD..DEFENDANT'S MOTION FOR EVIDENTIARY HEARING TO DETERMINE
METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS
CASE..STATUS CHECK: TRIAL READINESS

Also present: Deft. Sims present, in custody, represented by Ivette Maningo, Esq.

Mr. Tomscheck advised Mr. Morris is on calendar for trial readiness, noting the defense anticipates being ready for the September trial date. As to Mr. Sims, Ms. Maningo stated chambers advised parties that the motions are going to be continued to July 11 to allow Judge Herndon to hear them. Ms. Weckerly concurred, noting the State will be ready for both trials. Ms. Maningo stated this is a 250 case, however, the defense is waiving the presence of co-counsel since they are just getting a new date. COURT ORDERED, motions CONTINUED.

CUSTODY

7/11/17 9:00 AM MOTION TO SUPPRESS DEFENDANT MAURICE SIMS STATEMENT TO LVMPD..DEFENDANT'S MOTION FOR EVIDENTIARY HEARING TO DETERMINE METHODOLOGY UTILIZED BY STATE TO DETERMINE DEATH PENALTY ELIGIBILITY IN THIS CASE..STATUS CHECK: TRIAL READINESS (SIMS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 16, 2017

C-13-287414-4 State of Nevada
vs
Daron Morris

August 16, 2017	9:00 AM	Argument
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HEARD BY: Herndon, Douglas W.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Also present: Codefendant Sims, in custody, represented by Ivette Maningo, Esq.

Ms. Maningo requested Court waive Mr. Christensen's appearance, noting there are no issues at this time. Discussion regarding trial date. COURT ORDERED, trial VACATED and RESET, matter SET for Status Check.

Court stated it is his understanding that parties anticipate being ready as to Mr. Morris for the September 18, 2017 trial date. Mr. Tomsheck concurred, noting the only possible issue would be the medical procedure for his client that he has spoken to the State and Court about previously. Court requested counsel speak to the jail about making arrangements and inform the Court if there are any issues. Upon Court's inquiry, Ms. Weckerly concurred there was an offer extended of life without sentence, noting parties will continue to have discussions. COURT ORDERED, calendar call VACATED and RESET. Discussion regarding jury questionnaire. Mr. Tomsheck requested the trial be dark on September 29. Court stated that would not be a problem.

CUSTODY

8/31/17 9:00 AM CALENDAR CALL (MORRIS)

10/19/17 9:00 AM STATUS CHECK: TRIAL READINESS (SIMS)

1/18/18 9:00 AM CALENDAR CALL (SIMS)

1/29/18 10:00 AM JURY TRIAL (SIMS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 31, 2017

C-13-287414-4 State of Nevada
 vs
 Daron Morris

August 31, 2017 9:00 AM Calendar Call

HEARD BY: Herndon, Douglas W. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Drummond, Craig W.	Attorney
	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Mr. Tomsheck stated parties are ready for trial set for September 18, 2017. Discussion regarding jury questionnaire. COURT ORDERED, matter SET for Status Check to review the questionnaires. Court will contact counsel when questionnaires are available to pick up.

CUSTODY

9/14/17 1:00 PM STATUS CHECK: JURY QUESTIONNAIRES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 08, 2017

C-13-287414-4 State of Nevada
 vs
 Daron Morris

September 08, 2017 9:00 AM Entry of Plea

HEARD BY: Adair, Valerie

COURTROOM: RJC Courtroom 16C

COURT CLERK: Aja Brown

RECORDER: Sara Richardson

REPORTER:

PARTIES

PRESENT:	Di Giacomo, Marc P.	Attorney
	Drummond, Craig W.	Attorney
	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. MORRIS ARRAIGNED AND PLED GUILTY TO COUNT 3- CONSPIRACY TO COMMIT BURGLARY (GM), COUNT 4- BURGLARY WHILE IN POSSESSION OF A FIREARM (F), COUNT 5 - CONSPIRACY TO COMMIT ROBBERY, COUNTS 6 - 8, ROBBERY WITH USE OF DEADLY WEAPON (F), COUNT 9 - CONSPIRACY TO COMMIT MURDER (F), COUNTS 10 and 11 - MURDER WITH USE OF A DEADLY WEAPON (F) and COUNT 12 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F). Mr. Digiacomo advised Counts 1, 2 and 13 will be dismissed. Mr. Digiacomo further advised the Notice of Intent to Seek the Death Penalty is WITHDRAWN. Court ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing.

CUSTODY

11/16/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 16, 2017**

C-13-287414-4 State of Nevada
vs
Daron Morris

November 16, 2017 9:00 AM Sentencing

HEARD BY: Herndon, Douglas W.**COURTROOM:** RJC Courtroom 16C

COURT CLERK: Deborah Miller
Lauren Kidd

RECORDER: Sara Richardson**REPORTER:****PARTIES**

PRESENT:	Cannizzaro, Nicole J.	Attorney
	Drummond, Craig W.	Attorney
	Morris, Daron	Defendant
	State of Nevada	Plaintiff
	Tomsheck, Joshua L.	Attorney
	Weckerly, Pamela C	Attorney

JOURNAL ENTRIES

- Ms. Cannizzaro advised Ms. Weckerly will be present shortly. Matter TRAILED and RECALLED. Ms. Weckerly now present. Ms. Weckerly noted there are five victim speakers present today. DEFT MORRIS ADJUDGED GUILTY of COUNT 3 - CONSPIRACY TO COMMIT BATTERY (GM), COUNT 4 - BATTERY WITH A DEADLY WEAPON (F), COUNT 5 - CONSPIRACY TO COMMIT ROBBERY (F), COUNTS 6,7, & 8 - ROBBERY WITH USE OF A DEADLY WEAPON (F), COUNT 9 - CONSPIRACY TO COMMIT MURDER (F), COUNTS 10 & 11 - MURDER WITH USE OF A DEADLY WEAPON (F), and COUNT 12 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F). Arguments by counsel. Statement by Defendant. Victim Speakers sworn and testified. COURT ORDERED, in addition to the \$25.00 Administrative Assessment Fee, \$150.00 DNA Analysis Fee including testing to determine genetic markers, \$250.00 Indigent Defense Civil Assessment Fee, \$3.00 DNA Collection Fee, and a \$250.00 Fine, Deft. SENTENCED on COUNT 3 to THREE HUNDRED SIXTY SIXTY-FIVE (365) DAYS in the Clark County Detention Center (CCDC), COUNT 4 to a

MINIMUM of SEVENTY-TWO (72) DAYS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 5 to a MINIMUM of TWENTY-EIGHT (28) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 6 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with a AGGREGATE sentence of a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 7 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with a AGGREGATE sentence of a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 8 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS in the Nevada Department of Corrections (NDC), PLUS a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with an AGGREGATE sentence of a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of THREE HUNDRED (300) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 9 to a MINIMUM of FORTY-EIGHT (48) MONTHS to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with Count 3, COUNT 10 to a term of LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE, PLUS a CONSECUTIVE sentence of a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC) for Deadly Weapon Enhancement, CONCURRENT with Count 3, COUNT 11 to a term of LIFE in the Nevada Department of Corrections (NDC) WITHOUT THE POSSIBILITY OF PAROLE, PLUS a CONSECUTIVE sentence of a MINIMUM of NINETY-SIX (96) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC) for Deadly Weapon Enhancement, CONSECUTIVE to Count 10, and on COUNT 12 to a MINIMUM of NINETY-SIX (96) MONTHS to a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), plus a CONSECUTIVE sentence of a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS in the Nevada Department of Corrections (NDC) for the Deadly Weapon Enhancement, with an AGGREGATE sentence of a MINIMUM of ONE HUNDRED FORTY-FOUR (144) MONTHS and a MAXIMUM of THREE HUNDRED SIXTY (360) MONTHS in the Nevada Department of Corrections (NDC), CONSECUTIVE to Count 11, with ONE THOUSAND SEVEN HUNDRED SEVENTY (1,070) DAYS credit for time served. COURT FURTHER ORDER, all remaining count DISMISSED. BOND, if any, EXONERATED.

NDC

Def. Counsel(s): SIMS – IVETTE MANINGO, ESQ.
WILLIAMS – LANCE HENDRON, ESQ.
RANGE – DAVID SCHIECK, ESQ.
MORRIS – PATRICIA PALM, ESQ.

WARRANT (1 WEEK):

SIMS –

WILLIAMS –

RANGE –

MORRIS –

> NOBail

2/21 9 DC3

DEFT'S ARE IN CUSTODY @ CCDC (13F00482A-D – PH 2/15 IN JC 11)

Exhibits:

1. Proposed Indictment

2. Photo

3. Photo

4. Photo

5. Photo

6. Photo line-up

7. Photo line-up

8. Information

9. Information

10. Information

11. Photo

12. Photo

13. Photo

14. Photo

15. Photo

16. Photo

16a. Photo

17. Voluntary Statement

Exhibit 1 - 17 are to be lodged with the Clerk of the Court.

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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; JUDGMENT OF CONVICTION (PLEA OF GUILTY); AMENDED JUDGMENT
OF CONVICTION (PLEA OF GUILTY); DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

DARON MORRIS,

Defendant(s).

Case No: C-13-287414-4

Dept No: X

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 14 day of March 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk