

Electronically Filed  
May 17 2022 01:32 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1 **NOAS**

2 DARIN F. IMLAY, PUBLIC DEFENDER  
3 NEVADA BAR No. 5674  
4 309 South Third Street, Suite 226  
5 Las Vegas, Nevada 89155  
6 (702) 455-4685  
7 Attorney for Defendant

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 THE STATE OF NEVADA, )  
11 )  
12 Plaintiff, ) CASE NO. C-20-352400-1  
13 v. ) DEPT. NO. XXX  
14 MARK SIMS, )  
15 Defendant. )  

---

 **NOTICE OF APPEAL**

16 TO: THE STATE OF NEVADA

17 STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY,  
18 NEVADA and DEPARTMENT NO. XXX OF THE EIGHTH JUDICIAL  
19 DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE  
COUNTY OF CLARK.

20 NOTICE is hereby given that Defendant, Mark Sims,  
21 presently incarcerated in the Nevada State Prison, appeals to the  
22 Supreme Court of the State of Nevada from the judgment entered  
23 against said Defendant on the 13<sup>th</sup> day of April, 2022, whereby he  
24 was convicted of Ct. 1 - Battery by Strangulation; Ct 2 - Battery  
25 Constituting Domestic Violence and the Defendant being present in  
26 court and pursuant to revocation or probation proceedings,  
27 probation reinstated with added conditions: 1) Temporary  
28 revocation of ninety (90) days flat time in Clark County Detention

Center; 2) Upon release, return on probation with the same conditions as previously imposed; 3) Stay away from the victim.

DATED this 11<sup>th</sup> day of May, 2022.

DARIN F. IMLAY  
CLARK COUNTY PUBLIC DEFENDER

By: /s/ Robert J. Schmidt  
ROBERT J. SCHMIDT, #14611  
Deputy Public Defender  
309 S. Third Street, Ste. 226  
Las Vegas, Nevada 89155  
(702) 455-4685

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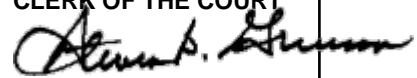
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District Attorneys Office  
E-Mail Address:

Jennifer.Garcia@clarkcountyda.com

/s/ Carrie M. Connolly  
Secretary for the  
Public Defender's Office



**CAS**

DARIN F. IMLAY, PUBLIC DEFENDER  
NEVADA BAR No. 5674  
309 South Third Street, Suite 226  
Las Vegas, Nevada 89155  
(702) 455-4685  
Attorney for Defendant

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-20-352400-1
	)	
v.	)	DEPT. NO. XXX
	)	
MARK SIMS,	)	
	)	
Defendant.	)	
	)	

**CASE APPEAL STATEMENT**

1. Appellant filing this case appeal statement:  
Mark Sims.

2. Judge issuing the decision, judgment, or order  
appealed from: Jerry A. Wiese II.

3. All parties to the proceedings in the district  
court (the use of et al. To denote parties is prohibited): The  
State of Nevada, Plaintiff; Mark Sims, Defendant.

4. All parties involved in this appeal (the use of  
et. al. to denote parties is prohibited): Mark Sims, Appellant;  
The State of Nevada, Respondent.

1                   5.    Name, law firm, address, and telephone number of  
2 all counsel on appeal and party or parties whom they represent:

3 DARIN F. IMLAY  
4 Clark County Public Defender  
309 South Third Street, #226  
5 Las Vegas, Nevada 89155-2610

STEVEN B. WOLFSON  
Clark County District Attorney  
200 Lewis Avenue, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89155

6 Attorney for Appellant

AARON D. FORD  
Attorney General  
100 North Carson Street  
8 Carson City, Nevada 89701-4717  
(702) 687-3538

9 Counsel for Respondent

10                   6.    Whether appellant was represented by appointed or  
11 retained counsel in the district court: Appointed.

12                   7.    Whether appellant is represented by appointed or  
13 retained counsel on appeal: Appointed.

14                   8.    Whether appellant was granted leave to proceed in  
15 forma pauperis, and the date of entry of the district court  
16 order granting such leave: N/A.

17                   9.    Date proceedings commenced in the district court  
18 (e.g., date complaint, indictment, information, or petition was  
19 filed): Information filed 11/25/20.

20 DATED this 11th day of May, 2022.

21 DARIN F. IMLAY  
22 CLARK COUNTY PUBLIC DEFENDER

23  
24 By: /s/Robert J. Schmidt  
25 ROBERT J. SCHMIDT, #14611  
26 Deputy Public Defender  
309 S. Third Street, Ste. 226  
27 Las Vegas, Nevada 89155  
(702) 455-4685

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District Attorneys Office  
E-Mail Address:

Eileen.Davis@clarkcountyda.com

Secretary for the  
Public Defender's Office

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. C-20-352400-1**

State of Nevada  
vs  
Mark Sims

§  
§  
§  
§  
§  
§  
§  
§

Location: **Department 30**  
Judicial Officer: **Wiese, Jerry A.**  
Filed on: **11/25/2020**  
Cross-Reference Case Number: **C352400**  
Defendant's Scope ID #: **7528113**  
ITAG Case ID: **2441518**  
Lower Court Case Number: **20CR028546**

**CASE INFORMATION**

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. BATTERY BY STRANGULATION Arrest: 11/25/2020	200.481.2b	F	09/19/2020	Case Status:	<b>04/13/2022 Closed</b>
2. BATTERY CONSTITUTING DOMESTIC VIOLENCE	200.485.1a	M	09/19/2020		

**Statistical Closures**

04/13/2022 Guilty Plea with Sentence (before trial) (CR)  
03/18/2022 Guilty Plea with Sentence (before trial) (CR)  
06/29/2021 Other Manner of Disposition - Criminal  
04/01/2021 Guilty Plea with Sentence (before trial) (CR)





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

Case Number C-20-352400-1  
Court Department 30  
Date Assigned 11/25/2020  
Judicial Officer Wiese, Jerry A.

**PARTY INFORMATION**
















		Lead Attorneys
<b>Defendant</b>	<b>Sims, Mark</b>	<b>Public Defender</b> <i>Public Defender</i> 702-455-4685(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)

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

11/25/2020	 Criminal Bindover [1]	In #1
11/25/2020	 Criminal Bindover - Confidential [2]	In #2
11/25/2020	 Amended Criminal Bindover [3]	In #3
11/25/2020	 Amended Criminal Bindover - Confidential [4]	In #4



**CASE SUMMARY**  
**CASE NO. C-20-352400-1**

11/25/2020	 Information Party: Plaintiff State of Nevada <i>[5] Information</i>	In #5
11/30/2020	 Guilty Plea Agreement Party: Defendant Sims, Mark <i>[6] Guilty Plea Agreement</i>	In #6
12/30/2020	 PSI <i>[7]</i>	In #7
02/09/2021	 Order <i>[8] Certificate of Materiality</i>	In #8
02/09/2021	 Order <i>[9] Certificate of Materiality</i>	In #9
04/01/2021	 Judgment of Conviction <i>[10] JUDGMENT OF CONVICTION</i>	In #1
06/02/2021	 Probation Violation Report <i>[11]</i>	In #1
06/29/2021	 Criminal Order to Statistically Close Case <i>[12] Criminal Order to Statistically Close Case</i>	In #1
09/16/2021	 Probation Violation Report <i>[13]</i>	In #1
10/26/2021	 Probation Violation Report <i>[14]</i>	In #1
11/01/2021	 Notice <i>[15] State's Notice of Exhibits for Revocation Hearing</i>	In #1
01/07/2022	 Probation Violation Report <i>[16]</i>	In #1
01/09/2022	 Transcript of Proceedings <i>[17] Reporter's Transcript of Waiver of Preliminary Hearing</i>	In #1
01/12/2022	 Amended Judgment of Conviction <i>[18] Amended Judgment of Conviction</i>	In #1
02/01/2022	 Probation Violation Report - Supplemental <i>[19]</i>	In #1

# CASE SUMMARY

CASE NO. C-20-352400-1

02/14/2022	 Probation Violation Report [20]	In #2
03/01/2022	 Notice [21] State's Notice of Exhibits for Revocation Hearing	In #2
03/13/2022	 Order [22] EX PARTE ORDER FOR TRANSCRIPT	In #2
03/13/2022	 Order [23] EX PARTE ORDER FOR TRANSCRIPT	In #2
03/13/2022	 Order [24] EX PARTE ORDER FOR TRANSCRIPT	In #2
03/13/2022	 Order [25] EX PARTE ORDER FOR TRANSCRIPT	In #2
03/18/2022	 Amended Judgment of Conviction [26] ORDER FOR REVOCATION OF PROBATION AND AMENDED JUDGMENT OF CONVICTION	In #2
04/13/2022	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada [27] Recorder's Transcript of Hearing Re: Revocation of Probation June 24, 2021	In #2
04/13/2022	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada [28] Recorder's Transcript of Hearing Re: Revocation of Probation September 30, 2021	In #2
04/13/2022	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada [29] Recorder's Transcript of Hearing Re: Revocation of Probation November 2, 2021	In #2
04/13/2022	 Recorders Transcript of Hearing Party: Plaintiff State of Nevada [30] Recorder's Transcript of Hearing Re: Revocation of Probation February 1, 2022	In #2
04/13/2022	 Amended Judgment of Conviction [31] AMENDED JUDGMENT OF CONVICTION	In #2
04/22/2022	 Order [32] Expedited Ex Parte Application and Order for Transcript	In #2
05/06/2022	 Recorders Transcript of Hearing [33] Recorder's Transcript of Hearing: Revocation of Probation - Hearing Date 3/3/2022	In #2
05/11/2022	 Notice of Appeal (Criminal)	In #2

# CASE SUMMARY

CASE NO. C-20-352400-1

In  
#:

[34] Notice of Appeal

05/11/2022



Case Appeal Statement

[35] Case Appeal Statement

## DISPOSITIONS

11/30/2020

**Plea** (Judicial Officer: Wiese, Jerry A.)

1. BATTERY BY STRANGULATION

Guilty

PCN: Sequence:

2. BATTERY CONSTITUTING DOMESTIC VIOLENCE

Guilty

PCN: Sequence:

03/11/2021

**Disposition** (Judicial Officer: Wiese, Jerry A.)

1. BATTERY BY STRANGULATION

Guilty

PCN: Sequence:

2. BATTERY CONSTITUTING DOMESTIC VIOLENCE

Guilty

PCN: Sequence:

03/11/2021

**Adult Adjudication** (Judicial Officer: Wiese, Jerry A.)

1. BATTERY BY STRANGULATION

09/19/2020 (F) 200.481.2b (DC54735)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:12 Months, Maximum:36 Months

Suspended-Period of Probation: Indeterminate, Not To Exceed: 24 Months

Condition

1. Standard Conditions

2. Obtain High School Diploma or GED

3. Mental Health Evaluation

4. Substance Abuse Evaluation

5. No Contact, with the victim

6. Pay Restitution

7. Maintain Full-Time Employment, of at least THIRTY (30) hours per week, or complete SIXTEEN (16) hours of community service work each month. Deft. DIRECTED to work with P & P to do a combination of both education and work.

8. Digital Storage Media, You shall submit your digital storage media or any digital storage media that you have or use, including computers, handheld communication device and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agents.

Fee Totals:

Administrative

Assessment Fee

25.00

\$25

DNA Analysis Fee

150.00

\$150

Genetic Marker

3.00

Analysis AA Fee

\$3

Indigent Defense

250.00

Civil Assessment

Fee - ASK

Fee Totals \$

428.00

**CASE SUMMARY****CASE NO. C-20-352400-1**

03/11/2021	<b>Adult Adjudication</b> (Judicial Officer: Wiese, Jerry A.) 2. BATTERY CONSTITUTING DOMESTIC VIOLENCE 09/19/2020 (M) 200.485.1a (DC50235) PCN: Sequence:												
	<hr/> Comment (Credit For Time Served)												
09/30/2021	<b>Amended Adult Adjudication</b> (Judicial Officer: Wiese, Jerry A.) Reason: Probation Reinstated Condition(s) Added 1. BATTERY BY STRANGULATION 09/19/2020 (F) 200.481.2b (DC54735) PCN: Sequence:												
	<hr/> Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:36 Months Suspended-Period of Probation: Indeterminate, Not To Exceed: 24 Months Condition 1. Standard Conditions 2. Obtain High School Diploma or GED 3. Mental Health Evaluation 4. Substance Abuse Evaluation 5. No Contact, with the victim 6. Pay Restitution 7. Maintain Full-Time Employment, of at least THIRTY (30) hours per week, or complete SIXTEEN (16) hours of community service work each month. Deft. DIRECTED to work with P & P to do a combination of both education and work. 8. Digital Storage Media, You shall submit your digital storage media or any digital storage media that you have or use, including computers, handheld communication device and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agents. Fee Totals: <table> <tr> <td>Administrative Assessment Fee</td><td>25.00</td></tr> <tr> <td>\$25 DNA Analysis Fee</td><td>150.00</td></tr> <tr> <td>\$150 Genetic Marker Analysis AA Fee</td><td>3.00</td></tr> <tr> <td>\$3 Indigent Defense Civil Assessment</td><td>250.00</td></tr> <tr> <td>Fee - ASK</td><td></td></tr> <tr> <td><b>Fee Totals \$</b></td><td><b>428.00</b></td></tr> </table> Comment (Probation Reinstated 09/30/2021) Condition 1. CCDC Confinement, Temporary revocation of probation for TWENTY (20) DAYS with TWENTY (20) DAYS credit for time served. 2. Intensive Supervision, for SIXTY (60) DAYS upon release from custody. Defendant s time on Intensive Supervision is to run CONCURRENT with case C-20-352764-1 for a TOTAL of SIXTY (60) DAYS between both cases.	Administrative Assessment Fee	25.00	\$25 DNA Analysis Fee	150.00	\$150 Genetic Marker Analysis AA Fee	3.00	\$3 Indigent Defense Civil Assessment	250.00	Fee - ASK		<b>Fee Totals \$</b>	<b>428.00</b>
Administrative Assessment Fee	25.00												
\$25 DNA Analysis Fee	150.00												
\$150 Genetic Marker Analysis AA Fee	3.00												
\$3 Indigent Defense Civil Assessment	250.00												
Fee - ASK													
<b>Fee Totals \$</b>	<b>428.00</b>												
11/02/2021	<b>Amended Adult Adjudication</b> (Judicial Officer: Wiese, Jerry A.) Reason: Probation Reinstated Condition(s) Added 1. BATTERY BY STRANGULATION 09/19/2020 (F) 200.481.2b (DC54735) PCN: Sequence:												
	<hr/> Sentenced to Nevada Dept. of Corrections Term: Minimum:12 Months, Maximum:36 Months Suspended-Period of Probation: Indeterminate, Not To Exceed: 24 Months Condition 1. Standard Conditions 2. Obtain High School Diploma or GED 3. Mental Health Evaluation 4. Substance Abuse Evaluation 5. No Contact, with the victim												

**CASE SUMMARY****CASE NO. C-20-352400-1**

6. Pay Restitution

7. Maintain Full-Time Employment, of at least THIRTY (30) hours per week, or complete SIXTEEN (16) hours of community service work each month. Deft. DIRECTED to work with P & P to do a combination of both education and work.

8. Digital Storage Media, You shall submit your digital storage media or any digital storage media that you have or use, including computers, handheld communication device and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agents.

## Fee Totals:

Administrative Assessment Fee	25.00
DNA Analysis Fee	150.00
Genetic Marker Analysis AA Fee	3.00
Indigent Defense Civil Assessment Fee - ASK	250.00

Fee Totals \$	428.00
---------------	--------

Comment (Probation Reinstated 09/30/2021)

## Condition

1. CCDC Confinement, Temporary revocation of probation for TWENTY (20) DAYS with TWENTY (20) DAYS credit for time served.
2. Intensive Supervision, for SIXTY (60) DAYS upon release from custody. Defendant s time on Intensive Supervision is to run CONCURRENT with case C-20-352764-1 for a TOTAL of SIXTY (60) DAYS between both cases.

Comment (11/2/21 Probation Reinstated with Added Conditions)

## Condition

1. CCDC Confinement, SERVE THIRTY (30) DAYS FLAT TIME in Clark County Detention Center (CCDC), WITH ZERO (0) DAYS credit for time served
2. No Contact, Have no contact with the named victim Ebony Thomas

02/01/2022 **Amended Adult Adjudication** (Judicial Officer: Wiese, Jerry A.) Reason: Probation Reinstated Condition(s) Added

1. BATTERY BY STRANGULATION

09/19/2020 (F) 200.481.2b (DC54735)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:12 Months, Maximum:36 Months

Suspended-Period of Probation: Indeterminate, Not To Exceed: 24 Months

## Condition

1. Standard Conditions
2. Obtain High School Diploma or GED
3. Mental Health Evaluation
4. Substance Abuse Evaluation
5. No Contact, with the victim
6. Pay Restitution
7. Maintain Full-Time Employment, of at least THIRTY (30) hours per week, or complete SIXTEEN (16) hours of community service work each month. Deft. DIRECTED to work with P & P to do a combination of both education and work.
8. Digital Storage Media, You shall submit your digital storage media or any digital storage media that you have or use, including computers, handheld communication device and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agents.

## Fee Totals:

Administrative Assessment Fee	25.00
DNA Analysis Fee	150.00
Genetic Marker Analysis AA Fee	3.00


**CASE SUMMARY**  
**CASE NO. C-20-352400-1**

\$3  
Indigent Defense  
Civil Assessment 250.00  
Fee - ASK  
Fee Totals \$ 428.00  
Comment (Probation Reinstated 09/30/2021)  
Condition  
1. CCDC Confinement, Temporary revocation of probation for TWENTY (20) DAYS with TWENTY (20) DAYS credit for time served.  
2. Intensive Supervision, for SIXTY (60) DAYS upon release from custody. Defendant s time on Intensive Supervision is to run CONCURRENT with case C-20-352764-1 for a TOTAL of SIXTY (60) DAYS between both cases.  
Comment (11/2/21 Probation Reinstated with Added Conditions)  
Condition  
1. CCDC Confinement, SERVE THIRTY (30) DAYS FLAT TIME in Clark County Detention Center (CCDC), WITH ZERO (0) DAYS credit for time served  
2. No Contact, Have no contact with the named victim Ebony Thomas  
Comment (2/1/22 Probation Reinstated with Added Special Conditions)  
Condition  
1. CCDC Confinement, Temporary revocation of NINETY (90) DAYS Flat Time in the Clark County Detention Center  
2. Additional Condition, Upon release, return on probation with the same conditions as previously imposed  
3. No Contact, Stay away from the victim

03/03/2022 **Amended Adult Adjudication** (Judicial Officer: Wiese, Jerry A.) Reason: Probation Revoked  
1. BATTERY BY STRANGULATION  
09/19/2020 (F) 200.481.2b (DC54735)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections  
Term: Minimum:12 Months, Maximum:36 Months  
Credit for Time Served: 151 Days  
Comment (3/3/22 Probation Revoked)


**HEARINGS**


12/02/2020  **Initial Arraignment** (8:00 AM) (Judicial Officer: Bell, Linda Marie)

**MINUTES**

Plea Entered;  
Journal Entry Details:  
*NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. SIMS ARRAIGNED AND PLED GUILTY TO COUNT 1 - BATTERY BY STRANGULATION (F) and COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE (M). Court ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. CUSTODY 01/14/2021 8:30 AM SENTENCING (DEPT. 29);*

**SCHEDULED HEARINGS**

 **Sentencing** (01/14/2021 at 8:30 AM) (Judicial Officer: Wiese, Jerry A.)  
**01/14/2021, 03/11/2021**

01/14/2021  **Sentencing** (8:30 AM) (Judicial Officer: Wiese, Jerry A.)  
**01/14/2021, 03/11/2021**

Matter Continued;  
See email from counsel dated 03/09/21.  
Defendant Sentenced;  
Journal Entry Details:

*Court noted it received Deft's denial into Mental Health Court on both cases. Mr. Schmidt indicated they were ready to go forward and Advised there were no issues pursuant to the Stockmeier decision. DEFT. SIMS ADJUDGED GUILTY as to COUNT 1 - BATTERY BY STRANGULATION (F) and as to COUNT 2 - BATTERY CONSTITUTION DOMESTIC VIOLENCE (M). Argument by Mr. Schmidt. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, \$3.00 DNA Collection fee, and \$250.00 Indigent Defense Civil Assessment fee, Defendant SENTENCED as to COUNT 1 to a MINIMUM of TWELVE*

# CASE SUMMARY

CASE NO. C-20-352400-1

(12) MONTHS and a MAXIMUM of THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC), SUSPENDED; placed on PROBATION for an indeterminate period not to exceed TWENTY-FOUR (24) MONTHS. In addition to the Standard Conditions of the Division of Parole and Probation (P & P), which are IMPOSED, Deft. must comply with the following SPECIAL CONDITIONS: 1. Enter and complete an Adult Education program to obtain High School Diploma or GED. 2. Undergo a mental health evaluation by a licensed professional and complete any recommended treatment. 3. Enter and complete a substance abuse evaluation and complete any treatment deemed necessary. 4. Stay away and have no contact whatsoever with the victim. 5. Pay RESTITUTION in the amount of \$400.00 to Endria Castillo. 6. Maintain full time employment of at least THIRTY (30) hours per week, or complete SIXTEEN (16) hours of community service work each month. Deft. DIRECTED to work with P & P to do a combination of both education and work. 7. You shall submit your digital storage media or any digital storage media that you have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent. COURT FURTHER ORDERED, as to COUNT 2 Defendant SENTENCED to credit for time served. NIC;

Matter Continued;

See email from counsel dated 03/09/21.

Defendant Sentenced;

Journal Entry Details:

Mr. Schmidt noted it's been very difficult to obtain the Deft's medical records to apply to Mental Health Court. Further Mr. Schmidt inquired if the Court is inclined to only give Deft. probation with MHC they will wait for records and apply; but given Deft's minimal criminal history if the court is inclined to grant probation with mental health treatment instead of MHC specifically they would be prepared to proceed. Court noted it generally follows negotiations, therefore, ORDERED matter CONTINUED; if Deft. is accepted to MHC before scheduled date counsel can request to be put on calendar sooner. CUSTODY CONTINUED TO: 02/11/2021 08:30 AM;

06/08/2021



**Revocation of Probation (8:30 AM)** (Judicial Officer: Wiese, Jerry A.)

06/08/2021, 06/24/2021

Matter Continued;

Withdrawn;

Journal Entry Details:

Officer Bonnell of Parole and Probation (P & P) present. Mr. Schmidt advised the matter had not been negotiated. Mr. Kern indicated the underlying case 21-CR-025303 was dismiss at preliminary hearing and was the basis for the revocation. Officer Bonnell advised Defendant was doing fine until the arrest. Upon Court's inquiry, parties agreed to withdraw the violation report. COURT ORDERED, Violation Report WITHDRAWN. Defendant RELEASED as there was no violation if the new case was dismissed. Officer Bonnell requested Defendant report to Parole and Probation on Monday.;

Matter Continued;

Withdrawn;

Journal Entry Details:

Officer Bonnell of Parole and Probation (P & P) present. All parties present via BlueJeans video conferencing. State advised the Defendant had a hearing in his other case on June 16, 2021. Upon counsel's request, COURT ORDERED, matter CONTINUED to trial Defendant's hearing in his other case. IN CUSTODY CONTINUED TO: 06/24/21 8:30 AM;

09/21/2021



**Revocation of Probation (8:30 AM)** (Judicial Officer: Wiese, Jerry A.)

09/21/2021, 09/30/2021

## MINUTES

Matter Continued;

Probation Reinstated;

Journal Entry Details:

All parties present via BlueJeans video conferencing. Court reviewed the violation report with the Defendant. Defendant did not agree to the violations and advised that he had documents to prove that he was in compliance. Mr. Schmidt advised the Defendant was enrolled in a GED program but he lost his enrollment when he was detained. Upon Court's inquiry regarding Defendant's new case, Mr. Schmidt advised the case was dismissed. Parties agreed that this was a technical violation. State requested the Court find Defendant guilty of a technical violation for conduct, sentence him to 30 day in custody and add a higher form of monitoring. Mr. schmidt argued in support of reinstatement and advised the Defendant had 20 days in custody. COURT FINDS, Defendant was in violation of probation. COURT ORDERED, probation REINSTATED with the following added conditions: 1. Temporary revocation of probation for TWENTY (20) DAYS with TWENTY (20) DAYS credit for time served. 2. Defendant is to be placed on Intensive Supervision for SIXTY (60) DAYS upon release from custody. Defendant s time on Intensive Supervision is to run CONCURRENT with case C-20-352764-1 for a TOTAL of SIXTY (60) DAYS between both cases. I.S. Defendant was directed to report to Parole and Probation within 48 hours of release from custody.;

# CASE SUMMARY

CASE NO. C-20-352400-1

Matter Continued;  
Probation Reinstated;  
Journal Entry Details:

*All parties present via BlueJeans video conferencing. Mr. Schmidt requested the matter be continued until 9/30/21, which was after Defendant's preliminary hearing in the new case. Mr. Schmidt represented that he had already spoken with Deputy District Attorney Kern regarding the same and Mr. Kern was agreeable to the continuance. COURT ORDERED, matter CONTINUED. IN CUSTODY CONTINUED TO: 09/30/21;*

11/02/2021



**Revocation of Probation (8:30 AM)** (Judicial Officer: Wiese, Jerry A.)

Probation Reinstated;  
Journal Entry Details:

*Mr. Torre informed the Court there is a negotiation which would not result in revocation in this case, pointing out this is the second technical violation, and the Defendant will stipulate to the violations and do thirty days flat time with zero days credit for time served to run concurrent to his other. Mr. Schmidt confirmed the representations. Mr. Torre requested the Defendant not reside with the victim Ebony Thomas in the complaint. Mr. Schmidt stated he spoke with the Defendant regarding the condition. COURT FINDS the Defendant in violation of Probation, and ORDERED, PROBATION REINSTATED WITH ADDED CONDITIONS: 1. SERVE THIRTY (30) DAYS FLAT TIME in Clark County Detention Center (CCDC), WITH ZERO (0) DAYS credit for time served; 2. Have no contact with the named victim Ebony Thomas. NIC;*

01/13/2022



**Revocation of Probation (8:30 AM)** (Judicial Officer: Wiese, Jerry A.)

01/13/2022, 02/01/2022

## MINUTES

Matter Continued;  
Probation Reinstated;  
Journal Entry Details:

*State and Defendant present via BlueJeans video conferencing. Officer Amie of Parole and Probation (P&P) also present via BlueJeans. Court noted this Court's Law Clerk advised the Court was in possession of a supplemental violation report that was dated 1/26/22 and the report was not uploaded in odyssey. State indicated they had exhibits that included Defendant's new criminal complaint, a declaration of arrest, and call logs of Defendant's jail calls. Court advised the Court generally did not accept exhibits now and counsel was usually instructed to file the documents before Court. However, Court accepted the State's Exhibits (see worksheet). Mr. Schmidt advised he had not received the supplemental violation report although he spoke with the State about what was contained in the report. Court reviewed the violation report with the Defendant and Defendant stipulated to a second technical violation. Arguments by counsel. Court found Defendant in violation of probation. COURT ORDERED, PROBATION REINSTATED with ADDED SPECIAL CONDITIONS: 1. Temporary revocation of NINETY (90) DAYS Flat Time in the Clark County Detention Center. 2. Upon release, return on probation with the same conditions as previously imposed. 3. Stay away from the victim. CCDC Court advised State to make sure the Supplemental Violation Report gets filed in odyssey.;*

Matter Continued;  
Probation Reinstated;  
Journal Entry Details:

*All parties present via BlueJeans video conferencing. Officer Amie of Parole and Probation (P & P) present. Upon Court's inquiry, Mr. Schmidt indicated the matter was not negotiated. Court reviewed the violation report with the Defendant. Defendant agreed to the violations therein and Court found Defendant in violation of probation. State advised they were seeking revocation and advised the Defendant had a preliminary hearing on new charges scheduled for 1/18/22. Mr. Schmidt requested the matter be continued to 1/20/22 for the outcome of Defendant's preliminary hearing. State inquired as to whether counsel and the Court received the report and Complaint that was forwarded by Mr. Kern yesterday. Mr. Schmidt confirmed receipt. Court indicated the Court had not seen a copy of said documents. State advised they would submit another copy for the Court's review. COURT ORDERED, matter CONTINUED. IN CUSTODY CONTINUED TO: 01/20/22 8:30 AM;*

02/22/2022



**Request (8:30 AM)** (Judicial Officer: Wiese, Jerry A.)

02/22/2022, 03/03/2022

*P&P's Request re: Revocation of Probation*

Matter Continued;  
Probation Revoked;  
Matter Continued;  
Probation Revoked;  
Journal Entry Details:

*Deputy Public Defender Alex Hubert. Mr. Hubert stating he is standing in for Mr. Schmidt, and requested this matter be continued to a Thursday, as he is waiting on calls. Mr. Kern stated no objection. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 3/3/2022 8:30 A.M. CLERKS NOTE: This Minute Order was prepared*



**CASE SUMMARY**

**CASE NO. C-20-352400-1**

*by listening to the JAVs recording. (4-16-2022 ks);*

DATE

FINANCIAL INFORMATION

**Defendant** Sims, Mark

Total Charges

428.00

Total Payments and Credits

0.00

**Balance Due as of 5/12/2022**

**428.00**

*Heather S. Simon*

CLERK OF THE COURT

**JOC**  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MARK SIMS,  
#7528113

Defendant.

CASE NO: C-20-352400-1

DEPT NO: XXX

**AMENDED JUDGMENT OF CONVICTION  
(PLEA OF GUILTY)**

The defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime(s) of COUNT 1 - BATTERY BY STRANGULATION (Category C Felony - NRS 200.481) and COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE (Misdemeanor - NRS 200.485(1)(A), 200.481(1)(A), 33.018); thereafter, on the 11th day of March, 2021, the defendant was present in court for sentencing with his counsel, ROBERT J. SCHMIDT, ESQ., and good cause appearing,

THE DEFENDANT WAS HEREBY ADJUDGED guilty of said Felony offense as to Count 1 and Misdemeanor as to Count 2 and, in addition to the \$25.00 Administrative Assessment Fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers,

\$3.00 DNA Collection fee, and \$250.00 Indigent Defense Civil Assessment fee, Defendant SENTENCED as to COUNT 1 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections

//

(NDC), SUSPENDED; placed on PROBATION for an indeterminate period not to exceed TWENTY-FOUR (24) MONTHS. In addition to the Standard Conditions of the Division of Parole and Probation (P & P), which are IMPOSED, Deft. must comply with the following SPECIAL CONDITIONS:

1. Enter and complete an Adult Education program to obtain High School Diploma or GED. 2. Undergo a mental health evaluation by a licensed professional and complete any recommended treatment.

3. Enter and complete a substance abuse evaluation and complete any treatment deemed necessary.

4. Stay away and have no contact whatsoever with the victim.

5. Pay RESTITUTION in the amount of \$400.00 to Endria Castillo.

6. Maintain full time employment of at least THIRTY (30) hours per week, or complete SIXTEEN (16) hours of community service work each month. Deft. DIRECTED to work with P & P to do a combination of both education and work.

7. You shall submit your digital storage media or any digital storage media that you have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent.

COURT FURTHER ORDERED, as to COUNT 2 Defendant SENTENCED to credit for time served.

THEREAFTER, on the 24<sup>th</sup> of June 2021, the defendant being present in court with his counsel ROBERT J. SCHMIDT, ESQ. and officer Bonnell of Parole and Probation (P&P), and pursuant to the revocation of probation proceedings, COURT ORDERED, Defendant REINSTATED on probation with the same conditions as previously imposed.

//

//

1           THEREAFTER, on the 30<sup>th</sup> of September 2021, the defendant being present in court  
2 with his counsel ROBERT J. SCHMIDT, ESQ. and pursuant to the revocation of probation  
3 proceedings, COURT ORDERED, probation REINSTATED with the following added  
4 conditions:

5           1. Temporary revocation of probation for TWENTY (20) DAYS with TWENTY (20)  
6 DAYS credit for time served.

7           2. Defendant is to be placed on Intensive Supervision for SIXTY (60) DAYS upon  
8 release from custody. Defendant's time on Intensive Supervision is to run  
9 CONCURRENT with case C-20-352764-1 for a TOTAL of SIXTY (60) DAYS  
10 between both cases.

11           THEREAFTER, on the 2<sup>nd</sup> day of November 2021, the defendant being present  
12 in court with his counsel ROBERT J. SCHMIDT, ESQ. and pursuant to the revocation of  
13 probation proceedings, COURT ORDERED, probation REINSTATED with the following  
14 added conditions: ORDERED, Probation REINSTATED WITH ADDED CONDITIONS:

15           1. SERVE THIRTY (30) DAYS FLAT TIME in Clark County Detention Center  
16 (CCDC) with ZERO (0) DAYS credit for time served;

17           2. Have no contact with Ebony Thomas.

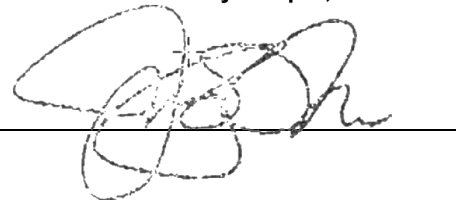
18           THEREAFTER, on the 1<sup>st</sup> day of February 2022, the defendant being present in  
19 court with his counsel ROBERT J. SCHMIDT, ESQ. and pursuant to the revocation of  
20 probation proceedings, COURT ORDERED, probation REINSTATED with the following  
21 added conditions: ORDERED, Probation REINSTATED WITH ADDED CONDITIONS:

22           1. Temporary revocation of NINETY (90) DAYS Flat Time in the Clark County  
23 Detention Center;

24           2. Upon release, return on probation with the same conditions as previously imposed;

25           3. Stay away from the victim.

Dated this 13th day of April, 2022

26  
27  
28  


C78 F7B 34EA 73AD  
Jerry A. Wiese  
District Court Judge

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 State of Nevada

CASE NO: C-20-352400-1

7 vs

DEPT. NO. Department 30

8 Mark Sims  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Amended Judgment of Conviction was served via the court's electronic  
13 eFile system to all recipients registered for e-Service on the above entitled case as listed  
below:

14 Service Date: 4/13/2022

15 Dept 30 Law Clerk	Dept30LC@clarkcountycourts.us
16 Roxana Valladares	Roxana.Valladares@clarkcountynv.gov
17 Lynn Avants	avantsla@ClarkCountyNV.gov
18 LLA Clerk Brown	BrownK@clarkcountycourts.us
19 Robert Schmidt	Robert.Schmidt@clarkcountynv.gov
20 Irina Macinskaia	Irina.Macinskaia@clarkcountynv.gov
21 Melanie Marland	Melanie.marland@clarkcountyda.com
22 Ebeth Palafox	Ebeth.palafox@clarkcountynv.gov

23  
24  
25  
26  
27  
28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 02, 2020**

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C-20-352400-1      State of Nevada  
                                 vs  
                                 Mark Sims

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**December 02, 2020      8:00 AM      Initial Arraignment**

**HEARD BY:** Bell, Linda Marie

**COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Kimberly Estala

**RECORDER:** Trisha Garcia

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. SIMS ARRAIGNED AND PLED GUILTY TO COUNT 1 - BATTERY BY STRANGULATION (F) and COUNT 2 - BATTERY CONSTITUTING DOMESTIC VIOLENCE (M). Court ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing.

CUSTODY

01/14/2021 8:30 AM SENTENCING (DEPT. 29)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 14, 2021**

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C-20-352400-1      State of Nevada  
                                 vs  
                                 Mark Sims

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**January 14, 2021      8:30 AM      Sentencing**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Carina Bracamontez-Munguia

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Afshar, Nima	Attorney
	Schmidt, Robert J.	Attorney
	Sims, Mark	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Schmidt noted it's been very difficult to obtain the Deft's medical records to apply to Mental Health Court. Further Mr. Schmidt inquired if the Court is inclined to only give Deft. probation with MHC they will wait for records and apply; but given Deft's minimal criminal history if the court is inclined to grant probation with mental health treatment instead of MHC specifically they would be prepared to proceed. Court noted it generally follows negotiations, therefore, ORDERED matter CONTINUED; if Deft. is accepted to MHC before scheduled date counsel can request to be put on calendar sooner.

**CUSTODY**

**CONTINUED TO:** 02/11/2021 08:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 11, 2021**

C-20-352400-1      State of Nevada  
vs  
Mark Sims

**March 11, 2021      8:30 AM      Sentencing**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Carina Bracamontez-Munguia

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Schmidt, Robert J.	Attorney
	Sims, Mark	Defendant
	Stanton, David L.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Court noted it received Deft's denial into Mental Health Court on both cases. Mr. Schmidt indicated they were ready to go forward and Advised there were no issues pursuant to the Stockmeier decision. DEFT. SIMS ADJUDGED GUILTY as to COUNT 1 - BATTERY BY STRANGULATION (F) and as to COUNT 2 - BATTERY CONSTITUTION DOMESTIC VIOLENCE (M). Argument by Mr. Schmidt. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, \$3.00 DNA Collection fee, and \$250.00 Indigent Defense Civil Assessment fee, Defendant SENTENCED as to COUNT 1 to a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC), SUSPENDED; placed on PROBATION for an indeterminate period not to exceed TWENTY-FOUR (24) MONTHS. In addition to the Standard Conditions of the Division of Parole and Probation (P & P), which are IMPOSED, Deft. must comply with the following SPECIAL CONDITIONS:

1. Enter and complete an Adult Education program to obtain High School Diploma or GED.
2. Undergo a mental health evaluation by a licensed professional and complete any recommended



treatment.

3. Enter and complete a substance abuse evaluation and complete any treatment deemed necessary.
4. Stay away and have no contact whatsoever with the victim.
5. Pay RESTITUTION in the amount of \$400.00 to Endria Castillo.
6. Maintain full time employment of at least THIRTY (30) hours per week, or complete SIXTEEN (16) hours of community service work each month. Deft. DIRECTED to work with P & P to do a combination of both education and work.
7. You shall submit your digital storage media or any digital storage media that you have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent.

COURT FURTHER ORDERED, as to COUNT 2 Defendant SENTENCED to credit for time served.

NIC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 08, 2021**

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C-20-352400-1      State of Nevada  
                                 vs  
                                 Mark Sims

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**June 08, 2021      8:30 AM      Revocation of Probation**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Lauren Kidd

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Palal, Binu G.	Attorney
	Schmidt, Robert J.	Attorney
	Sims, Mark	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Officer Bonnell of Parole and Probation (P & P) present. All parties present via BlueJeans video conferencing.

State advised the Defendant had a hearing in his other case on June 16, 2021. Upon counsel's request, COURT ORDERED, matter CONTINUED to trial Defendant's hearing in his other case.

IN CUSTODY

CONTINUED TO: 06/24/21 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 24, 2021**

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C-20-352400-1      State of Nevada  
                                 vs  
                                 Mark Sims

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**June 24, 2021**

**8:30 AM**

**Revocation of Probation**

**HEARD BY:** Wiese, Jerry A.

**COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Lauren Kidd

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

**PRESENT:**

Kern, Samuel R.  
Schmidt, Robert J.  
Sims, Mark  
State of Nevada

Attorney  
Attorney  
Defendant  
Plaintiff

**JOURNAL ENTRIES**

- Officer Bonnell of Parole and Probation (P & P) present.

Mr. Schmidt advised the matter had not been negotiated. Mr. Kern indicated the underlying case 21-CR-025303 was dismissed at preliminary hearing and was the basis for the revocation. Officer Bonnell advised Defendant was doing fine until the arrest. Upon Court's inquiry, parties agreed to withdraw the violation report. COURT ORDERED, Violation Report WITHDRAWN. Defendant RELEASED as there was no violation if the new case was dismissed. Officer Bonnell requested Defendant report to Parole and Probation on Monday.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 21, 2021**

C-20-352400-1      State of Nevada  
                                 vs  
                                 Mark Sims

**September 21, 2021      8:30 AM**

**Revocation of Probation**

**HEARD BY:**    Wiese, Jerry A.

**COURTROOM:**    RJC Courtroom 14A

**COURT CLERK:**    Lauren Kidd

**RECORDER:**    Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Schmidt, Robert J.	Attorney
	Sims, Mark	Defendant
	State of Nevada	Plaintiff
	Wyse, Seleste A	Attorney

**JOURNAL ENTRIES**

- All parties present via BlueJeans video conferencing.

Mr. Schmidt requested the matter be continued until 9/30/21, which was after Defendant's preliminary hearing in the new case. Mr. Schmidt represented that he had already spoken with Deputy District Attorney Kern regarding the same and Mr. Kern was agreeable to the continuance. COURT ORDERED, matter CONTINUED.

IN CUSTODY

CONTINUED TO: 09/30/21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****September 30, 2021**

C-20-352400-1      State of Nevada  
vs  
Mark Sims

**September 30, 2021      8:30 AM      Revocation of Probation**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Lauren Kidd

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Kern, Samuel R.	Attorney
	Schmidt, Robert J.	Attorney
	Sims, Mark	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- All parties present via BlueJeans video conferencing.

Court reviewed the violation report with the Defendant. Defendant did not agree to the violations and advised that he had documents to prove that he was in compliance. Mr. Schmidt advised the Defendant was enrolled in a GED program but he lost his enrollment when he was detained. Upon Court's inquiry regarding Defendant's new case, Mr. Schmidt advised the case was dismissed. Parties agreed that this was a technical violation. State requested the Court find Defendant guilty of a technical violation for conduct, sentence him to 30 day in custody and add a higher form of monitoring. Mr. schmidt argued in support of reinstatement and advised the Defendant had 20 days in custody. COURT FINDS, Defendant was in violation of probation. COURT ORDERED, probation REINSTATED with the following added conditions:

1. Temporary revocation of probation for TWENTY (20) DAYS with TWENTY (20) DAYS credit for time served.
2. Defendant is to be placed on Intensive Supervision for SIXTY (60) DAYS upon release from

custody. Defendant s time on Intensive Supervision is to run CONCURRENT with case C-20-352764-1 for a TOTAL of SIXTY (60) DAYS between both cases.

I.S.

Defendant was directed to report to Parole and Probation within 48 hours of release from custody.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 02, 2021**

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C-20-352400-1      State of Nevada  
                                 vs  
                                 Mark Sims

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**November 02, 2021      8:30 AM      Revocation of Probation**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Michelle Jones

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Schmidt, Robert J.	Attorney
	Sims, Mark	Defendant
	State of Nevada	Plaintiff
	Torre, John T.	Attorney

**JOURNAL ENTRIES**

- Mr. Torre informed the Court there is a negotiation which would not result in revocation in this case, pointing out this is the second technical violation, and the Defendant will stipulate to the violations and do thirty days flat time with zero days credit for time served to run concurrent to his other. Mr. Schmidt confirmed the representations. Mr. Torre requested the Defendant not reside with the victim Ebony Thomas in the complaint. Mr. Schmidt stated he spoke with the Defendant regarding the condition. COURT FINDS the Defendant in violation of Probation, and ORDERED, PROBATION REINSTATED WITH ADDED CONDITIONS:

1. SERVE THIRTY (30) DAYS FLAT TIME in Clark County Detention Center (CCDC), WITH ZERO (0) DAYS credit for time served;
2. Have no contact with the named victim Ebony Thomas.

NIC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 13, 2022**

C-20-352400-1      State of Nevada  
vs  
Mark Sims

**January 13, 2022      8:30 AM      Revocation of Probation**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Lauren Kidd

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Marland, Melanie H.	Attorney
	Schmidt, Robert J.	Attorney
	Sims, Mark	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- All parties present via BlueJeans video conferencing. Officer Amie of Parole and Probation (P & P) present.

Upon Court's inquiry, Mr. Schmidt indicated the matter was not negotiated. Court reviewed the violation report with the Defendant. Defendant agreed to the violations therein and Court found Defendant in violation of probation. State advised they were seeking revocation and advised the Defendant had a preliminary hearing on new charges scheduled for 1/18/22. Mr. Schmidt requested the matter be continued to 1/20/22 for the outcome of Defendant's preliminary hearing. State inquired as to whether counsel and the Court received the report and Complaint that was forwarded by Mr. Kern yesterday. Mr. Schmidt confirmed receipt. Court indicated the Court had not seen a copy of said documents. State advised they would submit another copy for the Court's review. COURT ORDERED, matter CONTINUED.

IN CUSTODY



CONTINUED TO: 01/20/22 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 01, 2022**

C-20-352400-1      State of Nevada  
vs  
Mark Sims

**February 01, 2022      8:30 AM      Revocation of Probation**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Lauren Kidd

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Marland, Melanie H.	Attorney
	Schmidt, Robert J.	Attorney
	Sims, Mark	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- State and Defendant present via BlueJeans video conferencing. Officer Amie of Parole and Probation (P&P) also present via BlueJeans.

Court noted this Court's Law Clerk advised the Court was in possession of a supplemental violation report that was dated 1/26/22 and the report was not uploaded in odyssey. State indicated they had exhibits that included Defendant's new criminal complaint, a declaration of arrest, and call logs of Defendant's jail calls. Court advised the Court generally did not accept exhibits now and counsel was usually instructed to file the documents before Court. However, Court accepted the State's Exhibits (see worksheet). Mr. Schmidt advised he had not received the supplemental violation report although he spoke with the State about what was contained in the report. Court reviewed the violation report with the Defendant and Defendant stipulated to a second technical violation. Arguments by counsel. Court found Defendant in violation of probation. **COURT ORDERED, PROBATION REINSTATED with ADDED SPECIAL CONDITIONS:**

1. Temporary revocation of NINETY (90) DAYS Flat Time in the Clark County Detention Center.

2. Upon release, return on probation with the same conditions as previously imposed.
3. Stay away from the victim.

CCDC

Court advised State to make sure the Supplemental Violation Report gets filed in odyssey.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 22, 2022**

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C-20-352400-1      State of Nevada  
                                 vs  
                                 Mark Sims

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**February 22, 2022      8:30 AM      Request**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Lauren Kidd

**RECORDER:** Vanessa Medina

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Kern, Samuel R.	Attorney
	Sims, Mark	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deputy Public Defender Alex Hubert.

Mr. Hubert stating he is standing in for Mr. Schmidt, and requested this matter be continued to a Thursday, as he is waiting on calls. Mr. Kern stated no objection. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 3/3/2022 8:30 A.M.

CLERKS NOTE: This Minute Order was prepared by listening to the JAVs recording. (4-16-2022 ks)

## EXHIBIT(S) LIST

Case No.: C352400

Hearing Date: 02/01/2022

Dept. No.: 30

Judge: Jerry Wise

Court Clerk: Lauren Kidd

**Plaintiff:** State of Nevada

Recorder: Vanessa Medina  
Counsel for Plaintiff: Melanie Marland

Counsel for  
Plaintiff: Melanie Marland

**VS.**

Defendant: Mark Sims

Counsel for Defendant: Rob Schmidt

Counsel for Defendant: Rob Schmidt

## Hearing BEFORE THE COURT

State's EXHIBITS

[illegible]

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; AMENDED JUDGMENT OF CONVICTION (PLEA OF GUILTY); DISTRICT  
COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

MARK SIMS,

Defendant(s).

Case No: C-20-352400-1

Dept No: XXX

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 12 day of May 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



**EIGHTH JUDICIAL DISTRICT COURT  
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER  
200 LEWIS AVENUE, 3<sup>rd</sup> FL.  
LAS VEGAS, NEVADA 89155-1160  
(702) 671-4554

Steven D. Grierson  
Clerk of the Court

Anntoinette Naumec-Miller  
Court Division Administrator

May 12, 2022

Elizabeth A. Brown  
Clerk of the Court  
201 South Carson Street, Suite 201  
Carson City, Nevada 89701-4702

RE: STATE OF NEVADA vs. MARK SIMS  
D.C. CASE: C-20-352400-1

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed May 12, 2022. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

March 3, 2022

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,  
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Heather Ungermann  
Heather Ungermann, Deputy Clerk