

NOTA
CRAIG MUELLER AND ASSOCIATES, INC.
CRAIG A. MUELLER, ESQ.
Nevada Bar No. 4703
808 S. 7th St.
Las Vegas, Nevada 89101
(702) 382-1200
Attorney for Appellant

Electronically Filed
Apr 13 2022 03:04 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

JAMIE DEAN
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Case No.: C-11-275059-1

Dept No.: IX

NOTICE OF APPEAL

Notice is hereby given that Appellant, JAMIE DEAN, by and through her counsel of record, CRAIG A. MUELLER, ESQ. of CRAIG A. MUELLER AND ASSOCIATES, INC. and hereby appeals to the Supreme Court of Nevada from the DENIED motion entered on March 10, 2022.

DATED this 8th day of April, 2022.

CRAIG A. MUELLER AND ASSOCIATES,
INC.

/s/ Craig Mueller
CRAIG A. MUELLER, ESQ.
Nevada Bar No. 4703
808 S. 7th St.
Las Vegas, Nevada 89101
(702) 382-1200
Attorney for Appellant

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. C-11-275059-1**

State of Nevada
vs
Jamie Dean

§ Location: **Department 2**
 § Judicial Officer: **Kierny, Carli**
 § Filed on: **07/28/2011**
 § Case Number History:
 § Cross-Reference Case **C275059**
 § Number:
 § Defendant's Scope ID #: **2798553**
 § ITAG Case ID: **1836054**
 § Lower Court Case # Root: **11FH1182**
 § Lower Court Case Number: **11FH1182X**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ATTEMPT POSSESSION OF CONTROLLED SUBSTANCE	453.336	F	07/18/2011	Case Status:	01/12/2022 Reactivated

Statistical Closures

01/18/2017 Guilty Plea with Sentence (before trial) (CR)

Warrants

Bench Warrant - Dean, Jamie Joann (Judicial Officer: Hardy, Joe)

11/09/2018 1:46 PM Active

Fine: \$0

Bond: \$0

Bench Warrant - Dean, Jamie Joann (Judicial Officer: Delaney, Kathleen E.)

11/29/2016 11:50 AM Returned - Served

11/15/2011 3:55 PM Active

Hold Without Bond

Bench Warrant - Dean, Jamie Joann (Judicial Officer: De La Garza, Melisa)

10/13/2011 Returned - Served

Fine: \$0

Bond: \$0

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

Case Number	C-11-275059-1
Court	Department 2
Date Assigned	04/04/2022
Judicial Officer	Kierny, Carli

PARTY INFORMATION












		<i>Lead Attorneys</i>
Defendant	Dean, Jamie Joann	Mueller, Craig A <i>Retained</i> 702-382-1200(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)

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

07/26/2011 No Bail Set

07/28/2011  Criminal BindoverIn
#1

CASE SUMMARY
CASE NO. C-11-275059-1

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09/15/2011	 Bench Warrant [3]	In #3
10/11/2011	 Bench Warrant Return [4]	In #4
10/13/2011	 Transcript of Proceedings Party: Plaintiff State of Nevada [6] Reporter's Transcript of Unconditional Waiver of Preliminary Hearing - Heard 07/26/2011	In #6
10/13/2011	 Guilty Plea Agreement [8]	In #8
10/14/2011	 Motion for Own Recognizance Release/Setting Reasonable Bail Filed By: Defendant Dean, Jamie Joann [5] Motion for Own Recognizance Release Under Intensive Supervision	In #5
10/27/2011	 Order Filed By: Defendant Dean, Jamie Joann [7]	In #7
11/22/2011	 Bench Warrant [9]	In #9
08/06/2012	Case Reassigned to Department 7 Case reassigned from Judge Delaney	
02/13/2013	Case Reassigned to Department 9 Case reassigned from Judge Linda Bell Dept 7	
01/06/2014	Case Reassigned to Department 1 Case reassigned from Judge Jennifer Togliatti Dept 9	
01/05/2015	Case Reassigned to Department 14 District Court Case Reassignment 2015	
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03/31/2016	 Substitution of Attorney [10] Substitution of Attorney	In #1
04/07/2016	 Receipt of Copy [11] Receipt of Copy	In #1
11/21/2016	 Motion	In #1




CASE SUMMARY
CASE NO. C-11-275059-1

	<i>[12] Motion and Notice of Motion to Quash Bench Warrant and Set Sentencing Date</i>	
12/16/2016	 Motion <i>[13] Motion and Notice of Motion to Accelerate Sentencing and Admit Updated Pre-Sentence Investigation Report</i>	In #1
01/09/2017	 Notice <i>[14] Notice of Presentence Investigation Report</i>	In #1
01/18/2017	 Judgment of Conviction <i>[15] Judgment of Conviction (Plea of Guilty)</i>	In #1
07/02/2018	Case Reassigned to Department 15 <i>Reassigned From Judge Johnson - Dept 22</i>	
11/09/2018	 Parole & Probation Bench Warrant Filed By: Plaintiff State of Nevada <i>[16] Bench Warrant</i>	In #1
11/09/2018	 Probation Violation Report <i>[17]</i>	In #1
01/04/2021	Case Reassigned to Department 23 <i>Judicial Reassignment to Judge Jasmin Lilly-Spells</i>	
09/07/2021	Case Reassigned to Department 9 <i>From Judge Jasmin Lilly-Spells to Judge Cristina Silva</i>	
01/11/2022	 Motion to Quash Bench Warrant Filed By: Defendant Dean, Jamie Joann <i>[18] Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation</i>	In #1
01/12/2022	 Clerk's Notice of Hearing <i>[19] Notice of Hearing</i>	In #1
02/10/2022	 Opposition to Motion Filed By: Plaintiff State of Nevada <i>[20] State's Opposition to Defendant's Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation</i>	In #2
03/04/2022	 Reply to Opposition Filed by: Defendant Dean, Jamie Joann <i>[21] Reply to State's Opposition to Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation</i>	In #2
04/04/2022	Case Reassigned to Department 2 <i>Judicial Reassignment - From Judge Cristina D. Silva to Judge Carli Kierny</i>	
04/08/2022	 Notice of Appeal (Criminal) Party: Defendant Dean, Jamie Joann <i>[22] Notice of Appeal</i>	In #2

DISPOSITIONS

CASE SUMMARY

CASE NO. C-11-275059-1

10/13/2011	Plea (Judicial Officer: Johnson, Susan) 1. ATTEMPT POSSESSION OF CONTROLLED SUBSTANCE Guilty PCN: Sequence:								
01/10/2017	Disposition (Judicial Officer: Johnson, Susan) 1. ATTEMPT POSSESSION OF CONTROLLED SUBSTANCE Guilty PCN: Sequence:								
01/10/2017	Adult Adjudication (Judicial Officer: Johnson, Susan) 1. ATTEMPT POSSESSION OF CONTROLLED SUBSTANCE 07/18/2011 (F) 453.336 (9769A) PCN: Sequence:								
<hr/> Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:48 Months Suspended-Period of Probation: Indeterminate, Not To Exceed: 5 Years Comments: Comply with Standard Conditions of Probation. Condition 1. Substance Abuse Evaluation, and complete any recommended case plan by P&P. 2. Abstain From Use, Possession, Control of Alcohol, or marijuana, even if in possession of a marijuana card. 3. Provide P & P With Full And Complete Financial Disclosure 4. Comply With Curfew Imposed By Probation Officer 5. Maintain Full-Time Employment, Work a minimum of 20 hours as a nurse; if this position is lost and income decreases, maintain full-time employment (a minimum of 35 hours per week); if not employed full-time, perform 20 hours of Community Service work per week. Fee Totals: <table> <tr> <td>Administrative Assessment Fee</td> <td>25.00</td> </tr> <tr> <td>\$25 Drug Analysis Fee</td> <td>60.00</td> </tr> <tr> <td>\$60 Genetic Marker Analysis AA Fee</td> <td>3.00</td> </tr> <tr> <td>\$3 Fee Totals \$</td> <td>88.00</td> </tr> </table> \$150 DNA Fee Waived as previously taken.		Administrative Assessment Fee	25.00	\$25 Drug Analysis Fee	60.00	\$60 Genetic Marker Analysis AA Fee	3.00	\$3 Fee Totals \$	88.00
Administrative Assessment Fee	25.00								
\$25 Drug Analysis Fee	60.00								
\$60 Genetic Marker Analysis AA Fee	3.00								
\$3 Fee Totals \$	88.00								
HEARINGS									
08/23/2011	 Initial Arraignment (9:00 AM) (Judicial Officer: De La Garza, Melisa) Continued; Journal Entry Details: <i>Def. not present. COURT ORDERED, matter CONTINUED; if Def. not present at next hearing a Bench Warrant will be issued. COURT FURTHER ORDERED, Def's presence WAIVED. NIC 8/30/11 9:00 A.M. ARRAIGNMENT CONTINUED (LLA) ;</i>								
08/30/2011	 Arraignment Continued (9:00 AM) (Judicial Officer: De La Garza, Melisa) Bench Warrant Issued; Journal Entry Details: <i>Lynn Robinson, Chief Dep. D.A., present on behalf of the State and Jasmine Spells, Dep. P.D., present for Defendant. Ms. Spells noted the absence of the Defendant and advised her office did send a letter to Defendant regarding this court date. COURT ORDERED, NO BAIL BENCH WARRANT TO ISSUE. B.W. (NIC);</i>								
10/13/2011	 Bench Warrant Return (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/11/2011 Bench Warrant Return Plea Entered; Journal Entry Details: <i>Statement by Ms. Mathews. Def. requested to be released on her own recognizance. Further statement by Ms.</i>								

CASE SUMMARY

CASE NO. C-11-275059-1

Mathews. Court stated that counsel will need to file a motion and provide additional information. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. DEAN ARRAIGNED AND PLED GUILTY to ATTEMPT POSSESSION OF CONTROLLED SUBSTANCE (F/GM). Court ACCEPTED plea and ORDERED, matter set for sentencing and will use the Presentence Report from C274691. CUSTODY 11/15/11 9:00 AM SENTENCING ;

10/18/2011  **Motion for Own Recognizance Release/Setting Reasonable Bail (9:00 AM)** (Judicial Officer: Delaney, Kathleen E.)


Events: 10/14/2011 Motion for Own Recognizance Release/Setting Reasonable Bail

Motion for Own Recognizance Release Under Intensive Supervision

Granted;

Journal Entry Details:

Arguments by counsel. Court stated that the deft. has done nothing much to show that she deserves the right to be released but there are various programs that could be utilized, therefore, ORDERED, Motion GRANTED. Court advised the deft. that she gets one opportunity; if the deft. does not report to future court dates, absconds or if there is any dishonesty, the Court will not hesitate to place the deft. back in custody. O.R./I.S. ;

11/15/2011  **Sentencing (9:00 AM)** (Judicial Officer: Delaney, Kathleen E.)

Sentencing - Use PSI from C274691

Bench Warrant Issued;

Journal Entry Details:

Ms. Mathews stated that she has no representations to make. Court noted that the deft. failed to check in with Intensive Supervision one time. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL. B.W. (O.R./I.S.) ;


11/29/2016  **Motion to Quash Bench Warrant (8:30 AM)** (Judicial Officer: Johnson, Susan)

Defendant's Motion to Quash Bench Warrant and Set Sentencing Date

Moot;

Journal Entry Details:

Court noted the motion did not have any analysis of the facts. Mr. Paredes advised he didn't know when Deft. would be sentenced in her other case (Department 6) and requested sentencing be set for the Presentence Investigation Report (PSI). There being no opposition, COURT ORDERED, matter SET for sentencing; Deft. REMANDED into custody. CUSTODY 1/31/2017 - 8:30 AM - SENTENCING;

01/03/2017  **Motion (8:30 AM)** (Judicial Officer: Johnson, Susan)

Defendant's Motion to Accelerate Sentencing and Admit Updated Pre-Sentence Investigation Report

Motion Granted;

Journal Entry Details:

Mr. Mueller requested sentencing take place a couple weeks early. No objection by State. COURT ORDERED, Motion GRANTED; sentencing RESCHEDULED; directed counsel to file the Presentence Investigation Report. CUSTODY (COC) 1/10/2017 - 8:30 AM - SENTENCING;

01/10/2017  **Sentencing (8:30 AM)** (Judicial Officer: Johnson, Susan)

Defendant Sentenced;

Journal Entry Details:

Arguments by counsel. Mr. Mueller provided the Court with letters for its review. Statement by Deft. DEFT DEAN ADJUDGED GUILTY of ATTEMPT POSSESSION OF CONTROLLED SUBSTANCE (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$60.00 Drug Analysis fee, \$3.00 DNA Collection fee, and \$150.00 DNA analysis fee, including testing to determine genetic markers, WAIVED as previously taken, Defendant SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC), with ZERO (0) DAYS credit for time served; subject to modification; to run CONCURRENT with C274691; SUSPENDED; placed on PROBATION for an indeterminate period not to exceed FIVE (5) YEARS. In addition to all of the standard conditions of probation, Deft. is to comply with the following SPECIAL CONDITIONS: 1. Undergo a substance abuse evaluation and complete any recommended case plan by Parole and Probation; 2. No use, possession, or control of alcohol or marijuana, even if in possession of a marijuana card; 3. Submit to full and complete financial disclosure; 4. Abide by any curfew as deemed necessary by Parole and Probation; 5. Work a minimum of 20 hours as a nurse; if this position is lost and income decreases, maintain full-time employment (a minimum of 35 hours per week); if not employed full-time, perform 20 hours of community service work per week. Court advised Deft. that probation was a privilege and it would be revoked if violated; further advised that, if Deft. successfully completed probation and received an honorable discharge, Deft. could contact his attorney in order to withdraw his plea and plead to a Misdemeanor. Court noted it would allow Interstate Compact with California. Court DIRECTED Defendant to report to P & P upon release from custody. BOND, if any, EXONERATED. NIC;

CASE SUMMARY**CASE NO. C-11-275059-1**

01/19/2022

**Motion to Quash Bench Warrant (12:00 PM)** (Judicial Officer: Silva, Cristina D.)**01/19/2022, 03/10/2022**

[18] Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation
Deferred Ruling; Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation

Motion Denied; Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation

Journal Entry Details:

Pending before the Court is Defendant's Motion to Quash Parole and Probation Bench Warrant and to Issue a Dishonorable Discharge from Probation. This matter initially came before the Court on January 19, 2022. During that hearing, the State objected to the motion, noting that the Defendant was not only an absconder but had also picked up a new case. Because of the specific facts of this case, together with the State's objection to the motion, the Court ordered additional briefing to determine if the Court could properly dishonorably discharge the Defendant from probation. On February 10, 2022, the State filed a written opposition to the motion. On March 4, 2022, counsel for the Defendant filed a reply to the State's opposition. Having reviewed the pleadings and considered the arguments of counsel, the Court hereby DENIES the instant Motion. Defendant misconstrues the plain language of NRS 176A.850(2)(a). In sum, NRS 176A.850(2)(a) provides that a person whose term of probation has expired and the person's whereabouts are unknown is ineligible for an honorable discharge and must be given an dishonorable discharge. NRS 176A.850(2)(a). This statute is inapplicable to this case. First, an active parole and probation bench warrant has been in place since November 18, 2018. NRS 176A.500(3) provides that except for the purpose of giving a dishonorable discharge, the time during which violation warrant is in effect is not part of the period of probation. Stated otherwise, the Defendant's probationary period has not expired. Second, 176A.850(2)(a) applies when a Defendant's whereabouts are unknown. The Defendant's whereabouts are not at issue here. Rather, per Defendant's own motion, her whereabouts are known; she is in-custody, serving a 5 year prison sentence, in North Dakota. Accordingly, for the reasons set forth in this Minute Order, Defendant's Motion is DENIED. ;

Deferred Ruling; Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation

Motion Denied; Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation

Journal Entry Details:

Defendant not present. Mr. Mueller stated the Defendant was arrested in North Dakota and will be spending 2-3 years in prison there, and pursuant to the rules of NRS 176.350(2)(c) the Defendant is entitled to a dishonorable discharge in this case. COURT STATED there was an outstanding warrant. Mr. Mueller stated they can bring the Defendant back in three years and then receive the dishonorable discharge. Mr. Raman objected to the dishonorable discharge, as the Defendant did nothing but absconder and then picked up a new charge. COURT ADVISED they will allow the Defendant to file a response to the motion, and the Court will decide on the pleadings. Mr. Raman requested thirty days. COURT ORDERED, Briefing Schedule SET as follows: State's Opposition shall be filed on or before February 16, 2022; Defendant's Reply shall be filed on or before March 2, 2022; matter SET for Decision on the Court's Chambers calendar. B.W. (NIC) 3/10/2022 3:00 A.M. DECISION: MOTION TO QUASH PAROLE AND PROBATION BENCH WARRANT AND ISSUE A DISHONORABLE DISCHARGE FROM PROBATION;

DATE**FINANCIAL INFORMATION****Defendant** Dean, Jamie Joann

Total Charges

88.00

Total Payments and Credits

0.00

Balance Due as of 4/11/2022**88.00**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 23, 2011

C-11-275059-1 State of Nevada
vs
Jamie Dean

August 23, 2011 9:00 AM Initial Arraignment

HEARD BY: De La Garza, Melisa **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Monique Alberto

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Mitchell, Scott Steven	Attorney
	Page, Daniel	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Deft. not present. COURT ORDERED, matter CONTINUED; if Deft. not present at next hearing a Bench Warrant will be issued. COURT FURTHER ORDERED, Deft's presence WAIVED.

NIC

8/30/11 9:00 A.M. ARRAIGNMENT CONTINUED (LLA)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 30, 2011

C-11-275059-1 State of Nevada
vs
Jamie Dean

August 30, 2011 9:00 AM Arraignment Continued

HEARD BY: De La Garza, Melisa **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Carole D'Aloia

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT: Dean, Jamie Joann Defendant
Public Defender Attorney

JOURNAL ENTRIES

- Lynn Robinson, Chief Dep. D.A., present on behalf of the State and Jasmine Spells, Dep. P.D., present for Defendant. Ms. Spells noted the absence of the Defendant and advised her office did send a letter to Defendant regarding this court date. COURT ORDERED, NO BAIL BENCH WARRANT TO ISSUE.

B.W. (NIC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 13, 2011

C-11-275059-1 State of Nevada
 vs
 Jamie Dean

October 13, 2011 9:00 AM Bench Warrant Return

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Coumou, Frank	Attorney
	Dean, Jamie Joann	Defendant
	Mathews, Tirzah Faith, ESQ	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Statement by Ms. Mathews. Deft. requested to be released on her own recognizance. Further statement by Ms. Mathews. Court stated that counsel will need to file a motion and provide additional information. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. DEAN ARRAIGNED AND PLED GUILTY to ATTEMPT POSSESSION OF CONTROLLED SUBSTANCE (F/GM). Court ACCEPTED plea and ORDERED, matter set for sentencing and will use the Presentence Report from C274691.

CUSTODY

11/15/11 9:00 AM SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 18, 2011

C-11-275059-1 State of Nevada
 vs
 Jamie Dean

**October 18, 2011 9:00 AM Motion for Own
 Recognizance
 Release/Settng Reasonable
 Bail**

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Coumou, Frank	Attorney
	Dean, Jamie Joann	Defendant
	Mathews, Tirzah Faith, ESQ	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Arguments by counsel. Court stated that the deft. has done nothing much to show that she deserves the right to be released but there are various programs that could be utilized, therefore, ORDERED, Motion GRANTED. Court advised the deft. that she gets one opportunity; if the deft. does not report to future court dates, absconds or if there is any dishonesty, the Court will not hesitate to place the deft. back in custody.

O.R./I.S.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 15, 2011

C-11-275059-1 State of Nevada
 vs
 Jamie Dean

November 15, 2011 9:00 AM Sentencing

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Kristen Brown

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT: Coumou, Frank Attorney
 Mathews, Tirzah Faith, ESQ Attorney
 Public Defender Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Ms. Mathews stated that she has no representations to make. Court noted that the deft. failed to check in with Intensive Supervision one time. COURT ORDERED, BENCH WARRANT WILL ISSUE, NO BAIL.

B.W. (O.R./I.S.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 29, 2016

C-11-275059-1 State of Nevada
vs
Jamie Dean

November 29, 2016 8:30 AM Motion to Quash Bench Warrant

HEARD BY: Johnson, Susan

COURTROOM: RJC Courtroom 15D

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT:	Dean, Jamie Joann	Defendant
	Lavell, Maria	Attorney
	Paredes, Lester M., III	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Court noted the motion did not have any analysis of the facts. Mr. Paredes advised he didn't know when Deft. would be sentenced in her other case (Department 6) and requested sentencing be set for the Presentence Investigation Report (PSI). There being no opposition, COURT ORDERED, matter SET for sentencing; Deft. REMANDED into custody.

CUSTODY

1/31/2017 - 8:30 AM - SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 03, 2017

C-11-275059-1 State of Nevada
 vs
 Jamie Dean

January 03, 2017 8:30 AM Motion

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

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT:	Dean, Jamie Joann	Defendant
	Mueller, Craig A	Attorney
	Pandelis, Christopher P.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Mueller requested sentencing take place a couple weeks early. No objection by State. COURT ORDERED, Motion GRANTED; sentencing RESCHEDULED; directed counsel to file the Presentence Investigation Report.

CUSTODY (COC)

1/10/2017 - 8:30 AM - SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 10, 2017**

C-11-275059-1 State of Nevada
vs
Jamie Dean

January 10, 2017 8:30 AM Sentencing

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

COURT CLERK: Keri Cromer

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT:	Dean, Jamie Joann	Defendant
	Moreo, Thomas Joseph	Attorney
	Mueller, Craig A	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Arguments by counsel. Mr. Mueller provided the Court with letters for its review. Statement by Deft. DEFT DEAN ADJUDGED GUILTY of ATTEMPT POSSESSION OF CONTROLLED SUBSTANCE (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$60.00 Drug Analysis fee, \$3.00 DNA Collection fee, and \$150.00 DNA analysis fee, including testing to determine genetic markers, WAIVED as previously taken, Defendant SENTENCED to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC), with ZERO (0) DAYS credit for time served; subject to modification; to run CONCURRENT with C274691; SUSPENDED; placed on PROBATION for an indeterminate period not to exceed FIVE (5) YEARS. In addition to all of the standard conditions of probation, Deft. is to comply with the following SPECIAL CONDITIONS:

1. Undergo a substance abuse evaluation and complete any recommended case plan by Parole and Probation;
2. No use, possession, or control of alcohol or marijuana, even if in possession of a marijuana card;
3. Submit to full and complete financial disclosure;

4. Abide by any curfew as deemed necessary by Parole and Probation;
5. Work a minimum of 20 hours as a nurse; if this position is lost and income decreases, maintain full-time employment (a minimum of 35 hours per week); if not employed full-time, perform 20 hours of community service work per week.

Court advised Deft. that probation was a privilege and it would be revoked if violated; further advised that, if Deft. successfully completed probation and received an honorable discharge, Deft. could contact his attorney in order to withdraw his plea and plead to a Misdemeanor. Court noted it would allow Interstate Compact with California. Court DIRECTED Defendant to report to P & P upon release from custody. BOND, if any, EXONERATED.

NIC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 19, 2022**

C-11-275059-1 State of Nevada
vs
Jamie Dean

January 19, 2022	12:00 AM	Motion to Quash Bench Warrant	Motion to Quash Parole and Probation Bench Warrant and Issue a Dishonorable Discharge from Probation
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HEARD BY: Silva, Cristina D.**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Kory Schlitz
David Gibson**RECORDER:** Gina Villani**REPORTER:****PARTIES**

PRESENT:	Mueller, Craig A	Attorney
	Raman, Jay	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present.

Mr. Mueller stated the Defendant was arrested in North Dakota and will be spending 2-3 years in prison there, and pursuant to the rules of NRS 176.350(2)(c) the Defendant is entitled to a dishonorable discharge in this case. COURT STATED there was an outstanding warrant. Mr. Mueller stated they can bring the Defendant back in three years and then receive the dishonorable discharge. Mr. Raman objected to the dishonorable discharge, as the Defendant did nothing but absconder and then picked up a new charge. COURT ADVISED they will allow the Defendant to file a response to the motion, and the Court will decide on the pleadings. Mr. Raman requested thirty days. COURT ORDERED, Briefing Schedule SET as follows: State's Opposition shall be filed on or before February

16, 2022; Defendant's Reply shall be filed on or before March 2, 2022; matter SET for Decision on the Court's Chambers calendar.

B.W. (NIC)

3/10/2022 3:00 A.M. DECISION: MOTION TO QUASH PAROLE AND PROBATION BENCH WARRANT AND ISSUE A DISHONORABLE DISCHARGE FROM PROBATION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****March 10, 2022**

C-11-275059-1

State of Nevada

vs

Jamie Dean

March 10, 2022**3:00 AM****Motion to Quash Bench
Warrant****Motion to Quash
Parole and Probation
Bench Warrant and
Issue a Dishonorable
Discharge from
Probation****HEARD BY:** Silva, Cristina D.**COURTROOM:** Chambers**COURT CLERK:** Kory Schlitz**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Pending before the Court is Defendant s Motion to Quash Parole and Probation Bench Warrant and to Issue a Dishonorable Discharge from Probation. This matter initially came before the Court on January 19, 2022. During that hearing, the State objected to the motion, noting that the Defendant was not only an absconder but had also picked up a new case. Because of the specific facts of this case, together with the State s objection to the motion, the Court ordered additional briefing to determine if the Court could properly dishonorably discharge the Defendant from probation. On February 10, 2022, the State filed a written opposition to the motion. On March 4, 2022, counsel for the Defendant filed a reply to the State s opposition.

Having reviewed the pleadings and considered the arguments of counsel, the Court hereby DENIES the instant Motion. Defendant misconstrues the plain language of NRS 176A.850(2)(a).

In sum, NRS 176A.850(2)(a) provides that a person whose term of probation has expired and the

person s whereabouts are unknown is ineligible for an honorable discharge and must be given an dishonorable discharge. NRS 176A.850(2)(a). This statute is inapplicable to this case.

First, an active parole and probation bench warrant has been in place since November 18, 2018. NRS 176A.500(3) provides that except for the purpose of giving a dishonorable discharge, the time during which violation warrant is in effect is not part of the period of probation. Stated otherwise, the Defendant s probationary period has not expired.

Second, 176A.850(2)(a) applies when a Defendant s whereabouts are unknown. The Defendant s whereabouts are not at issue here. Rather, per Defendant s own motion, her whereabouts are known; she is in-custody, serving a 5 year prison sentence, in North Dakota.

Accordingly, for the reasons set forth in this Minute Order, Defendant s Motion is DENIED.



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

CRAIG A. MUELLER, ESQ.
808 S. 7TH ST.
LAS VEGAS, NV 89101

DATE: April 11, 2022
CASE: C-11-275059-1

RE CASE: STATE OF NEVADA vs. JAMIE DEAN aka JAMIE JOAN DEAN

NOTICE OF APPEAL FILED: April 8, 2022

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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



Case Appeal Statement

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



Written Order



Notice of Entry of Order

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

JAMIE DEAN aka JAMIE JOAN DEAN,

Defendant(s).

Case No: C-11-275059-1

Dept No: II

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 11 day of April 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

