

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN WILLIAMS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

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Appeal from a Judgment of Conviction in Case Number CR20-0630B  
The Second Judicial District Court of the State of Nevada  
The Honorable Kathleen M. Drakulich, District Judge

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JOINT APPENDIX VOLUME TEN

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1 #4185

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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE  
8 HONORABLE KATHLEEN DRAKULICH, DISTRICT JUDGE

9 -oOo-

10 THE STATE OF NEVADA, Case No. CR20-0630A  
11 Plaintiff, & CR20-0630B  
12 Dept. 1

13 vs.

14 ADRIANNA MARIE NORMAN and  
15 RYAN WILLIAMS,

16 Defendants.  
17 \_\_\_\_\_/

18 TRANSCRIPT OF PROCEEDINGS  
19 JURY TRIAL - DAY 12  
20 READING OF JURY INSTRUCTIONS  
21 AND CLOSING ARGUMENTS

22 April 27, 2021

23 Reno, Nevada

24 REPORTED BY: CONSTANCE S. EISENBERG, CCR #142, RMR, CRR

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1 TUESDAY, APRIL 27, 2021, RENO, NEVADA, 8:10 A.M.

2 -o0o-

3 THE COURT: Good morning, counsel. Last, yesterday,  
4 when we went off the record for the day, the jury instructions had  
5 been settled. And, thereafter, the counsel and Court remained in  
6 order to do jury instructions and number then.

7 And subsequent to doing that this Court provided hard  
8 copies to all parties in this case, the jury instructions.

9 Mr. Prengaman, beginning with you, sir, the hard copy  
10 version of the instructions that you were provided by this Court,  
11 do they reflect the order and the numbering that the parties  
12 participated in, in this court?

13 MR. PRENGAMAN: Yes, Your Honor.

14 THE COURT: Okay. Thank you.

15 MR. PRENGAMAN: Yes, Your Honor.

16 THE COURT: Thank you so much.

17 Ms. Hickman and Ms. Grosenick, same question.

18 MS. HICKMAN: Your Honor, they do. I don't think we  
19 have copies of the verdict forms.

20 THE COURT: Copies of the verdict forms.

21 MS. HICKMAN: They weren't here.

22 THE COURT: Here they are.

23 Ms. Hickman, Ms. Grosenick, do you want copies of the  
24 verdict forms before we begin?

25 MS. HICKMAN: Yes, please.

1 THE COURT: Okay. We'll do that.

2 Ms. Rosenthal and Mr. Picker, the same question.

3 MS. ROSENTHAL: Your Honor, we have received the  
4 instructions and they do appear to be in the proper format, as we  
5 went over.

6 And as long as the verdict forms are the same, that way  
7 we know we have what we've proposed.

8 THE COURT: Okay. We're going to get you copies of the  
9 verdict forms right now.

10 Counsel, go ahead and examine them. We have provided  
11 you with hard copies of all of the verdict forms for both cases.

12 Let me know iff you've had an opportunity to review  
13 them.

14 I'm just going to ask if you have completed sets of  
15 guilty and not guilty for every count, each case.

16 MS. GROSENICK: Our copy is complete, Your Honor.

17 THE COURT: Thank you, so much.

18 Ms. Rosenthal, when you get a chance; Mr. Prengaman, the  
19 same, let me know.

20 MR. PRENGAMAN: Yes, Your Honor.

21 THE COURT: Complete set --

22 MR. PRENGAMAN: Yes, ma'am.

23 THE COURT: -- Mr. Prengaman?

24 MS. ROSENTHAL: Your Honor, my set does not have a "not  
25 guilty" for the robbery.

1 THE COURT: For which case?

2 MS. ROSENTHAL: Ms. Norman.

3 THE COURT: Thank you.

4 Should be the top. Maybe two got stuck together.

5 Ms. Rosenthal, have you been provided a hard copy of  
6 that "not guilty"?

7 MS. ROSENTHAL: Yes, Your Honor. It appears now we do  
8 have all of the counts for guilty/not guilty related to the  
9 verdict forms.

10 THE COURT: All right. Thank you so much.

11 Counsel, it's my intention now to bring out the jury  
12 unless there are other preliminary matters.

13 MS. HICKMAN: Your Honor, before you do that, I just  
14 want to make sure that we can close from behind our counsel table  
15 with this here like this.

16 THE COURT: Right. You can, absolutely. But let's do  
17 this. Do we have another Plexiglas sheet somewhere, to add to  
18 counsel table?

19 THE BAILIFF: Yeah, we can check.

20 THE COURT: Can we do that, please.

21 THE BAILIFF: Yeah.

22 THE COURT: Thank you.

23 MS. HICKMAN: Do we need more than what we have?

24 THE COURT: No, you're covered.

25 MS. HICKMAN: Thank you.

1 THE COURT: All right. There you go.

2 Ms. Hickman, pull it in too, so that the -- pull it in  
3 so that the -- there you go. All the way on the table.

4 MS. HICKMAN: Thank you.

5 THE COURT: You are so welcome. Thanks, Ms. Hickman.  
6 All right, counsel.

7 THE BAILIFF: All rise for the jury.

8 (The jury entered the courtroom.)

9 THE COURT: Good morning, ladies and gentlemen, and  
10 welcome back.

11 Ladies and gentlemen, I'm now going to instruct you on  
12 the law as applies to this case. The instructions, however, are  
13 of such importance that I am forced to read them to you simply  
14 because every word matters, and that's why it's necessary for me  
15 to read them to you.

16 These instructions have been provided to you -- there's  
17 a copy on each of your chairs -- as you came out, so you can  
18 follow along.

19 Be mindful, when you go to the jury room, the  
20 instructions will be provided to you, so you will have them.

21 All right.

22 In the Second Judicial District Court of the State of  
23 Nevada, in and for the County of Washoe, the State of Nevada,  
24 Plaintiff, versus Ryan Williams and Adrianna Lee Norman,  
25 Defendants.

1 (The Court read the jury instructions  
2 from 8:21 a.m. to 9:08 a.m.)

3 THE COURT: Ladies and gentlemen, let's do this. Let's  
4 take a brief recess.

5 During this recess you must not discuss or communicate  
6 with anyone, including fellow jurors, in any way, regarding the  
7 case or its merits, either by voice, phone, email, texts, or other  
8 means of communication or social media.

9 You must not read, watch or listen to any news or media  
10 accounts or commentary about the case, do any research, such as  
11 consulting dictionaries, using the Internet, or using reference  
12 materials, make any investigation, test the theory of the case,  
13 recreate any aspect of the case, or in any other way investigate  
14 or learn about the case on your own.

15 And you must not form or express any opinion regarding  
16 the case until it's submitted to you.

17 We'll be in recess for about 10 minutes.

18 I'll stay here.

19 THE BAILIFF: Your Honor, before I dismiss the jury do  
20 you want them to leave their instructions here?

21 THE COURT: Yes, please. Thank you.

22 (The jury left the courtroom.)

23 THE COURT: Okay. Counsel, take a look at Exhibit 40  
24 that I was just reading to the jury. Line 10. We have a hanging  
25 sentence there, "the intent to commit larceny, assault and battery



1 on any person, kidnapping."

2 I'm going to grab my instructions from yesterday.

3 MS. HICKMAN: Judge, I thought that should be, because  
4 it says assault or battery on the person -- oh, I'm sorry.

5 THE COURT: Take a look at line 10.

6 MS. HICKMAN: Oh, there it is. Sorry. I was looking at  
7 the wrong line. I was in the wrong line.

8 THE COURT: Okay. Give me just a minute.

9 (A recess was taken.)

10 THE COURT: Go back on the record.

11 We're outside the presence of the jury.

12 In reading Instruction 40 to the jurors, it appears to  
13 me that there's an editing error.

14 Before finishing reading it, I sent them to the jury  
15 room.

16 On line six of the paragraph that begins, "Entry by  
17 breaking," the last line of that paragraph is line 10, and there's  
18 a hanging sentence that says, "The intent to commit larceny,  
19 assault and battery on any person, kidnapping."

20 It's an editing error, when we combined the instruction  
21 proposed by Defendant Williams last night with the one proposed by  
22 the State, and this ended up not being deleted, but that's this  
23 Court's reading of what happened.

24 Mr. Prengaman, I turn to you now. My proposal is to  
25 provide -- is to edit, edit Instruction 40 by removing the partial

1 sentence at line 10 of page 1 that moves on to line 11, that reads  
2 "the intent to commit larceny, assault or battery on any person,  
3 kidnapping," but I want to know if the State is in agreement with  
4 that.

5 MR. PRENGAMAN: Yeah, the State is in agreement, Your  
6 Honor.

7 THE COURT: Okay. Ms. Grosenick, Ms. Hickman.

8 MS. GROSENICK: Thank you, Your Honor, Mr. Williams is  
9 in agreement.

10 And we do have one additional issue to take up when the  
11 Court is ready.

12 THE COURT: Okay. Ms. Rosenthal, Mr. Picker.

13 MS. ROSENTHAL: Thank you, Your Honor. We are in  
14 agreement with the new proposed number 40.

15 THE COURT: What I propose to do is go back. We have a  
16 copy of the new 40. We're going to put one on each one of the  
17 jurors' chairs. They are not going to take their version of their  
18 instructions with them anyway. They're going to take my original.  
19 And so I will put a copy of the 40 that we're modifying, that  
20 we're taking out of my original packet and put it in the record,  
21 so the record will reflect what it said, and then we'll put a copy  
22 of the new 40, and I will just bring the jury back in and start  
23 with number 40 again, and then instruct them to go from that  
24 instruction to number 41 in their packet.

25 Again, Deputy Woods is going to collect all of those

1 from them before they go back. It's my original 40.

2 Okay. Mr. Prengaman, satisfactory to the State?

3 MR. PRENGAMAN: Yes, Your Honor.

4 THE COURT: Ms. Grosenick, to Mr. Williams?

5 MS. GROSENICK: Yes, Your Honor.

6 THE COURT: Ms. Rosenthal, to Ms. Norman?

7 MS. ROSENTHAL: Yes.

8 THE COURT: Okay. Excellent.

9 Ms. Grosenick, you had another issue?

10 MS. HICKMAN: Your Honor, before we go into that, I  
11 would like to address the fact that the State's witnesses are  
12 present in court to watch closing and the jury instruction  
13 reading; and the reason is, is those witnesses should be held to  
14 the same limitations that Mr. Williams' and Ms. Norman's families  
15 were held to. The Court did not allow them in here to watch in  
16 person, and those witnesses should be held to the same standard.

17 THE COURT: Mr. Prengaman?

18 Do we, Ms. Clerk -- Deputy, would you tell me, is there  
19 a place in the Courthouse where the trial can be viewed?

20 THE BAILIFF: Your Honor, I'd like to turn to Alicia for  
21 that. We are doing another jury selection so I'm not sure if  
22 that, our original room, is currently being used.

23 THE COURT: Ms. Lerud, do we have a place in the  
24 courthouse where this trial can be viewed?

25 COURT ADMINISTRATOR LERUD: Your Honor, Alicia Lerud,

1 Court Administration, for the record. We can get that set up in  
2 the next five minutes.

3 THE COURT: Let's do that. Thank you.

4 COURT ADMINISTRATOR LERUD: Yes, Your Honor.

5 THE COURT: And we'll ask that all personnel who are  
6 currently observing, that are not participating in the trial, who  
7 may have been witnesses, view the trial from that location. Okay.

8 That's it? Ms. Grosenick, Ms. Hickman, anything else  
9 before I bring the jury back?

10 MS. HICKMAN: No, Your Honor.

11 (The jury entered the courtroom.)

12 THE COURT: Ladies and gentlemen, when we took the  
13 recess, I was reading instruction number 40. Just so you know,  
14 that they are all numbered.

15 During the recess, because there was a typographical  
16 error of sorts in the instruction 40 that's in your packet, we  
17 provided you a new 40. So that instruction begins with "The crime  
18 of burglary."

19 As soon as I finish reading this 40, I want you to go  
20 back to your packet, to instruction number 41, and I'll take up  
21 there in your packet.

22 With that, let's go to instruction 40 again.

23 "The crime of burglary consists of the following  
24 elements."

25 ///

1           (The Court continued reading the jury instructions  
2                           from 9:26 a.m. until 9:56 a.m.)

3           THE COURT: Ladies and gentlemen, that concludes the  
4 presentation of the jury instructions.

5           I now turn to Mr. Prengaman.

6           MR. PRENGAMAN: Thank you, Judge.

7           Good morning, ladies and gentlemen.

8           I submit to you the evidence you've heard in this case  
9 has proved beyond a reasonable doubt that these two defendants,  
10 Adrianna Norman and Ryan Williams, are guilty of each offense as  
11 they are charged.

12           I submit the evidence has established that these two  
13 defendants set in motion a chain of events at Bob and Lucy's  
14 Tavern on the morning of February 22nd, 2020, that resulted  
15 ultimately in the death of the someone that was not involved in  
16 their beef with Steven Sims.

17           And it started here at Bob and Lucy's Tavern. It  
18 started with the arrival of both defendants in that white  
19 Chevrolet truck. It started with their entry into the tavern to  
20 confront Steve Sims.

21           And ultimately it ended here on Interstate 80, where  
22 Jacob Edwards was killed, when the defendant, trying to evade  
23 police, trying to evade arrest, collided with him going the wrong  
24 way and killed him.

25           And Jacob Edwards' death, I submit, was the culmination

1 of an unbroken chain of events from the events at Bob and Lucy's,  
2 leading -- again, a chase by the police on to the freeway that  
3 resulted in what you see here.

4 Now, as your instructions -- as the judge has just read  
5 to you, intent may be proved by circumstantial evidence. And  
6 particularly when it comes to the intent of the defendants, it  
7 rarely can be shown by any other means.

8 I submit to you that the evidence in this case, the  
9 actions, the evidence that you have heard about the actions of the  
10 defendants, reflects greatly on their intent, and specifically  
11 their intent in going into the tavern that morning to confront  
12 Steven Sims.

13 They engaged in a series of acts that morning. They  
14 entered Bob & Lucy's for a purpose. The series of events were --  
15 and now during the course of the trial, you watched the video  
16 footage. And I'm going to address that, because it's significant.

17 There were points in time where the lawyers isolated  
18 certain events and sort of zoomed in and talked about specific  
19 events.

20 But I submit to you that while each action does reflect  
21 on the intent, you should keep in mind that these are not isolated  
22 actions. Each act by these defendants build on what came before.  
23 And ultimately you will see their intent reflected by not just  
24 what they did at the beginning, but their conduct as things  
25 progressed.

1           So the events, their actions, are related. They are not  
2 isolated. They are coordinated.

3           I submit to you the evidence will show that they were  
4 more acting together. These two defendants had a purpose, had a  
5 plan. And as the instructions told you, a conspiracy, a criminal  
6 agreement doesn't have to be a contract. It's not something that  
7 has to be written out, "we hereby agree to enter and rob Steve  
8 Sims." It can be much looser than that. But the critical aspect  
9 is there must be some type of agreement.

10           And I submit to you that there was an agreement here,  
11 there was a joint purpose in going in to confront Steven Sims.  
12 And both of these defendants were acting together from the very  
13 beginning.

14           Now when the -- as we see here in sort of the opening  
15 frame, Steve Sims is inside the casino. He's gambling.

16           Now the white Chevrolet truck, which we'll see shortly,  
17 arrives. You know from the evidence in the case that there were  
18 three occupants: Ryan Williams, the defendant who was driving;  
19 Adrianna Norman, who was the in the back passenger; and Zane  
20 Kelly, who was the front passenger.

21           Now you also know that, when they first pulled up, Zane  
22 Kelly gets out and he enters the casino, the tavern.

23           Now when you see him, you will see that he goes in and  
24 he makes a lap. I submit that's sort of like a surveillance lap.

25           He goes in, he doesn't do anything but walk around, look

1 around, and then go back out. So he comes in looking for  
2 somebody.

3 And as you see him go back through that vestibule, Ryan  
4 Williams is coming in, and you're going to see that he gives him  
5 sort of the thumbs back.

6 (Video recording played.)

7 MR. PRENGAMAN: And this is, of course, from Exhibit  
8 Number 2.

9 And now going to Exhibit 1, you can see him enter from  
10 different angle, you can see him circle around that gaming floor  
11 and go right back out the door.

12 (Video recording played.)

13 MR. PRENGAMAN: Now, according to the evidence you  
14 heard, he's never met Steve Sims. However, I submit that it is  
15 Steve Sims who he is looking for and whom he is going to point out  
16 to Mr. Williams.

17 Now, it was suggested in questioning when Mr. Kelly was  
18 testifying that he was pointing out the bathroom, but I submit to  
19 you, when you watch, you know where the bathroom is. It's  
20 directly back. And now it's sort of -- that wall is to the left,  
21 as you're looking at the photograph. That wall goes straight back  
22 and the bathroom is to the left.

23 Now you see Mr. Kelly thumbing back to Mr. Williams as  
24 they pass each other here. Now, I submit to you it's clear he's  
25 indicating if you go straight line from where that thumb is going



1 back to, that's exactly where he saw Steven Sims sitting on the  
2 gaming floor.

3 (Video recording played.)

4 MR. PRENGAMAN: And now, again, I think that's  
5 significant because that tells you that there was communication  
6 and they were looking for Steve Sims.

7 Now when Mr. Williams enters, you will see that he does  
8 not look around. He doesn't come in and sort of look around the  
9 gaming floor, he goes right to the bathroom.

10 And then he comes out and he goes right to look where  
11 Steve Sims is seated. And he does a smaller lap into the tavern  
12 gaming floor, where, I'll submit, you'll see he is not looking  
13 around. It's not happenstance that he sees Steve Sims. He's  
14 looking directly for him, and I submit because that's where Zane  
15 Kelly pointed him out.

16 (Video recording played.)

17 MR. PRENGAMAN: He doesn't look side to side. He wasn't  
18 looking around. Looks straight ahead, goes to the bathroom, then  
19 comes out.

20 The only place he looks is where Steve Sims is sitting,  
21 and then he goes right back outside.

22 Then going to -- this is Exhibit Number 1. You can see  
23 from that angle, looking directly towards where Steve Sims is  
24 seated, and then he's looking directly ahead, going out.

25 Now when he, Mr. Williams, gets in the truck -- and you

1 can tell, it's dark outside, but you can tell he's talking. You  
2 can see his head move. You can see him turn his head back from  
3 time to time.

4 And then very shortly Adrianna Norman gets out of the  
5 truck. And she adjusts her waistline, and then goes, steps back  
6 behind the truck, and then she goes in Bob and Lucy's.

7 I submit, you'll know from the evidence that she has  
8 armed herself before getting out of that truck, and that is to  
9 take a gun. She's armed herself in order to go inside and to  
10 confront Steve Sims.

11 And, again, I submit, you can watch Mr. Williams right  
12 now, sitting in that truck. There's conversation going on. He's  
13 moving his head back to where Ms. Norman is seated, and there's  
14 conversation and discussion.

15 And I submit that discussion is about Steve Sims. He's  
16 talking about Steve Sims is in there. And she's getting ready to  
17 go in and confront him, because that's the reason they are there.

18 Now, you know from the evidence that she's armed. One  
19 reason is you actually see her pull out the gun and display it to  
20 Steve Sims later on in that surveillance footage.

21 You also know he is, as they are trying to get Steve  
22 Sims out -- you'll recall seeing this in the vestibule --  
23 Mr. Williams waives Ms. Norman into the vestibule, reaches  
24 directly into her -- under her arm, under her jacket, and removes  
25 that gun and takes it out to the truck.

1           That's significant because it shows you he knows that  
2 she's armed. He knows exactly where the gun is. And, again, he's  
3 assisting her. There's a reason that he's now, at this point was  
4 -- transpired, getting that gun and taking it back out to the  
5 truck.

6           And I submit to you that arming herself, taking that  
7 gun, it shows intent, it reflects upon her reason. You don't take  
8 a gun in to just have a conversation or just to talk. You take a  
9 gun in for a specific reason, and that has to do with force and  
10 threat.

11           And, again, I submit to you that speaks very  
12 significantly to Ms. Norman's and Mr. Williams' intent, because  
13 what you see up to this point is Zane Kelly go in and do an  
14 scouting lap.

15           You saw Mr. Williams go in and do a scouting lap, and  
16 convey that information, I submit, to Ms. Norman; and she armed  
17 herself and went in to confront Steve Sims. That is what you have  
18 just witnessed.

19           Then, in addition to that, reflected on videotape, you  
20 have Ms. Norman's statements to Sergeant McNeely when she's being  
21 handcuffed.

22           So after Steve Sims has left, you'll recall that -- and  
23 Sergeant McNeely has encountered Mr. Sims and tried to find out  
24 information about what has happened, as he heads back towards Bob  
25 & Lucy's he encounters Ms. Norman. And Ms. Norman is -- has an

1 exchange with Mr. Sims in that parking lot.

2 And I submit to you that she encapsulates, in those  
3 statements, her -- the whole discussion that she's just had with  
4 Mr. Sims. She encapsulates the encounter.

5 She demonstrates she's still mad about the -- over the  
6 accusation of the missing Xbox and other items from her kids. She  
7 hasn't let it drop. It's still a beef. And she recaps that for  
8 you in this, in that clip.

9 On top of that, when you consider her intent, again,  
10 this applies, as the judge told you, this is considering it for  
11 her intention going in, but the string of emails that she sent  
12 Mr. Sims. When he left, she sent that series of emails. He  
13 didn't tell her he was leaving, and she made the accusation,  
14 escalating to threats -- to threats. "Your day is coming." "Your  
15 time is coming." "It's almost your time."

16 And she's still upset. She's still, I submit, just as  
17 mad on the 22nd as she was when she issued those because he's  
18 ignored her.

19 So here, this is the clip from Sergeant McNeely's body  
20 camera. And you'll hear her statements. She talks about, "All I  
21 wanted for you was to make it right." Again, "make it right."  
22 It's a beef to her still.

23 To this point in time, even after the fact, as they are  
24 out in the parking lot, it's still a beef. She's looking for him  
25 to make it right.

1           And she tells him here, when she's looking for help,  
2 "It's dropped. Okay. I'll drop it. It's dropped." Telling you  
3 again it hasn't been dropped up to this point. It's still a beef  
4 even up to this point.

5                               (Video recording played.)

6           MR. PRENGAMAN: So now it's dropped, but not before  
7 then.

8           So that tells you, again, Norman believed there was a  
9 beef that Sims needed to pay for. She wanted more than an  
10 explanation. It wasn't just going in to talk. She armed herself  
11 and she went in there for him to make it right. And she hadn't  
12 dropped it or let it go.

13           And she lies about having a gun, in what you just heard,  
14 which shows her guilty knowledge for why she had it. She had it  
15 for no good reason. She had it to advance her purpose of having  
16 Sims make it right.

17           Now when she enters, she goes right directly to where  
18 Sims is seated, and I submit to you, because she's been told where  
19 to find him, so she knows exactly where to go. And that's where  
20 she goes.

21           And that, again, reflects on Williams' participation and  
22 understanding. He understands why Norman is there. He is  
23 facilitating and assisting her in everything that has occurred up  
24 until now.

25           And, again, footage from Exhibit 2.

1 (Video recording played.)

2 MR. PRENGAMAN: You also know that that handgun was  
3 fully loaded. You know that from the evidence in the case from  
4 when it was found in the truck.

5 And I will -- I submit the evidence showed when, and  
6 we'll see, but when Mr. Williams took that gun out to the truck  
7 and shortly after he saw the police arrived, he placed it under  
8 the seat, which is where it was ultimately found after the  
9 collision.

10 But you know from the testimony from the forensic  
11 investigator that searched the truck, that in these exhibits you  
12 are looking at the gun, a bullet from the chamber and the fully  
13 loaded magazine that came out.

14 It wasn't -- it was a real gun. And, again, Williams  
15 knew that she was armed. And he's associated with that gun.

16 You know he's associated with it, not just because he  
17 knew exactly where to get it, not because he recovered it from her  
18 and took it out to the truck after they believed that Sims was  
19 getting money for them, but you also know because in his pocket,  
20 in that small coin pocket of his jeans, there's a 9-millimeter  
21 bullet, which is the same head stamp and -- or cartridge, as it  
22 was referred to, the same type of cartridge that was loaded in  
23 that gun.

24 Now, when Norman goes in, she confronts Sims. And it's  
25 not a cordial interaction, and it never is. You can tell -- you

1 don't need to hear what's being said.

2           Again, I submit, you heard a summary of what happened,  
3 after the fact, with -- on Sergeant McNeely's body camera. She  
4 was making the accusation. Sims wasn't acknowledging it. And she  
5 was there to get payback. And she was, again, upset. And that  
6 shows you -- you can see the body language and demeanor, it's  
7 never cordial. It is angry. It is an angry argument.

8           There, after about two minutes, she pulls out the gun  
9 and shows him.

10           Now it continues past this for about three minutes. And  
11 the demeanor and the gestures show it continues to be -- just as  
12 he does what you saw. Again, I submit, when you watch the video,  
13 this continues to be a heated discussion. It really doesn't cool  
14 down.

15           And you don't need to hear the words. You can see it  
16 from the body language and the gestures, the demeanor.

17           Now, at this point or just after this point in  
18 Exhibit 2, Ms. Norman is going to stand up. And you know, again,  
19 from watching that footage, from seeing when Ryan Williams is in  
20 the vestibule, later on reaches in and takes that gun, you know  
21 it's tucked under her arm, you know right where it is. And,  
22 again, you know that just from watching the surveillance footage.

23           And she just pulled out the gun and displayed it. But  
24 she's going to stand up and she's going to place her hand, she's  
25 going to have her hand on that gun and she's going to pace with

1 her hand continuously on the gun.

2 And I submit that is a demonstration of force and  
3 threat. Watch her demeanor. And she's -- again, she already  
4 displayed the gun, she's already shown it to Mr. Sims. And she  
5 pulled it out from where it is.

6 So even, again, without hearing a word of what is said,  
7 you know that he knows where she has it. And it is obvious that  
8 she's demonstrating her hand on the gun in a threatening manner.

9 Now, Zane Kelly then comes in two more times -- two  
10 times. He comes in, goes to the bathroom. And as you'll recall,  
11 he does circle around the floor, circled around where Ms. Norman  
12 and Mr. Sims are.

13 And then he comes -- he goes out. He's out for a short  
14 period of time, and he comes back in again, at which point he is  
15 intercepted by the bartender.

16 But before -- as we know from Mr. Cole, David Cole told  
17 us he asked him to go out because he noticed he kept going in and  
18 out. So he asked for ID, which Mr. Kelly couldn't produce. So he  
19 told him to go back outside. So you see that occur.

20 And you also saw or recall that before he did that he  
21 went, and there was some type of -- you can see it on the video,  
22 just again, you don't have to hear what was said, but there was  
23 some type of contact between he and Ms. Norman before he was  
24 called back and went outside.

25 And once he gets back out, I submit, you -- just by



1 watching through the window, you'll again see there's a discussion  
2 between Williams and Kelly, because this was another surveillance  
3 or scouting lap, is to apprise Mr. Williams about what's going on.

4 Now Sims and Norman continue this encounter and it still  
5 remains heated, you can tell again, without hearing a word, just  
6 by watching the gestures, which continue pretty much the same as  
7 they were previous.

8 Then this -- shortly, Defendant Ryan Williams enters Bob  
9 & Lucy's. And again, he enters for a purpose. He has an intent.  
10 He targets Sims immediately. And I submit again, without even  
11 hearing the words spoken, you can tell a number of things.

12 He doesn't -- he knows what's going on. He knows what  
13 is happening between Norman and Sims, and he knows that because it  
14 was discussed before they ever went in, either of them ever went  
15 in, in the first place.

16 And you can tell that because he doesn't have to come up  
17 and ask her what's going on. There's no interaction between  
18 Norman and Mr. Williams. He doesn't come up and have a discussion  
19 with her.

20 He comes right up and focuses on Steve Sims. And you  
21 can tell that the interaction is with Sims. And, physically, he  
22 imposes on Sims.

23 And you can tell, again, I submit, without even hearing  
24 the words that are spoken, you can tell, he imposes on Sims. He  
25 reaches down, takes his ticket, and then is ushering Sims out the

1 door. You can see the coerciveness without even hearing the  
2 words.

3 As they go out, Adrianna Norman, who has the gun, gets  
4 behind Sims, and you can tell that -- you can tell that he doesn't  
5 want to go out. You can tell that he's got fear, because he does  
6 not want to step out of the tavern. Again, you can tell that just  
7 from watching the footage.

8 You will recall -- and you'll see, momentarily, he  
9 stops, again, doesn't want to go out; but then Mr. Williams steps  
10 into that vestibule and you can see him, his demeanor, watch him.  
11 You can, again, without even hearing the words he's speaking, you  
12 can tell he's telling him to come out, he's telling him to come  
13 out. And it's not a nice conversation. It's threatening. And  
14 he's still holding Sims' voucher in his hand that he just took.

15 Now, without some testimony about specifically what was  
16 being said, just from the video, you know something is happening,  
17 but you don't know quite what. But you do know, from the  
18 surveillance footage, Mr. Sims goes to the bar area.

19 Williams is very shortly going to turn around and call  
20 Norman into the vestibule and he's going to remove that gun from  
21 under her jacket.

22 Now, even without hearing from Steve Sims, I submit, you  
23 know from the evidence what happens next, because of the text  
24 messages.

25 So as you heard, and you just saw in that footage from

1 McNeely's camera, body camera, she was holding her phone. As you  
2 recall from the testimony and evidence in the case, ultimately  
3 when she goes to the police station, the police have her phone and  
4 she consents to allow them to do a forensic download of it.

5 And what they find is that, at 6:26, or, I'm sorry,  
6 6:25, about 6:25:26, and that's when the surveillance footage --  
7 that's from Exhibit 2 and Exhibit 1, Williams is back out in that  
8 truck.

9 From her phone at 6.26.13 she receives a text from Bear,  
10 so they are contacting her phone, Bear. And the photograph that  
11 you see here is the photograph from her phone that corresponds to  
12 bear. And the text message is "Call me when it's ready."

13 And then she, as you know or recall from the evidence,  
14 she ultimately responds a few minutes later with a series of text  
15 messages to bear.

16 Now bear doesn't answer them because by that time the  
17 police have arrived and he's in the process of deciding whether to  
18 submit or flee. And then flee.

19 But the communications through those text messages tell  
20 you what's going on. They reflect. "Call me when it's ready."  
21 She responds, "The owner says he's going to bring me a hundred  
22 dollars," and we'll see them shortly, but shes responds or says,  
23 "We can get a hundred dollars. Can you wait 15 minutes? We kinda  
24 need that." They have this kind of back and forth, "When it's  
25 ready," and she responds. And it's clear that they are waiting

1 for money.

2 And there's the text from Exhibit 111.

3 Now you know that Steve Sims talks to Cole, you can see  
4 that on the surveillance footage.

5 He returns to talk to Norman. You can see that on the  
6 surveillance footage.

7 Williams is waiting outside in the truck. And, again,  
8 you know Sims, without hearing from him, you know he was afraid.  
9 You know he was scared, because he had Cole call 911. And Cole  
10 did call 911.

11 And that demonstrates that again, just as you saw, he  
12 didn't want to step out with Williams and Norman. And he's  
13 fearful enough that he had David Cole call the police.

14 (911 recording played.)

15 MR. PRENGAMAN: And then David -- then 911 calls back.  
16 Nicole talks to him further, but never mentions a robbery. He  
17 mentions the threats, the things that you've heard.

18 Now, at 6:32 Norman texts Bear. This is again from her  
19 phone. This is another one of the text messages that came from  
20 her phone.

21 And she says "Hey, the owner just said 15 minutes and  
22 he's going to gimme a hundred dollars." And even that is to bear.

23 And then, "So can we wait 15?" 6:33:39. And then  
24 6:33:45, "We kind of need that."

25 And again, the back and the forth.

1           Clearly indicating, again, you haven't heard any direct  
2 testimony, but watching the video, looking at a text messages, it  
3 tells you what is going on. They are waiting for money. The  
4 interaction with Steve Sims that we've seen on surveillance video  
5 has to do with this money.

6           And, again, the text messages, the communication between  
7 the two, tells you there is a joint purpose, a joint goal,  
8 coordinated action. They are working together, deciding together.  
9 She is consulting her partner on what is happening.

10           Now, again, you know from the surveillance footage that  
11 Steve Sims was afraid, because before the police get there, he  
12 runs out. And, again, you know that just from watching the  
13 surveillance video.

14           And as you will recall, this is -- this is from  
15 Exhibit 1, and this is that Channel 7 camera that's kind of that  
16 side door to the west of Bob & Lucy's.

17           Now shortly after that, Ryan Williams is still waiting  
18 out in the truck. And the police begin to arrive. And as you  
19 will see from the surveillance footage, he knows they're there.  
20 You can see him, as you watch him, look in the rearview mirror.  
21 He's aware that the police are arriving.

22           He watches them in the rearview mirror and you'll see he  
23 opens the door. At one point it appears he's debating whether to  
24 get out. He doesn't. He goes back in.

25           I submit you'll see him lean over the seat, which I

1 submit is when he places that gun under the seat because the  
2 police are there. And that's when the cashout voucher goes under  
3 the floor mat.

4 And then, again, he considers getting out. Opens the  
5 door, but then decides. Ultimately he closes the door and flees.

6 (Video recording played.)

7 MR. PRENGAMAN: Now you are going to see him shortly  
8 lean forward.

9 I submit what you've just seen is he deliberated. He  
10 deliberated whether to submit to the police or to flee.

11 And he decides. That's what he does.

12 And I submit we saw him lean over. He knows the police  
13 are there, so he's tucking that gun under the seat. And that's  
14 where it's found. That's exactly -- where you see in that exhibit  
15 is exactly where the gun is found after the collision.

16 And then you know and recall the finding of the ticket  
17 now. Now, it was suggested could that have gotten there somehow  
18 in the collision. Maybe it's not impossible, but look at the  
19 circumstances. You heard the testimony. This is exactly where it  
20 was found. Look at that mat, look at the location, and consider  
21 the realistic likelihood that it flew under there, that a piece of  
22 paper, a ticket flew under the mat.

23 I submit to you what the evidence shows is at the same  
24 time he put the gun under there, he put the other evidence of what  
25 he had been up to, tucked that away, because he was considering

1 submitting to the police.

2 And he wanted to hide the evidence, the gun and that  
3 ticket.

4 Now, you'll see -- this is from Officer Chambers, his  
5 dash camera. You'll see him flee. And he leaves Norman behind.  
6 And, again, that speaks to his intent and what he was doing, not  
7 just at this moment, but up to this moment.

8 What he has just done is when the police arrive he hides  
9 evidence, the gun and the ticket, or the cashout voucher and, then  
10 he leaves Norman behind. He leaves her behind.

11 He is so willing to get away from the police that he  
12 leaves Norman behind, which I submit, it speaks vitally to his  
13 intent and what he was doing in Bob & Lucy's. He was up to  
14 criminal contact with Norman, and that's why he is so anxious to  
15 get away, because he knows he's in serious trouble if the police  
16 catch him.

17 And it's not like Zane Kelly suggests, "Oh, we didn't  
18 know if they were there for us." He clearly knows who they are  
19 there for. That's why he drives off the way he does. He doesn't  
20 stop and multiple police cars are immediately following.

21 (Video recording played.)

22 MR. PRENGAMAN: And you know from the testimony in the  
23 case that Officer Loeschner, who is the first car behind him, his  
24 equipment wasn't working immediately. But, again, from watching  
25 the footage, you know there could be no doubt that he was being

1 followed by the police. He had a police car following him. And  
2 behind that car, multiple police cars with lights and sirens  
3 activated.

4           There could be no doubt. Even Zane Kelly said, even he  
5 knew there were lights behind them the whole time.

6           Now you also heard that phone call. You recall  
7 Detective Zendejas testified about the two phone calls. You  
8 already know from what you just saw that he knew the police was  
9 there, there was a deliberate decision to flee, but Mr. Williams  
10 talks about that decision on this phone call.

11           Now, you'll recall, very important, the judge, as the  
12 judge told you, this is evidence only against Mr. Williams. This  
13 is not to be considered against Ms. Norman. Strictly going to  
14 your consideration of Mr. Williams' guilt.

15                       (Recording of phone call played.)

16           MR. PRENGAMAN: Now, you heard, I submit, some extremely  
17 significant information reflecting on Mr. Williams' intent and --  
18 during that police pursuit.

19           But for the moment, focusing on he knew that the police  
20 were there, again, this was a deliberate decision to flee from the  
21 police.

22           And, you know, that's not something you just do  
23 "because." You do that because you know you're in trouble and you  
24 do that because you know you break the law -- you broke the law,  
25 and it's going to be worse for you if you stay and submit.



1           So that tells you, he knew that he broke the law, and it  
2 was serious.

3           Now, I submit that up to this point, as all evidence,  
4 what the evidence in this case has shown you before you even get  
5 to Steve Sims' testimony, that's just watching the videos,  
6 watching the body language, it's considering the text messages,  
7 all that tells you an awful lot about what is happening.

8           Now, Steve Sims, then, you heard his testimony, and the  
9 surveillance footage, again, it shows acting in concert, I submit,  
10 before you -- and I'll get to Sims in a moment, but the  
11 surveillance footage and the other evidence shows that both Norman  
12 and Williams were acting in concert, they were acting together.  
13 They were on the same page about why they were there, what they  
14 were doing. You know that before you even knew it was Sims.

15           The purpose of confronting Sims at Bob & Lucy's was to  
16 make it right for the Xbox. He was in for a beating. If they  
17 could get it out of that, out of that -- he was right about that,  
18 I submit you know that from the other events, that he was in for a  
19 beating if they could get him out of Bob & Lucy's.

20           She was there, as you heard her say on McNeely's body  
21 camera, for him to make it right. She was mad, she was still  
22 upset, she hadn't dropped it, and so that was why she took the  
23 gun. That's why you take the gun, to confront somebody.

24           You know that, again, before you heard from Steve Sims.  
25 You heard that from her mouth.

1           You know that she armed herself. That speaks for her  
2 intent. You know that she tried to coerce Sims into going outside  
3 in conjunction with Williams.

4           You know that Williams fled, leaving Norman behind,  
5 which again shows his guilty knowledge about what they were up to.  
6 And this corroborates a number of key details that Steve Sims  
7 talks about.

8           Now, again, very important, when you consider this call,  
9 and the judge has instructed you both during the trial and in the  
10 charge she just gave you, this phone call is only to be considered  
11 against Ryan Williams, not against Ms. Norman.

12           When you consider it as to Mr. Williams, listen to what  
13 he's saying as it reflects on his intent.

14                           (911 recording played.)

15           MR. PRENGAMAN: Oh, I have that call coming up.

16           But for our -- for right now, on that first call, he  
17 talks about, "Why did I fuck up that bad? I didn't even mean to  
18 fuck up like that, like it was basically just because I thinking  
19 with the wrong head."

20           Now he talks, I submit, in that call, as we'll hear  
21 later on, about, again, the pursuit, the driving. But, I submit,  
22 significantly, when you consider his intent and state of mind,  
23 what was he doing?

24           He was backing Norman's -- he was backing up what she  
25 was doing there. And, again, you consider that only against him,

1 what he says here, against him; but that reflects on what he was  
2 doing and he was assisting. He is admitting here that he was  
3 assisting.

4 Now, Steve Sims testified he was confronted by Norman  
5 over the accusation about the Xbox. You know that's true. You  
6 heard it from her. She talked about that on the video camera.  
7 That's corroborated by her own statements.

8 You know that Norman -- he testified that Norman was  
9 angry and looking for payback; that he, that's how he perceived it  
10 when she approached him with words to the effect of "when I find  
11 you," he immediately keyed into those text messages.

12 But then he talked about, I think one of the last things  
13 he said was acknowledging that -- that the point in time when he  
14 really was afraid of her is that point in time, that bit of time  
15 when she had her hand on the gun, pacing around him.

16 That's, again, corroborated. She was angry, she was  
17 looking for payback. I submit you heard that on the body cam.  
18 That's what she was looking for. You saw that and you saw her arm  
19 herself and take a gun into Bob & Lucy's.

20 And he testified he found her threatening. And again,  
21 he felt that when she was pacing around. That was the point in  
22 time, I submit, according to his testimony -- again, your memory  
23 controls, but I submit that that's what you heard from Steve Sims,  
24 that he said the time he was really afraid of her or worried about  
25 what she was going to do, was at that particular point when she

1 had her hand on the gun. And that's corroborated by the  
2 surveillance video.

3 When she conveyed that she was not alone, and he  
4 testified that that was at the point where the guy, he didn't know  
5 his name, Zane Kelly, but the guy came in, and there was the -- he  
6 mentioned the communication between she and he. And she told him  
7 "I'm not alone," again, that conveyed something to him about force  
8 and threat, she was not there alone.

9 Then you have Williams. Now, he, according to Sims, he  
10 physically, verbally applied force and threat of force.

11 And, again, I submit that's corroborated by what you see  
12 on the surveillance footage. But Sims described him taking up  
13 that imposing position, his demeanor, right off the bat. "You  
14 know how I roll." And Sims testified he took that as -- the only  
15 other time he's ever met Mr. Williams in his life was on the day  
16 when he was staying with Ms. Norman in Winnemucca. And on that  
17 day, the notable thing was that Mr. Williams was carrying a  
18 firearm.

19 And Mr. Williams chose to say -- call that out. "You  
20 know how I roll," which Sims took, as any reasonable person would,  
21 that reference to be, "You know how I roll, I'm armed."

22 And he took that as a threat and an application of  
23 force. The "let's go" in conjunction with that, words to the  
24 effect of "we're going, let's go for a -- " or "going for a ride,"  
25 I'm not trying to quote him directly. He said words to the effect

1 that Williams told him, "Let's go for a ride," or words to that  
2 effect.

3 So it was crystal clear again. Sims told you, no  
4 discussion with Norman. He came in, went right to Sims. And it  
5 was, "You know how I roll. Let's go. We're going out." And then  
6 he reached across Sims, taking advantage of that imposing position  
7 that he took up, cashed him out and took his ticket by force.

8 I submit to you, what you just saw on that footage,  
9 particularly when you hear Sims' testimony, which is corroborated  
10 by the footage, in fact, that's a robbery right there. That is a  
11 taking by force or threat.

12 Now, did -- am I suggesting to you that Ryan Williams  
13 stepped into Bob & Lucy's with the intent to take that ticket?  
14 I'm not suggesting that.

15 But what I submit to you that the evidence shows beyond  
16 a reasonable doubt is that Ryan Williams stepped into Bob & Lucy's  
17 with the intent to assault or coerce, commit coercion on Steve  
18 Sims to get him outside, because that's where he was going to --  
19 they were going to get the payoff. The whole point for Williams  
20 was coercing Sims to get him outside.

21 Again, "Let's go. We're going for a ride." It was  
22 payoff.

23 And everything Sims told you about that interaction with  
24 Williams, I submit, you can't hear the words but you can see  
25 everything else on the footage. And you can tell when they get to

1 that vestibule, Sims does not want to go out. And you can watch  
2 for yourselves Ryan Williams in that vestibule telling Sims, you  
3 can tell he's trying -- he's directing him, "Come out, come out."  
4 And it's forceful. It's coercive. It's not friendly.

5 And that's the intent that he had going in there, that  
6 he did commit, I submit, again, he committed robbery in there, but  
7 he committed burglary with the intent that he stepped into Bob &  
8 Lucy's.

9 And Williams' conduct speaks to his conspiracy with  
10 Norman. It speaks to the fact that he did not need to know what  
11 was going on. He didn't need to step in and get a briefing from  
12 Norman, "Hey what's up? What's going on? Where are we at?"

13 He knew what time it was, so to speak. He came right  
14 in, directly to Sims, and again, coercing him out. That shows  
15 they were on the same page, no need to talk about it, because he  
16 already knew. He already knew because they knew ahead of time  
17 what the purpose of all of this was, going in.

18 And now much was made about the fact that Steve Sims --  
19 and he acknowledged it -- that he had been using methamphetamine  
20 that day.

21 This was not a hallucination. You saw what occurred on  
22 the footage. Again, it corroborates what his testimony was.

23 And you can tell he's rightfully afraid. She has a gun.  
24 You watch Mr. Williams. You saw that he's legitimately, as any  
25 reasonable person would, afraid.

1           Rightfully so, because that was the point of getting him  
2 out. If he had gone out he was going to get a beating.

3           And you can see that he's afraid, again, because he  
4 takes steps, he calls the police. That's not a step that Steve  
5 Sims would have taken unless he was concerned for his safety. He  
6 wouldn't have run out, like you saw him do. You saw him run out.  
7 That's a person who is afraid. That's somebody who is trying to  
8 get away from the situation.

9           Now, your instructions tell you that a person can commit  
10 a crime in three ways.

11           Now each offense has its elements, as you heard the  
12 judge read to you, every crime, burglary, robbery, have elements.

13           A person can commit all of those elements, and if they  
14 commit all those elements, they have committed the offense.

15           But a person, one or more people, or two or more people  
16 working together, can also be guilty, even if each one of them  
17 doesn't commit all the elements.

18           If they sort of divide up the labor and assist each  
19 other and so one person doesn't commit all the elements but among  
20 them, between them or among them they do commit the crime, each  
21 person who assisted or participated in any way is guilty of the  
22 offense.

23           Now the State, as the instructions tell you and do not  
24 forget it, the State has to prove that the crime was committed.  
25 The State has to prove that the crime, all the elements were

1 committed.

2 But a single person does not have to commit them. If  
3 multiple people work together to commit the crime, everybody who  
4 participated is liable for committing that crime.

5 And so seriously does the law take joint criminal  
6 conduct, that even counseling or encouraging, even not actively  
7 doing something, even not holding a gun or holding the bag for  
8 money in a robbery, even physical participation does not have to  
9 occur. It certainly will satisfy, you can certainly participate,  
10 a getaway driver.

11 Let me give you an example.

12 Imagine four people conspire to commit a robbery. They  
13 are going to go rob a bank. And one, one person is the  
14 mastermind. He just comes up with a scheme, the orchestration of  
15 it, and gives assignments. He's not even going to go. The other  
16 three go.

17 And one other guy is the driver. He never goes in the  
18 bank, he just drives he drives to and from.

19 The other two guys go in and one of them is armed. But  
20 they don't want to hurt anyone, they just want the gun there for  
21 show, to force compliance by the employees.

22 So they go in and they demand money. And in the course  
23 of them demanding money, the security guard appears like he's  
24 going to draw a gun, and the man with the gun, the robber with the  
25 gun freaks out and shoots the guard.



1           They leave without getting any money. They go out to  
2 the car and the driver drives them away.

3           Now all four of those individuals are guilty of felony  
4 murder. They are guilty of robbery, attempted robbery and felony  
5 murder.

6           Now, one of them didn't even go. Wasn't even there.  
7 Had nothing to do with what happened in the bank. But because he  
8 assisted by planning, by encouraging, the mastermind is guilty of  
9 the attempted robbery, and the felony murder that occurred.  
10 Because he participated in the attempted robbery, he is therefore  
11 guilty of the felony murder that occurred, even though no one  
12 intended for that murder to happen and it wasn't intentional. It  
13 wasn't planned. It wasn't premeditated.

14           The driver never went into the bank but he obviously  
15 facilitated the robbery by driving them there and getting them the  
16 knowledge that they had to escape. He's guilty.

17           So, likewise, the other two that went in and tried to  
18 commit the robbery, all guilty, because they all participated in  
19 some way.

20           And that's what your instructions tell you. Anyone who  
21 participates, who assists or even counsels or encourages, is  
22 guilty if an offense is committed.

23           And as your instruction said -- again, do not forget  
24 it -- that the State must prove that each element of the offense  
25 was committed. But if the State proves that, anyone who

1 participated in committing those elements is guilty of the  
2 offense.

3 Now there are, of the offenses charged in this case,  
4 there are specific intent and general intent crimes.

5 If you aid and abet a specific intent crime, you have to  
6 have the specific intent that that crime be committed.

7 So, for instance, attempted robbery is a specific intent  
8 crime because attempted robbery is an attempt to do a robbery but  
9 a failed attempt. So you have to attempt to do robbery in the  
10 first place for it to fail.

11 So attempted robbery is a specific intent crime which  
12 you have to intend to commit the robbery.

13 And so if somebody aids and abets in a robbery and it  
14 fails, but they intended the robbery to occur, they are equally  
15 guilty because they share the intent with the person they were  
16 aiding and abetting. And that is what this instruction is  
17 telling.

18 Likewise with burglary, if somebody is aiding and  
19 abetting the burglary now, as we'll get to, burglary is really a  
20 crime of entering with the intent, but you must share the specific  
21 intent with the person that you are aiding and abetting.

22 Now conspiracy liability is similar, and it focuses on  
23 criminal agreement. And conspiracy is, is an agreement between  
24 two or more persons for an unlawful purpose.

25 And two people agree. And again, it doesn't have to be

1 a contract. It doesn't have to be, you know, we heretofore agree  
2 that on such and such a date we shall go together to this location  
3 to commit said offense.

4 It is any agreement. It can be much more informal.  
5 There must be an agreement, there must be an unlawful purpose, but  
6 it need not be written or specify in every way. The heart of the  
7 conspiracy is the agreement for an unlawful purpose.

8 And when people conspire, they share liability for the  
9 object of the conspiracy. If they conspire to commit a robbery,  
10 they share the responsibility of what their coconspirators do in  
11 order to accomplish the robbery.

12 And with regard to conspiracy, like aiding and abetting,  
13 there's a distinction between specific intent and general intent  
14 crimes.

15 With a specific intent crime, like burglary, the  
16 conspirators who agree to commit an offense like burglary, with  
17 specific intent, are -- the conspirators are only guilty if the  
18 offense is committed, if they each share the intent required.

19 So, in other words, if you're talking about entry of a  
20 building with the intent to commit assault and battery on a person  
21 inside, the aider and abettor or the conspirator here, the  
22 conspirators must share that specific intent to commit the assault  
23 and battery when they provide assistance to the person who is  
24 going to go in and plans to do it.

25 However, with a general intent crime, like robbery,

1 something that the law requires that you intend to do the acts but  
2 you don't necessarily have to intend the specific harm, the  
3 conspirators will certainly be liable if they share the specific  
4 intent to commit that crime.

5 But if the crime, the general intent crime is reasonably  
6 foreseeable, even if it's not something they specifically talked  
7 about, if it's an offshoot, a reasonably foreseeable offshoot of  
8 their object, they, all the conspirators, will still be liable,  
9 even if they didn't personally participate in what their  
10 coconspirator was doing, so long as, again, it's a reasonably  
11 foreseeable offshoot or consequence of the object of the unlawful  
12 purpose of their conspiring to do.

13 And then as your instruction -- and this instruction is  
14 number 43. So instruction number 43, and then -- for aiding and  
15 abetting, and 44 for conspiracy.

16 Conspiracy, or agreements to violate the law, like any  
17 other kind of agreement or understanding, need not be formal,  
18 written or even expressed directly in every detail.

19 The existence of a conspiracy need not be demonstrated  
20 by direct proof, and may be established by inference from the  
21 parties' conduct, including evidence of a coordinated series of  
22 acts furthering the underlying offense.

23 That is sufficient to infer the existence of an  
24 agreement. Otherwise, action in concert gives rise to an  
25 inference of conspiracy of agreement.

1           Now aiding and abetting and conspiracy are alternative  
2 theories of liability. And in this case the State has alleged  
3 with regards to the first three offenses charged -- that's  
4 robbery, burglary and attempted robbery -- the State has charged  
5 these two defendants as aiders and abettors and conspirators.

6           In other words, the State is alleging that these  
7 defendants are guilty one or more of those three ways, either  
8 because together, acting together they committed all the elements;  
9 acting as part of a conspiracy they agreed for an unlawful purpose  
10 and one or both of them thereafter committed all the elements of  
11 those offenses; or, one of them committed all the elements, aided  
12 by the other.

13           Additionally, when we get to murder, the State has  
14 alleged alternative theories of murder in the first degree. And  
15 as you heard the judge read, in particular, the State has alleged  
16 felony murder, which is based on the felonies that occurred in Bob  
17 & Lucy's, and a type of felony murder -- not felony murder, it's  
18 not the same as felony murder -- and the type of first degree  
19 murder that is based upon flight from the police in order to avoid  
20 lawful arrest.

21           An individual who engages in conduct with malice in  
22 order to avoid lawful arrest, if a death results, is guilty of  
23 first degree murder. Those elements, I will get to those.

24           But for right now the State has alleged two alternative  
25 theories of first degree murder in this case. And it's that

1 felony murder and first-degree murder to avoid lawful arrest.

2 And what is significant is that you must be unanimous,  
3 if you find the defendants guilty of any of the charges in this  
4 case, you must be unanimous about that.

5 So, for instance, the first charge, robbery, if you find  
6 Mr. Williams guilty of robbery, you must be unanimous. But you  
7 don't have to be unanimous about the theory.

8 In other words, six of you could believe that he  
9 committed the robbery -- he just committed robbery. You saw it on  
10 the video, he used force, he took the ticket. That's robbery.  
11 He's guilty of robbery.

12 Six of you might believe that he participated with  
13 Norman in facilitating. In other words, that she brought  
14 application of force by showing the gun, was an additional use of  
15 force that contributed to Sims' fear in that application of force,  
16 and that he took advantage of that. So he was aided by her, but  
17 that, together, they committed all the elements of robbery.

18 So, again, six of you have might see that he directly  
19 committed all of the elements. Six of you might say, well, in  
20 conjunction with Norman, he's guilty as an aider and abettor or  
21 conspirator, but if you all agree that he is guilty, then that's  
22 the unanimity.

23 So again, you have to be unanimous about the commission  
24 of the offense, but not in particular the theory or how it  
25 occurred. You don't have to be unanimous about that.

1           Likewise with murder. When we get to the theories of  
2 murder, six of you could think he's guilty of felony murder. He  
3 committed a felony in Bob & Lucy's, a felony murder felony,  
4 robbery or attempted, to commit a felony murder felony like  
5 robbery or burglary. And in flight from that commission or  
6 attempted commission of the offense, he ended up killing someone  
7 even, though it was accidental. I think he's guilty of felony  
8 murder for that reason.

9           Six of you might say, well, he clearly was running from  
10 the police to avoid lawful arrest, and when he got on the freeway  
11 he showed malignant recklessness of other people's lives, and I  
12 believe he's guilty of first-degree murder because he did a malice  
13 killing in order to get away and avoid lawful arrest.

14           Now six of you, felony murder, six of you first-degree  
15 murder to avoid lawful arrest. That's a unanimous verdict of  
16 first-degree murder. So, again, you have to be unanimous, all 12  
17 of you, that there is guilt, that all the elements have been  
18 proved beyond a reasonable doubt, but how you get there in terms  
19 of the theories, you do not have to be unanimous.

20           With regard to burglary. Burglary is entry of any  
21 building, a store, Bob & Lucy's, with the intent to commit  
22 larceny. So theft, assault or battery on any person, kidnapping,  
23 or any felony, including felony coercion.

24           Now, a lot of people might think, okay, burglary, that's  
25 the guy with the mask that breaks into someone's house in the

1 middle of the night. While that's certainly true, Nevada has  
2 defined burglary as much broader. What you see here is the entry  
3 of any place with the intent to steal or commit assault or battery  
4 or felony inside.

5           So it doesn't have to be a house. It doesn't have to be  
6 in the middle of the night. You don't have to break in.

7           If you walk into Bob & Lucy's with the intent to commit  
8 assault inside Bob & Lucy's, if you enter Bob & Lucy's with the  
9 intent to coerce, use force to try to get somebody out, that's  
10 burglary.

11           And as the instruction tells you, burglary is complete  
12 upon entry. So burglary is really an offense of entering with  
13 intent.

14           If, after the fact, you complete the offense, you may  
15 have committed the additional offense, you may have committed the  
16 assault or the battery, you may have committed the  
17 felony-coercion, but that is not required. Burglary is complete  
18 upon entry.

19           So, for instance, if Ryan Williams stepped into Bob &  
20 Lucy's with the intent to assault Steve Sims in order to get him  
21 out, in order to place him in reasonable apprehension of harm in  
22 order to get him to go out, he's guilty of burglary.

23           Now whether he actually followed through or completed it  
24 or started and didn't finish, or did, in fact, was successful in  
25 putting him in reasonable apprehension, does not matter for



1 commission of a burglary. The burglary is complete if he entered  
2 with that intention.

3 Likewise, if he entered, as I submit the evidence shows  
4 you, with the intent to coerce Steve Sims, the intent to commit a  
5 felony coercion, to use force or the threat of physical force in  
6 order to get him to do something he didn't have to do, leave, that  
7 intent going in means burglary is complete. It's complete on  
8 entry.

9 Now if he successfully applied the force, if he  
10 abandoned the intent once inside, it does not matter. Burglary is  
11 complete on entry.

12 So if he enters with that intent to do any of the things  
13 you see in the instruction -- again, assault, battery -- larceny  
14 is to steal -- any felony, including coercion or kidnapping --  
15 burglary has been committed.

16 Likewise with Ms. Norman. If she stepped into Bob &  
17 Lucy's with the intent to assault Steve Sims, to place him in  
18 reasonable apprehension of harm to get him to do something or not  
19 to do something, would that burglary be complete upon entry,  
20 whether she followed through or not, or whether he was able to  
21 talk her out of it or not. If she entered with that intent, she's  
22 guilty of burglary.

23 And similarly for burglary, if her intention was to  
24 force him to do something he didn't have to do, felony coercion by  
25 application of force.

1           Now, it's upon entry. And so very significant for  
2 burglary, if you form the intent after you go in, after you enter  
3 the establishment, the house, it's not burglary. So if you form  
4 the intent after the fact, burglary has not been committed. It  
5 must have been formed at the time of entry.

6           And so one of the significant things about burglary is  
7 that it is intent at entry versus commission of these same crimes  
8 thereafter.

9           If you -- if you attempt or complete those crimes  
10 thereafter, you may also be guilty of something else. But  
11 burglary is intent at entry.

12           THE COURT: Mr. Prengaman.

13           MR. PRENGAMAN: Yes.

14           THE COURT: We have been going about two hours. I think  
15 we should -- that includes some of the instruction as well -- I  
16 think this is an appropriate time for a break.

17           Ladies and gentlemen, during this break, be sure and  
18 grab some snacks. We are coming up on the noon hour. This will  
19 be about a 20-minute break, give you a chance to maybe eat  
20 something.

21           My plan is to keep going, continue steadily with  
22 additional breaks through all of the arguments before sending you  
23 to deliberations.

24           During this recess you must not discuss or communicate  
25 with anyone, including fellow jurors, in any way regarding this

1 case or its merits, either by voice, phone, email, text, Internet,  
2 or other means of communication or social media.

3 You must not read, watch or listen to any news or media  
4 accounts or commentary about the case, do any research, such as  
5 consulting dictionaries, using the Internet or using reference  
6 materials.

7 You must not make any investigation, test the theory of  
8 the case, recreate any aspect of the case or in any other way  
9 investigate or learn about the case on your own.

10 And you must not form or express any opinion about this  
11 case until it's finally submitted to.

12 You we'll see you after the break.

13 (A recess was taken.)

14 THE COURT: Thanks everyone. Please be seated.

15 Mr. Prengaman.

16 MR. PRENGAMAN: Thank you, Your Honor.

17 Ladies and gentlemen, on the facts in this case, assault  
18 is intentionally placing another person in reasonable apprehension  
19 of immediate bodily harm.

20 And again, for purposes of the intent, for purposes of  
21 the burglary, these are a number of the offenses for which, if you  
22 enter any place with the intent to commit them, it constitutes  
23 burglary. So battery, larceny or theft, stealing.

24 Felony coercion consists of the intent to compel another  
25 to do or abstain from doing an act which the other person has a

1 right to do or abstain from doing, like staying inside the  
2 business and not going outside.

3 And when somebody with that intent to, again, force or  
4 compel somebody to do or abstain from doing something they don't  
5 have to do, or can abstain from doing, attempts to intimidate the  
6 person by using physical force or immediate threat of physical  
7 force.

8 So, again, for purposes of burglary, entering with the  
9 intent to commit felony coercion.

10 In terms of the immediacy of the threat, it's measured  
11 by a reasonable person under the circumstances facing the same  
12 threat.

13 And then kidnapping, again, I would submit, of note is  
14 seizing, confining, for the purpose of committing extortion or  
15 robbery upon a person or inflicting substantial bodily harm.

16 Or confining -- seizing and confining someone with  
17 intent to detain a person against his or her will.

18 And kidnapping does not require force or restraint if  
19 those elements are met.

20 Now, again, for purposes of burglary, intent at entry.  
21 What happens afterwards certainly can reflect upon intent going  
22 in, but in terms of the commission of the offense, if you go in  
23 with the intent to coerce, commit felony coercion, that's  
24 burglary, even if you attempt and fail to do it inside, even if  
25 you decide once you get inside to abandon or do something else.

1           You enter with the intent to commit assault or you enter  
2 with the intent to commit both, to serve a particular purpose,  
3 that's burglary.

4           What happens thereafter, again, may be a different  
5 crime, may be another crime; but burglary, importantly, is  
6 complete at entry. And so if that intent is there, it does not  
7 matter if the crime is completed once inside.

8           Now I submit, from the evidence that you have in this  
9 case, the State has proved beyond a reasonable doubt that both  
10 defendants are guilty of burglary, Count III, for entering Bob &  
11 Lucy's with the requisite intent.

12           And the evidence you've heard is that Norman entered  
13 with a gun, in her own words, to, as you heard on the McNeely  
14 camera footage, to make it right, for Steve Sims to make it right  
15 about the Xbox and the other property.

16           The point was, I submit, to get payback and retribution.  
17 And she was after, really, a beating. Sims was actually going to  
18 get a beating.

19           They ended up settling for money, or that's what they  
20 thought, but they were there, I submit, that's why the gun, to get  
21 a beating.

22           Now, if they went in to steal, to get payback either  
23 financially or with a beating, that is for one of two, that  
24 intent, I'm going to do one or the other, that satisfies burglary,  
25 entering with the intent to either steal, rob, take by force,

1 steal or commit assault or battery. That all constitutes  
2 burglary.

3 So even if a mixed motive, entering with a mixed motive,  
4 would constitute burglary.

5 And on the facts of this case I submit that is what we  
6 have.

7 Although not required, Norman, I submit, did assault  
8 Sims. You have evidence what she intended to do when she held  
9 that gun and was walking around.

10 I submit that she did, that she showed you right there.  
11 That's why she took the gun in the first place. That's why the  
12 gun.

13 Again, you don't take the gun in just to have a  
14 conversation. You take the gun in for a specific purpose, which  
15 is, again, threaten assault, to coerce him to get him out, which  
16 is also what Williams was trying to do as well.

17 They were acting together. I submit, Williams, when he  
18 walked in, he had independent intent to do the same thing, to  
19 keep -- especially to coerce Sims, to place him in reasonable  
20 apprehension of harm in order to coerce him, to get him to do  
21 something he didn't have to do, which was go outside.

22 Williams wanted to get him outside because that's where  
23 they could have -- that's where they could get the payback.  
24 That's where they could get him to where they could beat him  
25 and/or steal from him.

1           Now -- so I submit you saw that, because he walked in,  
2 directly went to Sims, and he did just that. And he even stole  
3 his ticket, used force to take his cashout voucher in order to  
4 further try to coerce him to get him to go out the door. And,  
5 again, you see that in the vestibule.

6           So his -- Williams' actions inside bear out exactly why  
7 he went in. And I submit we have proved burglary beyond a  
8 reasonable doubt as to him as well.

9           Now, additionally, I submit, when he went in the first  
10 time and did that sort of scouting lap, he was aiding and  
11 abetting. He was part of a conspiracy with Norman.

12           They were there for this purpose. And he was  
13 facilitating that by scouting out and then directing her and  
14 telling her Sims is inside, here is where he is, so that she could  
15 take the gun and go in, have that confrontation.

16           Williams' flight from the police, I submit, highlights  
17 and again bears out his intent and the fact that he -- his  
18 obligation to commit a robbery, because the lengths that he went  
19 to, not just initially running, fleeing, which again speaks to  
20 what he did and what he knew he did, but the lengths that he went  
21 to, to get away, speaks to the fact that he knows he had committed  
22 a serious crime.

23           Now, as to robbery, robbery is the taking of property,  
24 personal property, by force or violence or fear of injury in the  
25 near future, to the person -- to a person or property.

1           Taking is by means of force, if force or fear is used to  
2 obtain or retain the property, so retain or keep the property, or  
3 prevent or overcome resistance.

4           The degree of force used is immaterial. In other words,  
5 it doesn't have to be a great amount of force if it's used to  
6 compel acquiescence in the taking.

7           And the State is not required to prove the value.

8           So in this case that ticket, as you saw, is not -- the  
9 amount of money on that is not very much. It does not matter.  
10 You cannot take by force. You cannot use force to take any  
11 property, regardless of value. That is robbery.

12           Now, I submit, as I said, Williams, Ryan Williams  
13 committed robbery. You saw him do it. He went in, he used  
14 physical force, as well as the threat, "You know how I roll," the  
15 reference to being armed.

16           He used physical force as well as the threat to steal  
17 that ticket, to take that ticket and cash Sims out. You heard  
18 Sims, it was not with his permission. It was against his will.  
19 He took it. That's robbery, that application of force.

20           And I submit you should find Defendant Williams guilty  
21 of robbery, Count I.

22           Now, as to Ms. Norman, she -- if she's guilty of  
23 Count I, it's as an aider and abettor. Now she didn't take the  
24 ticket. And you heard Sims say on the stand, as far as he -- his  
25 knowledge, that he didn't have his wallet. So the wallet is out



1 of the picture. It's out of the picture.

2 We're talking about, I submit, the ticket that was  
3 taken. And so if she's guilty of robbery, Count I, it's as an  
4 aider and abettor.

5 And as these instructions tell you, it's not necessary  
6 that the force or violence involved be committed with the intent  
7 specifically at the time to commit the robbery, if later on you  
8 take advantage of the fear that you have created.

9 So, in other words, you could threaten someone just with  
10 the intent, because you're mad at them and you want them -- you  
11 want to scare them.

12 But if then you decide, well, this person is really  
13 scared, I'm going to take -- I'm going to take something, their  
14 purse, even though you didn't initially do engage in the violence  
15 or the threat with that intent, it doesn't matter. If you  
16 capitalize on the situation you created by force or fear to take  
17 property, that constitutes robbery. Again, it's not a specific  
18 intent crime. A general intent.

19 So if there was a conspiracy, which I submit the  
20 evidence shows there was, and that conspiracy was specifically as  
21 to Mr. Sims, if that robbery was reasonably foreseeable, because  
22 it's a general intent crime, a reasonably foreseeable offshoot --  
23 in other words, am I submitting to you, am I arguing that the  
24 evidence proves that Adrianna Norman knew that Ryan Williams was  
25 going to come in and rob Sims of that ticket, I'm not saying that.

1 I don't think that's accurate.

2 She knew an awful lot about what was going to happen,  
3 but I don't submit or argue to you today that they had conspired  
4 specifically to steal that ticket.

5 However, I submit to you that they did conspire and  
6 agree to apply force to Sims to assault him, again, to coerce him,  
7 to get him out.

8 And so if you see that the -- using that ticket to,  
9 again, as what he did, application of force. He used the ticket  
10 as a means of coercing Sims, "I'm taking your ticket, let's go."  
11 He used it as a means of coercing him. I would submit to you  
12 that's a reasonably foreseeable consequence of the purpose, the  
13 reason they conspired to be there, the reason they were there  
14 together.

15 Again, didn't specifically plan it, but is it reasonably  
16 foreseeable that in attempting to get him out, to coerce him to go  
17 out, that something like that could happen, that a theft of some  
18 kind can occur? I submit the answer is yes. It is reasonably  
19 foreseeable.

20 Now if you don't agree, then find Adrianna Norman not  
21 guilty of Count I, robbery. I submit the evidence shows that,  
22 that it is reasonably foreseeable, that it is right in line with  
23 everything that they were planning to do as far as Sims was  
24 concerned to get their payback.

25 But again, if you don't believe -- I submit the evidence

1 shows it, you see it on the video with Williams. But, again, if  
2 you think it's too far out there, it's too remote, then find  
3 Adrianna Norman not guilty of that.

4 I submit the evidence establishes it, but she should not  
5 be found guilty if you don't believe that that was a reasonably  
6 foreseeable consequence and the reason they were there.

7 Now, the attempted robbery, as your instruction tells  
8 you -- and the attempted robbery is instruction 39.

9 An attempt is really what it says. It's an attempt to  
10 commit robbery that fails. So an unsuccessful attempt. And there  
11 must be some step taken.

12 Now I submit to you that the hundred dollars, when they  
13 got to the door and Steve Sims offered a hundred dollars, or money  
14 in lieu of leaving with them, and they both agreed to it, which  
15 that was the testimony -- and, again, I submit that's corroborated  
16 by the video and those text messages.

17 So he didn't want to go, he was afraid, rightfully so,  
18 as a reasonable person would be, given the circumstances, given  
19 what Williams had just done, given what he witnessed with Norman,  
20 he was afraid of going out.

21 So what did he do? He offered money. He said "I'll" --  
22 basically, "I'll square it up. I can come up with some money."

23 When the defendants took advantage, now, were they  
24 planning? Possibly. But assume they weren't planning to get  
25 money out of him at that time, that they weren't expecting him to

1 come up with that.

2 That is still attempted robbery for this reason. They  
3 created -- they used force, they used threat, they created fear in  
4 Steve Sims.

5 Now, as a result of that fear, he offered money that he  
6 didn't have to offer. They took him up on that. They said we'll  
7 take it. They both agreed. Williams -- as you heard Sims  
8 testify, they both agreed.

9 And he was told hurry up. Williams went out and waited  
10 and texted, said tell me when it's here. Norman texted about the  
11 particulars later on. He said he could bring a hundred dollars.  
12 They accepted that offer.

13 In other words, they may not have specific intent when  
14 they created the fear, when they used force and when Ryan  
15 Williams told him, "You know how I roll," when he took his ticket  
16 and ushered him to the door, but they took advantage of that  
17 fearful situation to try and get money.

18 And as this instruction tells you, the fact that it was  
19 not possible, in other words, the fact that Steve Sims was just  
20 stalling, he was trying to buy time to come up with some way to  
21 get out of the situation, to get the police there; the fact that  
22 he never really intended or there wasn't really money coming,  
23 doesn't matter.

24 The defendants took him up on that offer, and so they  
25 did take a step towards capitalizing on the fearful situation they

1 created to obtain personal property. That's attempted robbery.

2 They both did it. You've got the text messages. It's  
3 not just Steve Sims saying that they did it. You can see the text  
4 messages, you can see them on the video.

5 I submit to you that the State has proven beyond a  
6 reasonable doubt that both defendants committed -- working  
7 together, as you see in the text messages -- committed attempted  
8 robbery by accepting his offer of money for that hundred dollars.  
9 So you should find both defendants guilty of Court II.

10 Now, the -- Count IV is the murder count. I will come  
11 to that last.

12 These next counts that have to do with the driving only  
13 apply to Mr. Williams. These offenses I'm going to talk about  
14 now, causing death by driving under the influence of  
15 methamphetamine, the eluding, causing -- resulting in death, and  
16 the reckless driving, apply to Williams only.

17 Now, you see the elements of driving under the influence  
18 of methamphetamine, and it's driving -- and you have the  
19 definitions. I submit that I'm not going to go into it because I  
20 submit the State has established as to each of the offenses.  
21 Williams was driving the vehicle. He was driving it on premises  
22 to which the public had access, or a public roadway.

23 With regard to this particular charge, methamphetamine,  
24 the other elements are that he was either under the influence or  
25 he had an amount of methamphetamine in his blood equal to or

1 greater than a hundred nanograms.

2 So that's a fixed threshold where, if you have more than  
3 that, you have committed the offense, regardless of the particular  
4 effect.

5 So there are two ways that you can be guilty of this  
6 offense. One is you have, you are under the influence, you are  
7 incapable of safely driving a vehicle, safely operating the  
8 vehicle; or, sort of that aside, the particular effect you have  
9 over a certain amount, and that amount is a hundred nanograms of  
10 methamphetamine.

11 That's what you've got, evidence in this case, that the  
12 defendant had well over a hundred nanograms per milliliter in his  
13 blood. And you heard the testimony, his blood was drawn, that  
14 first draw at about 8:47, was tested and he had over 600 nanograms  
15 per milliliter. And even with what I would call, in layman's  
16 terms, the error rate that Rachelle Woodard told you about in her  
17 test, he was still well above that hundred nanogram threshold. So  
18 that element, I submit, is met.

19 Now you also saw other evidence. In the ambulance,  
20 you'll recall he talked about having done methamphetamine. On the  
21 call that we listened to not long ago, he mentioned being hella  
22 high. You have some other evidence, but in particular, you have,  
23 I submit, without a reasonable doubt, he was driving with over a  
24 hundred nanograms of methamphetamine per milliliter of blood.

25 "And does any act or neglects any duty." Now ladies and

1 gentlemen, I'm going to submit to you, when he drove onto that  
2 freeway going the wrong way, that was calculated and that was  
3 malice, and that that malice subjects him to liability for murder,  
4 for trying to avoid lawful arrest.

5 Now malice, as you will get to, as the judge read to  
6 you, is malignant recklessness of others' lives and safety.

7 Now these three offenses, the eluding of police, the  
8 driving under the influence of methamphetamine, and the reckless  
9 driving, they each require that the defendant neglect a duty. So,  
10 in other words, reckless driving requires driving recklessly and  
11 neglect of duty resulting in death.

12 The DUI driving with either the specific amount, over  
13 that amount, or under the influence of meth, you neglect any duty,  
14 you do neglect any duty imposed by law, and death results,  
15 proximate cause, that neglect of duty proximately causes a death.

16 And likewise, what I will call the eluding, you elude  
17 the police, you fail to pull over when hailed, when ordered to do  
18 so by a police officer in an identifiable vehicle with lights, red  
19 lights and siren activated, and if you neglect to do that, you  
20 proximately cause a death, that's the eluding causing death.

21 Now each of those -- there is a common theme about those  
22 offenses, which is that neglect of duty that proximately causes  
23 death. I submit to you that the State has proved beyond a  
24 reasonable doubt that neglect of duty, when the defendant drove on  
25 the freeway the wrong way, because he neglected several duties.

1 He failed to use due care and you have that instruction that lists  
2 all the duties that the law imposes on a driver, he went the wrong  
3 way, that was a neglect of duty, he failed to adjust his speed and  
4 go the right direction on the road.

5 He neglected a number of duties. And those duties,  
6 again, all driving on the wrong way, not obeying the right way,  
7 that proximately caused death. And I will get to that proximate  
8 cause.

9 Now, however, I submit to you that that satisfies the  
10 basic proximate cause, but it goes beyond. That conduct of  
11 driving against traffic, driving into oncoming traffic on the  
12 freeway, I submit, it reaches even beyond that basic proximate  
13 cause to malignant recklessness.

14 So there is overlap in that sense of similarity of these  
15 elements, and I will address all of them, in terms of the driving,  
16 at the same time.

17 So the rule for this requirement of driving under the  
18 influence addresses the driving, not the knowledge of the  
19 particular state. The defendant does not have to have knowledge  
20 of his particular amount of methamphetamine in his system. The  
21 wilfulness is the driving. And I submit you have evidence beyond  
22 a reasonable doubt Williams was intentionally, willfully driving  
23 that truck.

24 Now, the eluding or flight from a police officer causing  
25 bodily harm, I submit we proved this beyond a reasonable doubt.



1 Again, I'll elaborate on the proximate cause, but looking at the  
2 first elements, driving a motor vehicle on the highway or premises  
3 to which the public has access, I submit we have shown that, the  
4 State has shown that beyond a reasonable doubt.

5 The defendant wilfully failed or refused to bring his  
6 vehicle to a stop, that the State has proved that beyond a  
7 reasonable doubt.

8 And flees, or -- and we have "and," I submit in this  
9 case, "flees or attempts to elude a peace officer in a readily  
10 identifiable vehicle of any police department or regulatory  
11 agency."

12 And I submit and the State has proved that. Both calls.  
13 The State only has to prove one; the State has proved both.

14 Now, you'll recall Officer Loeschner, he didn't have his  
15 lights. He was the first car behind the defendant, when the  
16 defendant fled from Bob & Lucy's. And he did not have his lights  
17 and siren. He was in a readily identifiable car, you saw it on  
18 the surveillance footage. But for a period of time, up to that  
19 Western Metals, he didn't have it on. He didn't have it on, his  
20 lights and siren.

21 Now I submit to you that changes very little because the  
22 cars behind him did have their lights and sirens on and it was  
23 clear to the defendant, under the circumstances of this case, that  
24 was for him and he needed to yield, as any citizen would to those  
25 lights and sirens. And he didn't.

1 But at Western Metals recall he drives behind the  
2 buildings and gets away from Loeschner. And then Chambers,  
3 Officer Chambers becomes the first car following.

4 Officer Chambers follows him for quite a distance in his  
5 readily identifiable police car, lights and sirens activated, up  
6 until he tries that PIT maneuver, and the defendant failed to stop  
7 and failed to stop and failed to -- continued to elude.

8 And when Officer Snow, after that PIT maneuver, became  
9 the first car. Same thing, continued to elude, driving onto the  
10 freeway, going the wrong way.

11 And then the reckless driving, the elements are drives  
12 or actual physical control of the vehicle on a highway or premises  
13 to which the public has access -- again, I submit we have shown  
14 that beyond a reasonable doubt -- in willful or wanton disregard  
15 of the safety of persons or property, and then does any act or  
16 neglects any duty, and the act of neglect proximately causes  
17 death.

18 So that proximate cause of these three, I submit, the  
19 State has proved beyond a reasonable doubt.

20 (Video recording played.)

21 MR. PRENGAMAN: This is Officer Guillen's. I'm not  
22 going to play the whole clip, but just recall, you see Officer  
23 Loeschner, the first car in pursuit, go ahead, and then cars  
24 behind him with their lights and sirens activated.

25 And then again, this is going down South Rock,

1 towards -- where they ultimately turn off, to go to Western  
2 Metals.

3 (Video recording played.)

4 MR. PRENGAMAN: Then Officer Chambers -- this is Officer  
5 Chambers. And they are now just approaching Western Metals.

6 (Video recording played.)

7 MR. PRENGAMAN: All that time all he had to do was stop.  
8 There's no doubt the police were following him, lights and sirens,  
9 readily identifiable cars. All he had to do was stop, all that  
10 time, and he didn't.

11 Now you saw him also, notably, I would submit, at times  
12 turning on his blinker, his turn signal. I suggest that you all  
13 know exactly what that was, that's the auto pilot. You are so  
14 used to doing it, that you just do it automatically without  
15 thinking -- but significant, because, I submit, what you are about  
16 to see in Officer Snow's footage, it shows deliberation.

17 Now if the defendant accidentally drove on to the  
18 freeway going the wrong way, as was suggested in opening and  
19 through some of the questions, I submit it changes nothing because  
20 there's a point in time where, no matter how you got onto that  
21 off-ramp, it's apparent to you that you are heading into oncoming  
22 traffic and you stop.

23 If your goal is to avoid danger to other people and  
24 yourself, you stop. Because there's a point in time, no matter  
25 how, what the rise is like, as we have seen and will see here, you

1 reach a point where before you even get into the flow of traffic,  
2 where it's crystal clear you are going to wrong way and there's  
3 oncoming traffic.

4 So, if the defendant did accidentally get on that  
5 off-ramp, he didn't stop. And it changes nothing in terms of the  
6 consequences of what he did. He continued into oncoming traffic  
7 and he is responsible for what happened because of that.

8 However, I submit to you the evidence shows that he made  
9 a deliberate choice to endanger other people, in order to try to  
10 get away himself.

11 And you see part of that here, I submit, because what  
12 you'll see in Officer Snow's camera is that he -- remember Officer  
13 Snow, right after that PIT maneuver you just saw, Mr. Snow is the  
14 first officer that gets behind him and follows him as he drives on  
15 to the freeway.

16 And what you are going to see as he approaches the  
17 intersection is you are going to see that autopilot. And he turns  
18 on his blinker to go right, and he veers from the far left lane,  
19 he veers into the middle, with that blinker, thinking about  
20 turning right.

21 And then he turns off and veers back into that lane and  
22 continues straight on through that intersection.

23 And then as you will see and have seen, when you go  
24 through that intersection, there are a number of, again, clear  
25 signs of exactly where you're going. It's not just the road

1 markings, it's not just the sign at the beginning there on the  
2 off-ramp that says Wrong Way, Do Not Enter. It's not just the  
3 second set of signs as you go up the ramp that says Wrong Way,  
4 it's the cars.

5           There's a semi-truck that's coming off, as he begins to  
6 go up, you'll see in Officer Snow's camera there's another car  
7 coming down. It's crystal clear, I submit, that he's going the  
8 wrong way. It's a deliberate decision.

9           He turns on the blinker. He thinks about turning and  
10 then decides, just as you heard in that phone call, "If I made  
11 danger for other people maybe they will stop following me, maybe I  
12 will get away."

13                               (Video recording played.)

14           MR. PRENGAMAN: You'll see it in just a second.

15           Well, this is his -- these are freeze frames from the  
16 footage that you just saw. And so here is where he activates, so  
17 you can see he's veering into sort of the center, straddling that  
18 center line. He's activating his blinker.

19           That's pretty -- but I submit you saw him veer off,  
20 right where that dedicated right-hand turn is on McCarran, and  
21 then decide, "No, I'm going to create danger, maybe they will stop  
22 following me if I go up."

23           Then you can see on the left, there's that that  
24 semi-truck coming off of the off-ramp.

25           As you approach, you can see the markings on the

1 roadway, there's that truck closer up. There's the sign telling  
2 you Wrong Way.

3 As you proceed up, you can see a car, you can see the  
4 headlights of a car coming down the wrong way. You can see it  
5 there in addition to the signage.

6 And now the defendant's truck has just driven by a car  
7 whose headlights you can see coming down the ramp. And then there  
8 are the two signs on either side indicating Wrong Way.

9 Now at this point, you can see. So, again, there were a  
10 number of questions asked from some officers about the rise, or  
11 this goes up. So it doesn't take very long, as you can see from  
12 this advantage point from Officer Snow's dash camera, he's not  
13 that close, really, to the flow of traffic, but you can already  
14 tell, you can see oncoming headlights, you can see the freeway  
15 traffic going westbound, as you head eastbound.

16 And so now here is Officer Snow approaching, and you can  
17 see what the defendant saw. At this point you haven't entered the  
18 freeway. You've got the gore on the right, you've got the  
19 shoulder on the left. If there was an accident and you didn't  
20 mean to do it, you just pull over and stop.

21 But the defendant does not stop because it's not an  
22 accident. He enters the flow of traffic.

23 And in this call, he talks about why.

24 (Telephone recording played.)

25 MR. PRENGAMAN: And I'm not going to go through this.

1 You will recall that is the footage from Officer Canterbury's body  
2 camera, and that is where defendant talks about, when the medic  
3 asks him, he says, "I was running from the cops."

4 "Where were you?" "I was the driver of the white truck.  
5 I was running from the cops."

6 He asks if he used any alcohol or drugs and he said he  
7 used meth.

8 Now the instruction on proximate cause, that is your  
9 instruction 52. That proximate cause instruction applies to those  
10 three charges that I'm addressing, the driving under the influence  
11 of methamphetamine, the eluding resulting -- driving under the  
12 influence of methamphetamine resulting the death, the eluding  
13 resulting in death, and the reckless driving causing death.

14 So as the instruction tells you, the defendants, for  
15 each of those offenses, the defendants' neglect of duty -- again,  
16 I submit multiple -- failing to use due care, driving the wrong  
17 way, just saying a couple that the State has proven -- neglects of  
18 duty, proximately caused death.

19 So proximate cause is that which is a natural,  
20 continuous sequence, unbroken by any intervening causes, produces  
21 the injury, without which the injury -- and without which the  
22 injury would not have occurred.

23 So, in other words, here you have the defendant's  
24 conduct, driving the wrong way onto the freeway, in a natural --  
25 that's the neglect of duty, that conduct of driving the wrong way,

1 again, neglecting the duty of due care under those  
2 circumstances -- in a natural continuous sequence resulted in him  
3 colliding with another vehicle.

4 That's exactly the risk of getting on the freeway,  
5 driving the wrong way, especially at freeway speeds, is that you  
6 could collide with another vehicle and kill somebody.

7 The instruction tells you that there could be  
8 contributing factors, other people's conduct in other cases -- in  
9 some cases can contribute. However, that does not exonerate the  
10 defendant if you have a situation where there were multiple  
11 causes.

12 Somebody else's negligence would not exonerate the  
13 defendant unless the other's negligence was the sole cause.

14 In other words, if somebody else's negligence  
15 contributed to a death, it would have had -- it would have, the  
16 effect would have to be so great, the causal -- the causation from  
17 that other negligence would have to be so great that it would be  
18 the sole cause. In other words, the defendant's conduct was no  
19 longer contributing at all in the result.

20 Now here you have no contributing causes. The  
21 defendant's conduct is the proximate cause, it is the sole cause.  
22 And there is certainly nothing that contributed, that took over or  
23 caused the defendant's conduct, driving the wrong way on the  
24 freeway, to not be -- took over as the sole cause. His conduct is  
25 the sole cause.



1           And so the State has proved beyond a reasonable doubt  
2   that the defendant set in motion the natural, continuous sequence  
3   from driving the wrong way on the freeway, unbroken by any other  
4   intervening causes.

5           And intervening cause, the only intervening cause of  
6   that which is one that becomes the sole cause. And there was no  
7   intervening cause here that became the sole cause of that  
8   collision that killed Jacob Edwards. It was Defendant Williams'  
9   conduct and his conduct alone.

10          Again, he could have stopped at any point. He could  
11   have yielded to the police. He could have stopped on the shoulder  
12   at any point before entering the flow of traffic, even once he got  
13   on that off-ramp.

14          But he chose not to because he wanted to get away from  
15   the police. He thought it was his best chance. Endangering other  
16   people, he thought, was his best chance of getting away.

17          So, ladies and gentlemen, you should find the defendant,  
18   Ryan Williams, guilty of the driving under the influence resulting  
19   in death, the eluding the police resulting in death, and the  
20   reckless driving resulting in death, because he is the proximate  
21   cause of death.

22          He was driving recklessly. We have proved those  
23   elements. He was eluding the police. We have proved those  
24   elements. And he was driving under the influence of  
25   methamphetamine.

1           Now with regard to murder, you have instructions about  
2 murder and manslaughter. And in summary, the difference between  
3 murder and manslaughter is malice.

4           So murder, second degree and above, with one exception,  
5 on malice -- malice, a death as a result of malice is murder.

6           Manslaughter is a non-malice killing. So if malice is  
7 present, it is murder, and the issue then becomes what degree of  
8 murder might it be.

9           There are two types of malice recognized in Nevada. So  
10 again, any malice. A killing by malice is murder. And, again, it  
11 doesn't matter if it's express or implied. The question addressed  
12 by express or implied, what degree of murder is it. If malice is  
13 present, it's murder, at least second degree.

14           Now, there is intent to kill, so express malice, and  
15 that is addressed by first-degree murder, willful and deliberate  
16 murder.

17           I'm not suggesting that this defendant intended to kill  
18 Jacob Edwards. I'm not suggesting that it was premeditated.

19           However, I submit to you that the State has proved  
20 beyond a reasonable doubt that the defendant is guilty of  
21 first-degree felony murder. And that's the exception, does not  
22 require malice.

23           And, additionally, he is guilty of the other theory of  
24 first-degree murder, which is a malice killing to avoid or prevent  
25 lawful arrest. And that, by statute, is first-degree murder, even

1    though there's no intent to kill.

2                   And so I'm going to start with felony murder. And as  
3    your instruction tells you, an unlawful killing of a human being,  
4    whether intentional, unintentional or accidental, which is  
5    committed in the perpetration or attempted perpetration of  
6    burglary, robbery or kidnapping, is first-degree murder.

7                   So again, if you're -- if you commit or attempt to  
8    commit one of those felonies and somebody dies, even if it's  
9    accidental, you are responsible for first-degree murder.

10                  And that's because in Nevada the law takes and considers  
11    these felonies as so dangerous, and the possibility or probability  
12    of dangerous conduct that could result in death, that Nevada  
13    punishes death that occurs, again, even accidental in the course  
14    of one of these felonies, as first-degree murder.

15                  So there's no malice, there's no intent to kill that the  
16    State has to prove. The State proves beyond a reasonable doubt  
17    that the defendant committed one of those felonies and a death  
18    resulted in the perpetration of the felony, first-degree murder.

19                  The State is not required to prove malice, premeditation  
20    or deliberation.

21                  And so the elements of felony murder of the first degree  
22    are the defendants did willfully and unlawfully, perpetrate or  
23    attempt to perpetrate the crime of burglary, robbery and/or  
24    kidnapping and the killing of Jacob Edwards occurred during the  
25    perpetration or attempted perpetration of one or more of those

1 felonies.

2           Now, the perpetration -- so perpetration, that is the  
3 scope. The perpetration of the felony defines the scope of the  
4 liability.

5           And perpetration includes not only the acts that  
6 constitutes the elements of robbery, burglary and/or kidnapping.

7           So, in other words, as you heard burglary is complete on  
8 entry. So you step into that building with threat as intent, you  
9 are guilty of burglary. But what the perpetration means, it  
10 doesn't stop there. It doesn't stop. Perpetration is a broader  
11 term than simply the completion of the elements.

12           So if a robbery occurs, the perpetration for felony  
13 murder purposes does not end as soon as all the elements are  
14 complete. In other words, if somebody enters a convenience store,  
15 holds the clerk and says give me all the money, as soon as the  
16 clerk gives him all the money, that robbery is complete, taking by  
17 force.

18           However, the perpetration does not end, the scope of  
19 liability does not end as soon as the elements are complete.  
20 That's what this instruction tells you. It encompasses acts  
21 beyond the statutory elements of that felony to include all acts  
22 following and connected to the attempted or completed crime that  
23 form, in reality, part of the same occurrence.

24           In other words, the perpetration, the scope, includes  
25 the chain of events that flows from the commission of the felony,

1 until that chain of causation is broken.

2 So, again, as instruction 52 -- or I'm sorry, not 52.

3 It is 27.

4 So as instruction 27 tells you, the duration of felony  
5 murder liability can extend beyond the termination of the felony  
6 if the killing and the felony are linked to or part of a series of  
7 incidents so as to be part of one continuous transaction.

8 So if a killing takes place in the course of an unbroken  
9 chain of events flowing from the initial attempt or completed  
10 robbery, burglary or kidnapping, it has been committed in the  
11 perpetration of the felony or felonies.

12 And that perpetration can include the flight of the  
13 perpetrator from the scene of the offense, when that flight is  
14 linked in the chain of events flowing from the commission of,  
15 attempted or completed felony.

16 And I submit to you that that is what has occurred in  
17 this case, that the flight -- this defendant, his flight from Bob  
18 & Lucy's was part of the unbroken chain of events in his  
19 commission of robbery and burglary and attempted robbery.

20 And with all, he is, at the time the police arrived,  
21 sitting in that truck, he's removed the gun, he's got Sims'  
22 ticket. He is waiting, "Call me when it's ready," he's waiting  
23 for the money.

24 And so the police arrive and interrupt that. From his  
25 perspective, okay, he doesn't know that Sims isn't going to come

1 up with money. He is sitting there waiting for the money. He has  
2 just left, having committed robbery, taking the ticket, the  
3 burglary for entering with the requisite intent, and he's in the  
4 course of a robbery. He's attempted to commit a robbery.

5 Now, any ones of those would be enough. He's sitting  
6 out there after committing the burglary, with Norman still inside.  
7 Then he flees. I submit that's a continuing chain of events from  
8 the commission of that crime because he's fleeing right after  
9 committing.

10 Same thing with the robbery. I submit all three are  
11 true, and he's in the course of attempting to get that money from  
12 Sims.

13 So he's waiting outside when the police arrived. And he  
14 then takes off to avoid being apprehended at the scene of those  
15 crimes by the police who have just arrived.

16 And I submit, when you see this instruction, that that  
17 is part of the unbroken chain of events.

18 The police arrive in the middle, in the midst of it, his  
19 commission, and he has just come out. And then he flees right  
20 from the scene, and there's an unbroken chain of pursuit, until he  
21 drives the wrong way on the freeway and kills Jacob Edwards.

22 And so I submit to you, ladies and gentlemen, the State  
23 has proved beyond a reasonable doubt that Williams is guilty of  
24 first-degree murder, because he committed those felonies. And  
25 again, any one of them -- if you found beyond a reasonable doubt

1 that he just committed burglary and he fled from the commission of  
2 the burglary, and the police followed him all the way, and he was  
3 never -- he was never out of their sight and never broke the chain  
4 of causation, he was fleeing directly from his commission, that  
5 would be sufficient.

6 Again, just the robbery, that would be sufficient. That  
7 is in the perpetration of.

8 I submit there's more than one, and that he is fleeing  
9 from multiple felonies, multiple felony murder felonies, and that  
10 he killed Jacob Edwards. That he hit him. I'm not suggesting to  
11 you that he intended to kill Jacob Edwards, but it doesn't matter  
12 for felony murder.

13 Accidental, unintentional, when you engage in that  
14 dangerous conduct, you are responsible if a death results. And a  
15 death did result and he is responsible.

16 And you should find him guilty of felony murder.

17 Now, as your instructions tell you, an abettor or  
18 conspirator who is responsible for one of the underlying felonies,  
19 one of those felony murder felonies, is also responsible, even if  
20 they didn't commit the murder, themselves.

21 Any defendant who bears criminal liability for a felony  
22 murder felony because they participated, because they abetted,  
23 because they encouraged or because they conspired and/or  
24 participated as a conspirator, is responsible for that felony  
25 murder.

1           Again, even if they -- even if they didn't have a hand  
2 in the killing. Even in a case like this, where Adrianna Norman  
3 did not get in that truck. She was not in that truck. Williams  
4 decided to flee. And his decision resulted in an unbroken chain  
5 of events that leads to Jacob Edwards' death.

6           However, if you find beyond a reasonable doubt that she  
7 participated in that attempted robbery, which I submit that's what  
8 the evidence shows, she is guilty, even though -- of murder, of  
9 first degree felony murder, even though she wasn't driving the  
10 truck and even though she wasn't in the truck.

11           Again, the law considers this type of felony so serious  
12 that everyone involved is held responsible if they had any  
13 liability as an aider or abettor or conspirator.

14           And so I submit to you, because the State has proved  
15 that she participated directly with Williams in that attempted  
16 robbery, the hundred dollars, she's guilty of first-degree murder.

17           Also, I submit to you that if you find that Williams and  
18 Norman -- so Williams aided and abetted Norman in burglary,  
19 entering to engage Sims -- I'm not talking about Williams, if you  
20 find that Williams separately, when he came in to rob that ticket,  
21 if you find that Adrianna Norman had nothing to do with that, no  
22 aiding or abetting, no conspiracy, then that particular felony  
23 holds no liability for her.

24           However, I submit that she does have liability as a  
25 conspirator, because that's why they were there. So when Williams



1 stepped into Bob & Lucy's to try to coerce and get Sims out, and  
2 committed burglary doing so, she was part of that. That was part  
3 of their agreement. That was part of their goal.

4 Now, again, if it's just the attempted robbery, that is  
5 sufficient. I submit to you there's more than one felony murder  
6 felony for which she had responsibility.

7 Now is that significant? Is it serious, that somebody  
8 who wasn't even in the truck, who wasn't driving, could be  
9 responsible for first-degree murder? It absolutely is. But  
10 that's absolutely the law.

11 So if you find that she is liable for any of those  
12 felonies, she's also liable for the felony murder.

13 And that's what your instruction tells you. Anyone who  
14 directly committed the acts constituting the underlying felony,  
15 aided and abetted another person or persons in committing the  
16 underlying offense or participated as a conspirator, is also  
17 liable for murder in the first degree, the felony murder.

18 Now, murder, the second theory of first-degree murder  
19 that I submit the State has proved, is to avoid or prevent lawful  
20 arrest. This is an implied malice offense. It is not express  
21 malice, not intent to kill. It's an implied malice offense. But  
22 if malice is present, it's murder.

23 And this applies only to Williams. If you find that the  
24 State has proved beyond a reasonable doubt that Williams committed  
25 a malice killing to avoid or prevent lawful arrest, Adrianna

1 Norman bears no responsibility for that.

2 She may bear, if you find beyond a reasonable doubt she  
3 participated in those felony murder felonies, she may bear  
4 liability that way. She bears no liability here. This is only  
5 Williams.

6 So as your instruction tells you, and this is  
7 instruction number 29, murder committed to avoid or prevent lawful  
8 arrest of any person by a peace officer is murder of the first  
9 degree.

10 The arrest need not be imminent. Now here I submit the  
11 evidence is that it was imminent. Nor must the victim be involved  
12 in effecting the arrest. So the fact that Jacob Edwards was a  
13 bystander, that he was not involved in the transaction that led to  
14 the police pursuing Williams, does not matter. He doesn't have to  
15 be involved.

16 Where a killing is accomplished to avoid or prevent the  
17 lawful arrest of any person by a peace officer, the State is not  
18 required to prove intent to kill, premeditation or deliberation.  
19 The killing constitutes murder of the first degree so long as it  
20 was committed with malice, express or implied.

21 So certainly express malice, that intent to kill  
22 suffices, but it is not -- but it is not the only way to satisfy.  
23 It is sufficient but it's not necessary.

24 Now, and importantly, when you deliberate, the malice  
25 killing, the murder, must have been made to avoid lawful arrest.

1 So the conduct constituting the murder must have been undertaken  
2 to avoid or prevent lawful arrest; otherwise, the defendant does  
3 not bear liability for it.

4 Now, yes, I submit the State has proved beyond a  
5 reasonable doubt that Defendant Williams committed a malice  
6 killing of Jacob Edwards. And your instructions tell you what  
7 malice is.

8 So malice aforethought means the intentional doing of a  
9 wrongful act without legal cause or excuse or what the law  
10 considers adequate provocation. It does not necessarily import  
11 ill will that signifies a general malignant recklessness doe  
12 others' lives and safety or disregard of social duty.

13 So now, even though there was no contact, there was  
14 nothing, there was no beef, no issue between Jacob Edwards and the  
15 defendant, again, not required. Malice does not mean defendant  
16 had some type of ill will or spite towards the victim or bad  
17 intent towards the victim.

18 Malice, implied malice is general malignant recklessness  
19 of others' lives and safety.

20 Malice may be inferred from an act done in willful  
21 disregard of the rights of another or an act wrongfully done  
22 without just cause or excuse, or an act or omission of duty  
23 betraying a willful disregard of social duty.

24 And as the instruction tells you, aforethought does not  
25 mean premeditation. It just means that the malice, the existence

1 of the malignant recklessness, must occur before the conduct or  
2 before the killing, the death. It can't occur after.

3 So malice may be inferred from an act of willful  
4 disregard of the rights of another, an act wrongfully done without  
5 just cause or excuse, or an act or omission of duty betraying a  
6 willful disregard of social duty.

7 Now in this case I submit that driving the wrong way on  
8 the freeway, again is a proximate cause. Does it reflect a  
9 disregard of duty? Absolutely. But it goes far beyond that.

10 The very danger that is incurred by driving the wrong  
11 way on the freeway is death. It is foreseeable. It is arguably  
12 likely.

13 The defendant acted with malignant recklessness of the  
14 safety and the lives of the other, it's got to be lives, and was,  
15 of the lives of the other people on the freeway, when he drove the  
16 wrong way.

17 You heard the evidence. He drove the wrong way in order  
18 to get himself off of it. Get away from the police.

19 He intentionally, he wilfully drove on to the freeway  
20 and put other people's lives in danger.

21 And that is malignant recklessness. Malignant  
22 recklessness of others' lives.

23 And, again, I submit to you it was a deliberate  
24 decision. It was no accident. He did not accidentally drive up  
25 there. But even if he did, when he entered the freeway, that

1 was -- that was a willful decision, that he talks about on his  
2 phone call of 4/28 about making danger for other people.

3 (Telephone recording played.)

4 MR. PRENGAMAN: So that's from Williams' own mouth, that  
5 he went on the freeway to make danger for other people in order to  
6 try to get away. That's exactly what he did and that's why Jacob  
7 Edwards is dead.

8 And again, it started at Bob & Lucy's. There was a  
9 continuous chain of events, leading to the freeway. The defendant  
10 acted with malignant recklessness of others' lives on that freeway  
11 and this is how his conduct ended that day.

12 (Video recording played.)

13 MR. PRENGAMAN: That is exactly the risk that the  
14 defendant disregarded when he drove on the freeway the wrong way,  
15 and he did it to avoid lawful arrest. He did it to avoid  
16 apprehension by police.

17 Ladies and gentlemen, I submit to you that the State has  
18 proved beyond a reasonable doubt that both defendants are guilty  
19 of robbery, attempted robbery and burglary; that Jacob Edwards is  
20 guilty of first degree -- I'm sorry, Jacob Edwards -- that Ryan  
21 Williams is guilty of first-degree murder for killing Jacob  
22 Edwards, as you've just seen, killing him with malice in order to  
23 avoid lawful arrest.

24 He's also guilty of first-degree murder because this  
25 killing of Jacob Edwards occurred in an unbroken chain of events

1 leading from felony murder felony.

2 And that is the reason that Adrianna Norman is also  
3 liable for this man's death. You should find both defendants  
4 guilty of first-degree felony murder.

5 Additionally, the State has proved beyond a reasonable  
6 doubt that Ryan Williams was driving under the influence of  
7 methamphetamine resulting in death, that he was eluding the  
8 police, resulting in death, and that he was driving recklessly  
9 resulting in death. You should find him guilty of Counts V, VI  
10 and VII.

11 Thank you, ladies and gentlemen.

12 THE COURT: Thank you, Mr. Prengaman.

13 We're going to take about a 15-minute recess, during  
14 which, ladies and gentlemen, you are not to discuss,  
15 communicate -- or communicate with anyone, including fellow  
16 jurors, in any way, regarding the case or its merits, either by  
17 voice, phone, email, text, Internet or other means of  
18 communication, or social media; read, watch or listen to any news  
19 or media accounts or commentary about the case; do any research,  
20 such as consulting dictionaries, using the Internet or using  
21 records, materials; make any investigation, test the theory of the  
22 case, recreate any aspect of the case, or in any other way  
23 investigate or learn about the case on your own, or form or  
24 express any opinion about this case until it is finally submitted  
25 to you.

1           We'll see you after the break.

2                       (A recess was taken.)

3           THE COURT: Thank you, everyone. Please be seated.

4           Ms. Hickman, Ms. Grosenick.

5           MS. HICKMAN: Thank you.

6           Ladies and gentlemen, words have power. They have  
7 meaning. And they have the power to create and to destroy.

8           They can incite actions, they set things in motion. And  
9 in this case the words that set actions in motion were those of  
10 Steve Sims.

11           Accusations have truths, dishonesty. And once he said  
12 those words, it was impossible to take back the actions of what  
13 happened.

14           It is hard to say, "I misperceived something." It is  
15 hard to say, "I was wrong."

16           It is hard to say that "I was on methamphetamine for  
17 over 24 hours and I hadn't slept and I told the police things that  
18 I knew to not be true."

19           But he did that. But once words are said, you can't  
20 take back their effect.

21           Ladies and gentlemen, on February 22nd, 2020, Steve Sims  
22 went to the back of Bob & Lucy's and told David Cole to hide him;  
23 not because he was being robbed, he told you that.

24           "I told him I was being robbed because he was not taking  
25 me seriously." He didn't want to deal with the fact that Adrianna

1 Norman was confronting him about stealing from her children, that  
2 she was confronting him about being a terrible friend, that he had  
3 stayed with her for three weeks in Winnemucca, acted as a partner,  
4 wrapped Christmas gifts for her children, and then two weeks later  
5 turn around and took them.

6 And then Steve Sims tells Sergeant McNeely a similar  
7 story.

8 He tells Sergeant McNeely, "She said, 'Gimme some  
9 money.' She wants money."

10 (Video recording played.)

11 MS. HICKMAN: He knew that wasn't true. He sat up  
12 there on that witness stand and swore to tell the truth, and watch  
13 this clip, if he said "that was not accurate."

14 "I knew it not to be accurate that they were trying to  
15 rob me but I just stated that."

16 (Video recording played.)

17 MS. HICKMAN: Those false words: "She wants money."  
18 "He took my fucking wallet, Bro," that is the start of a response  
19 from Sparks Police Department. That is the start of actions.

20 That is the start of a series of events that were  
21 unnecessary, that were dangerous, that were foolish, and  
22 ultimately were criminal.

23 Mr. Williams is guilty of some of the crimes that have  
24 been charged against him, but what he is not guilty of is murder.

25 After Mr. Sims said these words, the severity of the



1 response of Sparks Police Department reflects these half-truths.

2           They come to Bob & Lucy's like they're rolling up on a  
3 violent felony or a robbery, threats with a gun. And it prompts  
4 them to pull out their ARs before they approach anybody.

5           And those words cause them, when Mr. Williams leaves  
6 that parking lot, to chase him, because of what they believe Steve  
7 Sims told them happened.

8           And you watched some of the clips this morning with the  
9 State's closing argument, and you watched Mr. Williams leave. And  
10 he should have stayed there. He should have. He should have  
11 stayed and sorted everything out.

12           But you heard what he said on the phone.

13                       (Telephone recording played.)

14           MS. HICKMAN: "I hit the gas because I was hella high."

15           He wasn't making good decisions. He wasn't doing what  
16 he needed to do, because he's sitting in that truck and he's high.

17           And it's not just Mr. Williams that you have to depend  
18 on to tell you why he left, because Zane Kelly came in here and  
19 testified. And Zane Kelly told you that Mr. Williams looked at  
20 him and said, "What should we do?" And he said, "Just go." "Just  
21 go."

22           Today you will hold Mr. Williams responsible. And you  
23 will hold him responsible for the death of Jacob Edwards. He is  
24 guilty of driving under the influence of methamphetamine resulting  
25 in death, felony eluding resulting in death, and reckless driving

1 resulting in death. He is guilty of those crimes. He did those  
2 things.

3 And back in April of 2020, you heard him make a phone  
4 call where he tells you he needs to be held responsible for those  
5 things. He is responsible for what he did in that truck.

6 (Telephone recording played.)

7 MS. HICKMAN: "That shit was on accident. That dude  
8 didn't" -- "That dude was innocent and didn't deserve to die. It  
9 wasn't like I meant to fucking hit him or anything."

10 And you can watch that chase. And you can watch  
11 Mr. Williams when he's apprehended. And you can watch  
12 Mr. Williams at Bob & Lucy's, and you can know that this is true.  
13 You can know that that was on accident.

14 And you can know that he never intended to kill  
15 somebody.

16 He never intended to hurt somebody. He never intended  
17 to end up sitting right here, telling you guys, "I did these  
18 things."

19 But he did. And he's guilty of those counts.

20 So when you go back in the deliberation room you'll find  
21 Mr. Williams guilty of Count V, which is causing the death of  
22 another by driving a vehicle while under the influence of  
23 methamphetamine; Count VI, which is eluding or flight from a peace  
24 officer resulting in death; and Count VII, which is reckless  
25 driving.

1 But what happened on February 22nd, 2020, was a lot of  
2 things, but it was not murder.

3 For almost 10 minutes the Sparks Police Department  
4 chased Mr. Williams through Sparks. They chased him through the  
5 industrial area of Sparks. They chased him through parking lots.  
6 They chased him behind buildings.

7 Eventually, they chased him on to McCarran. And you'll  
8 look, when Mr. Williams turned on to McCarran, it wasn't because  
9 he had a choice to go forward or to go left or to stay in that  
10 industrial area. The Sparks Police Department blocked off every  
11 area except for his ability to turn right on McCarran and his  
12 ability to go up over McCarran, under the freeway, where he  
13 ultimately, ultimately turned on Nichols.

14 The Sparks Police Department chased him through all of  
15 those areas. They chased him going 90 miles an hour.

16 They chased him when he drove the wrong way on McCarran.

17 They chased him going 60 miles an hour in a residential  
18 neighborhood.

19 And then they chased him up an off-ramp into oncoming  
20 traffic.

21 And ladies and gentlemen, I want to be very clear. The  
22 Sparks Police Department is not on trial. This is not about what  
23 the Sparks Police Department did or did not do, but their actions  
24 that day are important in considering what Mr. Williams' intent  
25 was. What was he trying to do? Was he trying to hurt somebody?

1 Or was he trying to get away?

2 Because you can see, in that 10-minute chase, he  
3 consistently swerves away from other cars. If there's a car in  
4 the lane, he gets over away from it.

5 When there's oncoming traffic, even when he's in the  
6 other way, he turns. When he comes to stop signs, he puts his  
7 brakes on.

8 He is not trying to get hurt. He is not trying to hurt  
9 other people.

10 He is trying to run from the police.

11 And that is a crime, and that is a crime that you will  
12 find him guilty of, because that is eluding a peace officer, and  
13 it ultimately resulted in death, because what he was doing is  
14 running from the police.

15 He was running from the police with their lights and  
16 their sirens, to get away. Not because he was under arrest, which  
17 I'm going to get to later, not because he wanted to kill somebody,  
18 but because he was hella high.

19 I want to talk to you about the different theories of  
20 murder that the State has charged in this case.

21 You heard the State say this is not premeditated murder.

22 But ladies and gentlemen, they charged that. They  
23 charged Mr. Williams and Ms. Norman with premeditated murder.

24 That type of murder requires the intent to kill. It  
25 requires an intent to take a life.

1           I want to talk to you a little bit about what happened  
2 when -- I want to talk to you about why this chase was  
3 unnecessary.

4           This chase was unnecessary because it did not have to  
5 end the way that it did.

6           In this situation the Sparks Police Department was the  
7 authority. They are the adults in this situation.

8           They are the ones who are not under the influence of  
9 methamphetamine.

10          And they are the ones who have -- Mr. Williams has a  
11 duty to follow the law and they also have a duty. They have a  
12 duty to exercise due care. And they have a duty during a chase to  
13 not exceed the speed limit that endangers the life or safety of  
14 other people. And they did not do that.

15          At the time that they respond to Bob & Lucy's at 6:33  
16 they have a license plate, 181 LMJ.

17          Before that truck even left the parking lot, they knew  
18 that. They knew the color of the truck. They knew the make of  
19 the truck. They knew the model of the truck.

20          And they knew who the registered owner was.

21          And the reason that is important is that Trooper Moore  
22 told you the registered owner is a person who owns the truck.

23          And then at 6:36 a.m., two police cars have crashed into  
24 each other during this chase.

25          Ms. Norman is still at Bob & Lucy's.

1           The registered owner's name is known.

2           The license plate number is known.

3           The make, model and color of the car is known.

4           They do not have to chase this car anywhere.

5           They do not have to make contact with Mr. Williams at  
6 this point.

7           And ladies and gentlemen, this isn't just argument.  
8 Because Sergeant McNeely, who is the highest ranking officer who  
9 responded, he is a sergeant.

10           After he talked to Steve Sims, after he calls on his  
11 radio and says it's a robbery, they have his wallet, he gets in  
12 his car and he makes the call. And he calls Lt. Patton and he  
13 tells him, "You should shut it down. We have a name, we know  
14 where she's from, we can figure out who they are from here. They  
15 are going pretty fast. Let's shut it down."

16           And ladies and gentlemen, that is before that car gets  
17 out of the industrial area. That is before the white pickup gets  
18 to McCarran Boulevard.

19           And that statement by Sergeant McNeely takes into  
20 consideration the fact that the Sparks Police Department has that  
21 legal duty, that takes into consideration the information that the  
22 police have.

23           And it takes into consideration the fact that there was  
24 no need to continue to chase Mr. Williams.

25           They have enough information to contact him if it's

1 necessary at a later date.

2           And that is significant too. Because when we get to  
3 what happened at Bob & Lucy's, you will -- you will see that if  
4 that case -- if this case had been properly investigated, had the  
5 detectives actually collected all of the surveillance, had they  
6 collected the surveillance that was when Mr. Sims talked to  
7 Mr. Cole, had they collected surveillance inside past 6:30, had  
8 they confronted Steve Sims about the fact that he was dishonest  
9 with them and learned that Adrianna Norman never threatened him,  
10 that Ryan Williams never had a gun and never said anything to  
11 Steve Sims that made him think he had a gun, the police very well  
12 may have never followed up on this.

13           They may have determined for themselves that a crime did  
14 not occur in Bob & Lucy's.

15           They may have determined that Steve Sims was not telling  
16 the truth, and that no crime was committed that would warrant them  
17 to go follow up with Mr. Williams.

18           But they didn't stop. They didn't shut it down. And  
19 they chased Mr. Williams onto McCarran Boulevard, through that  
20 residential neighborhood.

21           And I want to talk to you about how that chase ends.

22           Because here is this truck turning left on to Stanford.  
23 And this is at the end of his 10-minute chase.

24                           (Video recording played.)

25           MS. HICKMAN: He slowed down. He put on his brakes

1 because he's coming to a stop sign. And he's turning right. He's  
2 going westbound. He is going away from the freeway.

3 He is still just trying to get away from the police.

4 And through that whole chase that you watched, you can  
5 see he passes multiple on-ramps and off-ramps. He passed multiple  
6 times that he could run into somebody. He passes multiple times  
7 where he could get out of the car and run.

8 He turns westbound.

9 He had no intention to drive up that off-ramp.

10 But when the truck is flipped 180 degrees, it then is  
11 pointed toward that off-ramp.

12 (Video recording played.)

13 MS. HICKMAN: At this point in the chase, you have to  
14 consider what has happened, and you have to consider this very  
15 particular off-ramp, because this is not a normal off-ramp. This  
16 is not like -- this is not an off-ramp that you see at every exit.

17 At this point there is no reason to continue to chase  
18 that white pickup truck.

19 The vehicle is damaged. They know the license plate.  
20 They know the address of the registered owner. They have a  
21 suspect in custody. Ms. Norman has had contact with Sergeant  
22 McNeely and she has been handcuffed.

23 Sergeant McNeely has identified that whatever happened  
24 in Bob & Lucy's will be on camera. You heard him say that to her  
25 when he puts her in handcuffs, "It's all going to be on camera."



1           They have statements by Steve Sims. And they have eye  
2 witnesses in Bob & Lucy's.

3           There is no reason to continue to chase that truck.

4           And, again, this is not about Sparks Police Department,  
5 because Ryan Williams is the person who drove on to that freeway  
6 going the wrong way.

7           But when we look at that on-ramp, you can see -- I'm  
8 just going to highlight it. It starts down here and it comes up.  
9 You cannot see the freeway at the bottom.

10           You cannot see the traffic on the freeway. And Mike  
11 Slattery, who is the truck driver who tells you "I take that exit  
12 pretty much every day, I'm very familiar with it," says that when  
13 that truck came up on to the freeway, he would not see the  
14 oncoming traffic until he popped up at the top.

15           And ladies and gentlemen, that is contrary to the  
16 argument that the State wants to make to you, that he knew that  
17 was an off-ramp as soon as he got on to it. That Mr. Williams got  
18 on to an off-ramp with the intention of getting on to the freeway  
19 to hit somebody in a head-on collision to avoid arrest.

20           Officer Guillen also testified. And remember, Officer  
21 Guillen is one of those officers who followed that white truck up  
22 the off-ramp.

23           And he says, "Yes, that looks like an on-ramp. I only  
24 know it's an off-ramp because I work this area all the time."

25           And then where the red circle is, ladies and gentlemen,

1 that's where that accident happens. And you can see that there is  
2 a significant amount of roadway to drive. It's uphill, it curves,  
3 and you can see even in Officer Snow's dash cam that it is  
4 difficult to see what is coming, on oncoming traffic.

5 Mr. Williams did not drive up that ramp with the intent  
6 to kill somebody.

7 He did not drive up that ramp to avoid arrest.

8 He drove up that ramp because it was in front of him.  
9 It looked like an on-ramp and he was trying to get away. That's  
10 what he was trying to do.

11 And it defies logic to think that after 10 minutes of  
12 driving and avoiding collisions and turning, driving in circles,  
13 getting lost, driving past on-ramps and off-ramps, Mr. Williams  
14 would intentionally cause a head-on collision at highway speeds,  
15 thinking he was going to get away, thinking that when he caused  
16 that collision, when he killed somebody, it would be what allowed  
17 him to avoid arrest. It defies common sense.

18 This accident was not a murder to avoid arrest.

19 Mr. Williams did not kill Jacob Edwards to avoid arrest.

20 There's no -- there's also no evidence to support the  
21 fact that this was premeditated, deliberated and with malice  
22 aforethought. And the State has -- the State has told you that it  
23 didn't prove that part of the charge, that he did not mean to kill  
24 Jacob Edwards. This was not premeditated, deliberate, with malice  
25 aforethought.

1 But I want to talk about this slide too, because this  
2 was the slide that was put together by Nevada Highway Patrol in  
3 the accident reconstruction.

4 And you can see that Mr. Williams, when he realized what  
5 was happening, when he realized he was getting on the freeway  
6 going the wrong way, he did everything he could to avoid that  
7 collision.

8 And you have to remember he's under the influence of  
9 methamphetamine. And that is not an excuse, but it helps you  
10 consider why he makes the choices he makes. And you get to hold  
11 him responsible for driving under the influence of methamphetamine  
12 resulting in death.

13 It is not an excuse. It does not excuse the behavior.  
14 It is criminal. But when you're looking at the choices he is  
15 making, he is making choices of somebody who wants to get away  
16 from the police, who is under the influence of methamphetamine,  
17 who is making terrible choices because of that.

18 And Rachelle Woodard told you about how that affects  
19 your brain.

20 How far it would have been affecting his brain, she  
21 can't tell us exactly, but you know that it has an effect on  
22 decision making, on perception, on timing, all of those things  
23 play a role in how he ends up here.

24 Mr. Williams swerved to avoid that crash. He brakes for  
25 almost 80 feet. He had the opposite intent of murder. Those blue

1 lines show you pre-accident braking.

2 But here is what it is, ladies and gentlemen. Here is  
3 what Mr. Williams did when he drove on that freeway.

4 It is reckless driving causing death. Because if you  
5 look at the elements of his charge, that is what he did. He drove  
6 on to the freeway.

7 I actually want to go back, because I want to talk a  
8 little bit about that phone call, because I think it helps go with  
9 this instruction, the phone call where he says, "If I create  
10 danger, maybe they will stop following me."

11 Because at the point that those police officers hit the  
12 back of his truck, at the point that they have wrecked three  
13 Sparks Police Department cars, at the point that he's on  
14 Victorian, he's flipped around and he's heading towards that  
15 freeway, how does this end? How does this end if the police don't  
16 stop chasing him. Does it go on for 20 minutes, 30 minutes,  
17 40 minutes?

18 And ladies and gentlemen, this, when he drives on to  
19 that freeway is not special. It is not different than what he has  
20 been doing. It is not more reckless or more dangerous or any of  
21 the things that would support that finding of first-degree murder  
22 to avoid arrest, because he has been dangerous. He has been  
23 reckless.

24 He has been all of those things, he's driving through a  
25 residential neighborhood at 7:00 o'clock on a Saturday morning

1 going 70 miles an hour.

2 That is reckless driving. And he does it throughout  
3 that chase. And it finally ends in somebody's death. He is  
4 driving in wilful or wanton disregard of the safety of persons or  
5 property.

6 He acts or neglects a duty imposed by law. He does not  
7 stop for the police.

8 He does not stay on his side of the road.

9 He does not observe the speed limits.

10 He is the proximate cause of the death of Jacob Edwards.

11 And he acted wantonly.

12 You can look at the bottom of that. It's to  
13 unreasonably or maliciously risk harm while being utterly  
14 indifferent to the consequences.

15 He was utterly indifferent to the consequences of what  
16 could happen, because his goal was to get away. His goal was to  
17 not talk to the police.

18 And that's why you will find him guilty of those three  
19 charges. You will find him guilty of driving under the influence  
20 of methamphetamine resulting in death, eluding the police  
21 resulting in death, and reckless driving causing death, because  
22 that is what he did.

23 I'm just going to go through these quickly because the  
24 State has conceded he did not intend to kill anyone. There's no  
25 intent. There's no deliberation.

1 In fact, if there is any deliberation, it was  
2 deliberation not to kill somebody. It was deliberation not to get  
3 into a car accident. And it was deliberation to try to avoid that  
4 accident.

5 Ladies and gentlemen, if he considered anything before  
6 that accident, it was how to get out of it. It was how to not  
7 kill somebody, including himself and including his passenger.

8 And after Mr. Williams is taken from the scene, Zane  
9 Kelly is taken from the scene, the truck is gone. People from the  
10 Washoe County Medical Examiner's Office showed up. And they do  
11 their own investigation and they look at the scene, they look at  
12 the body, they do an autopsy.

13 And Dr. McNett tells you Jacob Edwards died of blunt  
14 force injuries. That was the cause of death.

15 But the manner of death was an accident. And that was  
16 based on the fact that the automobile accident was not  
17 intentional.

18 Ladies and gentlemen, "accident" doesn't mean  
19 Mr. Williams isn't at fault. An accident doesn't mean that his  
20 criminal liability is nothing.

21 Accident means that he is not guilty of murder.

22 Accident means that nothing he did is so far above  
23 reckless driving to rise to the level of malignant recklessness to  
24 be first-degree murder, in that he was trying to avoid arrest.

25 Because he was not under arrest. He hadn't committed a

1 crime. He just didn't want to talk to the police because he was  
2 hella high.

3 Zane Kelly told you that too. That's why they left.

4 At the beginning of the case, we told you that he is not  
5 guilty of robbery, not guilty of attempted robbery, not guilty of  
6 burglary and not guilty of murder.

7 And now, as you're sitting here for almost three weeks,  
8 you have heard the evidence that the State has. You have heard  
9 what the State has to try to show you that Mr. Williams is guilty  
10 of first-degree murder, robbery and burglary.

11 Ladies and gentlemen, for the first hour of the State's  
12 close, they showed you the video of Bob & Lucy's, and made  
13 arguments about what could have happened. And the State kept  
14 saying you don't have to hear the words to know what was happening  
15 at Bob & Lucy's.

16 But you do know the words. You know them. You heard  
17 from other people who heard those words.

18 And those words directly contradict what the State  
19 argued to you.

20 Steve Sims, Bob Cole, Faustino Saguro, Zane Kelly, they  
21 all told you the same thing. They told you the words that were  
22 used inside of Bob & Lucy's.

23 All of those people have different motivations and all  
24 of those people have different points of view about what happened  
25 inside Bob & Lucy's.

1 But they all told you what the conversation was about,  
2 that Steve Sims left without saying anything, and he stole the  
3 presents that he wrapped for Ms. Norman's children, and she wanted  
4 to tell him to his face what a terrible person he was.

5 Steve Sims told you that, that she wanted to be able to  
6 hear it from him that he did or didn't do it. And he was able to  
7 say, "You know I wouldn't steal from your kids. You know I  
8 wouldn't do that." And she would start listening. And then she  
9 wouldn't agree with him and it would be heated again.

10 Mr. Cole told you, "Yeah, I heard some of that  
11 conversation. And all I heard her say was you stole from my  
12 kids."

13 And he walked over there. He served them a drink. He  
14 was paying attention to the conversation. He didn't hear a  
15 threat, he didn't hear anyone ask about money, he didn't hear  
16 Mr. Williams threatening to go outside.

17 And when you watch those videos, you will see that  
18 Mr. Cole is paying attention. He's looking. And he saw nothing  
19 that independently made him think he needed to call the police.

20 Ladies and gentlemen, nothing was taken from Steve Sims  
21 by force, violence, fear of immediate or future injury.

22 And everything that the State argued that you should  
23 infer from that video is directly contrary to testimony that  
24 people gave.

25 Nobody threatened Steve Sims. He was not threatened.



1 Nobody told him they were going to hurt him. Nobody wanted  
2 anything from Steve Sims.

3 And everything that Steve Sims tells you has to be --  
4 has to be looked at through the fact that his perception of what  
5 happened cannot be believed. He told you himself why he can't be  
6 believed.

7 He had used methamphetamine within an hour of getting to  
8 Bob & Lucy's, and he was absolutely still feeling the effects of  
9 those drugs.

10 He had used methamphetamine all day the day before. He  
11 hadn't slept in at least 24 hours. And he told you that "I'm sure  
12 methamphetamine had something to do with how I reacted and how I  
13 perceived to what happened."

14 And since this happened, Mr. Sims has been convicted of  
15 a felony, for attempted trafficking of a controlled substance.

16 And it is significant that he was on methamphetamine  
17 that day because Rachelle Woodard told you the effects that  
18 methamphetamine has on somebody.

19 It is a central nervous system stimulant. It speeds up  
20 bodily functions, including an elevated heart rate and rapid  
21 breathing.

22 And it also has psychological effects. The first phase,  
23 right after you take methamphetamine, is euphoria. There's  
24 thought blending, distortions in time and perception and  
25 confusion. And that first phase is relatively short.

1 But the second phase has the same effects as the first  
2 phase but it's generally not as intense. It also can include  
3 aggressive behavior and unpredictable decision making.

4 And that second phase can last for hours, up to eight  
5 hours.

6 Steve Sims also told you that he wasn't honest about  
7 what happened. And he had been dishonest about what happened.

8 He told the police that he had not used drugs since at  
9 least New Year's Eve. That was not true.

10 He told the police that his wallet was stolen. That was  
11 not true.

12 He told the police that Adrianna threatened him and  
13 demanded money. That was not true.

14 He told the police that Adrianna rolled up on him with  
15 three guns. That's not true.

16 He told the police that Ryan had a gun in his waistband.  
17 And when Ryan said, "You know how I roll, let's ride," he lifted  
18 his shirt up and showed him a gun.

19 That's not true.

20 In fact, what Steve Sims told you is Ryan did not do or  
21 say anything to make Steve Sims believe he had a gun in his  
22 waistband that day.

23 And that's significant, ladies and gentlemen, because  
24 without a genuine belief that Mr. Williams was armed, he did  
25 not -- there's no threat, there's no meaning to, "You know how I

1 roll. Let's ride."

2 Ladies and gentlemen, you have no reason to believe what  
3 Steve Sims told you happened at Bob & Lucy's unless you can see it  
4 for yourself. And you are going to be given an instruction about  
5 credibility of witnesses because you alone get to determine who to  
6 believe and who not to believe.

7 And you don't have to completely disregard somebody's  
8 statement. You don't have to believe all of it.

9 But when it comes to Steve Sims, what can you believe?  
10 What can you believe? Because these are just the things that he  
11 knows he was dishonest about. Those are just the things that he  
12 can tell from looking at his own statements, when he checked  
13 himself, that it was not true.

14 But how can you believe anything that Steve Sims said if  
15 you can't see it for yourself and somebody else didn't hear it --  
16 or somebody else didn't hear it, either/or.

17 Ladies and gentlemen, Adrianna confronted Steve Sims,  
18 because he stole from her. And that conversation was consistently  
19 testified to by every other person who was in that bar that day.

20 In fact, Zane Kelly told you, "Well, it wasn't anything  
21 going on in there. The first I ever heard about an Xbox was when  
22 I heard her talking to that guy and I heard him giving her some  
23 bullshit story about how he didn't take it."

24 And Mr. Prengaman said, "Well, how do you know it's  
25 bullshit?" He said, "It's the same kind of bullshit story I would

1 tell if I took something and didn't want to be in trouble for it."

2 That's the first he hears of an Xbox. If that's the  
3 first time he hears of an Xbox, how can you even assume that  
4 Mr. Williams ever heard of an Xbox. How can you assume that there  
5 was ever an intention to take anything from Steve Sims, to beat  
6 him up, to threaten him, to do anything.

7 The first time an Xbox is mentioned that Zane Kelly  
8 knows about is when he's in Bob & Lucy's and when he hears  
9 Adrianna tells Steve Sims about it and he hears a bullshit story.

10 For over 13 minutes Adrianna talks to Steve Sims. They  
11 yell at each other. He yells at her.

12 And, ladies and gentlemen, there is a gun. You've seen  
13 it. You saw the gun in the truck. You see the gun in the video.  
14 You see the gun when Mr. Williams takes it back from her.

15 But having a gun doesn't make something robbery. The  
16 simple fact that she has a gun when she's mad at him, does not  
17 make her liable for robbery, attempted robbery, burglary,  
18 kidnapping, coercion, none of those things.

19 And it doesn't make her guilty of murder, and it doesn't  
20 make Mr. Williams guilty of murder.

21 There is nothing illegal about her having a gun. So  
22 what? She walked into a bar with a gun.

23 So think what Steve Sims has told you. He's a drug  
24 addict. He used drugs. She knows him. She lived with him.

25 He tells her, "I'm not alone in here. I've got a gun."

1 Maybe she takes that gun in to protect herself from Steve Sims.

2 Who threatens her more than she threatens him?

3 He tells her, "I'm not alone."

4 She never demanded money from him. She never told him  
5 that he was going to get hurt. She never told him she wasn't  
6 alone. She didn't say, "Hey, Ryan is in the truck. If you don't  
7 tell me you stole something from my kids, they are going to come  
8 in here and beat you up."

9 She didn't want anything from him. Steve Sims doesn't  
10 have money. He's got nothing. He lived for her for three weeks  
11 and didn't pay her a dime. He took her phone.

12 He's not working. He's living with a bartender from Bob  
13 & Lucy's. What are you going to rob him of?

14 In this video you can see where Adrianna takes that gun  
15 out.

16 (Video recording played.)

17 MS. HICKMAN: The way that they dealt with that gun is  
18 absolutely irrelevant. It's irrelevant today. And it's  
19 irrelevant to Steve Sims, because he never changes his behavior.  
20 He does not react to that gun at all.

21 He doesn't back up. He doesn't calm down. He continues  
22 to be up in her face talking to her. And he told you, "I said, 'I  
23 have a gun too.'"

24 She doesn't point it at him. She says, "Yeah, it's  
25 real," and puts it back, which bolsters the argument, the only

1 reason she has a gun, it's not illegal that she can have in here,  
2 is she is afraid of him, because she knows him.

3 Ladies and gentlemen, believe your eyes, believe what  
4 you can see. Trust yourselves and trust the inferences that can  
5 be made from the video, coupled with the statements from the other  
6 people who were in the bar.

7 This is about her telling him she's mad at him. That's  
8 what it is about.

9 And ladies and gentlemen, when Ryan comes back into Bob  
10 & Lucy's, he's not there to do anything to Steve Sims. It's time  
11 to go. That's what Zane Kelly told you. "We were there to meet  
12 my friend, Tanya. I'm calling her and I'm texting her. I'm  
13 walking through Bob & Lucy's, looking for her. And when I realize  
14 she wasn't coming, it was time to go."

15 Mr. Cole told you, "Yeah, Tanya hangs out here."

16 Those things are corroborated. Those are two witnesses  
17 who have nothing to do with each other, telling you the same  
18 thing, it's time to go.

19 If the goal was to get Steve Sims outside to beat him up  
20 or to get money from him or to do whatever it was to get the pound  
21 of flesh that you've seen for the Xbox, why send in a woman? Why  
22 send her in first to bring him outside?

23 If they were going to do this through force and violence  
24 and threats of force and violence, why would you send in  
25 Mr. Williams and Mr. Kelly to get him outside? Why give 13, 14,

1 15 minutes of a yelling conversation to make sure that every  
2 single person in that bar knows what's happening, before trying to  
3 force him outside? It doesn't make sense. It's not logical.

4 And if it's not logical, and it doesn't make sense, you  
5 should reject it.

6 For the count of burglary, at this point that  
7 Mr. Williams walks in, what is his intent? What does he want to  
8 do in Bob & Lucy's?

9 He wants to go. They are done. Tanya is not there.  
10 She's been in there talking to Steve Sims for 13 minutes. They  
11 are done at Bob & Lucy's.

12 And you know that because Zane Kelly says, "Yeah, when I  
13 went in the second time it was to get Adrianna." And you can  
14 tell, he walks over to get her, and then he's kicked out.

15 And he goes outside and he says something to  
16 Mr. Williams. Mr. Williams gets in -- gets out of the truck and  
17 he walks in and he goes over to Adrianna and Steve Sims because  
18 it's time to go.

19 And the State just can't say his intent is to commit a  
20 laundry list of offenses when he goes in there, they have to prove  
21 that to you. They have to prove his intent.

22 And, ladies and gentlemen, they did anything but that.  
23 Every single piece of evidence that was admitted to you, the  
24 testimony from the witnesses shows the exact opposite.

25 And I want to talk a little bit about Zane Kelly.

1           Because the State said, well, Zane Kelly is down. Zane  
2 Kelly is the first person who goes in there and he's scouting it  
3 out and he's showing over his shoulder where Steve Sims is.

4           There is nothing to support that.

5           Steve Sims doesn't know who Zane Kelly is, and Zane  
6 Kelly doesn't know who Steve Sims is. So why would you send in  
7 the one person who doesn't know anybody to find somebody?

8           What's logical is what Zane Kelly told you. I showed up  
9 to find Tanya. She said she was going to be there. She lives  
10 right around there. I went in to look for her. I went back in to  
11 look for her. I decided she wasn't going to come, so we were  
12 going to go.

13           And if the State believes what they are telling you  
14 about Zane Kelly, if that is true, and if that is a logical  
15 conclusion, why wasn't Zane Kelly called as a witness for the  
16 State? Why didn't the State ask Zane Kelly, why did you motion  
17 over your shoulder? What was your role in the conspiracy? What  
18 were you getting out of the Xbox money?

19           And why doesn't the evidence support that position?

20           Why doesn't the evidence support that Zane Kelly is part  
21 of a conspiracy, if that's what you have here?

22           Ladies and gentlemen, it is because the Sparks Police  
23 Department did not want to know that. They wanted to put their  
24 heads in the sand and pretend like Zane Kelly doesn't matter,  
25 because Zane Kelly has been telling you what really happened.



1           You know, they hang out. They could have talked to  
2 Tanya, right? They could have looked at Zane Kelly's phone, since  
3 they have had it sitting in Property since February 20th, 2020.  
4 They could have but they didn't.

5           And you know why? It's because they know it will  
6 directly contradict every argument that the State wants you to  
7 believe about why they were at Bob & Lucy's.

8           The beef inside of Bob & Lucy's is between Adrianna and  
9 Steve Sims.

10          The kids that were stolen from, not Ryan Williams'. The  
11 texts that were sent, not from Ryan Williams. He is not involved  
12 in that in any way. He's not there when the text is sent. He  
13 doesn't know about the text. Steve Sims didn't steal from his  
14 kids. That's not his beef. He has no dog in that fight.

15          And the State can't show you any evidence that shows  
16 Ryan Williams knew about that Xbox. There's nothing. And the  
17 most likely answer is, is because it doesn't. He doesn't know.

18          He's her ex-boyfriend.

19          It's just too big of a leap. It's not supported. And  
20 you should not rely on it in finding him guilty of robbery,  
21 attempted robbery, burglary, or murder.

22          And when he walks in here, he doesn't know what's  
23 happening between Adrianna and Steve Sims. He has no idea.

24          You saw the text messages. There's no text messages  
25 from her about, "Hey, I'm really yelling at him. I think he's

1 about to apologize," because that's what she's looking for. "Hey,  
2 he's saying he didn't steal my kids' stuff. Give me a couple of  
3 minutes, I'm going to keep yelling at him."

4 Nothing was going on in there. He has no reason to go  
5 in there to commit a crime.

6 What he has a reason to do is go in there to get her to  
7 go.

8 Ladies and gentlemen, if this was about money, if this  
9 was about getting Steve Sims outside to beat him up, if this was  
10 about committing a crime and getting their pound of flesh out of  
11 Steve Sims, Adrianna Norman is the worst robber on the face of  
12 this earth. She is the worst bait person on the face of this  
13 earth, because she never asked for money. She never told him to  
14 go outside. She never told him she was going to hit him or shoot  
15 him or hurt him or Ryan Williams was coming inside. So if that  
16 was the point, nobody told her.

17 Ladies and gentlemen, there's a lot of talk about Ryan  
18 walking in and intimidating, and he's leaning over Steve Sims.

19 He's a big guy. He's going to look big when he's  
20 standing somewhere because he's big.

21 That doesn't make every interaction he has with somebody  
22 who is high on meth, misperceiving things with distorted reality,  
23 think he's guilty of robbing them, think he's somehow going to  
24 hurt him.

25 It is an objective standard. A reasonable person in

1 Mr. Sims' shoes would have had to have -- sorry. A reasonable  
2 person in Steve Sims' shoes would have had to feel the same way in  
3 order for it to be robbery.

4           You cannot have Steve Sims saying, "My mind, on  
5 methamphetamine, sleep deprived, misperceiving things, thought  
6 they were going to hurt me and so they are responsible," because  
7 they're not. They are not responsible for Steve Sims' incorrect  
8 thoughts or fears.

9           When Ryan walks in, he walks up to Steve Sims, and they  
10 shake hands. You can see it from every angle. This is not an  
11 unfriendly conversation.

12           You don't walk in and shake hands and give five to  
13 somebody you're trying to intimidate. And it's not just a  
14 handshake, multiple things.

15           There's no reason for him to be mad at Steve Sims.  
16 There's no beef between them.

17           Ladies and gentlemen, you can believe your eyes, that  
18 ticket was stolen. It was taken from Steve Sims. But that's all  
19 you know. That's all you know.

20           Nobody else in that bar -- and you can see in the video  
21 there are other people nearby. David Cole is paying attention.  
22 Nobody else heard any kind of threat.

23           And if Ryan Williams is threatening him and making him  
24 go outside, why does he walk first and put Steve Sims behind him?  
25 Why does he talk to him over his shoulder as they are going out,

1 casually?

2           There is no evidence of force, fear, or threat of force  
3 that accompanied the taking of that ticket.

4           Without that, Mr. Williams is guilty -- is not guilty,  
5 Mr. Williams is not guilty of robbery. He took it. That's true,  
6 but it does not amount to a robbery.

7           Steve Sims was not scared of Ryan Williams at this  
8 point. He wasn't threatened by him. And Ryan Williams doesn't  
9 force him to give a ticket that's basically worthless.

10           And we know this, ladies and gentlemen, you know this,  
11 and this is an inference you can make, because when Steve Sims  
12 talks to the police about this interaction, he does not tell them  
13 the truth. He embellishes what happened.

14           He says that when Ryan Williams walked up and said,  
15 "Let's ride, you know how I roll," he threatens him by lifting up  
16 his pant -- his shirt, and showing him a gun in his waist.

17           The words, "You know how I roll, let's ride," are not a  
18 robbery, they are not a threat of anything. Steve Sims knew that.  
19 He knew that.

20           And that is why he had to tell the police that Ryan  
21 Williams lifted up his shirt and showed him that gun, because  
22 showing him that gun would have made that a threat. It puts those  
23 words with the gun. "You don't come with me, this gun is coming  
24 for you."

25           That statement, when it is not made in conjunction with

1 pulling up his sweatshirt and showing him the gun, is nothing.

2 The words by themselves do not imply imminent bodily harm. And,

3 again, ladies and gentlemen, believe what your eyes tell you.

4 Believe it.

5 That video shows that Ryan Williams does not have a gun.

6 It shows that he is friendly with Steve Sims. It shows that he

7 walks out and has Steve Sims behind him as he goes to leave.

8 "You know how I roll, let's ride," have a very distinct  
9 meaning when coupled with implicit threat of showing you a gun.

10 That's a threat. That is clearly a threat.

11 I would argue that you can't even believe that that  
12 statement was even made, because you can't hear it for yourself  
13 and nobody else in there ever heard it.

14 None of those people who knows Steve Sims -- his  
15 roommate Bob Cole, Faustino, John -- all of them are in there and  
16 none of them are worried for him. None of them call the police.

17 And nobody else heard this statement.

18 The fictitious gun is what would have given any meaning  
19 to that statement.

20 So without pulling up his shirt and without having a  
21 gun, how does Steve Sims know -- how does he know Ryan Williams  
22 rolls? That's what he told you. Steve Sims has rolled with Ryan  
23 Williams when he has a gun. He has rolled with Ryan Williams in a  
24 car where he has a gun and he puts it on the center console. They  
25 ride to In-N-Out to get a hamburger. They rolled in a couple of

1 stores and then they go and gamble for the afternoon.

2 That is how Steve Sims knows Ryan Williams rides and  
3 rolls. That is his experience with Ryan Williams, when he has a  
4 gun when they are together.

5 There was never a beef between the two of them.

6 And the State argues that at the time that Mr. Williams  
7 is in this vestibule, he's very intimidating, he's threatening  
8 Steve Sims and he's forcing him to go outside.

9 And it's at that point that Steve Sims says, "I'll pay  
10 for the Xbox. I don't want to go outside. I'll pay you for it.  
11 How much do you want? I'll give you \$300, but if I can't get you  
12 300, I'll give you a hundred dollars." That's what the State  
13 argued. That's what Steve Sims argued.

14 But ladies and gentlemen, that's not true. They don't  
15 need money. They don't need money, they're not in a hurry to get  
16 money.

17 In the car Mr. Williams has a bank card and Ms. Norman  
18 has at least one, two, three, four, five, six bank cards. They  
19 don't need money. Not why they're there.

20 They're there to find Tanya.

21 And then we have the text messages. And the text  
22 messages illustrate a point that was shown over and over and over  
23 by the Sparks police, is that the only person whose story they  
24 wanted to know and the only person whose story they wanted to  
25 hinge this case on is Steve Sims. He told you, "You can't believe

1 me, I was wrong about almost every single point, but you should  
2 believe me that I felt scared."

3 Ladies and gentlemen, this text message to Bear proves  
4 to you that when Mr. Williams is standing in that vestibule and  
5 he's saying "come on, come on," he did not make a deal to give him  
6 \$300 or \$100. That didn't happen then.

7 Because why would Adrianna Norman -- this is at 6:24.  
8 Why would Adrianna Norman six minutes later say, "Hey, the owner  
9 just said 15 minutes and he's going to give me \$100."

10 Give "Me," give Adrianna Norman \$100.

11 If that deal had already been made, and that was the  
12 reason Steve Sims was still inside, why is she telling him about  
13 it seven minutes later?

14 Because it didn't happen. It did not happen that way.

15 And it's very disappointing, it's very disappointing  
16 that you don't have the video that shows this text message.

17 But the only people that you can blame are the Sparks  
18 Police Department.

19 Detective Harris sat up there and said, "Yeah, I  
20 concluded that the text messages were consistent with her having  
21 her phone during the robbery."

22 Ladies and gentlemen, you're going to watch it. She has  
23 her phone, but at the time she's standing there and Steve Sims is  
24 walking around, she's not using it. It's not consistent with  
25 that.

1           And had Detective Harris bothered to look at the video,  
2 he would have known that he needed to get three or four more  
3 minutes of it. He would have known.

4           Detective Zendejas, whose job it is to make sure it is a  
5 complete investigation, said he watched those videos, that  
6 surveillance video, within eight days of this happening. And  
7 apparently he didn't think this was significant.

8           Apparently he did not think it was significant to find  
9 out why Steve Sims would say some deal was already struck.

10           Then the text message is sent about seven minutes later.

11           Steve Sims' fear wasn't based in reality. It was a fear  
12 of a man who was high on methamphetamine, whose perceptions of  
13 danger were not reasonable, they were not logical, and it should  
14 be disregarded.

15           Because this text message is sent at 6:33 and  
16 39 seconds. So "Can't we wait 15?"

17           Ladies and gentlemen this did not happen when Ryan  
18 Williams was in that vestibule.

19           This did not happen when he's walking out of Bob &  
20 Lucy's.

21           This happened at a time when you can't determine what  
22 happened because the Sparks Police Department just didn't think it  
23 was that important.

24           And when you're left wondering and when you're left  
25 thinking that is a crucial piece of evidence, you hold it against



1 the State, because, ladies and gentlemen, the burden is on the  
2 State. The burden is on the State to prove to you beyond a  
3 reasonable doubt that these crimes were committed.

4 And they cannot do it.

5 Steve Sims cannot be the reason you believe the  
6 inferences of the State's argument in the first hour of its  
7 closing, because none of that is supported by the evidence.

8 Ladies and gentlemen, you believe what you see for  
9 yourself. You believe what you can see on the video. You believe  
10 the testimony of the other people that were in there. And you  
11 believe what can be corroborated.

12 Because when you watch Steve Sims with Adrianna Norman,  
13 do you believe this is somebody who is terrified?

14 Do you believe this is somebody who thinks he's fighting  
15 for his life?

16 Or do you believe your own eyes that this man is not  
17 afraid, that this man never intended to stick around at Bob &  
18 Lucy's to talk to the police, that this man never intended for  
19 this to get where it was today, because he just wanted to go, he  
20 didn't want to deal with the fact that he did his friend dirty.

21 When you trust what you can see and when you trust the  
22 video and the testimony that is consistent between witnesses, you  
23 will find that Mr. Williams is not guilty.

24 He is not guilty of robbery, he is not guilty of  
25 attempted robbery. He's not guilty of burglary. And he is not

1 guilty of murder.

2 THE COURT: Ms. Hickman, thank you so much.

3 Ladies and gentlemen, we're going to take a recess,  
4 during which you must not discuss or communicate with anyone,  
5 including fellow jurors, in any way regarding the case or its  
6 merits, either by voice, phone, email, text or Internet, by any  
7 means of communication, including social medial; read, watch or  
8 listen to any news or news media accounts or commentary about the  
9 case; do any research, such as consulting dictionaries, using the  
10 Internet or using reference materials; make any investigation,  
11 test the theory of the case, recreate any aspect of the case or in  
12 any other way investigate or learn about the case on your own.

13 And you must not form or express any theory regarding  
14 the case until it's finally submitted to you.

15 (A recess was taken.)

16 THE COURT: Mr. Picker.

17 MR. PICKER: Ladies and gentlemen, Adrianna Norman did  
18 not rob anyone at Bob & Lucy's on February 22nd, 2020.

19 Adrianna Norman did not attempt to rob anybody at Bob &  
20 Lucy's on February 22nd, 2020.

21 Adrianna Norman did not go into Bob & Lucy's with the  
22 intent to commit any crime whatsoever on February 22nd, 2020.

23 And on February 22nd, 2020, after meeting with Mr. Sims,  
24 she never left the area of Bob & Lucy's.

25 The prosecution has asked you to put together what it

1 says is an unbroken chain, text messages from January, Ms. Norman  
2 going into Bob & Lucy's or conversations with Mr. Sims, his  
3 interaction with Mr. Williams, the car chase and the tragic death  
4 of Jacob Edwards.

5           The reality and the evidence you've heard is different.  
6 It's not an unbroken chain. It's more like a crazy quilt.

7           The crazy quilt is take a bunch of material that doesn't  
8 match each other, has nothing to do with each other, and you  
9 stitch it together to try and make something out of it, because  
10 you don't have enough material to make one solid piece.

11           That's the State's story.

12           Because it's really a variety, it's pieces that they  
13 have tried to put together to make you believe that there's an  
14 unbroken chain.

15           But there are significant breaks in this story or these  
16 stories. It's not one continuous transaction.

17           So let's look at this. It starts back in 2019. Steve  
18 Sims is living in Winnemucca. He moves in with Adrianna. At some  
19 point he starts living with her.

20           He doesn't pay rent. He doesn't pay for food. And  
21 there's a phone that he says she gives him, but he doesn't pay for  
22 that and he doesn't pay for the service.

23           That's about Thanksgiving in 2019. And he leaves about  
24 January 2020.

25           Now in Exhibit 108, the State has shown you and you've

1 seen it a number of times, so I'm not going to belabor it, there  
2 are text messages. They all come within a couple of days.

3 And they are clearly the text messages of somebody who  
4 is hurt, and somebody who is angry. And one of those text  
5 messages is "Thank you for showing me I can't trust you."

6 Clearly, that is the message being sent.

7 Yes, Adrianna Norman wrote that. That was to Mr. Sims  
8 in a series of text messages which says "Your day."

9 Nothing, no contact, no more events happen until  
10 February 22nd of 2020.

11 So in that entire period of time there's nothing that  
12 shows that Ms. Norman has paid attention to Mr. Sims at all.

13 Now, what the State wants you to believe is that on  
14 February 22nd, 2020, without having any contact for more than a  
15 month with Mr. Sims -- oh, even more than a month, because  
16 remember, he didn't respond to those text messages. In fact, he  
17 ignored them because he didn't take them seriously. He just  
18 figured she was hurt and she would get over it, basically what he  
19 told you.

20 So the State wants you to believe that on February 22nd,  
21 2020, without having any contact with Mr. Sims, Ms. Norman,  
22 Mr. Williams, and Zane Kelly drive to Bob & Lucy's because they  
23 know Mr. Sims is going to be there.

24 That is one of the more incredible statements that I  
25 have ever heard.

1           There's no reason for them to believe he's going to be  
2 there. Yes, he told them that he does frequent. But 6 o'clock on  
3 a Saturday morning they're going to drive two and a half hours to  
4 see if he's there?

5           And if he's not, what? What's going to happen then?  
6 They made a two and a half hour trip for nothing?

7           The State's story, again, is this quilt with these  
8 little squares that don't go together.

9           So another month goes by. They go to Bob & Lucy's.  
10 Mr. Williams, Ms. Norman and Mr. Kelly.

11           See the empty chair over here? This is Mr. Kelly's  
12 participation in this trial.

13           Mr. Kelly told you -- and he came up here, he was sworn  
14 in. He was a defense witness, called by Ms. Norman.

15           He's the only person, outside of the supposed victim and  
16 the supposed perpetrators, that the State has called them, who  
17 have evidenced everything that happened that morning. The State  
18 wanted to present him as a witness for you. So he did. And what  
19 did he tell you? "We went to Bob & Lucy's because I wanted to  
20 meet Tanya."

21           Now we know -- you know, you might think, well, that's  
22 just kind of a figment of his imagination, he's making Tanya up.  
23 Except we had confirmation, didn't we? David Cole knows Tanya.  
24 Steve Sims knows Tanya. Tanya is a regular at Bob & Lucy's.

25           Okay. We have confirmation. We have corroboration.

1           He's the one who decided we go to Bob & Lucy's, so they  
2 went. He doesn't say Ms. Norman had anything to do with this  
3 decision. In fact, what he told you from the witness stand was  
4 she was in the back seat and he doesn't know what she was doing,  
5 but she was real quiet.

6           Now, we know that Steve Sims arrives at Bob & Lucy's.  
7 He either arrives at 4:30, which is what he says, or he arrives at  
8 6:00 a.m., around 6:00 a.m., which is what David Cole says.

9           We also know that Steve Sims, as he's told you already,  
10 he's been up maybe for a matter of days, didn't know if he slept  
11 the night before. He has been using methamphetamine at least for  
12 the past 24 hours, but he did tell you that he's an addict and  
13 uses daily. Okay.

14           And Rachelle Woodard, I'm not going to belabor her. She  
15 has already told you what meth addicts are like when they use and  
16 they tweak and they are coming down from it.

17           So Mr. Sims arrives at Bob & Lucy's. And he is there.  
18 He is using the machine, and does admit the use of  
19 methamphetamine.

20           Let me make sure I get this right. "I'm sure it has  
21 something to do with how I reacted and how I perceived things that  
22 day."

23           We know that aggressive behavior and impaired decision  
24 making comes from that.

25           But he also told you in response to a question, "I'd

1 like to be a 100 percent accurate. I understand that's important,  
2 but I can't be accurate. I can't be a 100 percent accurate. I  
3 was on drugs, I was on meth, so I don't really know."

4 So you have Exhibit 1, Camera 7. And it's filed --  
5 ends at 4956. It's 6:07 a.m. when he sees Zane Kelly comes in,  
6 goes toward the bathroom, walks through the casino, clearly  
7 looking for somebody.

8 Now the State wants you to believe that he went in there  
9 on a reconnaissance mission.

10 He went in there to search for somebody he didn't know,  
11 he'd never seen before, and didn't know him.

12 That's an interesting reconnaissance, but okay, that's  
13 one style or way to do it. And then he leaves.

14 A minute later on that same video clip, Ryan Williams  
15 goes in, comes in, goes toward the bathroom, and he walks through  
16 the casino.

17 Now, Mr. Williams is in a different situation. He met  
18 Mr. Sims some period before this.

19 And he figures -- there's a glimmer on his face as he  
20 walks by him. You know, it's like, "Oh, is that him? Don't  
21 know." And then he goes out.

22 Then Ms. Norman comes in. Now the story that the State  
23 has told you, that he suggests or that he thinks you should infer,  
24 that you should believe that this was all one big event.

25 Mr. Kelly goes in, he sees Mr. Sims is there. So then

1 Mr. Williams goes in and does the exact same thing.

2 That doesn't make much sense, but okay.

3 And then Ms. Norman comes in. I'll suggest to you a  
4 different scenario that is much more reasonable.

5 Mr. Kelly goes in, goes to the bathroom. Tanya is not  
6 there. He goes back out.

7 Mr. Williams needs to use the bathroom. He goes in, he  
8 goes to the bathroom. He walks through. He sees a person that he  
9 might recognize.

10 He knows that Adrianna Norman has been trying to get  
11 ahold of Steve Sims.

12 He goes back out to the truck.

13 I suggest to you what he says is, "You know what, I  
14 think Steve Sims is in there."

15 And Adrianna Norman says, "Well," I suggest to you what  
16 she does is she says, "Well, it's time for me to face-to-face with  
17 him. It's time for me to tell him what kind of person I think he  
18 is for stealing an Xbox from my children."

19 Because throughout all of the different stories and all  
20 the events and text messages and everything you've heard in this  
21 case, one piece of the story has never changed in any way, shape  
22 or form.

23 Ms. Norman has continually and repeatedly accused  
24 Mr. Sims of stealing an Xbox from her children.

25 So she goes in.



1           Now the State has told you she knew exactly where to go.  
2 What you heard from Mr. Webster, you heard from Mr. Cole, that  
3 casino area is pretty small. From that front door you can see the  
4 whole -- pretty much the whole casino area.

5           And when she walks in, Mr. Sims is sitting right there.  
6 It's hard to miss him.

7           Oh, let me go backwards for just a second.

8           Supposedly Mr. Kelly signals to Mr. Williams that Steve  
9 Sims is over there. Only that's not what he does. He does this.  
10 Not with his right hand, which is -- remember, when you walk in  
11 through those doors, you have to go to that side. You come in,  
12 and you go over here to go through that entrance to get to the  
13 casino area.

14           If you go this way, which is what this would be pointing  
15 to, that's where the bathroom is.

16           So she goes to Steve Sims. She starts a conversation.  
17 As Mr. Sims told you, "Why didn't you respond to my text messages?  
18 Why didn't you give me an explanation? Why did you leave without  
19 saying anything?" Those are the questions Ms. Norman is asking.

20           And then as Mr. Sims told you, almost at the beginning  
21 of that conversation, he goes, "I've got a gun. I've got people  
22 around me. They will protect me."

23           Mr. Sims told you that from the witness stand, that's  
24 what he told Ms. Norman near to the beginning of the conversation,  
25 before anything else happened.

1           Then -- this is Exhibit 1, at 6:12:25. And then this.

2           Mr. Sims gets up, and he advances and he stands over  
3 Ms. Norman.

4           Now the State told you that when Mr. Williams later in  
5 the video stands over Mr. Sims, he's physically imposing on him.

6           What do we want to call this? Because, quite frankly,  
7 Mr. Sims is a heck of a lot closer to Ms. Norman than Mr. Williams  
8 ever got to Mr. Sims.

9           Mr. Sims told you -- well, previously, he testified that  
10 he was going to hit her, but now maybe that was a cheap shot and  
11 really what he was going to do is push her or grab her or do  
12 something else.

13           At this point Mr. Sims told you she had not, Ms. Norman,  
14 had not taken the gun out from under her arm. Yes, there was a  
15 gun under her arm.

16           But I suggest to you, she knows, she lived with  
17 Mr. Sims. He told you he had been a meth addict for quite a while  
18 and that he was a chronic user.

19           She knew that. She had to know that from living with  
20 him.

21           He said he had a gun. We don't know if he's ever said  
22 that before, but I suggest to you --

23           MR. PRENGAMAN: Objection.

24           MR. PICKER: -- it's not out of order. It's not out of  
25 belief --

1 THE COURT: Mr. Picker, we have an objection.

2 Mr. Prengaman.

3 MR. PRENGAMAN: Mr. Picker --

4 THE COURT: I can't hear you.

5 MR. PRENGAMAN: I'm sorry?

6 THE COURT: I can't hear you.

7 MR. PRENGAMAN: Mr. Picker is referring to extra-record  
8 evidence or the non-existence of it. There's no evidence of that  
9 in this trial, what he's referring to.

10 THE COURT: First of all, Mr. Picker, let's stick to  
11 evidence that's in the record.

12 Ladies and gentlemen, you are ultimately the judges of  
13 what is the record in this case, what has been admitted as  
14 evidence as the instructions provide.

15 Go ahead, Mr. Picker.

16 MS. HICKMAN: Your Honor, I'm allowed to suggest to  
17 them, just like the State suggested things that were not evidence  
18 this morning, including statements made by people that Mr. -- that  
19 the State said may have been made. That's what I was suggesting.

20 THE COURT: I understand. Go ahead.

21 MS. HICKMAN: Thank you.

22 If I suggest to you that when Mr. Sims that morning told  
23 Ms. Norman that he had a gun and that he had people that would  
24 protect him, that may not have been the first time he ever said  
25 that. That may not have been the first time he ever said that to

1 Ms. Norman.

2 She gets out of the truck. She pulls up her pants. She  
3 was sitting in the back seat for two and a half hours.

4 And, yes, she takes a gun and goes in.

5 Mr. Sims tells that you that he talks to her, gives her  
6 excuses. He tells her that, "Oh, I helped you wrap some of your  
7 kids' presents, I took care of your kids, I did this, I did that."

8 But then when that didn't work, that's when this  
9 happens, at 6:12:30, that's when he decides he needs to step it  
10 up. And as he told you, his emotions and his anger, at that  
11 moment they were at a 10.

12 Now Mr. Sims never -- had no reason, that he had -- if  
13 he had never done anything to Mr. Norman, what's he so excited  
14 about? What is he so angry about? Why are his emotions at a 10?  
15 Yes, he's being accused of something he knows in his heart he  
16 didn't do it.

17 Yet attempting to intimidate Ms. Norman, that's his  
18 response.

19 Now, remember, I showed this same clip to Mr. Cole,  
20 because he'd been shown the clip with Mr. Williams standing near  
21 Mr. Sims.

22 And he said "Yeah, that's the same. I consider that to  
23 be intimidation."

24 So we know that Mr. Sims says he keeps looking at this  
25 gun that he says is under her arm. He sees it. And that's why

1 Ms. Norman takes it out. Never points it at him, according to  
2 Mr. Sims. Never threatens him with it. She says, "Yeah, it's  
3 real," and puts it right back.

4 Now the only time Mr. Sims says he has any fear of  
5 Ms. Norman throughout that entire set of events that morning is  
6 when she got up to walk away, and he says she had her arm -- her  
7 hand on the gun.

8 I suggest you watch the video, because at the point  
9 where he says she had her hand on the gun, she's facing this way  
10 from him. You can see it from the camera angle, is her back is  
11 turned to him.

12 David Cole comes by at 6:14 a.m., brings Steve Sims a  
13 Doctor Pepper, his favorite drink. And he asks Ms. Norman, "Do  
14 you need anything?"

15 That's not the sign of somebody who is worried for their  
16 friend in that room. That's the not the sign of somebody who is  
17 concerned about yelling in the casino, where he's the bartender.  
18 He's in charge at this point, because we know the security guard  
19 left. That was his testimony.

20 There's no concern for the safety of Mr. Sims while he's  
21 with Ms. Norman, at all, by anybody, anyone in the casino, anyone  
22 in the bar, Cole, who is his friend. No one.

23 Now, supposedly, when Ms. Norman gets up, puts her hand  
24 on this gun, has her back to him, he has some concern. But the  
25 way he gets over that concern is, you'll see it on the video, he

1 goes, "Come on, sit back down. Come on, sit back down." And  
2 Ms. Norman does. You see she sits back down.

3 That starts conversation number two. When the  
4 conversation has ended, Ms. Norman is done. She's walking away.  
5 Mr. Sims wants to keep talking. Wants to talk again. So she goes  
6 to him. That's at 6:16 a.m.

7 We know at 6:17 Zane Kelly walks in again. He goes past  
8 the bathroom -- toward the bathroom. And then ends up going  
9 through the casino.

10 You can see, clearly, he's looking around.

11 As he told you, he was on the phone with Tanya and he  
12 was coming in to look for her again.

13 Mr. Sims tells you that there's some kind of a nod or  
14 signal between Ms. Norman and Mr. Sims, and I have shown you that  
15 three times. And the only thing we see is Ms. Norman look up as  
16 Mr. Kelly goes by.

17 But the point where she looks up, Mr. Kelly is already  
18 past her, he's walking past her.

19 Again, a statement in the prosecution's case that  
20 doesn't match the evidence, because there is no signal. You are  
21 not going to see one. And if lifting her hand is a signal,  
22 there's no way Mr. Kelly could have seen it because he was already  
23 past her.

24 Mr. Kelly hears Ms. Norman and Mr. Sims talking. And,  
25 again, you just heard, mind you, this is the first time he ever

1 hears about an Xbox.

2 But he does hear her accusing him of, Sims, of stealing  
3 her children's Xbox -- by the way, the same thing that David Cole  
4 heard when he delivered the drink, "You stole my children's Xbox."  
5 And he hears Mr. Sims offering some kind of bullshit story.

6 Now, at this point and during these conversations, the  
7 State wants you to think this was all a conspiracy, it was all  
8 worked out beforehand and everything is progressing forward, but  
9 we also know that Mr. Sims didn't notice Mr. Williams when he  
10 walked in the first time.

11 And there's no testimony from Mr. Sims that he had any  
12 idea that Mr. Williams is anywhere in the county, much less in the  
13 vicinity of Bob & Lucy's. So where is that threat?

14 It doesn't exist. It doesn't happen.

15 But, of course, he had never seen Zane Kelly before, but  
16 he starts to wonder when this guy walks by if he might have  
17 something to do with it.

18 David Cole doesn't think that at all. David Cole thinks  
19 that Williams and Kelly are walking through to case the place,  
20 that they have nothing to do with Ms. Norman, they have nothing to  
21 do with Mr. Sims. And he's been watching them carefully, as they  
22 walk through.

23 So then Zane Kelly comes in a third time. As he tells  
24 you, he came in because it was time to go. He had been waiting  
25 long enough, Tanya is not going to show up, it's time to go.

1           He starts to come in. Mr. Cole calls him back, asks for  
2 his ID, says he doesn't have any, Cole says leave. And Mr. Kelly  
3 leaves. Doesn't hesitate. Doesn't argue. He leaves.

4           Thereafter, Mr. Williams leaves.

5           Now he has already seen where Steve Sims was sitting, or  
6 at least the person he thinks is Steve Sims.

7           So then very heartily he walks in, walks straight over,  
8 he says hi to Steve Sims, they shake hands, they greet each other.

9           And while Mr. Sims is having a conversation with  
10 Mr. Williams, we see that Adrianna Norman goes -- she throws her  
11 head, rolls her eyes basically, and gets up, and starts to walk  
12 away.

13           The body language is clear. She's done with Mr. Sims.  
14 She's heard enough excuses.

15           And I suggest to you that the other reason we know that  
16 she and Mr. Williams and Mr. Kelly didn't come in that bar to rob  
17 Steve Sims, even when Ms. Norman was told that Steve Sims is in  
18 there, is because he's been sitting -- evidence to the fact that  
19 he never paid her rent, he told you he never paid for food, David  
20 Cole told you he didn't pay him for rent -- and he's sitting there  
21 in that casino playing \$5 on a 20 cent maximum bet machine.

22           That's not the person you go in there and roll. There's  
23 just no point to it.

24           So are you going to beat him up in public? You're going  
25 to get him to come out?



1           Nobody makes an effort to get him to come out. There's  
2 not any of that while they're in the casino, having a meeting at  
3 the slot machine.

4           Ms. Norman is never going like this, "Let's go, let's  
5 go," ever. And Mr. Sims never testifies that that happened.

6           So Ms. Norman gets up and walks away. She's about  
7 20 feet away, according to Mr. Sims, when the interaction at the  
8 slot machine happened between Mr. Williams and Mr. Sims.

9           She leaves. There's no sign that she hears anything, no  
10 sign that she sees anything going on between them. She walks  
11 toward the door.

12           And Mr. Sims told you she's no longer part of the  
13 conversation. He's now having a conversation with Mr. Williams.  
14 She's not part of it.

15           And you can see on camera, in the scene that we just  
16 showed you a few minutes ago, she's almost out of the frame and  
17 leaves the frame of the camera before Mr. Sims ever gets up.

18           So Sims and Mr. Williams walk toward that entrance,  
19 toward the front doors, and Mr. Williams is leading the way,  
20 Mr. Sims is walking behind him.

21           And at that point, and up to that point, Ms. Norman had  
22 never asked for money, and never even used the words "Make it  
23 right." Not once.

24           At that point, Sims tells you he brings up the idea of,  
25 "Wait. How much is an Xbox worth? I can get you a hundred

1 bucks," that, you know, "My roommate can get a hundred bucks out  
2 of the cash register."

3 Now, put yourself in that situation. And use your  
4 common sense, as you were instructed to do during jury  
5 instructions.

6 Steve Sims has been sitting there for 13 minutes denying  
7 anything to do with this Xbox, yet out of the blue he says to  
8 Ms. Norman, "How much is an Xbox worth?"

9 I suggest to you that's the sign of a guilty conscious.  
10 That's Steve Sims looking at this friend that he betrayed, this  
11 friend that he walked out on, this person that he described as a  
12 partner; and that he got to the door and realized, you know what,  
13 I did her wrong. I did her children wrong.

14 I'm going to -- I am going to make it up. And that's  
15 why he offers the money.

16 And he tries to get the money. He can't get it. So now  
17 he's got to go back and face Ms. Norman again.

18 Now, remember, he has that conversation while  
19 Mr. Williams is standing inside the vestibule, while Ms. Norman is  
20 standing -- still inside the car. Mr. Williams is standing next  
21 to him. And they are having this conversation. By the way,  
22 that's conversation number three.

23 Sims walks away, and he tells David Cole -- first, he  
24 can't get the money. Then he can't get David Cole to listen to  
25 him, that they might harm him or do something else.

1           So he told you, he came up with a new story that he  
2 thought David Cole would listen to. He told him he was being  
3 robbed by them.

4           Now if you're the bartender at Bob & Lucy's, that's  
5 something you pay attention to, because if somebody is robbing  
6 people with a gun, that's endangering all your clientele. That,  
7 you pay attention to. And you call 911.

8           So then Steve Sims is back, he has his fourth  
9 conversation with Ms. Norman at that point, and then he starts to  
10 walk away again. And comes back, and leans against the wall and  
11 he has a very friendly, friendly-looking conversation, from the  
12 body language. That's very clear. You can believe what you see.

13           But at the same time we know from the 911 call that  
14 Mr. Cole has called and told the police that he has been  
15 threatened, that he is scared, that he doesn't want to go back out  
16 there because he doesn't know what will happen.

17           The police ask for more details. He finally tells them,  
18 "Actually, it's not me, it's a patron, and this is what he told  
19 me."

20           And then when Mr. Cole testified, he admitted to you,  
21 "Yeah, you know, I never saw a gun. I never heard any threats. I  
22 never saw any threatening movements. I never saw any of that.  
23 That all came from Steve Sims. I only called 911 because Steve  
24 told me to. I only told anybody there was a robbery because Steve  
25 said so."

1           Exhibits 170 through 178 are a number of still photos  
2 that are taken from the moments we have been talking about in this  
3 case.

4           Now, of course, we know that Steve Sims' story, as he  
5 admitted, in Mr. Kelly's words, is another bullshit story that he  
6 told.

7           The problem is, is that Mr. Sims knows that Mr. Cole has  
8 called the police and told them that story. He's now stuck with  
9 this narrative.

10           Now, if he stays inside Bob & Lucy's, when the police  
11 arrive -- and he told you he knew the police arrived -- but if he  
12 stays in there, he's going to have to admit that it was a lie. So  
13 he hits the back doors and he runs.

14           Bad luck. He runs right to where the police are parked.  
15 He runs right into Sergeant McNeely.

16           So now he's stuck with his story. Either admit none of  
17 that, no robbery ever happened, there was no threat, nobody  
18 pointed a gun at him. Nobody tried to rob him, nobody came in  
19 there with the intent to rob him.

20           He either tells the police that or he sticks with his  
21 story.

22           So as you heard, he tells a little bit of the story.  
23 Sergeant McNeely picks up on it and says, "So she's in there  
24 robbing people with a gun?" And his response is "Yeah."

25           He knows that puts Adrianna Norman in danger.

1           Police are going to come, looking for her, they are  
2 going to come up on her believing she has a gun.

3           He doesn't care. All he wants to do is continue to tell  
4 his, as Zane Kelly would put it, bullshit story. Because that's  
5 who Mr. Sims is.

6           We know specifically now that Mr. Sims has had some time  
7 to get over what happened. And he's been convicted of a felony.

8           We know that his story, he admitted to you, he knew that  
9 it was a lie when he told it. It was a lie when he told it the  
10 second time to Sergeant McNeely.

11           He told the prosecutor more than two weeks ago, "No one  
12 came in to Bob & Lucy's to rob me."

13           He's the victim. Yet here we are, with Ms. Norman and  
14 Mr. Williams facing a robbery charge and an attempted robbery  
15 charge, and burglary -- because, as you heard, burglary is  
16 entering that premises with the intent of committing one of  
17 those -- one of those felonies.

18           Mr. Sims specifically told the prosecutor, he got up on  
19 the stand, he swore to tell the truth, he told you, he told the  
20 prosecutor more than two weeks ago, before this trial ever  
21 started, "No one came in to Bob & Lucy's with the intent of  
22 robbing me." Nobody.

23           Because you've heard Adrianna Norman and you've see on  
24 the video, you know she's left behind when the pickup leaves.  
25 She's not in the pickup for what occurs afterward.

1           Now just a few minutes after Mr. Sims starts walking, he  
2 walks back to Bob & Lucy's in Sergeant McNeely's direction.

3           Ms. Norman comes walking up, she comes walking up to the  
4 police officer. As Mr. Cole told you, she had tried to -- she had  
5 gone out, when the pickup left, when she tried to come back in, he  
6 wouldn't let her in. And she didn't leave Bob & Lucy's. She  
7 stayed there.

8           She didn't flee, she didn't run. She walked up to  
9 Sergeant McNeely.

10          And that is the first and only time that you know of,  
11 that Ms. Norman has ever used the words "make it right" to Steve  
12 Sims. Because what she says is, "All I wanted you to do was make  
13 it right. You stole my children's Xbox." Consistently the same  
14 accusation and the same story she's told to everybody who heard  
15 that day. And in the text messages. Consistent always.

16          Now, she's handcuffed, and as she is handcuffed Sergeant  
17 McNeely describes her as passive-resistance, because what she's  
18 really doing, is stepping towards Sims and yelling at him.

19          And his response, while she's already in custody, while  
20 she's already being handcuffed, is to tell yet another lie. He  
21 can't stop himself.

22          He says to Sergeant Mc -- or yells to Adrianna Norman,  
23 "You rolled up on me." Keep -- listen to that word, "You rolled  
24 up on me with three guns."

25          Now, he told you, "No, there was never three guns." "I

1 never saw one of them." "Yeah, I knew that that wasn't true, what  
2 I said." Again, he's saying in front of a police officer.

3 You heard testimony that Ms. Norman is cooperative with  
4 Sergeant McNeely. Later she's cooperative with Detective  
5 Zendejas. She gives consent to have her phone searched, cellphone  
6 searched. She agrees to a DNA sample.

7 And now, the prosecution is asking you to find her  
8 guilty of murder.

9 She's charged with four potential crimes.

10 The robbery charge addresses whether she took -- I want  
11 to make sure I get that language right -- whether Ms. Norman took  
12 a gaming cashout voucher and/or wallet from and/or in the presence  
13 of Steve Sims at Bob & Lucy's, against his will, and by means of  
14 force or violence or fear of immediate or future injury to his  
15 person.

16 Well, we know she didn't take the cashout. She didn't  
17 direct anybody to take the cashout.

18 She didn't know anything about it. Her back was turned.

19 And Mr. Sims told you that at the point where there's  
20 some interaction between Mr. Williams and him having an issue,  
21 she's not part of the conversation. He specifically says that.

22 Oh, we also know a wallet was never taken, because he  
23 got up there and he testified and said, "No, I know that neither  
24 Adrianna or Ryan took the wallet. I don't know what happened to  
25 it." He specifically told you.

1           That wasn't his story on February 22nd of 2020, but  
2           that's his sworn testimony to you.

3           So then we go to the attempted robbery charge. Now  
4           that's regarding money being attempted to be taken from and/or in  
5           the presence of Steve Sims at Bob & Lucy's, again, against his  
6           will by means of force and violence or fear of immediate or future  
7           injury to his person.

8           Again, Steve Sims testified. Now this is the difference  
9           between prosecution's argument and ours.

10          They want your conjecture, and they submit to you that  
11          these things are what happened.

12          Steve Sims actually testified that Ms. Norman never  
13          asked for money, and never asked for anything.

14          And when he offered money, that was entirely his idea.  
15          And I suggest to you it was because of his guilty conscience, his  
16          feelings. That's the reason it was spoken.

17          And we know from Steve Sims that, in his belief, his  
18          subjective belief, is that no one came in to Bob & Lucy's that day  
19          to rob him. Ryan Williams didn't. Adrianna Norman didn't.

20          So then the burglary charge, we talked a little bit  
21          about that a few minutes ago. That's the fact that Ms. Norman has  
22          to have entered into Bob & Lucy's, Mr. Williams as well, with the  
23          intent to commit one of those crimes.

24          Now, the prosecution has changed their theory some,  
25          because originally it was they came in to rob him. Now it's they



1 came in and they were going to take him out and beat him. He was  
2 going to get a beating.

3 The State can submit that to you all they want. There's  
4 absolutely no evidence of that. There's no testimony that anybody  
5 ever threatened to harm Mr. Sims. Nobody.

6 "Let's ride. You know how I roll." Is there some  
7 physical threat in that?

8 Ms. Norman, "You stole my children's Xbox."

9 "You're a horrible person because you left without  
10 saying anything to me, after living with me for almost two  
11 months." Where's the threat?

12 The State has to have you fill in that piece.

13 So when they talk about an unbroken chain, there's the  
14 break. There's yet another break, because that link doesn't exist  
15 anymore. There's no testimony to that anywhere.

16 You had Steve Sims on the stand. You had the  
17 opportunity to observe him. And he didn't say anything like that.  
18 Nothing about a beating.

19 I suggest to you that Ms. Norman went in to Bob & Lucy's  
20 with no other purpose other than going face-to-face with the man  
21 who stole the Xbox from her children, and that is clear from body  
22 language and that is clear from Mr. Sims' testimony.

23 The murder charge, that depends, for Mrs. Norman,  
24 depends on your finding one of those other felonies or the  
25 kidnapping.

1           There's got to be that felony -- let me make sure I get  
2 this right -- one of those felony murder felonies, for you to find  
3 her guilty. And it's just not there. It doesn't exist.

4           Instruction number 7 is the one that tells you that you  
5 are the judges of the credibility of the witnesses.

6           I suggest to you, you can believe everything Mr. Sims  
7 told you. You can believe nothing Mr. Sims told you. You can  
8 believe parts of what Mr. Sims told you. That's what the  
9 instruction is telling you.

10           But I suggest that if you believe everything, or if you  
11 believe nothing, that's going to be the definition in number -- in  
12 instruction number 20, reasonable doubt. Because the story just  
13 doesn't add up with you, with everything he said, none of what he  
14 said, or as the State wants you to do, just pick and choose the  
15 things that help them and ignore the things that hurt, that he  
16 admitted to, under oath.

17           Now I have just a few things that the prosecution said  
18 here in their argument.

19           When Ms. Norman takes the gun and she goes in to Bob &  
20 Lucy's, what that ignores is that Ms. Norman does know him. She  
21 lived with him. She knows his personality. She knows his  
22 attitudes. And now she sees him here.

23           The State's argument is you don't take a gun in just to  
24 have a conversation.

25           I suggest that if you know Steve Sims, and he says to

1 you, "I've got a gun, and I've got friends, and I've got people  
2 here in Bob & Lucy's," and he says that to you before the  
3 conversation really gets going, that's why you take a gun, is to  
4 protect yourself from Steve Sims, because you don't know what he's  
5 going to do.

6 He's a meth addict. He's under the influence. And he  
7 is unpredictable. And as Rachelle Woodard told you,  
8 methamphetamine will make you very aggressive.

9 Now the prosecution, as I said earlier, submitted to you  
10 a number of things that they wanted -- that he wanted you to read  
11 from the videos, even though there's no sound.

12 Now, you can accept his interpretation, or you can  
13 remember what the witnesses told you. They took an oath and they  
14 looked you in the eye, and they swore to tell the truth, and then  
15 they testified. But you can't do both, because the State's story  
16 doesn't match the testimony you hear. It just doesn't.

17 The State tried to shake Mr. Kelly up with questions.  
18 He didn't budge from his story.

19 Tried to change Mr. Sims' story with redirect questions.  
20 He didn't change.

21 The prosecution, in its argument this morning, said she  
22 said, "Let's go for a ride," referring to Ms. Norman. That  
23 testimony never happened. That's not true. Mr. Sims never  
24 testified. The only person he said talked to him about that may  
25 have been Ryan Williams.

1           So the State tells you this is an unbroken chain of  
2 events.

3           I suggest to you that this chain doesn't start inside  
4 Bob & Lucy's. This chain starts on the sidewalk when Steve Sims  
5 reiterates his lie to Sergeant McNeely that Adrianna Norman is  
6 inside robbing people with a gun.

7           That's where the chain starts. And everything else that  
8 happens after that comes from Steve Sims.

9           You know, there's always a lot of talk in criminal  
10 cases, when they are presented to a jury, about justice.

11           Justice is having a jury like you paying attention, like  
12 you have, weighing the credibility of the witnesses, listening as  
13 we watched you do, as you have been here more than two weeks,  
14 weighing that evidence and coming to a just verdict.

15           And in this case, the just verdict is to find Adrianna  
16 Norman not guilty of all four charges against her.

17           Thank you.

18           THE COURT: Mr. Picker, thank you so much.

19           Mr. Prengaman.

20           MR. PRENGAMAN: Your Honor, can we take a brief recess?

21           THE COURT: Yes. Yes, we can. Absolutely.

22           Ladies and gentlemen, during the break you must not  
23 discuss or communicate with anyone, including your fellow jurors,  
24 in any way, regarding the case or its merits, either by voice,  
25 phone, email, text, Internet or other means of communication or

1 social media.

2           You must not read, watch or listen to any news or media  
3 accounts or commentary about the case; do any research, such as  
4 consulting dictionaries, using the Internet and using reference  
5 materials; make any investigation, test the theory of the case,  
6 recreate any aspect of the case or in any other way investigate or  
7 learn about the case on your own.

8           And you must not form or express any opinion about this  
9 case until it's finally submitted to you.

10           We'll see you in a bit.

11                           (A recess was taken.)

12           THE COURT: All right. Counsel, please be seated.

13           Counsel, I actually reached out to Chief Freeman to see  
14 if he could take my 4 o'clock, and he said he's got your  
15 4 o'clock.

16           So I let him know what's going on here and he's going to  
17 take my 4 o'clock, which is going to take about 15 or 20 minutes,  
18 and then we're going to get you upstairs just as quick as we can.

19           MS. HICKMAN: Thank you.

20           THE COURT: Okay. One another thing I want you to know  
21 is my reading of the new Supreme Court rules in criminal  
22 proceedings, I have to retain the two alternates. The specific  
23 word is "retain." And I don't think "retain" is letting them go  
24 home. We've got a courtroom --

25           MR. PICKER: Your Honor, I'm sorry. I can't hear

1 anything you're saying.

2 THE COURT: I'm sorry. Okay. Is my microphone turned  
3 off or down?

4 Mr. Picker, how about now? Still? Yeah, it's down.

5 Okay. Better? All right.

6 My reading of the new rules of criminal procedure  
7 adopted by the Supreme Court March 31st of this year, the specific  
8 language regarding alternate jurors is that the Court retain them,  
9 which is that the Court retain them, which to me means hold on to  
10 them.

11 And this is the first jury I've done since the adoption  
12 of those rules.

13 I've talked to Deputy Wood and he has arranged to have  
14 Courtroom A and another deputy, and a colleague of his, stay with  
15 the alternates during deliberations. Okay?

16 I just wanted to let you to know, that's my reading of  
17 the rules and that's what I'm doing in this case, and you'll hear  
18 me tell them. Okay?

19 BAILIFF WOOD: And, Your Honor, just for the record,  
20 just so the counsel is clear, the three deputies that are going to  
21 stay behind, past 5 o'clock, will be myself, Deputy Finn and  
22 Deputy Guzman, who has been in the courtroom all day.

23 THE COURT: All right. Deputy Guzman, Deputy Finn and  
24 Deputy Wood will be the three that are monitoring the jury and the  
25 alternates during deliberations.

1 Thank you. Okay. All right.

2 Deputy Wood, let's have that jury.

3 (The jury entered the courtroom.)

4 THE COURT: Everyone, please be seated.

5 Mr. Prengaman.

6 MR. PRENGAMAN: Thank you, Your Honor.

7 Ladies and gentlemen, instruction number 56 tells you,  
8 you are here to determine the guilt or innocence of each defendant  
9 from the evidence in the case.

10 You are not called upon to return a verdict as to the  
11 guilt or innocence of any other person.

12 In this case the Sparks Police Department is not on  
13 trial, nor are the individual officers that participated in the  
14 pursuit of Defendant Williams.

15 You are not instructed about charging or how the State  
16 charges, or open murder or anything like that, because it's not  
17 your concern.

18 You're not instructed about sentencing or what happens.  
19 In fact, you are told you shouldn't consider sentence, and that's  
20 because it has nothing to do with the purpose of the jury in this  
21 case, which is, again, as we talked about in voir dire, to  
22 determine what happened, look at the elements of each offense and  
23 decide if this the evidence proves it beyond a reasonable doubt.

24 You're not here to judge anyone's conduct. And  
25 actually, the lawyers, there have been some personal attacks made,

1 but the instructions tell you that the arguments of counsel are  
2 simply that, arguments. And you are to focus on the evidence.

3 So ladies and gentlemen, if you scour the instructions,  
4 you will find none that tell you that if you don't like the way  
5 the Sparks police pursued the defendant, that you should exonerate  
6 him. His guilt is not lessened because of what the police did.

7 But I suggest to you, that based on what you've heard,  
8 the evidence that you heard from Sergeant McNeely, is the police  
9 are not constrained in how they pursue a suspect.

10 And as you heard, they initially were pursuing the  
11 defendant exactly the same when they believed it was threats with  
12 a weapon, as they did later. But, again, that doesn't change  
13 anything.

14 The Sparks police are entitled to pursue, in fact, I  
15 suggest that we want the police to pursue suspects with guns like  
16 this.

17 The Sparks police did not make the Defendant, Ryan  
18 Williams, get behind the wheel and flee. All he had to do was  
19 stop.

20 He could have stopped and not driven away. He could  
21 have stopped on Rock at any point in time.

22 The argument you've heard from Williams' counsel is kind  
23 of like if you are chastising your kid for cutting class, and your  
24 kid's response is, "Well, if you quit sending me to school I'll  
25 quit cutting class."



1           The issue is not, the focus is not on what the police  
2 did, because that cannot lessen either of these defendants'  
3 culpability. It's not on the -- it is not what the focus is on.

4           The focus, your focus, your instructions tell you, is  
5 the conduct of the defendant. And if you find that that conduct  
6 constitutes the crimes beyond a reasonable doubt, you should find  
7 them guilty.

8           If you do not find -- you find the evidence is not  
9 sufficient on any count to convict them beyond a reasonable doubt,  
10 you should find them not guilty.

11           That is your job in this case.

12           So the police, again, their conduct does not lessen.  
13 You will not find anywhere in your instructions anything that  
14 tells you to lessen. So that's not the focus. The focus is what  
15 did Mr. Williams do when it comes to that driving?

16           The focus is what did these defendants do back at Bob &  
17 Lucy's?

18           And when you go back and look at the evidence, as I  
19 indicated earlier, I suggest that you consider it not isolated.

20           Now you have heard a number of arguments, again, trying  
21 to isolate it. Again, for example, it was argued to you, it was  
22 suggested to you that Mr. Williams, when he entered Bob & Lucy's,  
23 all he wanted to do was leave. It was just time to go. He was  
24 looking for Ms. Norman, "Hey, let's go."

25           And then, sort of in the next breath, it was, well,

1 yeah, when he takes the ticket. That was a theft. But those two  
2 really don't go together. How do you explain a theft, that theft  
3 occurring? If all he wanted to do was go, then why did he go in  
4 and talk to Ms. Norman, and the two of them leave together? Why  
5 did he address Sims at all? Why did he address Sims and not  
6 Norman? Why did he take Sims' ticket?

7           So I suggest that you should consider carefully the  
8 evidence in the case and the evidence that's on the video.

9           And you have to get from them entering, the point in  
10 time where Adrianna Norman enters with a gun. And it's been  
11 suggested, well, maybe she knows something about Mr. Sims and  
12 she's afraid of him.

13           If that's true, then why does she go in, in the first  
14 place? Why is she going in, if he's a scary, dangerous guy, why  
15 in the world does she go in to confront him in the first place?

16           I suggest to you, if you're watching it, that can't be  
17 right, that can't be true. She's taking the gun in, again, for a  
18 specific reason, and it's not for protection. Because, again, if  
19 she was so scared of him that she felt like she needed a gun for  
20 her own protection, she wouldn't go in, in the first place.  
21 Nobody would. And she wouldn't be brandishing it like she is and  
22 she wouldn't be standing up, holding it and pacing around as she  
23 does.

24           None of that is consistent with a simple account that  
25 she's just scared of Mr. Sims. None of that hangs together with

1 the other evidence that you see on the video and the testimony.  
2 Because you have to get from her entering with the gun, to  
3 Mr. Williams entering. And while I'm here, again, how does this  
4 hang together with that theory that it's just for her own  
5 protection?

6 If it's just for her own protection, why in the world is  
7 Mr. Williams so concerned with getting the gun out of her  
8 possession and back into the car at this point?

9 And, again, this is right after that they've all gone to  
10 the doorway and Mr. Sims is now talking to Mr. Cole.

11 That doesn't hang together with the other evidence.  
12 It's not consistent with what happened before and what happened  
13 after.

14 Now, I know it's been a long day, and I'm not -- I'm  
15 going to try not to play things that I think you've seen and  
16 considered, but I'm going to play this because it was just argued  
17 to you that Steve Sims basically coughed up money because he had a  
18 change of heart.

19 And now I think, when you listen to this, you'll see  
20 that he -- again, this is after, this is after Williams has fled.  
21 And to this point in time Mr. Sims is still denying taking the  
22 Xbox. He's still denying it right here.

23 And that tells you that it wasn't a change -- he didn't  
24 have a change of conscience, because he's still denying it. They  
25 are still arguing about it right here after the fact.

1           So that tells you that was not the explanation for why  
2 he came up with the offer of money to Mr. Williams and Ms. Norman.

3                       (Video recording played.)

4           MR. PRENGAMAN: So it was not resolved earlier.

5           And the explanation that was offered also doesn't  
6 account for why Steve Sims would call the police.

7           Now, I'm not suggesting that Steve Sims did not take the  
8 Xbox. He might well have. He might well have taken that property  
9 as he was accused of doing.

10          If you believe he didn't, or if you believe he did, or  
11 if you're neutral, it does not change your decision in this case.

12          If Steve Sims was a thief to took the Xbox, it doesn't  
13 authorize the defendants to do what they did in this case. You  
14 still can't go in and try to rectify things yourselves with guns  
15 and with force.

16          And so if Mr. Sims is a thief, it doesn't change  
17 anything here.

18          But what you can see is there was no resolution. So  
19 there was no resolution, no crisis of conscience inside. And  
20 Steve Sims is not going to call the police if all -- if, as it was  
21 suggested, all he wants to do is just break contact because  
22 Ms. Norman is haranguing him about this accusation. He just  
23 leaves. He doesn't call the police.

24          Mr. Sims isn't going to call the police, I submit the  
25 evidence shows, unless he feels like he's in a bind and has to and

1 that's his only way out.

2 (Video recording played.)

3 MR. PRENGAMAN: You also have to get from there to --  
4 and so Williams entering -- and, again, if he's just coming in  
5 because it's time to go, then why the theft? Why the engagement  
6 with Sims?

7 And as you see, when he takes that ticket, he also makes  
8 the motion, "Let's go." And if all he wants to do is go, he  
9 doesn't know Mr. Sims, except one -- meeting him once. Again, how  
10 do you get from that explanation to some type of just innocent  
11 theft? It's not a robbery, it's just a theft. He wants to go, he  
12 took the ticket, and there's no real explanation for it. That  
13 doesn't hang together with what you see up to this point, nor with  
14 what you see after.

15 Let me play that for you.

16 (Video recording played.)

17 MR. PRENGAMAN: And on top of that, theft is theft. It  
18 subjects you to legal arrest, whether it's robbery or not.

19 And if it was just time for Mr. Williams and Ms. Norman  
20 to go, they would just go. This does not hang together again with  
21 that type of explanation, that this is just an innocent, sort of a  
22 random theft, unconnected to Mr. Sims in any way.

23 The whole point, as you can see, is to get Sims to go.  
24 And it's Sims that he wants to go out, not to simply leave with  
25 Ms. Norman. It's not just time to go.

1           And then you also have to get from that point to those  
2 text messages from Ms. Norman's phone.

3           And there's nothing inconsistent with the timing. You  
4 heard the -- so, again, Mr. Sims clearly does not want to leave.  
5 He suggested the offer of money, and Mr. Cole even corroborated  
6 that, and that there was a subsequent -- he was asked how long is  
7 it going to be, and he talked about 15 minutes.

8           And this is on her phone. This is on Ms. Norman's  
9 phone, the same phone that you saw in her hands moments ago on  
10 Sergeant McNeely's body camera.

11           So on her phone at 6:26, just about a minute after the  
12 video shows Mr. Williams leave the -- with the gun, and go out to  
13 the truck, he says, "Call me when it's ready."

14           So now the explanation about it's just time to leave, he  
15 had nothing to do with Mr. Sims, how do you get from that to this?  
16 Again, this is black and white, this is on her phone from the  
17 contact Bear, with Mr. Williams' picture. And it's right at the  
18 same time that the testimony is that Mr. Sims has offered up  
19 money. "So call me when it's ready."

20           He's waiting outside, on video. Ms. Norman is waiting  
21 inside on video. And he's telling her "call me when it's ready."

22           So the -- Williams' explanation for that, again, doesn't  
23 hang together. It doesn't explain why would Mr. Williams be  
24 texting Ms. Norman about "call me when it's ready," if there's  
25 nothing to this Sims' offer of money.

1           And then her responses. So there's the call,  
2 Exhibit 111, "Call me when it's ready."

3           And then her response, 6:32, "Hey, the owner just said  
4 15 minutes and he's going to give a hundred dollars."

5           There's nothing inconsistent about that. In fact, I say  
6 that's entirely consistent with what Mr. Cole and Mr. Sims told  
7 you. And, again, there it is, black and white. That's on  
8 Adrianna Norman's phone. That's her response to Mr. Williams.

9           Mr. Williams, waiting down in the truck, again, "Call me  
10 when it's ready."

11           And then here she is, telling him, "The owner just said  
12 15 minutes and he's going to give me a hundred dollars."

13           Again, how do you explain that? How do you get from the  
14 innocent "it's just time to go," to this on her cell phone from  
15 Bear, from Mr. Williams.

16           This makes sense with what came before. This makes  
17 sense with Williams taking the ticket. This makes sense with what  
18 you saw in that vestibule.

19           And you saw, you can see, you can watch it, you have the  
20 evidence, but you have watched it. When Williams is in that  
21 vestibule, it is -- it's hostile. You can see on his face. You  
22 can see his expression. He's trying to get Sims out the door.  
23 And it's not -- "not friendly" doesn't do it justice. He's  
24 outright directing him to go. You can see it.

25           Now, again, the innocent, "I want to go, it's just time

1 to go," doesn't make sense with that. Doesn't hang together with  
2 that. Why would, if he was -- it was just time for he and  
3 Ms. Norman to go, why is he even addressing Mr. Sims at the door?  
4 Why is he telling him to get out, while holding his ticket?

5           What made sense is, what is consistent is that he did,  
6 he robbed him of the ticket as part of getting him out of the  
7 door. That's what you see on the video, and that's what this is  
8 consistent with, the offer of money in lieu of going out. That's  
9 why Williams is outside waiting. That's why Norman is inside  
10 waiting. He's waiting for the money to get there, to make this  
11 good.

12           And then there's the next text. So then she follows up,  
13 "So can we wait 15?" Now, again, it was argued to you a moment  
14 ago, the credit cards, they don't need money.

15           Well, Ms. Norman begs to differ, because here's her  
16 follow-up text to Williams, "We kinda need that hundred dollars."  
17 So Ms. Norman begs to differ that they need that money.

18           So whatever the credit cards were, and clearly they had  
19 her name on it, but she indicates here, "We kinda need that," so  
20 that's, again, black and white from Ms. Norman's phone at the time  
21 she's standing there in Bob & Lucy's, when you see her on the  
22 video.

23           Now, you also know that at this point, when she's --  
24 this is just at the point where the police are arriving, and  
25 Mr. Williams is otherwise engaged. And so there's no response.



1 But, again, that explanation that was offered to you  
2 doesn't make sense with this in black and white.

3 What makes sense is exactly what I argued to you  
4 earlier, which is this is Sims offering money in lieu of going  
5 out.

6 And there it is, "a hundred dollars, we need that, can  
7 we wait 15 minutes, call me when it's ready," all consistent with  
8 what you see on the video.

9 Now, again, focusing on Mr. Williams' fleeing from the  
10 police, it's argued that he's high on meth.

11 Well, if you search your instructions you'll find  
12 nothing that says that being -- having ingested meth or being  
13 intoxicated on methamphetamine reduces your culpability for  
14 murder. You will not find that, not for felony murder, not for  
15 the implied malice in order to avoid lawful arrest. You won't  
16 find that instruction.

17 And, in fact -- but Mr. Williams, when he took  
18 methamphetamine, and we know he had it in his system, he's as  
19 responsible for what he does when he's on methamphetamine as he  
20 was when he took it, he made a decision to take it, he's  
21 responsible for everything he does while he is on methamphetamine.

22 So the suggestion that, well, he's on meth, he's not  
23 making good decisions, entirely true; but that does not change his  
24 culpability. It does not reduce his culpability. It does not  
25 entitle him to say, well, yes, he did go. He did. It was

1 willingly reckless for him to drive on the freeway to try to lose  
2 the police, but because he was high on meth, he gets a pass. No,  
3 absolutely not.

4           If he made a bad decision because he was high on meth,  
5 and that decision was willingly reckless, then your decision  
6 should be to convict him for that crime, if that's what you find.

7           So you will, again, search your instructions. The  
8 suggestion that he was high, not making good decisions, that  
9 changes nothing.

10           Again, your instructions are your touchstone. They tell  
11 you how to determine guilt or not guilt in this case. And you  
12 will, again, not find anything in there that reduces his  
13 culpability because he was using methamphetamine.

14           Now, it's suggested that this is just no big deal that  
15 he's leaving, but ladies and gentlemen, what you see here is, you  
16 watched earlier, as you did during the trial, the defendant flee.  
17 And it's not a small thing. It's a big thing.

18           The police are behind him. And they do have their guns  
19 out. And you can see that he can see them. He looks in his  
20 rearview mirror. You can see the deliberation.

21           Again, I submit, you see him lean over. And you know  
22 that's when he puts the gun, because he has just taken the gun out  
23 from Adrianna Norman to get into the car. And he leans over to  
24 put it under the seat. So he conceals it because the police are  
25 there. And again, that's why the ticket is there.

1           When you see the photos of the ticket on the mat and the  
2 gun underneath the seat, that doesn't hang with the innocent "it's  
3 just time to go" explanation. Those are the efforts of somebody  
4 who is now being confronted with a police presence, who knows he's  
5 done wrong, trying to hide the evidence.

6           Because he is considering getting out. You see him open  
7 the door and start, and he decides to run, and he does run.

8           And it's not like he runs for a couple of blocks and  
9 then pulls over. It's not like he runs for a little while and  
10 pulls over. He runs for miles.

11           You watch him lead the police on a high speed chase.  
12 And again it's not the culpa- -- the police are not on trial here.  
13 There's nothing wrong with them following him and it does not  
14 lessen his culpability.

15           But when you consider the argument and evaluate the  
16 argument that, well, it's just, sort of, he's made a mistake, you  
17 don't lead the police on a miles-long police chase. You don't  
18 weave in and out of traffic, you don't go behind buildings and --  
19 when you've got four or five police cars around you with their  
20 lights and sirens activated. You don't keep on trying to evade  
21 them because it's no small thing or some innocent  
22 misunderstanding.

23           You do that because, again, you know you've broken the  
24 law, you know you are in big trouble if they catch you, and you  
25 are trying to get away. And that's exactly why he gets on the

1 freeway.

2           And now the argument, again, that you heard argument, I  
3 told you that there's no argument from the State in this case --  
4 and, again, you are not instructed about the charging or open  
5 murder, but I've told you there's no allegation that these  
6 defendants -- the defendant, either of them, committed  
7 premeditated murder.

8           And then you still heard argument focusing on that,  
9 saying well, he didn't mean to kill anyone. I'm not saying he  
10 was. In fact, felony murder and murder to avoid lawful arrest, do  
11 not require premeditation or deliberation.

12           I'm not suggesting that he intentionally ran into  
13 somebody on the freeway. What I submit that the evidence proves  
14 beyond a reasonable doubt is that he made a decision to get on the  
15 freeway, in spite of the risk to other people. And I have no  
16 doubt the evidence you heard is that he tried to avoid colliding  
17 with somebody, because he doesn't want to -- I mean, he's  
18 self-interested.

19           I'm not suggesting he was trying to commit suicide, that  
20 he was going out of his way to hurt himself.

21           What I submit the evidence shows beyond a reasonable  
22 doubt is that he got on the freeway to create danger for other  
23 people, thinking that the police would stop following him. He did  
24 that to avoid lawful arrest.

25           And the consequence of that was malignantly reckless

1 because of the danger it created for other drivers, the danger at  
2 freeway speeds, you might not be able to stop and you might  
3 collide with somebody or cause somebody else, to other cars, to  
4 collide, trying to avoid the defendant coming the wrong way, and  
5 that they might die.

6 That is the malignant risk that is posed by the  
7 defendant's conduct. That is what he disregarded. That is what  
8 he consciously disregarded.

9 It was, again, argued to you that, well, he couldn't  
10 tell. I submit to you that if there's any doubt in your mind  
11 about that, go back and watch Officer Snow's dash camera.

12 There is no doubt that, when you drive up -- look at the  
13 actual evidence, not on a map, not on a two-dimensional map, that  
14 gives you some idea, but there's no -- there's no substitute for  
15 looking at the dash camera footage. You have two police officers  
16 with dash camera footage. Go at it that way.

17 If you have any doubt, go look at it. Because, as you  
18 saw this morning, it is crystal clear to anyone, even if you're on  
19 methamphetamine, that by the time you're halfway, three-quarters  
20 of the way, that it's oncoming traffic.

21 And there are lights on that you see in that dash camera  
22 footage at exactly the same time the defendant drives on the  
23 freeway. You see the headlights of traffic coming off the ramp,  
24 passing the defendant as he drives up, and you see the headlights  
25 of the oncoming traffic on the freeway.

1           So there is no question, I submit, that he knew he was  
2 going to oncoming traffic. And he did it because he thought the  
3 police would stop following him, in spite of the risk that he  
4 posed to the other cars on the freeway.

5           And then he talks about it on that call. And on that  
6 call he says he did it to create danger. He says explicitly, "I  
7 did it to create danger."

8                               (Telephone recording played.)

9           MR. PRENGAMAN: You can hear, while they're talking  
10 about go up the ramp -- he's talking about go up the ramp. That's  
11 what he's talking about.

12                             (Telephone recording played.)

13           MR. PRENGAMAN: And so the suggestion that was made to  
14 you is that if you find him guilty of DUI causing death, that's  
15 enough, that he will be held accountable.

16           And, again, ladies and gentlemen, your instructions tell  
17 you what you are to do is to go to each count and consider it, not  
18 in relation to the others, but each one.

19           And that's why you are not instructed about sentencing,  
20 you are not instructed about anything having to do with outcome,  
21 because that's not for you to consider.

22           That's why nobody has given you information to  
23 illuminate such a decision. So you don't decide if it's enough.  
24 You just decide. Go to the elements and look at the elements, and  
25 decide, has the State proved those beyond a reasonable doubt?

1           And you should, when you get to the DUI causing --  
2 driving with a DUI causing death, the reckless driving causing  
3 death, the eluding causing death --

4           (At this time the microphone turned off.)

5           MR. PRENGAMAN: -- you should find the defendant guilty,  
6 because the State has proved those elements beyond a reasonable  
7 doubt.

8           But before that, when you deliberate on murder, you  
9 should find the Defendant Williams guilty of first-degree murder,  
10 because he, in order to avoid lawful arrest, drove onto the  
11 freeway against oncoming traffic with malignant recklessness, and  
12 as a result of that malignant recklessness the victim in this case  
13 was killed.

14           And he is guilty of first-degree murder for that  
15 conduct, regardless of what other offenses you find him guilty of.

16           And I submit to you, as I did this morning, that the  
17 evidence in the case shows Ryan Williams did commit felony crimes,  
18 felony murder crimes at Bob & Lucy's that morning.

19           And when you look at the evidence, the consistency of  
20 the action and what they did and what hangs together, as opposed  
21 to isolating little pieces and saying, well, it could have been  
22 this or that, look at it as a whole. I submit, if do you that,  
23 you'll see that Defendant Williams did in fact go in and commit  
24 burglary. He went in there with intent as to Mr. Sims.

25           I submit that Adrianna Norman did too. Although, as I

1 said, on that first charge of the robbery, that could be a closer  
2 call.

3 I submit that the evidence is there that they were  
4 acting together. But if you -- again, that is a natural probable  
5 consequence. That's an offshoot.

6 And so if you think that's too remote, then find her not  
7 guilty of robbery.

8 But ladies and gentlemen, I submit to you that the  
9 evidence has established beyond a reasonable doubt that Williams  
10 is guilty of those felonies, and felony murder, as a result.

11 And it is an unbroken chain because, again, he's sitting  
12 out, waiting to complete one of those crimes. He's waiting for  
13 the money to come. That's why he's in the car, that's why  
14 Adrianna Norman is inside. It's not time to go yet.

15 Look at the text messages. They're waiting for money  
16 that they believe is coming.

17 And when he flees from the police, it is from sitting  
18 right out there, right after those -- the other crimes, and right  
19 in the midst of waiting for that money. And that's when he flees.  
20 And that's an unbroken chain of events.

21 That is an unbroken police pursuit that results in the  
22 unintentional death of Jacob Edwards, which constitutes felony  
23 murder. And that is an alternative basis for finding the  
24 defendant guilty of murder.

25 And thank you very much, ladies and gentlemen.



1 THE COURT: Thank you, Mr. Prengaman.

2 Ms. Clerk, will you please swear in Deputy Wood.

3 Ladies and gentlemen, we've come to the end of the case  
4 now. You have heard the presentation of the evidence. You now  
5 have the jury instructions, and you have heard all the arguments  
6 of counsel.

7 So I'm now going to have the clerk swear in Deputy Woods  
8 to take care of this jury.

9 THE CLERK: Please raise your right hand.

10 (Deputy Woods sworn to take charge of the jury.)

11 THE COURT: Ladies and gentlemen, when you stand up and  
12 leave your seats, please leave the copies of the instructions that  
13 we provided on your chair. As I indicated, the originals will be  
14 provided to you in the deliberation room.

15 Now, there are 14 of you. Only 12 of you will actually  
16 be deliberating. Two of you are actually alternates.

17 The alternates have the task now of actually staying at  
18 the Courthouse. The rules that govern these cases require me to  
19 retain both of the alternates, and they will be conducted to a  
20 separate location from the jury until the jury has reached a  
21 verdict in this case.

22 Our alternate juniors are Juror Fritchen and Juror  
23 Riclesberger. So you are going to go with the deputy to a  
24 different location at the courthouse, while the jury is  
25 deliberating, in the event that your service is needed.

1           With that, ladies and gentlemen, I'm going to have  
2 Deputy Wood take all 14 of you, to begin with, into the jury room  
3 and we will provide all of the evidence to the 12, and the two  
4 alternates will be escorted to a different location.

5           Thank you so much.

6           (The jury left the courtroom to begin deliberations.)

7           THE COURT: Counsel, I do need contact information from  
8 each of you, provided to either one of our deputies in the back of  
9 the courtroom, so I know how to get ahold of you in the event that  
10 the jury has a question or reaches a verdict.

11           Counsel, thank you all so much for your participation  
12 for the last two and a half weeks. I so appreciate it.

13           (Court recessed while the jury deliberated.)

14           (The jury entered the courtroom.)

15           THE COURT: Good evening, ladies and gentlemen. Thank  
16 you for all of your work this evening.

17           I'm going to release you for the evening. I'm going to  
18 have you return tomorrow morning at 9:30 -- excuse me, 9:00 a.m.  
19 Not 9:30. 9:00 a.m.

20           During this recess -- this applies to all jurors and  
21 both alternates -- you must not discuss or communicate with  
22 anyone, including fellow jurors, in any way, regarding the case or  
23 its merits, either by voice, phone, emails, text, Internet or  
24 means of communication or social media.

25           You must not read, watch or listen to any news media

1 accounts or commentary about the case.

2           You must not do any research, such as consulting  
3 dictionaries, using the Internet, using reference materials, make  
4 any investigations, test any theory of the case, recreate any  
5 aspect of the case, or in any other way investigate or learn about  
6 the case on your own, and you must not form or express any opinion  
7 regarding the case until you return tomorrow morning at 9:00 a.m.  
8 for jury deliberations.

9           We'll see you back here then. Thank you so much.

10           (The proceedings concluded at 8:51 p.m.)

11                           -o0o-

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1 STATE OF NEVADA )  
2 WASHOE COUNTY ) ss.  
3  
4

5 I, CONSTANCE S. EISENBERG, an Official Reporter of the  
6 Second Judicial District Court of the State of Nevada, in and for  
7 the County of Washoe, DO HEREBY CERTIFY:

8 That I was present in Department 1 of the above-entitled  
9 Court on April 27, 2021, and took verbatim stenotype notes of the  
10 proceedings had upon the matter captioned within, and thereafter  
11 transcribed them into typewriting as herein appears;

12 That I am not a relative nor an employee of any of the  
13 parties, nor am I financially or otherwise interested in this  
14 action;

15 That the foregoing transcript, consisting of pages 1  
16 through 172, is a full, true and correct transcription of my  
17 stenotype notes of said proceedings.

18 DATED: At Reno, Nevada, this 21st day of  
19 September, 2021.  
20  
21

22 /s/Constance S. Eisenberg

23 CONSTANCE S. EISENBERG  
24 CCR #142, RMR, CRR

25 The document to which this certificate is  
attached is a full, true and correct copy of the  
original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second  
Judicial District Court, in and for the County of  
Washoe.

1 4185

2  
3  
4 IN THE SECOND JUDICIAL DISTRICT COURT  
5 STATE OF NEVADA, COUNTY OF WASHOE  
6 THE HONORABLE KATHLEEN DRAKULICH, DISTRICT JUDGE

7 STATE OF NEVADA, Department No. 1  
8 Plaintiff, Case CR20-0630A  
9 vs.

10 ADRIANNA MARIE NORMAN,  
11 Defendant.

12 \_\_\_\_\_/  
13 Pages 1 to 20, inclusive.

14 TRANSCRIPT OF PROCEEDINGS  
15 JURY TRIAL  
16 Wednesday, April 28, 2021

17 A P P E A R A N C E S:  
18 FOR THE PLAINTIFF:

19 LUKE PRENGAMAN  
20 DEPUTY DISTRICT ATTORNEY  
21 1 So. Sierra St., So. Tower  
22 Reno, NV 89502

23 FOR DEFENDANT WILLIAMS: KATHRYN HICKMAN, P.D.  
24 EVELYN GROSENICK, P.D.  
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FOR DEFENDANT NORMAN: MARC PICKER, A.P.D.  
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350 So. Center St., 6th Fl.  
Reno, NV 89520

REPORTED BY: Christina Amundson, CCR #641  
Litigation Services 323-3211  
JOB NO: 746616

1 RENO, NEVADA -- 4/28/21 - 1:47 P.M.

2 -o0o-

3 THE COURT: Be seated everyone.

4 Ladies and gentlemen, it's my understanding  
5 you decided to take a break because you've been at  
6 this for a while. You need to maybe take a walk  
7 supervised by representatives from Washoe County  
8 Sheriff's Office, which I'm going to permit.

9 However, this is a standard recess,  
10 effectively. So, during this recess or break, you  
11 must not discuss or communicate with anyone,  
12 including fellow jurors, in any way regarding the  
13 case or its merits either by voice, phone, email,  
14 text, Internet or other means of communication or  
15 social media.

16 You must not read, watch, or listen to any  
17 news or media accounts or commentary about the case,  
18 do any research, such as consulting dictionaries,  
19 using the Internet or using reference materials,  
20 make any investigation, test the theory of the case,  
21 recreate any aspect of the case or in any other way  
22 investigate or learn about the case on your own or  
23 express or form any opinion regarding the case until  
24 you resume your deliberations.

1 Deputy Wood, they are in your care. Please  
2 let me know when the jurors have returned to the  
3 jury room.

4 DEPUTY WOOD: Yes, your Honor.

5 (Proceedings adjourned at 1:48 p.m.)

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1 (Proceedings resumed at 5:15 P.M.)

2 THE COURT: Hi, Counsel. Just wanted to  
3 give you an update.

4 As you know, the jury went out yesterday at  
5 about 4:30. They left here about 9:00 last night.  
6 They were admonished before they left. They arrived  
7 this morning and Deputy Wood presided over them  
8 right at 9:00. Deputy Wood decided to make sure  
9 jurors did not deliberate until all 12 were in  
10 there. They commenced deliberations and brought  
11 their lunches.

12 And then early afternoon they asked if they  
13 could be escorted around the block so that they  
14 could get some exercise and fresh air. I brought  
15 them out here and admonished them about the standard  
16 admonishment while they were on the walk. Deputy  
17 Wood and several of his colleagues took them on a  
18 walk. They came back.

19 And, Deputy Wood, how long do you think  
20 they were on the walk?

21 DEPUTY WOOD: Approximately ten minutes.

22 THE COURT: And they've been back in there  
23 since. As we do, we'll go to them and say, Dinner  
24 takes about an hour, would you like us to order



1 dinner? Deputy Wood asked that and they said yes.

2 And then they asked Deputy Wood a question.

3 What question did they ask you?

4 DEPUTY WOOD: They asked if there was an  
5 appropriate way to inform the Court on their  
6 progress and where they were in their deliberations.

7 THE COURT: It wasn't like they wanted to,  
8 but is there an appropriate way for us to do that.  
9 I've not done anything with that, but I wanted to  
10 let you know of their progress, which is how the day  
11 went for them. And we're about to order them some  
12 dinner.

13 I'm going to let them provide us direction  
14 about when their evening or late afternoon will end.  
15 If they're not done by 9:00, I'll send them home  
16 again. Otherwise, they made no indication except  
17 for that question that they asked Deputy Wood about  
18 where they are.

19 So, Mr. Prengaman, I'll start with you.  
20 Any thoughts from the State? I intended to do  
21 nothing except order their dinner and let's  
22 continue.

23 MR. PRENGAMAN: That's the appropriate  
24 course, your Honor. I'm okay with that.

1 MS. HICKMAN: Thank you, your Honor. I  
2 don't have anything to add.

3 THE COURT: Mr. Picker?

4 MR. PICKER: I think that's the appropriate  
5 thing.

6 THE COURT: Okay. Counsel, what I'll do is  
7 we'll just order them dinner. We'll get them fed  
8 and we'll let them keep going. At some point  
9 tonight if they don't ask to go home, I'll break it  
10 up like I did last night. Bring them out, admonish  
11 them, send them home and I'll ask them to come back  
12 tomorrow morning at 9:00 a.m. If things change,  
13 we'll get ahold of you.

14 Do you want me to have Deputy Wood instruct  
15 them that there's no need to inform the Court of  
16 their progress at this time or just leave it?

17 MR. PICKER: Your Honor, I would just  
18 prefer to leave it.

19 THE COURT: Okay. Mr. Prengaman?

20 MR. PRENGAMAN: Leave it, your Honor.

21 THE COURT: Ms. Hickman and Ms. Grossman?

22 MS. HICKMAN: Agreed.

23 MS. GROSSMAN: Agreed.

24 THE COURT: Okay. We'll leave it.

1           Let's get their dinner orders and, Counsel,  
2 we will keep you informed.

3                           \*\*\*

4                   (Jury question at 8:29 p.m.)

5           THE COURT: Thanks, everyone. Please be  
6 seated.

7           Mr. Picker, can you do this without your  
8 co-counsel?

9           MR. PICKER: Ms. Rosenthal should be here  
10 any second.

11           THE COURT: Let's wait for her.

12           We've been handed a question from Juror No.  
13 9, Chisum. The question is 8:19 p.m. It says, "28  
14 January 2021," but it should say "28 April." The  
15 question is regarding the second part of the  
16 instruction 35, "What does the last statement mean,"  
17 and in quotations is the language, "However, where  
18 the" and then and ellipses and then a closed quote.

19           The sentence being referred to is the line  
20 34. "However, where the involuntary killing occurs  
21 in the commission of an unlawful act which in its  
22 consequences naturally tends to destroy the life of  
23 a human being or is committed in the prosecution of  
24 the felonious intent is murder."

1           The statement is, "What does that mean, Mr.  
2   Prengaman?"

3           I had a question like this once or twice  
4   before and what the jury was told it means what it  
5   says or it's the meaning that the jurors ascribe to  
6   it. Mr. Prengaman.

7           MR. PRENGAMAN: I was not sure of the  
8   meaning at first, but I do think they should be  
9   instructed it's the meaning jurors ascribe to it.  
10   But I do think they should be instructed to rely  
11   upon the --

12          THE COURT: Repeat yourself.

13          MR. PRENGAMAN: So, I don't necessarily  
14   agree with the language, the meaning ascribed by the  
15   jury, but to rely upon the language of the  
16   instruction.

17          THE COURT: The jurors are to rely upon the  
18   language of the instruction.

19          MR. PRENGAMAN: Or something to that  
20   effect.

21          THE COURT: Ms. Hickman.

22          MS. HICKMAN: I would tend to agree and  
23   refer them back to the jury instruction packet.  
24   They just have to rely on the instructions that they

1 have.

2 THE COURT: The jurors are to rely on the  
3 language of the instructions. Okay.

4 Mr. Picker?

5 MR. PICKER: Your Honor, I would agree with  
6 both Mr. Prengaman and Ms. Hickman. The only thing  
7 that I could add or you might add is that these are  
8 the jury instructions that reflect the law and  
9 that's why the language is what it is, just to say  
10 these instructions do reflect the law and you're to  
11 apply it.

12 THE COURT: What we could say is, "The  
13 jurors are to rely on the language in the  
14 instructions as they reflect the law in the state of  
15 Nevada."

16 MR. PICKER: That would be fine.

17 THE COURT: "The jurors are to rely on the  
18 language of the instructions, as they reflect the  
19 law of the state of Nevada."

20 MR. PRENGAMAN: I'm just thinking about the  
21 last part, "the law of the state of Nevada." Since  
22 it seems that their question is the meaning. That's  
23 the context, really. They're asking for the  
24 meaning. I would suggest the first part of the

1 sentence without the second.

2 THE COURT: All right. But we do have a  
3 consensus on the first piece. "The jurors are to  
4 rely on the language of the instructions."

5 Okay. That's what I will give them. What  
6 we do is just type it up as an answer to Jury  
7 Question No. 4 and it'll say, "The jurors are to  
8 rely on the language of the instructions." That's  
9 it. Okay.

10 Counsel, my plan is just to let them go  
11 until they tell me they're ready to go home. We'll  
12 keep you posted. Thank you so much for coming over.

13 Mr. Prengaman, the language is "The jurors  
14 are to rely on the language of the instructions."

15 Consensus with regard to the State?

16 MR. PRENGAMAN: Yes.

17 MS. HICKMAN: Yes.

18 MR. PICKER: Yes, your Honor.

19 I guess I have a question. You said you  
20 were going to let them keep going. Does that mean  
21 you won't stop at 9:00?

22 THE COURT: I thought about stopping at  
23 9:00, but if they want to keep going, we'll let  
24 them. I can let them know at 9:00 that the court is

1 prepared to let them leave any time they're willing  
2 to go, but if they want to stay and get it done  
3 tonight ...

4 MR. PICKER: I would prefer that, that you  
5 let them know they can leave at 9:00. They've been  
6 at it 12 hours.

7 THE COURT: They have.

8 MR. PICKER: They were here late last  
9 night.

10 MR. PRENGAMAN: They seem to -- I think  
11 it's better just to let them go and if they want to  
12 -- in other words, they'll tell you if they want to  
13 go. They've told you that before. I think it's  
14 better not to give them -- not to tell them or give  
15 them a deadline if they're willing to keep going.

16 THE COURT: Well, we'll wait until we get  
17 to 9:00. It's the time we let them go last night.  
18 We'll see if they have questions. In the meantime  
19 we'll get them the answer.

20 Thank you everyone for getting here so  
21 quickly. Appreciate it.

22 (Proceedings adjourned at 8:36 p.m.)

23 \*\*\*  
24

1 (Proceedings resumed at 10:01 p.m.)

2 THE COURT: Please be seated.

3 We're back on the record outside the  
4 presence of the jury. We have Jury Question No. 5  
5 from Juror Chisum, April 28<sup>th</sup>, 2021, at 2205. The  
6 question is this: "If the jury has reached a guilty  
7 verdict of involuntary manslaughter and the last  
8 paragraph applies, does the jury have to determine  
9 the verdict of murder first degree or murder second  
10 degree, yes or no?"

11 I think it's clear -- Counsel can correct  
12 me if I'm wrong -- when they're talking about the  
13 last paragraph, I think they're back on Instruction  
14 35. Mr. Prengaman.

15 MR. PRENGAMAN: I don't know what to say,  
16 your Honor, because the last paragraph is basically  
17 telling them -- I mean, I don't know that there's a  
18 way to answer this question without touching on the  
19 substance of the last paragraph of the instruction.

20 That instruction is telling them  
21 essentially -- I mean, that's a substantive  
22 question, the way -- referring to that last  
23 paragraph and what does it mean. It's basically  
24 referring them to, if those two things apply, it's



1 murder. Going back to that original question, that  
2 last paragraph, that question is telling them --

3 THE COURT: When I read this it occurs to  
4 me that they're asking, if you find him guilty of  
5 involuntary manslaughter by definition, does the  
6 second paragraph apply.

7 MR. PRENGAMAN: But, I mean, that's kind of  
8 backwards, because the definitional aspect -- again,  
9 it's their question but the answer is, if it  
10 applies, it's murder, and that you have to consider  
11 that second paragraph in determining whether it's  
12 manslaughter first because -- but I don't know that  
13 there's a way to answer this question without  
14 unwinding that aspect.

15 THE COURT: Without unwinding the aspect  
16 of-- tell me.

17 MR. PRENGAMAN: Of going back and providing  
18 some type of answer to the question about their  
19 original question. That's what they're trying to  
20 get at, get an answer to the original question, it  
21 seems.

22 THE COURT: Well, okay.

23 MR. PRENGAMAN: I don't think you can  
24 answer this yes or no. This is not a question -- or

1 where anyone could answer yes or no, because the  
2 second paragraph, the determination of  
3 manslaughter -- if the second paragraph applies, in  
4 other words, you cannot reach a decision about  
5 whether it's manslaughter without assessing whether  
6 the second paragraph applies.

7 THE COURT: Okay. Ms. Hickman?

8 MS. HICKMAN: I don't think there's a way  
9 to answer it because we've had to guess at what  
10 they're really asking. So I don't think it's a  
11 question we can answer because we have to infer what  
12 they mean by, Does the last paragraph apply. I  
13 don't think we can answer it.

14 THE COURT: Mr. Picker.

15 MR. PICKER: Your Honor, I agree, I don't  
16 think we can answer this question. I don't think  
17 you can. I think you just -- I agree with Mr.  
18 Prengaman, they're trying to get you to answer the  
19 first question by asking it in a different way. We  
20 can't.

21 The instructions are the instructions.  
22 They have to interpret them the best they can.  
23 We've given them the law and they have to apply it.  
24 And to do otherwise we'd go beyond that, because

1 they can -- you know, under the limiting  
2 instructions they can find involuntary manslaughter  
3 and not find first- or second-degree murder if they  
4 determine those facts. So I think we're kind of --  
5 if we go beyond that, I believe we're overstepping  
6 ourselves.

7 THE COURT: Okay. Mr. Prengaman?

8 MR. PRENGAMAN: When I first read it I  
9 thought the answer was to affirm the transition  
10 instruction, but that's really not -- I don't think  
11 that does it. I think if the Court would -- is  
12 going to answer, I think it would have to be along  
13 the lines of, The jury must apply the law and give  
14 it to the facts as you found them, or something, or  
15 give no answer.

16 THE COURT: "The jury must apply the law to  
17 the facts of the case."

18 MR. PRENGAMAN: Right. Something along  
19 that line. I mean, the transition instruction tells  
20 them how to go about stepping from one to the next  
21 but -- and that's what I initially thought when I  
22 read this. I thought of course you refer them to  
23 that instruction saying, Please refer to whatever  
24 item. It's the transition instruction in the 40s or

1 50s.

2 THE COURT: The one that steps down.

3 MR. PRENGAMAN: Yes, you should first  
4 consider. But as we're talking about it, I'm not  
5 sure that that's -- I mean, that could be part of  
6 it, I guess. You could say, You must apply the law  
7 as provided in the instructions to the facts of the  
8 case, and you can refer them to that instruction  
9 which talks about how to step down and consider it.

10 THE COURT: I think that's --

11 MR. PRENGAMAN: I'm just not sure. I mean,  
12 it gives some guidance in terms of -- I don't  
13 disagree with Ms. Hickman, to some degree we're  
14 speculating about what they're trying to get at, but  
15 at least that's the only instruction that I can  
16 think of that the Court could refer them to that at  
17 least addresses what they're asking in a way that it  
18 doesn't require an additional statement about law or  
19 facts.

20 THE COURT: Mr. Picker, do you know what  
21 instruction he's talking about?

22 MR. PICKER: I do. And I would disagree,  
23 because then you violate the instruction you gave  
24 that says, No one of these instructions is more

1 important than another. Then you telling them to go  
2 look at a specific instruction would do exactly  
3 that.

4 THE COURT: Counsel, the other option is to  
5 give them the same answer we gave them before. Mr.  
6 Prengaman, what I hear -- I'm not, nor should any of  
7 us be in the business of speculating what this  
8 question is asking.

9 The response we provided, "The jurors are  
10 to rely on the language of the instructions." I  
11 mean, I can have Deputy Wood change the heading on  
12 that response and call it "Answer to Juror Question  
13 No. 5" and return the same response to them.

14 Mr. Picker.

15 MR. PICKER: The previous instruction,  
16 yeah, I agree with that.

17 THE COURT: The previous answer.

18 MR. PICKER: Yes, the previous answer.  
19 Yes, I agree with the language.

20 THE COURT: Ms. Hickman?

21 MS. HICKMAN: I would agree with that.

22 THE COURT: Mr. Prengaman.

23 MR. PRENGAMAN: Yes. I don't think there's  
24 anything else you can really do.

1           THE COURT:   Okay.   We'll do that.   And  
2 then, Counsel, I did have Deputy Wood check with  
3 them.   When they're ready to go, we'll go.   I'll  
4 give them this response and wait a period of time.  
5 And then I think there comes a time when I'll shut  
6 it down, because they've been there for so long.

7           So, we'll let them digest the response to  
8 this question, give them some time.   If they haven't  
9 come to a decision, I'll have them come back  
10 tomorrow.   Okay?

11           Thanks everyone.

12           (Proceedings adjourned at 10:38 p.m.)

13                       \*\*\*

14           (Proceedings resumed at 10:54 p.m.)

15           THE COURT:   Thank you, everyone.   Please be  
16 seated.   The record should reflect the presence of  
17 the jury and both alternates.

18           Ladies and gentlemen, we'll send you home  
19 for the evening.   So, during this recess or break,  
20 you must not discuss or communicate with anyone,  
21 including fellow jurors, in any way regarding the  
22 case or its merits either by voice, phone, email,  
23 text, Internet or other means of communication or  
24 social media.

1           You must not read, watch, or listen to any  
2 news or media accounts or commentary about the case,  
3 do any research, such as consulting dictionaries,  
4 using the Internet or using reference materials,  
5 make any investigation, test the theory of the case,  
6 recreate any aspect of the case or in any other way  
7 investigate or learn about the case on your own or  
8 express or form any opinion regarding the case until  
9 you resume your deliberations.

10           I know I said 9:30 originally, but how  
11 about 10:00 a.m.

12           (Jury excused at 10:54 p.m.)

13                       -o0o-

1 STATE OF NEVADA )

2 ) ss.

3 COUNTY OF WASHOE )

4  
5 I, CHRISTINA MARIE AMUNDSON, a Certified Court  
6 Reporter in and for the states of Nevada and  
7 California, do hereby certify:

8 That I was personally present for the purpose  
9 of acting as Certified Court Reporter in the matter  
10 entitled herein;

11 That said transcript which appears hereinbefore  
12 was taken in verbatim stenotype notes by me and  
13 thereafter transcribed into typewriting as herein  
14 appears to the best of my knowledge, skill, and  
15 ability and is a true record thereof.

16  
17 DATED: At Reno, Nevada, this 23rd day of August  
18 2021.

19  
20 /S/ Christina Marie Amundson

21 Christina Marie Amundson, CCR #641

22 -o0o-



1 CODE: 4185  
2 LORI URMSTON, CCR #51  
3 Litigation Services  
4 151 Country Estates Circle  
5 Reno, Nevada 89511  
6 (775) 323-3411  
7 Court Reporter

8 SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

9 IN AND FOR THE COUNTY OF WASHOE

10 HONORABLE KATHLEEN M. DRAKULICH, DISTRICT JUDGE

11 STATE OF NEVADA,

12 Plaintiff,

Case No. CR20-0630A

Case No. CR20-0630B

13 vs.

Dept. No. 1

14 ADRIANNA NORMAN and RYAN  
15 WILLIAMS,

Defendants.

16 TRANSCRIPT OF PROCEEDINGS

17 TRIAL - DAY 14

18 Thursday, April 29, 2021

19 Reno, Nevada

20  
21  
22  
23  
24 Reported by:

LORI URMSTON, CCR #51

1 APPEARANCES:

2 FOR THE PLAINTIFF:

LUKE PRENGAMAN  
Deputy District Attorney  
1 South Sierra Street  
South Tower, 4th Floor  
Reno, Nevada 89501

5 FOR THE DEFENDANT  
ADRIANNA NORMAN:

MARC P. PICKER  
MELISSA ROSENTHAL  
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Reno, Nevada 89501

8 FOR THE DEFENDANT  
9 RYAN WILLIAMS:

KATHRYN HICKMAN  
EVELYN GROSENICK  
Deputy Public Defenders  
350 S. Center Street  
Reno, Nevada 89501

1 RENO, NEVADA; THURSDAY, APRIL 29, 2021; 5:25 P.M.

2 --o0o--

3 (Proceedings outside the presence of the jury.)

4 THE COURT: Counsel, our jury has indicated -- for  
5 the record, Ms. Court Reporter, we are meeting outside  
6 the presence of the jury.

7 Ladies and gentlemen, counsel, Ms. Norman,  
8 Mr. Williams, the jurors have informed Deputy Wood that  
9 they have reached a verdict on all counts except one  
10 and that they are deadlocked on one. And so it's my  
11 intention to bring them out here, find out what  
12 verdicts they have reached as to which of the  
13 defendants and then to poll them with regards to the  
14 individual counts on which they are unable to reach a  
15 verdict.

16 Okay. Deputy Wood.

17 (Proceedings within the presence of the jury.)

18 THE COURT: Thank you, everyone. Please be seated.

19 The record will reflect the presence of the jury.  
20 All 12 members are in the courtroom. On behalf of the  
21 State, Mr. Prengaman. On behalf of Mr. Williams who is  
22 present in court with his counsel, Ms. Grosenick and  
23 Ms. Hickman. And on behalf of Ms. Norman who is  
24 present in court with her counsel, Mr. Picker.

1 Ladies and gentlemen, the bailiff has informed me  
2 that the jury has reached a verdict. Who of you has  
3 been selected as foreperson?

4 JUROR CHISUM: I am, Your Honor.

5 THE COURT: Juror Chisum, can you please hand the  
6 verdict forms to Deputy Wood.

7 Juror Chisum, were you able to reach a verdict as  
8 to both Ms. Norman and Mr. Williams as to all counts?

9 JUROR CHISUM: No, Your Honor, we were not.

10 THE COURT: Deputy Wood, what I would like to do is  
11 take just a couple minutes outside the presence of the  
12 jury. Can we have the jury return to the jury room for  
13 just a minute.

14 DEPUTY WOOD: Yes, Your Honor.

15 (Proceedings outside the presence of the jury.)

16 THE COURT: Thank you, Deputy Wood.

17 Counsel, it appears from the verdict forms that  
18 they have not been able to render a verdict on any of  
19 the four possibilities with regard to Count IV as to  
20 Mr. Williams. It's my intention to bring them back in  
21 and before I read the other verdict forms to poll them  
22 about whether or not they're through. The simple  
23 question that we typically ask the jury is with regard  
24 to whether or not they feel any more time in that room

1 is going to assist them.

2 If the answer is no, then I am going to indicate  
3 for the record that as to Count IV they are a hung  
4 jury. And then it's my intention to read -- to have  
5 the clerk read the verdict forms as to all of the other  
6 counts.

7 Mr. Prengaman.

8 MR. PRENGAMAN: Nothing further, Your Honor.

9 THE COURT: Ms. Hickman.

10 MS. HICKMAN: That's fine.

11 THE COURT: Say again.

12 MS. HICKMAN: That's fine. I'm fine with that.

13 THE COURT: Mr. Picker.

14 MR. PICKER: Thank you, Your Honor.

15 THE COURT: Okay. Deputy, the jury, please.

16 (Proceedings within the presence of the jury.)

17 THE COURT: Go ahead and be seated.

18 I'm now going to ask the clerk to poll the jury  
19 just in terms of your name. And when he does, indicate  
20 that you are present for the record, please.

21 Mr. Adrian.

22 THE CLERK: Alvina DeCastro.

23 JUROR DECASTRO: Present.

24 THE CLERK: Geri Garrison.

1 JUROR GARRISON: Present.  
2 THE CLERK: Jerry Current.  
3 JUROR CURRENT: Present.  
4 THE CLERK: Beverly Geyer.  
5 JUROR GEYER: Present.  
6 THE CLERK: Rachelle Smith.  
7 JUROR SMITH: Here.  
8 THE CLERK: Michael Alexander.  
9 JUROR ALEXANDER: Present.  
10 THE CLERK: Sandra Lindsay.  
11 JUROR LINDSAY: Here.  
12 THE CLERK: Silvana Stokely.  
13 JUROR STOKELY: Present.  
14 THE CLERK: Craig Chisum.  
15 JUROR CHISUM: Present.  
16 THE CLERK: Veronica McKenna.  
17 JUROR MCKENNA: Present.  
18 THE CLERK: Ganesan Rajaramen.  
19 JUROR RAJARAMEN: Present.  
20 THE CLERK: Manuel Bernaldez.  
21 JUROR BERNALDEZ: Present.  
22 THE COURT: Thank you. Thank you, Mr. Clerk.  
23 Mr. Chisum, you are the foreman of this jury; is  
24 that correct?

1 JUROR CHISUM: Yes, Your Honor.

2 THE COURT: As to Count IV, I have four sets of  
3 verdict forms which indicate that as to Mr. Williams  
4 only the jury has been unable to reach a verdict as to  
5 the four possibilities related to Count IV. Is that  
6 accurate?

7 JUROR CHISUM: Yes, that is, Your Honor.

8 THE COURT: In your opinion, sir, is this jury  
9 hopelessly deadlocked or is there a probability that if  
10 this Court were to return you to the jury room you  
11 would be able to reach a verdict as to Count IV with  
12 respect -- if you were provided an opportunity for  
13 further deliberations?

14 JUROR CHISUM: Your Honor, we've deliberated on  
15 that particular case for probably 14 hours. I don't  
16 believe that further deliberation will result in a  
17 different outcome.

18 THE COURT: Thank you. Thank you, Foreperson  
19 Chisum.

20 Ladies and gentlemen of the jury, I'm going to ask  
21 each of you the same question beginning first with  
22 Juror No. 1, Juror DeCastro.

23 Do you feel there's a reasonable probability that  
24 the jury can reach a verdict as to Count IV related to

1 Mr. Williams only if I were to return you to the jury  
2 room?

3 JUROR DECASTRO: No, Your Honor.

4 THE COURT: Thank you so much.

5 Juror Garrison, do you feel there is a reasonable  
6 probability that the jury can reach a verdict as to  
7 Count IV related to Mr. Williams only if I were to  
8 return you to the jury room for further deliberations?

9 JUROR GARRISON: No, Your Honor.

10 THE COURT: Thank you so much.

11 Juror Current, do you feel there is a reasonable  
12 probability that this jury can reach a verdict if this  
13 Court were to send you back to the jury room for  
14 further deliberations as to Count IV as to Mr. Williams  
15 only?

16 JUROR CURRENT: No, Your Honor.

17 THE COURT: Juror Guyer, do you believe there is a  
18 reasonable probability that the jury could reach a  
19 verdict if sent back to the jury room for further  
20 deliberations as to Count IV related to Mr. Williams  
21 only?

22 JUROR GEYER: No.

23 THE COURT: Thank you.

24 Juror Smith, do you feel there's a reasonable



1 probability that this jury could reach a verdict if  
2 sent back to the jury room for further deliberations as  
3 to Count IV as related to Mr. Williams only?

4 JUROR SMITH: No, Your Honor.

5 THE COURT: Thank you so much.

6 Juror Alexander, do you feel there is a reasonable  
7 probability that the jury can reach a verdict if sent  
8 back to the jury room for further deliberations?

9 JUROR ALEXANDER: No, Your Honor.

10 THE COURT: Thank you so much.

11 Juror Lindsay, do you feel there is a reasonable  
12 probability that the jury can reach a verdict if sent  
13 back to the jury room for further deliberations?

14 JUROR LINDSAY: Absolutely not.

15 THE COURT: Thank you so much.

16 Juror Stokely, do you feel there is a reasonable  
17 probability that the jury can reach a verdict if sent  
18 back to the jury room for further deliberations as to  
19 Count IV related to Mr. Williams only?

20 JUROR STOKELY: No, Your Honor.

21 THE COURT: Thank you so much.

22 Foreperson Chisum, I've already put the question to  
23 you.

24 Juror McKenna, do you feel there is a reasonable

1 probability that the jury can reach a verdict if sent  
2 back to the jury room for further deliberations as to  
3 Count IV related to Mr. Williams only?

4 JUROR MCKENNA: No, Your Honor.

5 THE COURT: Juror Rajaramen, do you feel there is a  
6 reasonable probability that the jury can reach a  
7 verdict if sent back to the jury room for further  
8 deliberations as to Count IV related to Mr. Williams  
9 only?

10 JUROR RAJARAMEN: I do not believe, Your Honor.

11 THE COURT: Thank you so much, sir.

12 Juror Bernaldez, do you feel there is a reasonable  
13 probability that the jury can reach a verdict if sent  
14 back to the jury room for further deliberations as to  
15 Count IV related to Mr. Williams only?

16 JUROR BERNALDEZ: No, Your Honor.

17 THE COURT: Thank you so much.

18 Counsel, will each of you stipulate that as a  
19 matter of record that this jury is hopelessly hung as  
20 to Count IV related to Mr. Williams only?

21 Mr. Prengaman.

22 MR. PRENGAMAN: Yes from the State.

23 THE COURT: Ms. Hickman.

24 MS. HICKMAN: Yes, Your Honor.

1 THE COURT: Mr. Picker.

2 MR. PICKER: Yes, Your Honor.

3 THE COURT: All right. Thank you all very much.

4 I am now going to hand the verdict forms to the  
5 clerk who is going to read each of them for the record.

6 THE CLERK: In the Second Judicial District Court  
7 of the State of Nevada, in and for the County of  
8 Washoe, the State of Nevada, Plaintiff, v. Adrianna  
9 Marie Norman, Defendant, Case No. CR20-0630A,  
10 Department No. 1, Verdict.

11 We, the jury in the above-entitled matter, find the  
12 defendant, Adrianna Marie Norman, not guilty of Count  
13 I, robbery. Dated this 28th day of April, 2021, signed  
14 Foreperson.

15 In the Second Judicial District Court of the State  
16 of Nevada, in and for the County of Washoe, the State  
17 of Nevada, Plaintiff, v. Adrianna Marie Norman,  
18 Defendant, Case No. CR20-0630A, Department No. 1,  
19 Verdict.

20 We, the jury in the above-entitled matter, find the  
21 defendant, Adrianna Marie Norman, not guilty of Count  
22 II, attempted robbery. Dated this 28th day of April,  
23 2021, signed Foreperson.

24 In the Second Judicial District Court of the State

1 of Nevada, in and for the County of Washoe, the State  
2 of Nevada, Plaintiff, v. Adrianna Marie Norman,  
3 Defendant, Case No. CR20-0630A, Department No. 1,  
4 Verdict.

5 We, the jury in the above-entitled matter, find the  
6 defendant, Adrianna Marie Norman, guilty of Count III,  
7 burglary. Dated this 27th day of April, 2021, signed  
8 Foreperson.

9 Did the defendant possess or gain possession of a  
10 firearm or deadly weapon at any time during the  
11 commission of the crime or before leaving the  
12 structure? Yes.

13 In the Second Judicial District Court of the State  
14 of Nevada, in and for the County of Washoe, the State  
15 of Nevada, Plaintiff, v. Adrianna Marie Norman,  
16 Defendant, Case No. CR20-0630A, Department No. 1,  
17 Verdict.

18 We, the jury in the above-entitled matter, find the  
19 defendant, Adrianna Marie Norman, not guilty of Count  
20 IV, first degree murder of Jacob Edwards. Dated this  
21 28th day of April, 2021, signed Foreperson.

22 In the Second Judicial District Court of the State  
23 of Nevada, in and for the County of Washoe, the State  
24 of Nevada, Plaintiff, v. Adrianna Marie Norman,

1 Defendant, Case No. CR20-0630A, Department No. 1,  
2 Verdict.

3 We, the jury in the above-entitled matter, find the  
4 defendant, Adrianna Marie Norman, not guilty of Count  
5 IV, second degree murder of Jacob Edwards. Dated this  
6 28th day of April, 2021, signed Foreperson.

7 In the Second Judicial District Court of the State  
8 of Nevada, in and for the County of Washoe, the State  
9 of Nevada, Plaintiff, v. Adrianna Marie Norman,  
10 Defendant, Case No. CR20-0630A, Department No. 1,  
11 Verdict.

12 We, the jury in the above-entitled matter, find the  
13 defendant, Adrianna Marie Norman, not guilty of Count  
14 IV, voluntary manslaughter of Jacob Edwards. Dated  
15 this 28th day of April, 2021, signed Foreperson.

16 In the Second Judicial District Court of the State  
17 of Nevada, in and for the County of Washoe, the State  
18 of Nevada, Plaintiff, v. Adrianna Marie Norman,  
19 Defendant, Case No. CR20-0630A, Department No. 1,  
20 Verdict.

21 We, the jury in the above-entitled matter, find the  
22 defendant, Adrianna Marie Norman, not guilty of Count  
23 IV, involuntary manslaughter of Jacob Edwards. Dated  
24 this 28th day of April 2021, signed Foreperson.

1 In the Second Judicial District Court of the State  
2 of Nevada, in and for the County of Washoe, the State  
3 of Nevada, Plaintiff, v. Ryan Williams, Defendant, Case  
4 No. CR20-0630B, Department No. 1, Verdict.

5 We, the jury in the above-entitled matter, find the  
6 defendant, Ryan Williams, guilty of Count I, robbery.  
7 Dated this 27th day of April, 2021, signed Foreperson.

8 Was a deadly weapon used in the commission of the  
9 offense? No.

10 In the Second Judicial District Court of the State  
11 of Nevada, in and for the County of Washoe, the State  
12 of Nevada, Plaintiff, v. Ryan Williams, Defendant, Case  
13 No. CR20-0630B, Department No. 1, Verdict.

14 We, the jury in the above-entitled matter, find the  
15 defendant, Ryan Williams, not guilty of Count II,  
16 attempted robbery. Dated this 28th day of April, 2021,  
17 signed Foreperson.

18 In the Second Judicial District Court of the State  
19 of Nevada, in and for the County of Washoe, the State  
20 of Nevada, Plaintiff, v. Ryan Williams, Defendant, Case  
21 No. CR20-0630B, Department No. 1, Verdict.

22 We, the jury in the above-entitled matter, find the  
23 defendant, Ryan Williams, guilty of Count III,  
24 burglary. Dated this 27th day of April, 2021, signed

1 Foreperson.

2 Did the defendant possess or gain possession of a  
3 firearm or deadly weapon at any time during the  
4 commission of the crime or before leaving the  
5 structure? Yes.

6 In the Second Judicial District Court of the State  
7 of Nevada, in and for the County of Washoe, the State  
8 of Nevada, Plaintiff, v. Ryan Williams, Defendant, Case  
9 No. CR20-0630B, Department No. 1, Verdict.

10 We, the jury in the above-entitled matter, find the  
11 defendant, Ryan Williams, guilty of Count V, causing  
12 the death of another by driving a vehicle while under  
13 the influence of methamphetamine. Dated this 28th day  
14 of April, 2021, signed Foreperson.

15 In the Second Judicial District Court for the State  
16 of Nevada, in and for the County of Washoe, the State  
17 of Nevada, Plaintiff, v. Ryan Williams, Defendant, Case  
18 No. CR20-0630B, Department No. 1, Verdict.

19 We, the jury in the above-entitled matter, find the  
20 defendant, Ryan Williams, guilty of Count VI, eluding  
21 or flight from a police officer resulting in death.  
22 Dated this 28th day of April, 2021, signed Foreperson.

23 In the Second Judicial District Court for the State  
24 of Nevada, in and for the County of Washoe, State of

1 Nevada, Plaintiff, v. Ryan Williams, Defendant, Case  
2 No. CR20-0630B, Department No. 1, Verdict.

3 We, the jury in the above-entitled matter, find the  
4 defendant, Ryan Williams, guilty of Count VII, reckless  
5 driving. Dated this 28th day of April, 2021, signed  
6 Foreperson.

7 THE COURT: Mr. Adrian, thank you so much.

8 Counsel, before the verdicts are recorded do either  
9 of the parties desire to have the jury polled?

10 Mr. Prengaman, beginning with you.

11 MR. PRENGAMAN: Not for the State, Your Honor.

12 THE COURT: Thank you so much.

13 Ms. Hickman.

14 MS. HICKMAN: Yes, please.

15 THE COURT: Mr. Picker.

16 MR. PICKER: No, Your Honor.

17 THE COURT: Mr. Adrian, would you please poll the  
18 jury asking each one of them if these are their  
19 verdicts.

20 THE CLERK: Juror No. 1, are each of these your  
21 true verdicts?

22 JUROR NO. 1: Yes.

23 THE CLERK: Juror No. 2, are each of these your  
24 true verdicts?



1 JUROR NO. 2: Yes.

2 THE CLERK: Juror No. 3, are each of these your  
3 true verdicts?

4 JUROR NO. 3: Yes.

5 THE CLERK: Juror No. 4, are each of these your  
6 true verdicts?

7 JUROR NO. 4: Yes.

8 THE COURT: Juror No. 5, are each of these your  
9 true verdicts?

10 JUROR NO. 5: Yes.

11 THE CLERK: Juror No. 6, are each of these your  
12 true verdicts?

13 JUROR NO. 6: Yes.

14 THE CLERK: Juror No. 7, are each of these your  
15 true verdicts?

16 JUROR NO. 7: Yes.

17 THE CLERK: Juror No. 8, are each of these your  
18 true verdicts?

19 JUROR NO. 8: Yes.

20 THE CLERK: Juror No. 9, are each of these your  
21 true verdicts?

22 JUROR NO. 9: Yes.

23 THE CLERK: Juror No. 10, are each of your true  
24 verdicts?

1 JUROR NO. 10: Yes.

2 THE CLERK: Juror No. 11, are each of these your  
3 true verdicts?

4 JUROR NO. 11: I'm sorry, Your Honor. I do not  
5 understand the question.

6 THE COURT: The question is the verdicts that  
7 Mr. Adrian just read, are those your true verdicts?

8 JUROR NO. 11: Yes, Your Honor.

9 THE COURT: Thank you.

10 THE CLERK: Junior No. 12, are each of these your  
11 true verdicts?

12 JUROR NO. 12: Yes.

13 THE COURT: Mr. Adrian, please record the verdicts  
14 in the minutes of the court.

15 Ladies and gentlemen of the jury, we've come to a  
16 time now where you are discharged as jurors in this  
17 case. We began this process, I did, by telling you how  
18 important it was, and counsel certainly emphasized this  
19 throughout the jury selection process, how important it  
20 was to have a fair and impartial jury in this case.  
21 And I know that's what we achieved.

22 I can't tell you how grateful I am for the service  
23 that you have provided. This is a constitutional  
24 right, and you have been instrumental in guaranteeing

1 that constitutional right. You have the thanks of this  
2 Court and I am certain that you have the thanks of the  
3 parties.

4 Now, up until this time I have said to you you  
5 cannot speak with anyone. Only if you're comfortable  
6 doing so, you are permitted to speak with people about  
7 the case. And you are permitted to speak with counsel  
8 if you are comfortable doing so, but remember you do  
9 not have to speak to anyone about this case.

10 It's clear to me that the deliberation and the  
11 attention paid to the case was complete with respect to  
12 all of you as jurors. And I want to thank you very  
13 much for the time and attention that you dedicated to  
14 this case. At this time you are discharged.

15 Deputy Wood.

16 DEPUTY WOOD: All rise for the jury.

17 (Proceedings outside the presence of the jury.)

18 THE COURT: Counsel, we need to set a date for  
19 sentencing in these cases. Okay. We need to set a  
20 date for sentencing. Ms. Hickman, Mr. Picker, timing.  
21 Mr. Prengaman, witnesses, does the State intend to call  
22 witnesses and do I need to set a special set with  
23 regard to these cases?

24 MR. PRENGAMAN: Your Honor, I would request a

1 special set.

2 THE COURT: A special set. Okay. Let's do that,  
3 counsel. My criminal days are Thursdays. We can put  
4 this on at 1 o'clock on a Thursday. I don't have my  
5 calendar. Mr. Adrian, do you have access to my  
6 calendar?

7 THE CLERK: I do not, Your Honor.

8 THE COURT: We have dates?

9 THE CLERK: We do. Ms. Lux will reach out to  
10 counsel.

11 THE COURT: Okay. What we're going to do then is  
12 we'll have Ms. Lux reach out to counsel to set the  
13 sentencing date. So you can all collaborate over  
14 email.

15 Counsel, I want to extend my thanks to all of you  
16 with regard to the way that you approached this case,  
17 the way that went about it, your presentation, your  
18 performance. Thank you. On behalf of the Court thank  
19 you very much. You're all a credit to the profession.  
20 Thank you.

21 Both Ms. Norman and Mr. Williams will remain in  
22 custody.

23 Ms. Hickman.

24 MS. HICKMAN: I have nothing.

1 THE COURT: Thank you so much, counsel. We're  
2 adjourned.

3 (The proceedings were concluded 5:53 p.m.)

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1 STATE OF NEVADA )  
2 ) ss.  
3 COUNTY OF WASHOE )

4 I, LORI URMSTON, Certified Court Reporter, in and  
5 for the State of Nevada, do hereby certify:

6 That the foregoing proceedings were taken by me  
7 at the time and place therein set forth; that the  
8 proceedings were recorded stenographically by me and  
9 thereafter transcribed via computer under my  
10 supervision; that the foregoing is a full, true and  
11 correct transcription of the proceedings to the best  
12 of my knowledge, skill and ability.

13 I further certify that I am not a relative nor an  
14 employee of any attorney or any of the parties, nor am  
15 I financially or otherwise interested in this action.

16 I declare under penalty of perjury under the laws  
17 of the State of Nevada that the foregoing statements  
18 are true and correct.

19 DATED: At Reno, Nevada, this 2nd day of  
20 September, 2021.

21  
22 LORI URMSTON, CCR #51

23  
24 The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second  
Judicial District Court, in and for the County of  
Washoe.

22

## CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 11th day of January 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Jennifer P. Noble, Chief Appellate Deputy,  
Washoe County District Attorney

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

Ryan Williams (#96845)  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702

John Reese Petty  
Washoe County Public Defender's Office