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Respondent.

Docket 84724 Document 2023-04813

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MARIO BLADIMIR TREJO
Case No. 84724

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11	Recorder's Transcript Motion for Medical or to Set Reasonable Bail	
12	Date of Hrg: 05/05/21	1148-1150
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14	Date of Hrg: 05/10/21	1151-1167
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Exhibit 2



UMC Hospital
1800 W. Charleston Blvd.
Las Vegas NV 89102

Trejo, Mario
MRN: 0001594017, DOB: 12/2/1990, Sex: M
Adm: 9/3/2018, D/C: 9/11/2018

Consults by Daniel Bemporad, DO at 9/4/2018 9:13 AM (continued)

Insight: fair
Judgment: fair

Assessment – Diagnosis – Goals:

Diagnosis:

1. ^[DB 1] Unspecified depressive disorder
2. Suspicion for antisocial personality disorder, given history of violence, interaction with law enforcement, ^[DB 2] and ^[DB 3] violence as an adolescent. ^[DB 2]

Patient Active Problem List

Diagnosis

- Gun shot wound of chest cavity, right, initial encounter
- Right pulmonary contusion
- Open traumatic subluxation of costochondral joint
- Liver laceration, grade III, with open wound into cavity
- Hemothorax, open, traumatic, initial encounter

Plan:

1. Legal 2000: ^[DB 1] yes - continue for now will reevaluate ^[DB 2]
2. ^[DB 1] Hold psychiatric medications for now, patient is still deciding if he would want a trial of medication and has acute liver injury 2/2 GSW. Recommend primary to start Zoloft 50mg po qday when medically appropriate. ^[DB 2]

Case discussed with attending psychiatrist, Dr. ^[DB 1] Lee ^[DB 2]

Psychiatry team will continue to follow patient during hospital course. Thank you for consultation.

Daniel Bemporad, D.O.
PGY-2 Psychiatry Resident
Pager 77 - 6600 ^[DB 1]

Attribution Key

DB.1 - Daniel Bemporad, DO on 9/4/2018 9:13 AM
DB.2 - Daniel Bemporad, DO on 9/4/2018 3:19 PM
DB.3 - Daniel Bemporad, DO on 9/4/2018 3:31 PM

Consults by Wendy Harrell, RD at 9/10/2018 1:27 PM

Author: Wendy Harrell, RD	Service: (none)	Author Type: Registered Dietitian
Filed: 9/10/2018 1:54 PM	Date of Service: 9/10/2018 1:27 PM	Status: Signed
Editor: Wendy Harrell, RD (Registered Dietitian)		

Clinical Nutrition Follow-up

Exhibit 3



UMC Hospital
1800 W. Charleston Blvd.
Las Vegas NV 89102

Trejo, Mario
MRN: 0001594017, DOB: 12/2/1990, Sex: M
Adm: 9/3/2018, D/C: 9/11/2018

Consults by Wendy Harrell, RD at 9/10/2018 1:27 PM (continued)

Nutrition Follow-up:
9/17/2018

Education Needs: not indicated

Barriers for discharge: no nutrition barriers to discharge noted, IPOC reviewed

Wendy Harrell, RD
9/10/2018^[WH.1]

Attribution Key

WH.1 - Wendy Harrell, RD on 9/10/2018 1:27 PM

Consults by Reza Kazemi, MD at 9/10/2018 3:18 PM

Author: Reza Kazemi, MD	Service: Psychiatry	Author Type: Resident
Filed: 9/10/2018 3:24 PM	Date of Service: 9/10/2018 3:18 PM	Status: Attested
Editor: Reza Kazemi, MD (Resident)		Cosigner: Eden S Lee, MD at 9/11/2018 6:04 PM

Attestation signed by Eden S Lee, MD at 9/11/2018 6:04 PM

I reviewed the case with Dr.Kazemi but did not see the patient. I agree with the assessment and plan as documented in his note.

Psychiatry Follow-up Note

Date of service: 9/10/2018

Initial reason for consult: SI

Subjective:

Mario Trejo, a 27 y.o. male, with no past psychiatric hx here on an L2K after endorsing some SI during his arrest after he was shot by the police. Today pt is doing well. He states that his previous statements were out of frustration and that he does not want to die. He is hopeful and "I wanna live for my 2 little girls at home." Rates his depression as a 5/10 with 10 being the worst he has experienced. Is hopeful towards future. His liver enzymes have improved since admission and he was recently started on Zoloft which he has been tolerating well. Eating/sleeping well. No other complaints.

Review Of Systems:

Medical Review Of Systems:

A comprehensive review of systems was negative.

Current Medications:

Generated on 10/8/18 11:00 AM



UMC Hospital
1800 W. Charleston Blvd.
Las Vegas NV 89102

Trejo, Mario
MRN: 0001594017, DOB: 12/2/1990, Sex: M
Adm: 9/3/2018, D/C: 9/11/2018

Consults by Reza Kazemi, MD at 9/10/2018 3:18 PM (continued)

grandiosity, or unusual preoccupations. No auditory or visual hallucinations noted and the patient does not appear to be responding to internal stimuli.

Sensorium: person, place, time/date and situation

Cognition: grossly intact

Insight: fair

Judgment: fair

Assessment – Diagnosis – Goals

Mario Trejo, a 27 y.o. male, with no past psychiatric hx here on an L2K after endorsing some SI during his arrest after he was shot by the police. Pt is no longer suicidal. He is future oriented and hopeful.

Diagnosis:

1. Adjustment disorder with depressed mood

Patient Active Problem List

Diagnosis

- Gun shot wound of chest cavity, right, initial encounter
- Right pulmonary contusion
- Open traumatic subluxation of costochondral joint
- Liver laceration, grade III, with open wound into cavity
- Hemothorax, open, traumatic, initial encounter

Plan:

1. Legal 2000: Pt no longer meets L2K criteria. Will discontinue legal hold today.
2. Continue Zoloft as prescribed. Continue medical management per primary team.
3. Please reconsult psychiatry with any questions.

This case has been discussed with attending, Dr. Lee.^[RK.1]

Attribution Key

RK.1 - Reza Kazemi, MD on 9/10/2018 3:18 PM

Discharge Summaries by Ty Conrad Olson at 9/10/2018 3:58 PM

Author: Ty Conrad Olson
Filed: 9/10/2018 4:16 PM

Service: Trauma
Date of Service: 9/10/2018 3:58 PM

Author Type: Resident
Status: Deleted by Ty Conrad Olson at 9/17/2018 2:57 AM
Cosign Required: Yes

Editor: Ty Conrad Olson (Resident)
Cosigner: (none)

DISCHARGE SUMMARY

Patient's Name:^[TO.1] Mario Trejo^[TO.2]

Medical Record Number:^[TO.1] 1000284365^[TO.2]

Attending Physician:^[TO.1] Allison McNickle, MD^[TO.2]

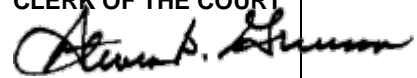
Exhibit 4

143	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:21:38(UTC-7)	Direction: Incoming Body: Commenting some stupid ass shit all the fucken time Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: File System Message Type: App Message	Yes	
143(1)	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:21:38(UTC-7)	Direction: Incoming Body: Commenting some stupid ass shit all the fucken time Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: Physical Message Type: App Message	Yes	
144	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:21:52(UTC-7)	Direction: Incoming Body: All you do is fight and argue Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: File System Message Type: App Message	Yes	
144(1)	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:21:52(UTC-7)	Direction: Incoming Body: All you do is fight and argue Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: Physical Message Type: App Message	Yes	
145	Instagram	7274182036 Vlady sto (owner)	Participants: 7274182036 Vlady sto (owner), 4785902448 princess_royal45	Timestamp: 2018-09-03 11:21:56(UTC-7)	Direction: Outgoing Body: Text me again and i will shoot myself Source Extraction: File System Message Type: App Message	Yes	
145(1)	Instagram	7274182036 Vlady sto (owner)	Participants: 7274182036 Vlady sto (owner), 4785902448 princess_royal45	Timestamp: 2018-09-03 11:21:56(UTC-7)	Direction: Outgoing Body: Text me again and i will shoot myself Source Extraction: Physical Message Type: App Message	Yes	
146	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:22:02(UTC-7)	Direction: Incoming Body: Cant even compliment me anymore Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: File System Message Type: App Message	Yes	

146(1)	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:22:02(UTC-7)	Direction: Incoming Body: Cant even compliment me anymore Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: Physical Message Type: App Message	Yes	
147	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:22:32(UTC-7)	Direction: Incoming Body: Fuck off but when sonia was here all you would do is compliment her and say oh damn girl when i was in the other room and she was doing dishes Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: File System Message Type: App Message	Yes	
147(1)	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:22:32(UTC-7)	Direction: Incoming Body: Fuck off but when sonia was here all you would do is compliment her and say oh damn girl when i was in the other room and she was doing dishes Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: Physical Message Type: App Message	Yes	
148	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:22:37(UTC-7)	Direction: Incoming Body: Whatever idgaf Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: File System Message Type: App Message	Yes	
148(1)	Instagram	4785902448 princess_royal45	7274182036 Vlady sto (owner)	Timestamp: 2018-09-03 11:22:37(UTC-7)	Direction: Incoming Body: Whatever idgaf Participants: Participant Delivered Read Played 7274182036 Vlady sto Source Extraction: Physical Message Type: App Message	Yes	
149	Instagram	7274182036 Vlady sto (owner)	Participants: 7274182036 Vlady sto (owner), 4785902448 princess_royal45	Timestamp: 2018-09-03 11:22:51(UTC-7)	Direction: Outgoing Body: Alright then you want me dead Source Extraction: File System Message Type: App Message	Yes	
149(1)	Instagram	7274182036 Vlady sto (owner)	Participants: 7274182036 Vlady sto (owner), 4785902448 princess_royal45	Timestamp: 2018-09-03 11:22:51(UTC-7)	Direction: Outgoing Body: Alright then you want me dead Source Extraction: Physical Message Type: App Message	Yes	

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
4/7/2022 12:04 PM
Steven D. Grierson
CLERK OF THE COURT



State of Nevada
vs
Mario Trejo

Case No.: C-18-335315-1
Department 24

NOTICE OF HEARING

Please be advised that the Defendant's Motion to Suppress Evidence in the above-entitled matter is set for hearing as follows:

Date: April 27, 2022
Time: 9:30 AM
Location: RJC Courtroom 12C
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

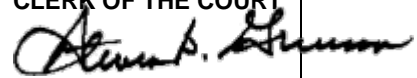
STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Imelda Murrieta
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Imelda Murrieta
Deputy Clerk of the Court



1 NOCH

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5 *****

6 State of Nevada

Case No.: C-18-335315-1

7 vs

Department 24

8 Mario Trejo

9
10 **NOTICE OF VACATED OF HEARING**

11 The hearing on the Motion to Suppress, presently set for 27th of April , at 9:30 AM, has been
12 VACATED.

13
14 STEVEN D. GRIERSON, CEO/Clerk of the Court

15 By: /s/ Imelda Murrieta

16 Imelda Murrieta

17 Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that this 7th day of April, 2022

☒ The foregoing Notice of Change of Hearing was electronically served to all registered parties for case number C-18-335315-1.

☐ I mailed, via first-class, postage fully prepaid, the foregoing Clerk of the Court, Notice of Change of Hearing to:

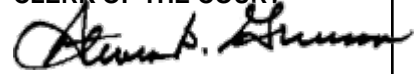
Steven B Wolfson
Clark County District Attorney
200 Lewis Avenue 3rd Floor
Las Vegas NV 89155

☐ I placed a copy of the foregoing Notice of Change of Hearing in the appropriate attorney folder located in the Clerk of the Court's Office:

David L. Stanton
Michael J. Schwartzner
Michael G Giles
Steven B Wolfson
Ronald James Evans
Public Defender
Alexander C. Henry
Mario Bladimir Trejo

/s/ Imelda Murrieta

Imelda Murrieta
Deputy Clerk of the Court



OPPS

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
MICHAEL J. SCHWARTZER
Chief Deputy District Attorney
Nevada Bar #010747
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-

MARIO TREJO,
#2717641

Defendant.

CASE NO: C-18-335315-1

DEPT NO: XXIV

STATE'S OPPOSITION TO DEFENDANT'S MOTION TO SUPPRESS EVIDENCE

DATE OF HEARING: 4/27/2022
TIME OF HEARING: 9:30 AM

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through MICHAEL J. SCHWARTZER, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in Opposition to Defendant's Motion To Suppress Evidence.

This Opposition is made and based upon all the papers and pleadings on file herein, the attached points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On October 4, 2018, an Indictment was filed charging Mario Trejo (hereinafter
4 “Defendant”) with one (1) count of Burglary While in Possession of a Firearm (Category B
5 Felony – NRS 205.060 – NOC 50426); seven (7) counts of Robbery With Use of a Deadly
6 Weapon (Category B Felony – NRS 200.380, 193.165 – NOC 50138); one (1) count of First
7 Degree Kidnapping With Use of a Deadly Weapon (Category A Felony – NRS 200.310,
8 200.320, 193.165 – NOC 50055); two (2) counts of Assault on a Protected Person With Use
9 of a Deadly Weapon (Category B Felony – NRS 200.471 – NOC 50205); one (1) count of
10 Conspiracy to Commit Robbery (Category B Felony – NRS 200.380, 199.480), and one (1)
11 count of Attempt Robbery With Use of a Deadly Weapon (Category B Felony – NRS 200.380,
12 193.330, 193.165 – NOC 50145).

13 On October 15, 2018, Defendant was arraigned in District Court, entered a not guilty
14 plea, and waived his right to a speedy trial within sixty (60) days. On November 28, 2018,
15 Defendant filed a Motion for Setting of Reasonable Bail. On December 18, 2018, the Court
16 denied the Motion. On January 14, 2019, Defendant filed a Motion for Setting Reasonable
17 Bail With Electronic Monitoring. On January 23, 2019, the Court granted the Motion and set
18 Defendant’s bail at \$75,000 with a condition of house arrest.

19 On March 2, 2021, Defendant filed a Motion to Dismiss Counsel. On March 15, 2021,
20 Defendant’s counsel filed a Motion to Withdraw as Attorney of Record. On March 31, 2021,
21 Defendant appeared at a special setting without the State present. The Court conducted a
22 Faretta canvas and granted Defendant’s Motion. Based on Defendant’s representations and
23 arguments, he was not appointed standby counsel.

24 On May 6, 2021, Defendant filed a Motion to Suppress Digital Evidence. On May 11,
25 2021, Defendant filed a Motion to Dismiss State’s Motion of Opposition. On June 2, 2021,
26 the Court denied Defendant’s Motion to Dismiss States Motion of Opposition. On September
27 23, 2021, Defendant filed a Motion to Dismiss Standby Counsel. On October 11, 2021, the
28 Court denied Defendant’s Motion.

1 On November 19, 2021, Defendant filed a Motion Suppress Witness
2 Testimony/Impeachment. On December 2, 2021, the State filed its Response. On December
3 13, 2021, the Court denied Defendant's Motion.

4 On December 13, 2021, Defendant filed a Motion to Dismiss Case/Prosecutorial
5 Misconduct and Perjury. The State filed a Response on December 21, 2021. On January 4,
6 2022, the Court denied Defendant's motion.

7 On February 3rd and 4th, 2022, the Court recanvassed Defendant regarding self-
8 representation pursuant to Miles v. State, 137 Nev. Adv. Op. 78 (2021). After the two-day
9 hearing, the Court held that Defendant could represent himself in this matter.

10 On March 1, 2022, Defendant filed a motion seeking to suppress his confession to both
11 the August 4, 2018, and the September 3, 2018, robbery. The State filed a response on March
12 7, 2022. On March 23, 2022, this Court denied Defendant's motion.

13 On April 6, 2022, after 4 pm, Defendant filed another motion to suppress his
14 confession. It is currently scheduled to be heard on April 27, 2022. Calendar Call for this
15 matter is set for April 11, 2022. Jury trial is scheduled on a firm setting for April 18, 2022.

16 **STATEMENT OF FACTS**

17 On August 4, 2018, Defendant Mario Trejo ("Defendant") attempted to rob the Super
18 Pawn at 1150 South Rainbow Boulevard in Clark County, Nevada. Grand Jury Transcript
19 ("GJT"), October 3, 2018, page 8. Jennifer Incera, a manager at Super Pawn, arrived at work
20 around 8 AM with two other employees and was about to unlock the store when Defendant
21 wearing a black motorcycle helmet, a leather jacket, gloves, and boots ran toward her. GJT, p.
22 8-12. Defendant was armed with a shotgun and pumped it while going toward Jennifer. GJT,
23 p. 12-13. Jennifer yelled at her employees to run. GJT, p. 12-14. Eventually, Jennifer and her
24 employees made it to one of their vehicles and all three of them escaped in that vehicle. GJT,
25 p. 14-15. While driving away, Jennifer noticed Defendant started to follow the vehicle. GJT,
26 p. 16. Eventually, after some maneuvering, Defendant stopped following Jennifer and the
27 other employees. GJT, p. 18. Defendant later confessed to the attempt robbery. GJT, p. 89.

1 On September 3, 2018, Defendant robbed the same Super Pawn during business hours.
2 At about 1:30 PM, Defendant dressed in the same outfit, returned to the Super Pawn armed
3 with a handgun and a rifle and entered the business. GJT, p. 43-46. Using the handgun,
4 Defendant ordered all the employees at gun point to move behind the counters and to sit on
5 the floor. GJT, p. 46-47. Defendant ordered an employee named Adriane Serrano-Bojoglez to
6 open two safes while taking money and placing it inside a backpack that he was carrying. GJT,
7 p. 47-50. Defendant then ordered Ms. Serrano-Bojoglez at gunpoint to open each of the cash
8 registers. GJT, p. 50.

9 After taking jewelry in the same fashion, Defendant became upset that one of the safes
10 was on a time delay. GJT, p. 52-53. Defendant ordered Ms. Serrano-Bojoglez to open the back
11 door to allow him to exit and she informed Defendant that she did not have the proper keys to
12 do this. Id. As police arrive, Defendant exited the business through the front door with the
13 handgun placed to Ms. Serrano-Bojoglez' head. Id. With Ms. Serrano-Bojoglez as a hostage,
14 Defendant began to make his way to a vehicle parked outside the business. GJT, p. 54-57.

15 Police issued commands for Defendant to drop the firearm. Id. At some point,
16 Defendant moved the handgun from Ms. Serrano-Bojoglez' head and aim it at uniformed
17 police officers. GJT, p. 57-60. At this time, Ms. Serrano-Bojoglez seized the moment to grab
18 Defendant's arm and pull it toward the ground as the handgun fired. Id. Ms. Serrano-Bojoglez
19 was able to successfully wrestle the handgun from Defendant however, he began to reach for
20 his second gun—a rifle. Id. As officers observed Defendant reaching for the rifle, they fired
21 striking Defendant and causing him to fall to the ground. Id. Ultimately, Defendant was taken
22 into custody and transported to the hospital for medical care. Id.

23 Detective Joe Patton of the LVMPD Force Investigation Team went to UMC Trauma
24 to interview Defendant. GJT, p. 97. Detective Patton talked with Defendant's treating doctor
25 and got "clearance" from the doctor to talk with Defendant. GJT, p. 97. After getting clearance,
26 Detective Patton talked with Defendant at UMC. See Exhibit 1 (transcript of Defendant's
27 statement to Detective Patton from 9/3/2018) and Exhibit 3 (audio of Defendant's statement
28 from 9/3/2018). Defendant's statement was recorded. Detective Patton read Defendant his

1 Miranda rights and Defendant agreed to speak with detectives. GJT, p. 95. During the
2 interview, Defendant told Detective Patton that he was desperate for money due to previously
3 being shot in a robbery, so he decided to rob the Super Pawn because he used to work at that
4 location. GJT, p. 95 and Exhibit 1. Defendant explained to Detective Patton that he “geared”
5 up at his residence and borrowed a car from his friend who did not know he was planning on
6 doing a robbery. GJT, p. 95 and Exhibit 1. Defendant admitted to bringing a Glock handgun
7 and a rifle to the pawn shop and demanding money from the employees. GJT, p. 95-96. After
8 he got the money and jewelry from the store, he walked out with a woman employee, so the
9 police “wouldn’t shoot at him”. GJT, p. 96. As he was outside, the woman from the pawn store
10 struggled with Defendant for his firearm. GJT, p. 96. A shot went off and eventually Defendant
11 was shot by the police. GJT, p. 96-97. Detective Patton’s interview lasted less than 18 minutes.

12 On September 6, 2018, Detective Jeff Clark of LVMPD Commercial Robbery Section
13 interviewed Defendant at UMC. GJT, p. 88. This interview was also recorded. Defendant was
14 read his Miranda rights, which he agreed to waive in order to talk with detectives. GJT, p. 88
15 and Exhibits 2 (transcript of Defendant’s statement to Detective Clark on 9/6/2018) and 4
16 (audio of Defendant’s statement from 9/6/2018). This interview lasted less than 30 minutes.
17 See Exhibits 2 and 4. During this interview, Defendant admitted to attempting to commit a
18 robbery at the same pawn store on August 4, 2018. Defendant explained to Detective Clark
19 that after he was shot in a robbery, he lost his job and sold all his valuables in order to support
20 his family. Exhibit 2, pg. 5. On August 4, 2018, he talked a friend into helping him rob the
21 Super Pawn. GJT, p. 90. Defendant brought his “AK” to the robbery. Exhibit 2, pg. 7.
22 Defendant used his friend’s car which he described as a dark color Acura, which was the same
23 description the victims provided of the vehicle. Exhibit 2, pg. 7, GJT, p. 10. The pawn store
24 workers saw Defendant approaching with a firearm and ran away from the store. GJT, p. 89
25 and Exhibit 2, pgs. 7-8. While trying to flee from the attempted robbery, Defendant claimed
26 that the vehicle he was in ended up right behind the victims’ vehicle. Exhibit 2, pg. 8. This
27 also matched with what the victims of the robbery told police. GJT, p. 15-17.

28 //

ARGUMENT

I. DEFENDANT’S MOTION SHOULD BE DISMISSED FOR VIOLATING NEVADA RULES OF CRIMINAL PROCEDURE AND LOCAL COURT RULES

Pursuant to Nevada Rules of Criminal Procedure, Rule 8(1)(A): “Unless otherwise provided by law, by these rules, or by written scheduling order entered by the court in the particular case, *all pretrial motions, including motions to suppress evidence*, to exclude or admit evidence, for a transcript of former proceedings, for a preliminary hearing, for severance of joint defendants, for withdrawal of counsel, and all other motions *that by their nature, if granted, delay or postpone the time of trial, must be made in writing and served and filed not less than 15 days before the date set for trial.*” Nev. R. Cri., p.8 (emphasis added). Moreover, “*the court may decline to consider any motion filed in violation of this rule.* The court may, however, consider a motion in limine made later than 15 days before the date of trial if there is good cause for making the motion at a later date. Good cause may include, but is not limited to, that an opportunity to make such a motion before trial did not exist or the moving party was not aware of the grounds for the motion before trial. *A pretrial motion made later than 15 days before the trial date shall be accompanied by an affidavit or declaration demonstrating good cause for making the motion at the later date.*” Nev. R. Cri, p. 8(1)(c) (emphasis added). Further, the local court rules also state: “(u)nless otherwise provided by law or by these rules, *all motions must be served and filed not less than 15 days before the date set for trial. The court will only consider late motions based upon an affidavit demonstrating good cause* and it may decline to consider any motion filed in violation of this rule” Nev. R. Prac. Eight Jud. Dist. Ct. 3.20(a)

Defendant filed this motion less than three (3) court days before the calendar call and under fifteen (15) days before the trial. Further, Defendant fails to provide an affidavit demonstrating good cause for the late filing as required by both the Nevada Rules of Criminal Procedure and Eighth Judicial District Court rules. Any affidavit for the late filing would likely

1 be inadequate since this specific issue has been known to Defendant for at least three years
2 including the entire year that Defendant was representing himself.

3 While Defendant is representing himself, it was made clear to him during his Faretta
4 canvas that he would be held to the same standards as an attorney in front of this court. Despite
5 this warning, Defendant still filed this motion in violation of Rule 3.20 (again) as well as
6 Nevada Rules of Criminal Procedure. This trial has been continued numerous times, none of
7 which were due to the State's actions. Witnesses and victims have been constantly reminded
8 and traumatized by being subpoenaed and pretried for this matter before every setting. The
9 Court noted that this date was firm, and Defendant even wrote to this Court stating he did not
10 want any further continuances. Despite that, Defendant filed this tardy motion, which would
11 delay the proceedings without any indication, as required by law, for why he waited so long
12 to file this motion. Therefore, Defendant's motion should be denied.

13 **II. DEFENDANT'S STATEMENTS WERE VOLUNTARY, AND THE**
14 **STATEMENT SHOULD BE ADMITTED AT TRIAL**

15 If this Court chooses not to dismiss pursuant to EDCR Rule 3.20 or NRCP 8,
16 Defendant's motion should still fail because Defendant's statements were voluntary.

17 Once voluntariness of a confession has been raised as an issue, there must be a hearing
18 pursuant to Jackson v. Denno, 378 U.S. 368, 84 S.Ct. 1774 (1964), before an accused's
19 statements are brought before a jury. At this hearing, the Court must hear evidence concerning
20 what the defendant told the police and the circumstances under which the defendant made the
21 statements. The Court must then decide (1) whether his statement was voluntary using the
22 totality of the circumstances, and (2) whether Miranda was violated. In this regard, Nevada
23 adopted the "Massachusetts rule." See Grimaldi v. State, 90 Nev. 89, 518 P.2d 615 (1974). It
24 is the burden of the defendant to ask for such a hearing. See Wilkins v. State, 96 Nev. 367,
25 372, 609 P.2d 309, 312 (1980).

26 The State's burden of proof at a Jackson v. Denno hearing is a preponderance of the
27 evidence, both with respect to voluntariness (Brimmage v. State, 93 Nev. 434, 567 P.2d 54
28 (1977), Falcon v. State, 110 Nev. 530, 874 P.2d 772 (1994)), and with respect to Miranda.

1 Falcon, 110 Nev. 530, 874 P.2d 772. In making this determination, the Court is to look at the
2 totality of the circumstances. See Alward v. State, 112 Nev. 141, 912 P.2d 243 (1996);
3 Passama v. State, 103 Nev. 212, 735 P.2d 321 (1987).

4 If the Court finds that the statement was involuntary, it ceases to exist legally and cannot
5 be used for any purpose. Mincey v. Arizona, 437 U.S. 385, 98 S.Ct. 2408 (1978). If it was
6 voluntary but Miranda was violated, it can only be used for impeachment if the defendant
7 testifies and contradicts the statement. Harris v. New York, 401 U.S. 222, 91 S.Ct. 643 (1971);
8 Oregon v. Hass, 420 U.S. 714, 95 S.Ct. 1215 (1975); McGee v. State, 105 Nev. 718, 782 P.2d
9 1329 (1989).

10 When a defendant is fully advised of his Miranda rights and makes a free, knowing,
11 and voluntary statement to the police, such statements are fully admissible at trial. Miranda v.
12 Arizona, 384 U.S. 436, 86 S.Ct. 1602 (1966); Stringer v. State, 108 Nev. 413, 417, 836 P.2d
13 609, 611-612 (1992). Coercive police conduct is a “necessary predicate” to a finding that a
14 Defendant’s statement is involuntary such that its admission violates the Defendant’s Due
15 Process rights. Colorado v. Connelly, 479 U.S. 157, 167, 107 S.Ct. 515, 522 (1986)

16 “A confession is admissible only if it is made freely and voluntarily, without
17 compulsion or inducement.” Franklin v. State, 96 Nev. 417, 421, 610 P.2d 732, 734-35 (1980).
18 In order to be considered voluntary, a confession must be the product of free will and rational
19 intellect. Blackburn v. Alabama, 361 U.S. 199, 208, 80 S. Ct. 274, 280 (1960). A confession
20 is involuntary if it is the product of physical intimidation or psychological torture. Townsend
21 v. Sain, 372 U.S. 293, 307, 83 S. Ct. 745, 754 (1963). To determine the voluntariness of a
22 confession, the court must consider the effect of the totality of the circumstances on the will
23 of the defendant. Passama, 103 Nev. at 213, 735 P.2d at 323. Essentially, the question is
24 whether the defendant’s will was overborne when he confessed. Id.

25 In Passama, *supra*, the Nevada Supreme Court, citing Schneckloth v. Bustamonte, 412
26 U.S. 218, 93 S.Ct. 2041 (1973), delineated the following factors to be considered when
27 evaluating the voluntariness of a confession:

28 //

1 the youth of the accused; his lack of education or his low
2 intelligence; the lack of any advice of constitutional rights; the
3 length of detention; the repeated and prolonged nature of
4 questioning; and the use of physical punishment such as the
5 deprivation of food or sleep.

6 Id.

7 The Nevada Supreme Court has examined whether a confession was voluntary or not
8 on several occasions. See e.g., Franklin, 96 Nev. at 421, 610 P.2d at 735 (detective's
9 statements did not amount to promises of leniency inducing defendant to confess, thereby
10 rendering defendant's confession involuntary, where detective promised to release defendant
11 on his own recognizance if he cooperated with authorities from another state and to
12 recommend lighter sentences); Barren v. State, 99 Nev. 661, 664, 669 P.2d 725, 727 (1983)
13 (detective's statement to appellant that he would be "going home" was not a promise of
14 leniency, but rather an ambiguous, but innocuous statement that detective would drive
15 appellant home after the interview); Chambers v. State, 113 Nev. 974, 981, 944 P.2d 805, 809
16 (1997) (where defendant walked into hospital and shouted to anyone around that there was a
17 dead body in his hotel room, and later claimed he did so only because he was intoxicated and
18 not well rested but appeared relatively coherent in his interactions with police, his confession
19 was not involuntary where he was questioned for four hours after having been stabbed).

20 In the instant case, Defendant is in his late 20s and appears to have at least graduated
21 high school. Exhibit 1, pg. 25. Defendant does not appear to have a low IQ based on the
22 evidentiary hearings held previously in this matter and was read his Miranda rights before each
23 interview. Moreover, the questioning on both occasions were relatively short. Detective's
24 Patton's questioning lasted less than 18 minutes and Detective Clark's interview was about 25
25 minutes long. In both interviews, Defendant rapidly confessed to the crimes and provided
26 details only a person involved in the crime would have knowledge of. In fact, on both
27 occasions Defendant was eager to give detectives' the "backstory" for why he committed the
28 robberies. There is no evidence of physical punishment or food/sleep deprivation on the
record. Defendant's answers to questions were logical, intelligent, and responsive. Thus, a

1 review of the totality of the circumstances, clearly demonstrates that Defendant's confessions
2 were made freely and voluntarily, and they should not be suppressed.

3 Defendant makes broad claims without any legal support in his motion. For example,
4 Defendant states that because the medical records show that a Legal 2000¹ hold was put on
5 him his confessions are de facto involuntary. Defendant also broadly claims that because he
6 was being treated for his gunshot wound his statements, even the one that occurred 3 days
7 later, should be suppressed. However, neither of these situations legally mandate a confession
8 involuntary. Defendant per the medical records that he provided demonstrate that Defendant
9 had suicidal ideations, which would lead to a Legal 2000 hold but does not automatically make
10 a confession involuntary. See Alward v. State, 112 Nev. 141, 154, 912 P.2d 243, 251–
11 52 (1996) *overruled in part on other grounds by Rosky v. State*, 121 Nev. 184, 111 P.3d 690
12 (2005) (Defendant was placed on a “mental health hold” after making incriminating
13 statements, the Court found the statements were properly admitted). The courts still use the
14 same analysis for a voluntariness of a statement under such conditions. Moreover, the Nevada
15 Supreme Court has upheld the introduction of a defendant's statement in even more extreme
16 circumstances than the one presented to this court.

17 In Chambers v State, 113 Nev. 974, 944 P.2d 805 (1997), the Supreme Court of Nevada
18 discussed the admissibility of confessions and statements when made after a defendant is
19 advised of his Miranda rights. In that case, Chambers, confessed after four hours of
20 questioning to murdering a man in his hotel room. Defendant had a stab wound and claimed
21 to be intoxicated during the interview. Ultimately, the Nevada Supreme Court affirmed the
22 trial court's decision to allow the statement into evidence. The Chambers Court found that
23 Chambers was not subject to any physical coercion or emotional overreaching. Further, that
24 Chambers did not appear to be under the influence of alcohol or drugs to such a point that he
25 was unable to answer the questions. Instead, Chambers answers to questions were intelligent
26 and logical. It also noted that Chambers was treated politely by the officers, and the transcript

27 ¹ A Legal 2000 involuntary commitment is a procedure whereby a person who appear to be a threat to themselves or others
28 may be involuntarily committed at a health care facility for up to 72 hours. The term “Legal 2000” originates from the
form that is filed to initiate this process. See Whisman v. State, 128 Nev. 944, 381 P.3d 675 (2012) (unpublished
disposition).

1 of the interview reveals that no coercive interrogation techniques were employed. Thus, his
2 confession was deemed voluntary. Chambers, 113 Nev. at 980-981.

3 Similar to Chambers, Defendant was read his Miranda rights, was not subject to
4 physical coercion or emotional overreaching. Moreover, he answered the detectives' questions
5 in a responsive, intelligent, and logical manner. He was also questioned for less than 30
6 minutes on both occasions unlike the four hours of questioning Chambers faced. Thus, while
7 considering the totality of the circumstances in light with the case law, Defendant's statements
8 should not be suppressed.

9 Another case that involves a similar issue is Richard v. State, 134 Nev. 518, 424 P.3d
10 626 (2018) In that case, Richard was questioned by robbery detectives while in the hospital
11 with a gunshot wound. The Nevada Supreme Court noted that Richard was shot in the calf,
12 broke his leg, and lost enough blood to soil his clothes and leave a bloody trail. Richard, 134
13 Nev. at 526. Police interviewed Richard while he was lying in a hospital gurney in the
14 emergency room. Id. The Nevada Supreme Court noted that the detective who did the
15 interview with Richard did not talk with Richard's treating physician about Richard's medical
16 treatment or prescriptions before taking a statement. Id. Despite some of Richard's answer not
17 being directly responsive to the question, the Nevada Supreme Court still found statement was
18 properly admitted based on Richard's calm demeanor and mostly logical answers. Id.

19 The Nevada Supreme Court also upheld Richard's second interview at the hospital,
20 which occurred later that day. Id., 134 Nev. at 527. Richard argued that the statement should
21 be suppressed because the interview took place late at night at the hospital, that he was shot
22 earlier that day and had undergone surgery. Id. Richard also noted that medical staff needed
23 to have access to him during the interview. Id. However, the Nevada Supreme Court found
24 that in review of Richard's second custodial interview, there is nothing in the record that would
25 undermine the trial court's determination that the statement was voluntary. Id. Thus, despite
26 Defendant's assertion, medical treatment and medication alone does not make a statement
27 involuntary. Also See Wallace v. State, 84 Nev. 603, 605, 447 P.2d 30, 31 (1968) (Nevada
28 Supreme Court affirmed a district court's admission of a confession made about an hour and a

1 half after the defendant shot himself in the face; the defendant made the statement from
2 a hospital gurney surrounded by police, bleeding, and without any medication).

3 **CONCLUSION**

4 Based upon the foregoing, the State respectfully request that this Court takes notice that
5 Defendant motion was untimely and failed to provide good cause for the untimely motion. As
6 a result of this failure, Defendant's motion should be denied pursuant to EDCR Rule 3.20 and
7 NRCR 8.

8 If this Court decides to hear Defendant's motion on its merit despite the numerous
9 procedural failure, the State's position is that Defendant's statements were voluntary and thus
10 admissible. However, due the case law, the State would respectfully request that this Court
11 order a hearing pursuant to Denno. If a Denno hearing is ordered, the State request that
12 Defendant provide a full copy of the medical records he intends to use or reference at the
13 hearing pursuant to NRS 174.245.

14 DATED this 7th day of April, 2022.

15 Respectfully submitted,

16 STEVEN B. WOLFSON
17 Clark County District Attorney
Nevada Bar #001565

18 BY /s/ Michael J. Schwartzer
19 MICHAEL J. SCHWARTZER
20 Chief Deputy District Attorney
Nevada Bar #010747

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CERTIFICATE OF ELECTRONIC MAIL & REGULAR MAIL

I hereby certify that service of the foregoing, was made this 7th day of April, 2022, by
Electronic Mail and by U.S. MAIL, postage pre-paid to:

MARIO TREJO, #2717641
CCDC
330 CASINO CENTER BLVD.
LAS VEGAS, NV
dsdcourtservices@lvmpd.com

/s/ E. Del Padre
Secretary for the District Attorney's Office

MJS/ed/MVU

EXHIBIT 1

VOLUNTARY STATEMENT

PAGE 1

EVENT#: 180903-1848

SPECIFIC CRIME: OFFICER-INVOLVED SHOOTING (NON-FATAL)**DATE OCCURRED:** 09-03-18**TIME OCCURRED:** 1315 HOURS**LOCATION OF OCCURRENCE:** SUPERPAWN
1150 S. RAINBOW BOULEVARD
LAS VEGAS, NV 89146**CITY OF LAS VEGAS****CLARK COUNTY**

NAME OF PERSON GIVING STATEMENT: MARIO TREJO (MT)**DOB:** 12-02-90**SOCIAL SECURITY #:** 680-21-1175**RACE:****SEX:****HEIGHT:****WEIGHT:****HAIR:****EYES:****HOME ADDRESS:** 6420 Ironbark Ln.
Las Vegas, NV 89107**PHONE 1:****PHONE 2:****WORK ADDRESS:**

The following is the transcription of a tape-recorded interview conducted by DETECTIVE J. PATTON (JP), P# 8289, LVMPD FORCE INVESTIGATION TEAM, on 09-03-18 at 1639 hours. Also present is Detective S. Mendoza (SM), P# 6878.

JP: Operator, this is Detective Joe Patton, P-A-T-T-O-N, P# 8289 with the Force Investigation Team, uh, conducting one suspect interview. Um, today's date is September 3rd, 2018. The time of this interview is 1639. I'm conducting an interview with Mario, last name is T-R-E-J-O. His date of birth is 12-2 of 1990. His social is 680-21-1175. His ID number is 2717641. His, uh, address is 6420 Ironbark Lane. Uh, this interview is taking place at UMC Trauma, Bed 1. This interview is in reference to an officer-involved shooting which occurred on September 3rd, 2018 under LVMPD

VOLUNTARY STATEMENT

PAGE 2

EVENT#: 180903-1848

STATEMENT OF: MARIO TREJO (MT)

Event# 180903-1848 at approximately 1310 hours, uh, at the Super Pawn located at 1150 South Rainbow Boulevard. Also present for the interview is my partner, Detective Scott Mendoza. His P# is 6878. Okay, Mario...

MT: Uh-huh.

JP: ...uh, because you are in custody I gotta read you your rights first before we talk, okay. You have the right to remain silent. Anything you say can be used against you in a court of law. You have the right to consult with an attorney before questioning. You have the right to the presence of an attorney during questioning. If you cannot afford an attorney one will be appointed before questioning. Do you understand these rights?

MT: Yes.

JP: Do you still wish to talk to me?

MT: Uh, sure.

JP: Okay, all right, so Mario, my partner and I are here. We work on the Force Investigation Team and we, uh, we conduct criminal investigations when an officer discharges his firearm.

MT: Mm-hm.

JP: And do you understand that's what happened today?

MT: Yeah.

JP: Okay, can you go ahead and tell us what happened today?

MT: I fucked up.

VOLUNTARY STATEMENT

PAGE 3

EVENT#: 180903-1848

STATEMENT OF: MARIO TREJO (MT)

JP: Okay, how did you do that?

MT: Well, I guess I gotta start off with the whole story, right?

JP: Okay, yeah.

MT: Uh, back in October I got shot five times. Um, somebody was trying to rob me. They killed my friend and shot me and, uh, I had a really hard time looking for jobs and everything. Nobody wanted to hire me because of my condition. And, um, I got really desperate, I was losing my home, my bills were getting cut off one by one. I had to feed my kids. I had to pay for medical bills and I got desperate.

JP: Okay.

MT: I wasn't trying to hurt anybody. I just wanted to get money so I could pay my bills and take care of my children.

JP: Okay, are you married right now?

MT: Technically, no.

JP: You live with someone? Is it the...

MT: My wife just left me.

JP: Okay, is it the mother of your children?

MT: Yes.

JP: Okay, how many kids do you have?

MT: Three.

VOLUNTARY STATEMENT

PAGE 4

EVENT#: 180903-1848

STATEMENT OF: MARIO TREJO (MT)

JP: Three kids. And do they all live with you?

MT: They used to.

JP: Until they - she just recently left?

MT: Yes.

JP: How long ago was that?

MT: A week ago.

JP: Okay, so what - what happened today?

MT: I just got desperate. The only, only place I could think of.

JP: The only place you could think of. What place was that?

MT: Super Pawn.

JP: Why is that the only place you could think of?

MT: I used to work there a long time ago.

JP: Oh, how long ago?

MT: Years. Like five, six years.

JP: Any of the employees that are there now do they know you?

MT: One of them does.

JP: Who's that?

MT: Adrian.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
PAGE 5

EVENT#: 180903-1848
STATEMENT OF: MARIO TREJO (MT)

JP: Is that a male or a female?

MT: It's a girl.

JP: Okay, was she there today?

MT: Yes.

JP: How did you get to the Super Pawn today?

MT: I called a friend and I asked him to borrow his car.

JP: Who was that?

MT: My friend Matt.

JP: So you called Matt and asked him to borrow his car?

MT: Yes, sir.

JP: What kind of car is that?

MT: Honestly I don't know.

JP: Do you know what color it was?

MT: White.

JP: So you borrowed Matt's white car?

MT: Yes.

JP: And when did you get that?

MT: About an hour before.

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STATEMENT OF: MARIO TREJO (MT)

JP: Okay.

MT: Ah.

JP: So what happened when you got the car?

MT: Ah, I drove to my house.

JP: Okay, what did you do at your house?

MT: I got ready.

JP: How did you do that?

MT: Ah. I got ready just changed the plates on the car. Uh.

JP: Okay, so you changed the plates on the car. What else did you do?

MT: Put on some gear.

JP: Okay, what kind of gear did you put on?

MT: Shooting gear.

JP: What is that?

MT: It's like a belt.

JP: Like a - like a gun belt?

MT: Yeah.

JP: What color was it?

MT: Tan.

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JP: Okay, how long have you had that?

MT: A couple years or a year or somethin'.

JP: Okay, well, was it - did you get that just from like recreational stuff?

MT: Yes, sir.

JP: Okay.

MT: I've never committed any crimes. I've only shot for my own amusement.

JP: Okay, so like at a range?

MT: Yes.

JP: Okay, so you have a - you have a tan gun belt and do you have a - do you have a gun on that gun belt?

MT: Yeah.

JP: What kind of gun?

MT: It's a Glock.

JP: Is it registered to you or did you purchase it?

MT: I purchased it.

JP: Okay, how long ago did you purchase it?

MT: I don't remember.

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STATEMENT OF: MARIO TREJO (MT)

JP: That's no problem, that's okay. Did you have any other guns other than the - the Glock?

MT: Uh, I had a sub 2000.

JP: A what?

MT: A sub 2000.

JP: What's that?

MT: It's a firearm.

JP: Is it a handgun?

MT: No, it's a carbine.

JP: A carbine. It's like a rifle?

MT: Yeah.

JP: Okay, is it a normal sized rifle or...

MT: Ah, I don't...

JP: Or...

MT: ...I don't know what you was talking about.

JP: I mean, is it like a normal rifle like...

MT: Yeah.

JP: Yeah, or...

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STATEMENT OF: MARIO TREJO (MT)

MT: Hey, can I scoot up a little?

JP: Yeah, man, do whatever you can do to make your comfortable.

MT: It's kinda hard.

JP: Yeah, I can't take that handcuff off.

MT: Ah.

JP: Okay, let me get your pillow there.

MT: Ah.

JP: Is that better?

MT: Ah, a little bit.

JP: Okay.

MT: I'm just in excruciating pain.

JP: Oh, I imagine. You took a bullet right to the center of your chest.

MT: Uh-huh.

JP: And you have a chest tube in so. So you geared up. Did you have any - like a bullet proof vest on or anything?

MT: No, I didn't.

JP: No, what were you wearing today?

MT: Just dress shirt, jeans, some boots.

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STATEMENT OF: MARIO TREJO (MT)

JP: A dress shirt, jeans, and some boots.

MT: Yes.

JP: Okay, so you geared up at your house and you arrived at the Super Pawn in the white car?

MT: Yeah.

JP: Okay, what did you do when you parked?

MT: I walked into the store.

JP: Were you armed with the weapons?

MT: Yes, sir.

JP: Okay, and what was your intention when you walked in the store?

MT: Not to hurt anybody.

JP: Okay, so not hurting anybody.

MT: Yeah.

JP: What were you trying to do?

MT: I was just trying to get money.

JP: Okay, were you able to do that?

MT: Yes.

JP: Do you know how much money you got?

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STATEMENT OF: MARIO TREJO (MT)

MT: No.

JP: Did you - did you get anything else other than money?

MT: Jewelry.

JP: Okay, where did you get that from?

MT: From the girl.

JP: The girl that you know. Did she know it was you?

MT: I don't think she recognized me.

JP: Why is that?

MT: 'Cause I had a mask on.

JP: You had a mask. What kind of mask?

MT: I don't remember.

JP: Was it cloth or...

MT: Yeah.

JP: You had a cloth mask on when you went in the store. Okay, did you have anything else?

MT: And a helmet I think.

JP: You had a helmet on. What kind of helmet? Like a - like a motorcycle helmet or bicycle?

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MT: A motorcycle.

JP: Like a motorcycle helmet, okay.

MT: Ah.

JP: So you don't think she recognized you?

MT: No.

JP: So did you know where everything was in the store 'cause you already worked there?

MT: I mean, kind of. It's been so long.

JP: Okay, so you got some jewelry and some cash.

MT: Yes, sir.

JP: And where'd you put that?

MT: Inside of a back pack.

JP: Okay, then what happened after that?

MT: Everything just got out of control.

JP: How did it get out of control?

MT: I saw cops outside.

JP: So when you were inside the store you saw the cops had already arrived?

MT: Yes.

JP: Okay, so what did you do?

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MT: I got scared. I was just trying to make it to the car and get out of there.

JP: Okay.

MT: I didn't wanna shoot at anybody, I didn't wanna hurt anybody.

JP: Okay, when you were in the store did you point the gun at anyone?

MT: Uh, no, I just - I just waved it.

JP: You waved it around.

MT: Yeah, I wasn't trying to point the gun at anybody.

JP: Okay, did you threaten to use the gun to get the - the property?

MT: No, I told everybody that I wasn't gonna hurt them. I let them know, "I'm not here to hurt you."

JP: Do you know how many people were in the store?

MT: No.

JP: Okay, when you left the store was anyone with you or were you by yourself?

MT: The girl Adrian came out with me.

JP: She came out with you.

MT: Yeah. Ah.

JP: Okay, did she come out with you, um, voluntarily or did you force her out of the store?

MT: I just asked her to come with me.

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STATEMENT OF: MARIO TREJO (MT)

JP: Why is that?

MT: 'Cause I didn't wanna get shot.

JP: So you thought if you had her with you that she - that the cops wouldn't shoot you?

MT: Yeah.

JP: Okay.

MT: I just wanted to get to my car and leave.

JP: And when you - when you walked out with her did you have your arm around her, were you pointing the gun at her?

MT: I don't remember.

JP: Okay.

MT: My adrenalin was high.

JP: Sure, I understand that.

MT: I wasn't trying to hurt her or anybody.

JP: Okay.

MT: I just remember yelling at them to let me go.

JP: You were yelling at the cops to let you go, okay. Um, what happened out in the parking lot?

MT: She started fighting the gun off me.

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JP: Oh, so she was grabbing the gun.

MT: Mm-hm.

JP: Okay.

MT: And then when she grabbed it I guess it accidentally discharged.

JP: Okay, do you know where that round went?

MT: No.

JP: No, you don't know where the gun was pointed?

MT: I was one - trying to point it at the ground so I wouldn't hit anybody.

JP: Okay, and then after...

MT: Ah.

JP: ...after the gun discharged what happened?

MT: Well, after they started shooting I just let her go and then like I tried to run to the car and that's when I got shot.

JP: Okay, so you remember the cops shooting at you.

MT: I just remember getting hit.

JP: What were the cops yelling at you?

MT: I don't remember.

JP: Did you hear 'em yelling?

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MT: No.

JP: You didn't hear the cops yelling at you?

MT: Uh-uh.

JP: Okay.

MT: And my adrenalin was high. I think I had a helmet on.

JP: Okay, did you have keys to the car?

MT: Yes.

JP: Okay, so after you got shot what happened?

MT: I just hit the ground.

JP: Okay.

MT: And then it was over.

JP: And were you taken into custody eventually?

MT: Yeah, but they kept ordering me and I couldn't move. Ah.

JP: Okay, do you know where you got shot?

MT: My chest.

JP: Okay, do you know where you are right now?

MT: Yes.

JP: Where are you now?

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MT: In the hospital.

JP: Okay.

MT: I'm so sorry. I didn't wanna hurt anybody.

JP: No, I understand.

MT: I didn't hurt anybody, right?

JP: No, you didn't hurt anybody. I mean, not physically. You know, people are pretty shook up. You know, it's a pretty traumatic event.

MT: Yes, I'm sorry. I'm just desperate.

JP: So what happened in, uh, what happened in North Town earlier?

MT: North Town? I haven't been to North Town in weeks.

JP: You haven't been to North Town in weeks.

MT: No, sir.

JP: When was the last time you were there?

MT: Weeks.

JP: Were you trying to get money weeks ago in North Town?

MT: No, this is the first time I've ever done something like this.

JP: This is the first time.

?: Straighten that arm out, buddy.

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STATEMENT OF: MARIO TREJO (MT)

MT: Ah.

?: You keep beeping otherwise. I'm sorry.

MT: Yes, sir.

JP: What about in Henderson?

MT: I never tried anything in Henderson.

JP: So you haven't committed any robberies or burglaries?

MT: This is my first time, sir.

JP: And this was just today. So you haven't committed any crimes before?

MT: No.

JP: Okay, so...

MT: The only reason I chose that location was 'cause it was close to my house.

JP: It's close to your house.

MT: Yes.

JP: Okay, and you've worked there before.

MT: Yes.

JP: So that makes sense, okay. Have you - have you ever done that, um, in any years past?

MT: No.

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STATEMENT OF: MARIO TREJO (MT)

JP: You haven't tried to rob that store in years past?

MT: No, sir.

JP: Okay, what did you do before you were shot?

MT: I used to work for T-Mobile.

JP: Like in a store or like as a tech or...

MT: In a store.

JP: Like a salesman in a store?

MT: Yeah.

JP: How long did you work there?

MT: Um, like a year and a half, two years.

JP: Okay, so the - so back in October of last year is when you were shot?

MT: Yes, sir.

JP: And it was a robbery?

MT: Yes, sir.

JP: And where was that?

MT: I was parked, uh, in Desert Inn on Maryland, uh, and some guy jumped in the back of my truck and shot me.

JP: Oh, okay. And he killed your buddy.

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MT: Yes.

JP: On Maryland?

MT: Yes.

JP: Was that a random act of violence?

MT: Yes.

JP: Okay, so you didn't know the guy then?

MT: No.

JP: Okay.

MT: He tried to rob me.

JP: And you got shot five times in your truck?

MT: Yes.

JP: And were you working at T-Mobile at the time?

MT: No, sir.

JP: Straighten your arm out, bud.

MT: No.

JP: You gotta straighten it out or else it'll keep beeping. There you go.

?: It's like a garden hose.

JP: Yeah.

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STATEMENT OF: MARIO TREJO (MT)

?: You're getting beeps.

MT: Ah.

JP: So I'm sorry I missed that. You were working at T-Mobile at the time or no?

MT: No.

JP: No. Okay, at the time you were shot back in October did you have a job?

MT: I had, uh, lost my job recently.

JP: And that was the T-Mobile job? No.

MT: The AT&T job.

JP: AT&T. So it was the same kind of career field.

MT: Yeah.

JP: Like cell - like cell phone sales.

MT: Yeah.

JP: Okay, so you've pretty much been unemployed since just before October last year.

MT: Uh-huh.

JP: Okay, so it kind of started going downhill then?

MT: Ah, yeah, I was in the process of getting another job.

JP: And where was that?

MT: At a bail bonds.

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STATEMENT OF: MARIO TREJO (MT)

JP: And that was recently?

MT: That was in October.

JP: Oh, before you got shot.

MT: Mm-hm.

JP: Okay, but since you've been shot you haven't been able to get a job?

MT: I've tried. Nobody wants - will hire me because of the way I sounded.

JP: Was that because you got shot?

MT: Yeah.

JP: Does it change how you talk?

MT: It did for a time. I just got a stint in my throat.

JP: Oh, okay, does that help?

MT: Yes, I don't sound the same any more.

JP: When did you get the stint?

MT: A couple weeks ago.

JP: Oh, okay. So - so just to recap, you've never committed a robbery before. Have you been arrested for?

MT: For doing normal shit like traffic.

JP: Oh, it's all traffic offense, stuff like that?

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MT: Uh-huh.

JP: Okay, so you never...

MT: Ac- actually one time I got charged with a crime that I didn't commit but I was able to prove that it wasn't me so they dropped it.

JP: Oh, okay - okay. Do you know why the cop shot you?

MT: Yes.

JP: You understand that?

MT: Yeah, I understand that they're trained that way.

JP: Okay.

MT: Ah, I wasn't trying to aim a weapon at him.

JP: You weren't trying to.

MT: No.

JP: It's just the way that it went down.

MT: The girl got the gun and started like trying to wrestle it out of my hand.

JP: Yeah, and then the shot went off?

MT: Yes.

JP: Okay, so if you were like putting yourself in their shoes was it - do you think that would have been confusing to them just arriving to an armed robbery?

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MT: I don't know, sir.

JP: Not sure?

MT: No.

JP: Okay.

MT: Ah.

JP: Detective Mendoza, any questions?

SM: I just have a few questions. Um, so you said you worked at the Super Pawn about a year and a half ago?

MT: No, it was five, six years ago.

SM: Five, six years ago, okay. And - and did Adrian work there, uh, back then as well?

MT: Uh-huh.

SM: Okay, how well do you know Adrian- uh, Adrian?

MT: I went to high school with her.

SM: Went to high school with her, okay.

JP: How do you know she worked there?

MT: I didn't.

JP: Oh, until you went in today?

MT: Yep.

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STATEMENT OF: MARIO TREJO (MT)

JP: And then you recognized her when you went in today?

MT: Yeah.

JP: What high school did you go to?

MT: Rancho.

JP: What year did you graduate?

MT: 2008.

JP: 2008 from Rancho. Rancho a tough school?

MT: Uh, not - not when I went there.

JP: Not when you went there. I heard it was - back in the day it was pretty rough.

MT: Yeah, back in the day...

JP: Oh.

MT: ..but not when I went there.

JP: Got any other questions?

MT: Ah.

SM: Yeah, um, so - so do you keep in touch with her, you know, through Facebook or anything?

MT: I haven't talked to this girl in years.

SM: You don't have her number or anything? You don't talk to her?

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STATEMENT OF: MARIO TREJO (MT)

MT: No, I haven't talked to her in like - since I worked at Super Pawn.

SM: Okay, and that was five or six years ago the last time you talked to her?

MT: Probably.

SM: Okay, so no phone calls, no - no social media, nothin' like that (unintelligible)?

MT: Nah, no, not...

SM: Instagram, nothing like that?

MT: No.

SM: Okay, so when you went in there, um, were - were you talking to her? You had a mask on and a helmet on, were you talking to her at all? Were you instructing her to do things? And what were you telling her to do?

MT: Uh, just to get - get me the money.

SM: Yeah. Did she recognize your voice through the, uh, helmet?

MT: I don't know.

SM: You don't know. Did she act like she recognized you or was she scared?

MT: She wasn't scared.

SM: She wasn't scared.

MT: Ah.

SM: Why do you think that?

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STATEMENT OF: MARIO TREJO (MT)

MT: Just the way she acted. Uh, she's a tough girl.

SM: She's a tough girl, okay. So when you asked her to go outside, I mean...

MT: Sir, can I get some more pain killers?

JP: Oh, I can't issue those but let me get the doctor for you.

MT: Ah.

JP: You know what I can do is I can get you some water here.

MT: Would you please.

JP: Yep.

SM: When you asked her outside, did you grab her or did she go outside with you willingly?

MT: She went with me.

SM: She went with you. Okay, and did you instruct her to do anything while you were outside?

MT: No. Ah.

JP: All right, Mario, is there anything else you'd like to tell us?

MT: I'm so sorry. I didn't mean for any of this to happen like this.

JP: So the rifle, where - where did you get the rifle?

MT: I bought it.

JP: How long ago?

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MT: Ah, I don't remember, sir.

JP: You don't, okay.

MT: Ah.

JP: All right - all right, Operator, this will end the interview. Same persons are present.

Time is 1656.

THIS VOLUNTARY STATEMENT WAS COMPLETED UNIVERSITY MEDICAL CENTER, TRAUMA BED 1, 1800 W. CHARLESTON BOULEVARD, LAS VEGAS, NV 89102, ON THE 3RD DAY OF SEPTEMBER 2018 AT 1656 HOURS.

**JP: SM: (NET TRANSCRIPTS)
FIT2018-036**

**Reviewed by Det. J8289P
09/12/2018**

EXHIBIT 2

EVENT #: LLV180804001158

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EVENT #: LLV180804001158
STATEMENT: MARIO TREJO

investigation involving the crime of Attempted Robbery, which occurred on 08-04-2018, at approximately 0819 hours under LVMPD Event #180804-1158. Mario, because I'm asking you questions about a crime that may or may not have occurred, um, and your involvement in it I'm gonna read you some other things. You have the right to remain silent. Anything you say can be used against you in a court of law. You have the right to an attorney. If you can't afford an attorney one will be provided to you at no cost. Do you understand each of those rights? Do you understand that this conversation's being recorded? Can ...you have to say yes or no cause she can't see you.

A: Yeah.

Q: Okay, so you heard what I say now, uh, operator one second the nurse has to step in time is 1516 I'm gonna pause the recorder. Operator, recording has been restarted time is 1517 hours. Um, Mario, you still remember the rights as I read them to you, correct?

A: Yes sir.

Q: Okay, and you still understand that we're being recorded?

A: Yes sir.

Q: Okay, so you heard what I said here's the thing, um, we came out, we were there with the incident on Monday, but, um, I have a bunch of evidence that proves it's not the first time you tried it there. Alright, so octo...or I'm sorry not October, August 4th, you were there when the manager came in tell me what happened that

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day, and tell me why back in, uh, in August because you did some crazy stuff when it didn't go right for ya'.

A: Well first, uh, I think I gotta start from like the beginning.

Q: Okay.

A: October, October 24th, I got shot.

(Background conversation)

A: I was mindin' my own business, I was actually at my friend's work and, uh, okay. Thank you. Uh, yes please I'm really dehydrated. Um, so pretty much I got shot and that time I had like four months, five months of recovery couldn't really walk or I could hardly do anything I could barely breathe right. Um, I just started being able to breathe right about two weeks ago. And, uh, pretty much, uh, so in this last ten months I've lost everything, I just had to sell everything of value that I own. You know, I have three little girls.

Q: You have two or three?

A: Three.

Q: Three wow.

A: I have, uh, one daughter from, uh, a previous relationship she's six years old. And I have two from this one. Um, and then I got, uh, the other two are two and four months. Two years and four months. Um, pretty much, uh, like it's been, it's just been really difficult for me. I've been tryin' to get a job nobody wanted to hire me cause my breathing is really deep and profound it sounded like, like I was breathing from a ventilator, you know.

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Q: Okay.

A: And so nobody wanted to hire me.

Q: Do you think that's, that was keeping you from gettin' a job?

A: It was.

Q: Okay.

A: Cause I had, I've never been...I've been denied before I got shot, I've been denied from a job like once or twice after interviewin' and, uh, you know every other time that I've applied I've always gotten a job. And, you know, getting desperate, havin' to sell all my stuff, I sold my motorcycle, I sold pretty much everything that was worth, you know, some kinda like monetary value...

Q: Okay.

A: ...that I could sell just to keep up and, uh...

Q: What kinda motorcycle did you have?

A: It was, uh, a Honda, uh, I'm sorry the drugs like...

Q: It's alright...

A: ...it's, uh...

Q: ...take your time.

A: ...a 1300 ...

RR: Cruiser?

A: Yes, what is it called damn, damn, damn so _____.

RR: _____ one of those?

A: Not the _____ the version of _____.

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Q: Yeah, Honda doesn't have a ____ that's, uh, Yamaha I believe.

A: No, no, no it is a 1300 it's like a Honda.

Q: Okay.

A: It was, uh, I think it was a B1300.

Q: Okay.

A: That's what they call it. And, uh, so pretty much ____ like I'd sell everything, get rid of all my valuables and like I'm getting...I was getting to the point where like pretty much, uh, pretty much like I just lost everything, you know.

Q: Okay.

A: Uh, I have no more resources I got, you know, three little girls I gotta take care of, my child support payments and, uh, I got no help from the State, uh, except my wife got food stamps, you know, and, uh, I had just recently applied for, for disability to see if they could help me out _____. Uh, ____ tryin' to help me out with, uh, fixing my truck just from the interior...

Q: Okay.

A: ...so it wasn't all bloody cause the inside of my truck was shot up and bloody and windows blown out and everything.

Q: Okay.

A: Uh...

Q: So they got that all fixed for ya'?

A: Well kinda like, like there's still a lot a details that I couldn't get fixed. I have bullet holes on the outside of the truck still, you know.

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Q: But it was driveable?

A: Right, right.

Q: Okay.

A: Uh, and, uh, just been a really tough year.

Q: So, on August 4th, you go to that same Super Pawn.

A: Well...

Q: There was another guy with ya' I know that, alright. So tell me were the same circumstances the reason you were there?

A: You got it.

Q: Okay, so tell me what happened that day.

A: Well pretty much like, um, we're in the car a worker saw us and they got scared and then we got scared and took off.

Q: So then why'd you chase 'em?

A: I didn't chase 'em. Like I got out of the vehicle and then I just started running.

Q: Okay.

A: I went back to the vehicle and then, uh, I started running back to the vehicle and we took off.

Q: Which gun did you have that day?

A: I don't remember sir.

Q: Was it the shotgun that's still at your house?

A: Uh, no, no it was one of the guns I had _____. Uh _____

Q: There was one that you had so it was the, uh, rifle the Kel Tech?

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A: No, I think it was the AK.

Q: So the other guy had the other gun?

A: Yes sir.

Q: Okay, and, uh, who was the other guy _____?

A: I can't say, man, cause he's, uh, pretty much like I guilt tripped him into _____ help me out and he wasn't even gonna like go in the place.

Q: So it was your idea?

A: And he's the one that, yeah, he's the one that yelled at me to come back like he wasn't gonna do anything.

Q: Whose car was it?

A: It was his.

Q: Okay, what kinda car was it?

A: Uh, it's, uh, Acura, but I'm not sure what kind.

Q: Do you know what color it was?

A: Uh, it's, uh, black...

Q: Okay.

A: ...like dark blue.

Q: Okay, I just wanna make sure you're tellin' me the truth that's all.

A: Yeah.

Q: Cause I already know I've seen the video.

A: Yeah.

Q: Um, so you go you try to get it, but they see you.

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A: Yeah.

Q: So they get scared and start running.

A: Yeah, and then I, I take a few strides towards the door and then he yells at me to come back, he's not doin' this and then I go back and we go and then he tells me that...

Q: Which way did you drive off?

A: Uh, through the back.

Q: Okay, but then you end up right behind the victims.

A: Uh...

Q: Cause where did you go? So you...

A: We went behind...

Q: You went behind...

A: ...where we were at that point we were, we were, we were...

Q: Okay.

A: ...just heading back home.

Q: Which way did you go?

A: We went back to my house.

Q: Okay, so you went did you go east or west on Charleston, towards the Strip or away from the Strip?

A: East.

Q: Okay, and then where did you, did you do anything else, did you turn around, did you...

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STATEMENT: MARIO TREJO

A: No, no, no we went straight home and, uh...

Q: What happened...

A: ...I was just...

Q: ...Torrey Pines?

A: Uh...

Q: The Chevron station.

A: Nothin' he, uh, he waited the light didn't turn green so he kept goin' straight, turned into the Walmart, he turned and then went home.

Q: Okay.

A: And then we just, uh, like he just told me he's like, "Dude it's like I don't know why you talked me into this you're high and I _____ to it but I'm your friend and as your friend I'm tellin' you don't do this this is stupid." And I agreed that I wouldn't do it no more.

Q: So you go back to the same place again?

A: Yeah, I was just...

Q: You knew these people.

A: I was just not I didn't know them I used to work there a long, long time ago like by simple, uh, no what it is called, uh, _____ by coincidence I happened to know the, the, the girl that was MOD that day.

Q: Okay.

A: You know, cause I went to high school with her.

Q: Okay.

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A: And, uh, I didn't heed my friend's warning and I was just desperate like I, I really didn't wanna have to like I lost everything, my wife left me. I lost my kids, um, I babies are my _____. I was angry cause I hadn't been able to make, uh, child support payment in like two months, you know. And the last thing I mean stuff was pretty much I was sellin' it to pay rent and pay child support and pay for my kids' stuff, you know, and, uh, pay for medical bills, paid for stuff like that.

Q: The gun that you used that day or that your friend was using that day, um, can you describe that to me?

A: He used my...I, I gave him my Kel Tech.

Q: Your Kel Tech okay. And you were wearing the motorcycle helmet that day as well?

A: Yes.

Q: But he was wearin' a mask, can you tell me anything about that mask?

A: It was just a cloth mask.

Q: Just a cloth mask?

A: Yeah.

Q: Okay, and what, what color was it?

A: Uh, I think it was like black and white.

Q: Okay.

A: And I think it had like Viking on it.

Q: Alright, and where did that mask end up?

A: I believe I threw it away.

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- Q: Okay, is there anything else at your house from that day?
- A: Uh, the jacket I was wearing.
- Q: The jacket you were wearing from the previous, what kinda jacket were you wearin' on the previous one?
- A: Uh, from that day, from August I was wearing a black, a black leather jacket.
- Q: Okay, and where would that be in your house?
- A: Uh, I think it's hanging up in, uh, on, uh, on a coat hanger.
- Q: Would it be in the hall or in your bedroom or...
- A: Like right when you walk in.
- Q: Now you said your wife no longer lives there?
- A: No.
- Q: Okay, so...
- A: No, she had moved out a couple weeks prior.
- Q: Who would be in that house if I went over there right now?
- A: Nobody. That I know of nobody.
- Q: Does anyone else have access to that house?
- A: Just the landlord.
- Q: Okay, who's your...
- A: Maybe...
- Q: ...landlord?
- A: ...maybe, uh, well usually she goes back and forth between the son and the dad. But the one I usually deal with is Dallas.

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Q: Do you know his last name?

A: It's the son, uh, no I don't I haven't asked him his last name. I had talked to him, gave him the rent and that's it.

Q: Okay.

A: Yeah.

Q: Alright, um, how many weapons are in that house right now?

A: At the moment I think all there is left is the shotgun.

Q: And what else?

A: And that's it maybe a few knives, hunting knives.

Q: Okay.

A: You know.

Q: Um, anything else that shouldn't be in there?

A: Not that I know of sir.

Q: Okay, and any...no one else has access to your house that you're aware of?

A: No, not that I'm aware...maybe my wife, but I don't know if she took a key or not, but I mean I don't know what exactly she took that she moved out.

Q: Alright.

A: Cause I came home one day...

Q: Was your wife with you on the day ofon August 4th?

A: No.

Q: Who was the third...

A: I never...

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Q: ...person in the car?

A: There was no third person. I've never, I've never, I would never involve, involve my wife in something like that.

Q: So until she saw what happened on the news she had no idea?

A: Right, I don't even think...I wasn't even aware she knew what was going on, you know. My wife was no way involved.

Q: Okay.

A: That's why I was asking...

Q: So you...that you were not chasing my victims...

A: No.

Q: ...back on Aug...okay, because you happen to get in right behind them. When you guys pulled out from the back of, of the complex there you came right behind the victims' vehicle they thought you were chasing them. They were freaking out, the 911 call is crazy.

A: No, I wasn't chasing them sir. We were tryin' at that point we had changed our minds that we didn't wanna be there no more. We just...

Q: So what brought you back again this month?

A: Just desperation sir.

Q: Okay.

A: Like I even sold my wife's, uh, wedding ring like I had nothin', at that point I had nothin' left, you know, I had literally nothing left.

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Q: And is that why you went back to that store because you had worked there before and you knew the layout and all that?

A: It's just something I was familiar with so I figured it was the most the best bet for me. And I wasn't in the...I had no intention of hurting anybody, I had no intention of, you know, firing a round at all. I had no intention of every, you know, laying hands on everybody I just wanted to, you know, get enough to pay my bills and get out.

Q: And nobody in the store was aware that you were gonna do this any of the times?

A: No.

Q: Okay.

A: No, by, uh, just, just by pure, just by pure luck I happened to know the girl that tried to wrestle the gun out of my hand and when she wrestled the gun out of my hand the only reason shots were fired is cause she was doin' that. I was attempting to pull the gun down in order to not point at the cops and she was kinda like pulling it up and that's when two rounds were fired from what I remember and then at that point I just kinda like ____ the gun and I tried to run to the car but I got hit.

Q: Okay.

A: And I, and I...

Q: Well you understand the police thought you were shooting at them.

A: Yeah, yeah...

Q: Okay.

A: ...no I understand, but I just, uh, at that point like I thought I died, I honestly thought

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I was dead.

Q: Oh, like my partner said when we first walked in the room, dude, you've survived twice there's a reason for that so this nonsense of desperation and nonsense of going the wrong path...

A: I've never done anything like this.

Q: I know, I've...

A: No_____...

Q: ...I've seen your history you haven't that's why we're all very surprised.

A: I've always, I've always been a hard working guy I just wanted to take care of my family though.

Q: I can understand wantin' to take of family, you understand that I can't agree with the way you...

A: No, I know, I know.

Q: ...went about it, you know. Okay.

A: I'm not, I'm not makin' excuses I know that...

Q: No, you're, you're giving your reasoning.

A: ...I fucked up this was my mistake and I _____anybody but me, you know.

Q: What I wish is that after that scare on August 4th, that you hadn't gone cause you know none of us...

A: I wish..

Q: ...wanna see this.

A: ...I wish this too.

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Q: None of us wanna see you here, none of those guys wanted to do...cause think about that's gonna go through their minds for the rest of their lives too.

A: I know.

Q: So.

A: I'm just thinkin' about my kids like, you know.

Q: Detective Rafferty?

RR: Mario, how do we get a hold of your landlord phone number, address?

A: Uh, I'd have to look in my phone.

RR: Is it in here?

A: I don't know where my phone's at sir.

RR: Okay, okay.

A: I honestly don't know where anything's at I have no clothes, no...

RR: If I can find it let's say it's up at the nurse station or whatever...

A: Uh huh.

RR: ...do we have your permission to go and try to figure out how to get a hold of your landlord is that cool?

A: Yeah.

RR: Okay.

Q: And is it as Dallas in there or...

A: It should be done as Dallas or, um, or as ____.

Q: I'm sorry?

A: Or as ____.

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Q: Parcy?

A: Either one of those two numbers, but you know you could also try _____. I gave this info to your partner or to you're the other guy that came earlier.

Q: Yeah, Detective Chapman?

A: Uh, yeah, and, uh, they, uh, I'm sorry, uh...

Q: It's alright take your time.

A: And then, uh, they said they were gonna try to communicate with, with my wife to see if she had a key cause she might a had a key.

Q: Okay, we'll try to get a hold of somebody cause we don't, dude we don't wanna destroy your property obviously they wanna get the...

A: Uh, yeah, I know.

Q: ...gun and I wanna get the jacket, um...

A: And I don't mind and I don't wanna like have to make my landlord pay for like, yeah.

Q: Okay, there's no drugs or anything in there?

A: Nah.

Q: Okay.

A: I mean there might be a little bit of weed my wife...

Q: Okay.

A: ...smokes weed sometimes.

Q: What I'm worried about is I'm worried about heroin and...

A: Oh no.

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Q: ...fentanyl I...

A: No, no.

Q: ...don't want any of that.

A: I don't mess with any of that stuff sir.

Q: Okay.

RR: Uh, so walk me through what's goin' through your head when you're goin' into do this like what, what's...

A: I'm, I'm...

RR: ...goin' on?

A: ...I'm a nervous wreck sir.

RR: Yeah?

A: I was honestly I stop...I took...I stopped before I went in cause I was just like uncontrolled shaking. I honestly was just more nervous than anything. I think I was more nervous than they were.

RR: Alright.

A: And then, uh, when I stepped through the door they saw me and I just saw everybody scatter and that kinda like prompted me to like just rush in.

RR: Oh shit.

A: And, uh, I thought for a second of just turning around and leaving, but I just that moment in desperation I just ran in and, and started yelling stuff. I didn't even know what I was saying honestly. I just remember the first thing I said was, "You know I'm not here to hurt anybody I just need money." And then I remember the

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girl stepped up and she was like, "Okay, okay," and she started like I guess getting me whatever, you know.

Q: Okay, that was, that was on Monday go back to October 4, um, not October I keep...

A: I just...

Q: ...saying October...

A: ..._____...

Q: ...August 4th.

A: It never had, uh, I never had verbal...

Q: You never had any verbal with him, but when you're sitting in the car, cause you had to wait a little while cause it didn't open on time correct?

A: Right.

Q: So you guys are sittin' in there in the car what's goin' through your head?

A: I'm nervous as well and like, like the whole time my friend was pleading with me to like just let's go, let's not do this, like I'm just gonna go for ...a couple times he turned on the car and like I begged him to just like help me cause I really needed this, you know. I, and I should a listened to him.

Q: That's one hell of a friend dude.

A: And like he knows what I've been through he was, you know, he was with me when I was like in a coma so. I'm just sorry I drug him along with it, you know.

Q: Oh.

RR: So my next question do you have trade skills why not go to like a temp agency or

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something...

A: I did sir.

RR: ..._____ yeah?

A: I've been to, I've applied for places that do like conventions.

RR: Yeah.

A: But at the time like right now I sound normal.

RR: Yeah, yeah, yeah.

A: Cause I have a stent in my throat....

RR: Uh huh.

A: ...that keeps it open and I've had two surgeries, but back then like I say I've been so fucked up that nobody wanted to give me a job.

RR: People were just sketched out by...

A: Mm hmm.

RR: ...your heavy breathing or what?

A: Right, and then that and I could only like I could move like four minutes worth of time and then I would be out of breath cause my throat was closed this tight, like literally like centimeters open. Like the doctor told me I was getting ten percent of the regular oxygen I was supposed to be getting.

RR: Right.

A: And my second operation gave me like 40 percent.

RR: That's good.

A: And then, uh, you know I started applyin' at the last place, uh, by then was Little

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Darlings.

RR: Yeah, like security or somethin'?

A: Yeah, they weren't hiring as ____ security, uh, I've ____ applied at T Mobile several times. The first time that they interviewed me, ____ interviewed me, uh, they were sketched out because the friend that, you know, my other friend that suggested or like put in a word for me told him the whole story that happened to me and then they were kinda like lookin' at me like oh this guy's gonna need like a lot like assistance or you know whatever. So they didn't hire me. Um, I couldn't apply at any, uh, construction jobs anymore cause I couldn't do the work.

RR: Right.

A: Um, I've applied at, you know, I've reapplied at Starbucks, I've reapplied at a Coffee Bean. I've reapplied at like at all these small places that I could do....

RR: Yeah, yeah, yeah.

A: ...do the work without having to kill myself.

RR: What about like clerical stuff, you know what I mean, like your admin/office type stuff, you know...

A: I've never done...

RR: ...something...

A: ...I've never done administrative work.

RR: Well you're in a place in your life where, you know what I mean, that's something maybe, you know what I mean...

A: Yeah.

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RR: ...like lookin' back ____....

A: At the time, at the time ...

RR: ...you know.

A: ...I was applying everything I had experience in.

RR: Yeah.

A: You know sales, talkin' to people, um, you know, like stuff like that.

RR: Yeah, yeah, yeah.

A: _____ that I have, I have experience in.

RR: It's true.

A: I've been plannin' on all these kinda works I've had, you know, like 15 or 16 different applications or interviews I'm sorry.

RR: Right.

A: And like they've all been denied.

RR: It's cause of your breathing?

A: Because of that, mainly because of that. Uh, I applied at the dispensaries, I've applied at temp agencies and like, uh, a couple of dispensaries that I _____ were suggested to me to...through agencies.

RR: Yeah, yeah.

A: And even they tried to like, you know, give me like oh you know like if you, uh, come up with these _____ forms and this and that and I went there and did...do what I had to do I showed up in a tie, you know, a dress shirt.

RR: Okay.

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Q: You alright?

A: _____. It just hurts to like ...

RR: It hurts right there?

A: Yeah.

Q: Any more questions?

RR: Um, if you could _____ people to tell them you _____ whatever, you know what I mean, like if you had that opportunity ...

A: Yeah.

RR: ...would you take that opportunity you want me to give you some pen and paper?

A: I _____.

RR: Scratch 'em a little note a little, little apology letter...

A: I would like to take some...

RR: ..._____ do that?

A: ...I would like to take some time to just like truly, like truly _____ apologize for what I did.

RR: You, you know this is a chance for you to kind of talk to them, not that they were in the same circumstances, you know, but to just kinda give them, uh, a little piece of your mind here, right, so let me get you some paper, um, and see if we can figure out what's wrong this alarm and that's all I got, alright.

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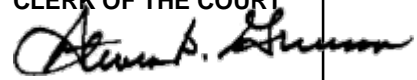
Q: Alright, operator, the same people present, same location, it's gonna be end of interview, time is now 1540 hours.

THIS VOLUNTARY STATEMENT WAS COMPLETED AT UMC HOSPITAL ON THE 6TH DAY OF SEPTEMBER, 2018 AT 1540 HOURS.

JC/RR/cl
18-0494

EXHIBIT 3
AUDIO FILE

EXHIBIT 4
AUDIO FILE



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NEVADA BAR NO. 5674
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
(702) 455-4685
Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

MARIO BLADIMIR TREJO,

Defendant,

CASE NO. C-18-335315-1

DEPT. NO. XXIV

DATE: April 11, 2022
TIME: 8:30 AM

**DEFENDANT'S RESPONSE TO STATE'S MOTION TO PRECLUDE IRRELEVANT
ARGUMENT
(See Attached)**

1 Eight Judicial District court
2 Clark County
3 The state of Nevada
4 Plaintiff, Case No: C-18-335315-1
5 -VS-
6 Mario B. Trejo #2717641 Dept No: 24
7 Defendant.
8

9
10 Response to states motion to preclude irrelevant argument

11 Comes now Mario B. Trejo, Defendant in pro-se
12 with this response to states motion, the state
13 alleges it filed this motion because in a letter
14 to the honorable Judge Ballou, defendant states
15 "I want to show my peers, the way in which this
16 matter was investigated and i prosecuted, that it
17 violates the values which prosecutors and police
18 should adhere to."

19 The state claims that this vague statement
20 implies specifically that defendant intends to
21 argue the following at trial:

22 • Prior prosecutorial misconduct specifically
23 perjury committed on multiple occasions.

24
25 • Defendants medical history to elicit
26 "sympathy" from the jury.

27 However the letter dated march, 22 of 2022
28 was nothing more than a plea to the honorable

1 Judge Ballou to please either set this trial
2 forward or grant me an O.R. release because
3 my health cannot withstand much more time at
4 CCDC, in no way shape or form did defendant
5 hint or allude to some predetermined intent
6 to talk about the states perjurious behavior
7 in the past nor to use his worsening health iss-
8 ues to garner the juries sympathy. The state
9 tries to misconstrue defendants letter in order to
10 reach a different goal which would be to impede
11 the defenses ability to engage the weak points
12 of this case, for example:

13 • The state uses case Delaware V. Vanarsdall
14 to try and limit cross-examination of the witnesses
15 with now alleged concerns of harassment, confusion
16 of the issue and interrogation that is only mar-
17 ginally relevant.

18
19 • The state also uses case Southern Pac. transp.
20 Co. V. Fitzgerald to try to give bourse to their
21 allegation that defendant will try to "confuse
22 or mislead" the jury.

23
24 • The case McKenna V. State was added to
25 insinuate that defendant somehow claims to or
26 intends to attack the witnesses character in a
27 manner not relevant to the case or the truth-
28 fulness of their allegations.

1 These and other cases presented by state in
2 support of their frivolous motion do not
3 pertain to or delineate anything mentioned in the
4 March 22nd of 2022 letter sent to her honor,
5 therefore there is no cause to consider this
6 motion or its points of relevance.

7 The state even claims that "Defendant frege
8 has expressed a desire to make arguments at
9 the jury trial regarding what he perceives as
10 prosecutorial misconduct by the state."

11 If we look at the letter the only thing the
12 defendants claims to desire is:

13
14 1) to show jury of his peers Law enforcements
15 values and american constitutional rights were
16 violated.

17
18 2) freedom to have access to medical care.

19
20 the words "prosecutorial misconduct" are nowhere
21 or even hinted on the letter and this fake
22 allegation comes from the imagination of
23 Michael J. Schwartz.

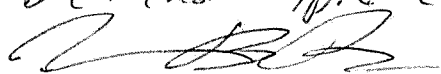
24 When defendant states he is eager to show his
25 peers the way the case was investigated and he
26 prosecuted, he was purposefull to use vague
27 terms in order to not give away any hints
28 in regards to strategy, much less what the

1 argument will be. This letter was not
2 sufficient enough reason to bring about such a
3 desperate response by the state and only
4 serves as insight as to what they fear will
5 come about at trial.

6 Conclusion

7 The defendant request the denial of
8 the states motion and that this honorable
9 court ensure the defendants right to cross-
10 examine witnesses in the matters regarding the
11 case, defendant has no ill intention to use
12 wayward means to achieve victory at trial
13 and has yet made no "irrelevant arguments".
14 Defendant thanks this honorable court for
15 its time, consideration and attention.

16 Dated march, 5th of 2022

17
18 Signed: Mario B. Trejo
19 Defendant, pro-se
20 
21
22
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24
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26
27
28

1 **ORDR**

2
3
4 DISTRICT COURT
5 CLARK COUNTY, NEVADA

6
7 The State of Nevada,
8 Plaintiff(s),

CASE NO. C-18-335315-1

9 v.

DEPT NO. XXIV

10 Mario Trejo,
11 Defendant(s).

12
13
14 **ORDER GRANTING DEFENDANT'S MOTION FOR DISCOVERY PURSUANT TO**
15 **BRADY v. MARYLAND**

16
17 The matter having come before the Court for argument on March 23, 2022, Mr. Trejo
18 representing himself and the State of Nevada represented by Deputy District Attorney,
19 Michael Schwartzer. In his motion, Mr. Trejo noted that he was in receipt of all "testimonial,
20 cellbrite, photographic and crime scenes investigations evidence on paper" and said motion
21 was in order to meet requirements for appeal. The State having filed no objection to said
22 motion and not opposing it orally, Mr. Trejo's Motion is hereby GRANTED

23
24 Dated this 15th day of April, 2022

25 

26 DDA 5BF 48DD FF0C
27 Erika Ballou
28 District Court Judge

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CERTIFICATE OF SERVICE

I hereby certify that on the date e-filed, a copy of the foregoing was electronically served, pursuant to N.E.F.C.R. Rule 9, to all registered parties in the Eighth Judicial District Court Electronic Filing Program.

If indicated below, a copy of the foregoing was also

☐ Mailed by the U.S. Postal Service, postage prepaid, to the proper parties listed below at their last known address(es):

Chapri Wright
Chapri Wright
Judicial Executive Assistant

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 State of Nevada

CASE NO: C-18-335315-1

7 vs

DEPT. NO. Department 24

8 Mario Trejo
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 4/15/2022

15 Public Defender's Office

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21 CCDC Court Services

dsdcourtservices@lvmpd.com

1 **ORDR**

2
3
4 **DISTRICT COURT**
5 **CLARK COUNTY, NEVADA**

6
7 State of Nevada,
8 Plaintiff(s),

CASE NO. C-18-335315-1

9 v.

DEPT NO. XXIV

10 Mario Trejo.,
11 Defendant(s).

12
13
14 **ORDER GRANTING DEFENDANT'S EXPENDITURE REQUEST FOR**
15 **EXPENDITURE ALLOWANCE**

16
17 The matter having come before the Court for argument on March 23, 2022, Mr. Trejo
18 representing himself and the State of Nevada represented by Deputy District Attorney,
19 Michael Schwartzer. In his motion, Mr. Trejo noted that he is indigent as he has been detained
20 in this matter pending trial. Mr. Trejo requests expenses related to retaining an expert for his
21 trial as well as for obtaining transcripts and legal materials during trial. The State having filed
22 no objection to said motion and not opposing it orally, Mr. Trejo's Motion is hereby
23 GRANTED.

24 Dated this 15th day of April, 2022

25 

26
27 **48A 4E0 05CC F5B9**
28 **Erika Ballou**
District Court Judge

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CERTIFICATE OF SERVICE

I hereby certify that on the date e-filed, a copy of the foregoing was electronically served, pursuant to N.E.F.C.R. Rule 9, to all registered parties in the Eighth Judicial District Court Electronic Filing Program.

If indicated below, a copy of the foregoing was also

☐ Mailed by the U.S. Postal Service, postage prepaid, to the proper parties listed below at their last known address(es):

Chapri Wright
Chapri Wright
Judicial Executive Assistant

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-18-335315-1

7 vs

DEPT. NO. Department 24

8 Mario Trejo
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 4/15/2022

15 Public Defender's Office

pdclerk@clarkcountynv.gov

16 Alex Henry

Alexander.Henry@ClarkCountyNV.gov

17 DeLois Williams

Delois.Williams@clarkcountynv.gov

18 Michael Schwartz

Michael.Schwartz@clarkcountynyda.com

19 DC 24 Law Clerk DC 24

dept24lc@clarkcountycourts.us

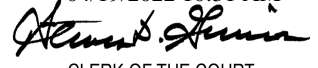
20 DA .

Motions@ClarkCountyDA.com

21 CCDC Court Services

dsdcourtservices@lvmpd.com

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
04/19/2022 10:31 AM

CLERK OF THE COURT

1 State of Nevada

) Case No.: C335315-1

3 vs.

) ORDER TO SHOW CAUSE

) RE: CONTEMPT

5 MARIO TREJO

) JUROR ID: 104643765

) CHASITY MCKAY

) 5150 SPYGLASS HILL DR APT 245

) LAS VEGAS, NV 89142-2774

9 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

11 10th day of May, 2022, at 9:00 a.m. in Department 24 to show cause why you should

12 not be held in contempt of court for your failure to appear for jury service on:

13 **Monday, April 18, 2022**

15 YOUR FAILURE TO APPEAR AS ABOVE SET FORTH, AT THE TIME, DATE,
16 AND PLACE THEREOF, WILL CAUSE THE COURT TO ISSUE A BENCH WARRANT
17 FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER
18 CAN BE HEARD UNLESS BAIL IS FURNISHED AS PROVIDED IN SUCH WARRANT
19

21 Dated this 19th day of April, 2022.

Dated this 19th day of April, 2022



24 ~~E18 828 2F2F 943B~~
ERIKA BALLOU Erika Ballou
District Court Judge
DISTRICT COURT JUDGE DEPT # 24

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 State of Nevada

CASE NO: C-18-335315-1

7 vs

DEPT. NO. Department 24

8 Mario Trejo
9

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16 Alex Henry

Alexander.Henry@ClarkCountyNV.gov

17 DeLois Williams

Delois.Williams@clarkcountynv.gov

18 Michael Schwartzer

Michael.Schwartzter@clarkcountyda.com

19 DC 24 Law Clerk DC 24

dept24lc@clarkcountycourts.us

20 DA .

Motions@ClarkCountyDA.com

21 CCDC Court Services

dsdcourtservices@lvmpd.com

APR 21 2022

BY, 
RO'SHELL HURTADO, DEPUTY

JURL

DISTRICT COURT
CLARK COUNTY, NEVADA

* * * *

STATE OF NEVADA
VS
MARIO TREJO

CASE NO.: C-18-335315-1
DEPARTMENT 24

JURY LIST

- | | |
|---------------------|-----------------------|
| 1. Joseph Munninger | 9. Shadam Broderick |
| 2. Tanner Dickens | 10. Jenny Gong |
| 3. Kyle Shenett | 11. Mariya Veleva |
| 4. Evelyn Izaguirre | 12. Carolina Calumpit |
| 5. Garret Prentice | 13. Shane Haycock |
| 6. Sophia Miller | 14. Matthew Ang |
| 7. Michael Duszak | 15. Dina Cochran |
| 8. Dean Silvett | |

ALTERNATES

Secret from above

C-18-335315-1
JURL
Jury List
4991162



MAY 03 2022

BY 
RO'SHELL HURTADO, DEPUTY

1 INST

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4
5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

10 MARIO TREJO,

11 Defendant

CASE NO: C-18-335315-1

DEPT NO: XXIV

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16
17 INSTRUCTIONS TO THE JURY (INSTRUCTION NO. I)

18 MEMBERS OF THE JURY:

19
20 It is now my duty as judge to instruct you in the law that applies to this case. It is
21 your duty as jurors to follow these instructions and to apply the rules of law to the facts as
22 you find them from the evidence.

23 You must not be concerned with the wisdom of any rule of law stated in these
24 instructions. Regardless of any opinion you may have as to what the law ought to be, it
25 would be a violation of your oath to base a verdict upon any other view of the law than that
26 given in the instructions of the Court.

27
28 C-18-335315-1
INST
Instructions to the Jury
4991165



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If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

An Indictment is but a formal method of accusing a person of a crime and is not of itself any evidence of his guilt.

In this case, it is charged in an Indictment that on or between the 4th day of August and the 3rd day of September, 2018, the Defendant committed the offenses of BURGLARY WHILE IN POSSESSION OF A FIREARM; ROBBERY WITH USE OF A DEADLY WEAPON; FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON; ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY WEAPON; CONSPIRACY TO COMMIT ROBBERY; and ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON.

It is the duty of the jury to apply the rules of law contained in these instructions to the facts of the case and determine whether or not the Defendant is guilty of one or more of the offenses charged.

COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM

did willfully, unlawfully, and feloniously enter a building, owned or occupied by SUPERPAWN, located at 1150 South Rainbow Boulevard, Las Vegas, Clark County, Nevada, with intent to commit a felony, to wit: robbery, while in possession of and/or gaining possession of a firearm at any time during the commission of the crime and/or at any time before leaving the structure or upon leaving the structure.

COUNT 2 - ROBBERY WITH USE OF A DEADLY WEAPON

did willfully, unlawfully, and feloniously take personal property, to wit: jewelry and/or U.S. currency, from the person of ADRIANE SERRANO, or in her presence, by means of force or violence, or fear of injury to, and without the consent and against the will of ADRIANE SERRANO, with use of a deadly weapon, to wit: a firearm.

COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON

did willfully, unlawfully, and feloniously take personal property, to wit: jewelry and/or U.S. currency, from the person of GIOVANNI ANDINO, or in his presence, by

1 means of force or violence, or fear of injury to, and without the consent and against the will
2 of GIOVANNI ANDINO, with use of a deadly weapon, to wit: a firearm.

3 COUNT 4 - ROBBERY WITH USE OF A DEADLY WEAPON

4 did willfully, unlawfully, and feloniously take personal property, to wit: jewelry
5 and/or U.S. currency, from the person of IVAN JAQUEZ, or in his presence, by means of
6 force or violence, or fear of injury to, and without the consent and against the will of IVAN
7 JAQUEZ, with use of a deadly weapon, to wit: a firearm.

8 COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON

9 did willfully, unlawfully, and feloniously take personal property, to wit: jewelry
10 and/or U.S. currency, from the person of CARLA RECK, or in her presence, by means of
11 force or violence, or fear of injury to, and without the consent and against the will of
12 CARLA RECK, with use of a deadly weapon, to wit: a firearm.

13 COUNT 6 - ROBBERY WITH USE OF A DEADLY WEAPON

14 did willfully, unlawfully, and feloniously take personal property, to wit: jewelry
15 and/or U.S. currency, from the person of JONATHAN RIVERA-SANDOVAL, or in his
16 presence, by means of force or violence, or fear of injury to, and without the consent and
17 against the will of JONATHAN RIVERA-SANDOVAL, with use of a deadly weapon, to
18 wit: a firearm.

19 COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON

20 did willfully, unlawfully, and feloniously take personal property, to wit: jewelry
21 and/or U.S. currency, from the person of JULIANA SALDANA, or in her presence, by
22 means of force or violence, or fear of injury to, and without the consent and against the will
23 of JULIANA SALDANA, with use of a deadly weapon, to wit: a firearm.

24 COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON

25 did willfully, unlawfully, and feloniously take personal property, to wit: jewelry
26 and/or U.S. currency, from the person of MELANI HOWARD, or in her presence, by means
27 of force or violence, or fear of injury to, and without the consent and against the will of
28 MELANI HOWARD, with use of a deadly weapon, to wit: a firearm.

1 ///

2 COUNT 9 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

3 did willfully, unlawfully, and feloniously, seize, confine, inveigle, entice, decoy,
4 abduct, conceal, kidnap, or carry away ADRIANE SERRANO, a human being, with the
5 intent to hold or detain the said ADRIANE SERRANO against her will, and without her
6 consent, for the purpose of committing robbery, with use of a deadly weapon, to wit: a
7 firearm.

8 COUNT 10 - ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY
9 WEAPON

10 did willfully, unlawfully, feloniously and intentionally place another person in
11 reasonable apprehension of immediate bodily harm and/or did willfully and unlawfully
12 attempt to use physical force against another person, to wit: T. CARRIGY, a protected
13 person employed as a police officer with the Las Vegas Metropolitan Police Department,
14 while T. CARRIGY was performing his or her duties as a police officer, which Defendant
15 knew, or
16 should have known, that T. CARRIGY was a police officer, with use of a deadly weapon, to
17 wit: a firearm, by threatening T. CARRIGY with said firearm.

18 COUNT 11 - ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY
19 WEAPON

20 did willfully, unlawfully, feloniously and intentionally place another person in
21 reasonable apprehension of immediate bodily harm and/or did willfully and unlawfully
22 attempt to use physical force against another person, to wit: K. GRAHAM, a protected
23 person employed as a police officer with the Las Vegas Metropolitan Police Department,
24 while K. GRAHAM was performing his or her duties as a police officer, which Defendant
25 knew, or should have known, that K. GRAHAM was a police officer, with use of a deadly
26 weapon, to wit: a firearm, by threatening K. GRAHAM with said firearm.

27 COUNT 12 - CONSPIRACY TO COMMIT ROBBERY

28 did willfully, unlawfully, and feloniously conspire with an unnamed co-conspirator to

1 commit a robbery, by the defendant and/or unnamed co-conspirator committing the acts as
2 set forth in Count 2, said acts being incorporated by this reference as though fully set forth
3 herein.

4 ///

5 COUNT 13 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

6 did willfully, unlawfully, and feloniously attempt to take personal property, to wit:
7 U.S. currency and/or merchandise, from the person of JENNIFER INCERA, or in her
8 presence, by means of force or violence, or fear of injury to, and without the consent and
9 against the will of JENNIFER INCERA, by Defendant and/or an unnamed co-conspirator
10 running toward JENNIFER INCERA with guns in hand as JENNIFER INCERA was
11 attempting to open a business, with use of a deadly weapon, to wit: a firearm, the
12 Defendant(s) being criminally liable under one or more of the following principles of
13 criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or
14 abetting in the commission of this crime, with the intent that this crime be committed, by
15 counseling, encouraging, hiring, commanding, inducing and/or otherwise procuring the other
16 to commit the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the
17 intent that this crime be committed, Defendant and/or an unnamed co-conspirator aiding or
18 abetting and/or conspiring by Defendant and/or an unnamed co-conspirator acting in concert
19 throughout.

20
21 It is the duty of the jury to apply the rules of law contained in these instructions to the
22 facts of the case and determine whether or not the Defendant is guilty of one or more of the
23 offenses charged.

24
25 Each charge and the evidence pertaining to it should be considered separately. The
26 fact that you may find a defendant guilty or not as to one of the offenses charged should not
27 control your verdict as to any other offense charged.
28

To constitute the crime charged, there must exist a union or joint operation of an act forbidden by law and an intent to do the act.

The intent with which an act is done is shown by the facts and circumstances surrounding the case.

Do not confuse intent with motive. Motive is what prompts a person to act. Intent refers only to the state of mind with which the act is done.

Motive is not an element of the crime charged and the State is not required to prove a motive on the part of the Defendant in order to convict. However, you may consider evidence of motive or lack of motive as a circumstance in the case.

The Defendant is presumed innocent until the contrary is proved. This presumption places upon the State the burden of proving beyond a reasonable doubt every element of the crime charged and that the Defendant is the person who committed the offense.

A reasonable doubt is one based on reason. It is not mere possible doubt but is such a doubt as would govern or control a person in the more weighty affairs of life. If the minds of the jurors, after the entire comparison and consideration of all the evidence, are in such a condition that they can say they feel an abiding conviction of the truth of the charge, there is not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or speculation.

If you have a reasonable doubt as to the guilt of the Defendant, he is entitled to a verdict of not guilty.

1
2 You are here to determine the guilt or innocence of the Defendant from the evidence
3 in the case. You are not called upon to return a verdict as to the guilt or innocence of any
4 other person. So, if the evidence in the case convinces you beyond a reasonable doubt of the
5 guilt of the Defendant, you should so find, even though you may believe one or more persons
6 are also guilty.

The evidence which you are to consider in this case consists of the testimony of the witnesses, the exhibits, and any facts admitted or agreed to by counsel.

There are two types of evidence; direct and circumstantial. Direct evidence is the testimony of a person who claims to have personal knowledge of the commission of the crime which has been charged, such as an eyewitness. Circumstantial evidence is the proof of a chain of facts and circumstances which tend to show whether the Defendant is guilty or not guilty. The law makes no distinction between the weight to be given either direct or circumstantial evidence. Therefore, all of the evidence in the case, including the circumstantial evidence, should be considered by you in arriving at your verdict.

Statements, arguments and opinions of counsel are not evidence in the case. However, if the attorneys stipulate to the existence of a fact, you must accept the stipulation as evidence and regard that fact as proved.

You must not speculate to be true any insinuations suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

You must disregard any evidence to which an objection was sustained by the court and any evidence ordered stricken by the court.

Anything you may have seen or heard outside the courtroom is not evidence and must also be disregarded.

Robbery is the unlawful taking of personal property from the person of another, or in his presence, against his will, by means of force or violence or fear of injury, immediate or future, or the person of a member of his family, or of anyone in his company at the time of the robbery.

An employee, while at work, has a possessory interest in the property of his/her employing company such that the taking of company property, under the above conditions, from the person of an employee at the time of the robbery constitutes a "Robbery."

Such force or fear must be used to:

1. Obtain or retain possession of the property,
2. To prevent or overcome resistance to the taking of the property, or
3. To facilitate escape with the property

The degree of force is immaterial if used to compel acquiescence to the taking of or escaping with the property. Such taking constitutes robbery whenever it appears that, although the taking was fully completed without the knowledge of the person from whom taken, such knowledge was prevented by the use of force or fear.

The value of property or money taken is not an element of the crime of Robbery, and it is only necessary that the State prove the taking of some property or money.

Personal property is “in the presence” of a person, in respect to robbery, when it is within the person’s reach, inspection, observation or control, and the person could, if not prevented by intimidation, threat or use of violence, retain possession of the property.

It is unnecessary to prove both violence and intimidation. If the fact be attended with circumstances of threatening word or gesture as in common experience and is likely to create an apprehension of danger and induce a man or woman to part with his or her property for the safety of his or her person, it is robbery. It is not necessary to prove actual fear, as the law will presume it in such a case.

Every person who, by day or night, enters any building and/or store with the intent to commit Robbery therein is guilty of Burglary.

Force or a "breaking" is not a necessary element of the crime.

It is not necessary that the State prove the defendant actually committed a Robbery inside a building and/or store after he entered in order for you to find him guilty of Burglary. The gist of the crime of Burglary is the unlawful entry with criminal intent. Therefore, a Burglary was committed if the defendant entered the building and/or store with the intent to commit a Robbery regardless of whether or not that crime occurred.

The intention with which entry was made is a question of fact which may be inferred from the defendant's conduct and all other circumstances disclosed by the evidence.

Every person who in the commission of a Burglary commits any other crime may be prosecuted for each crime separately.

Every person who commits the crime of Burglary, who has in his possession or gains possession of any firearm at any time during the commission of the crime, at any time before leaving the structure, or upon leaving the structure, is guilty of Burglary while in Possession of a Firearm.

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INSTRUCTION NO. 16

Every person who willfully seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps or carries away any person by any means whatsoever with the intent to hold or detain, or who holds or detains, the person for the purpose of committing robbery upon or from the person is guilty of First Degree Kidnapping.

1 The crime of First Degree Kidnapping, as charged in this case, is a specific intent
2 crime. A specific intent, as the term implies, means more than the general intent to commit
3 the act. To establish specific intent, the State must prove that the defendant knowingly did
4 the act which the law forbids, purposely intending to violate that law.

5 An act is "knowingly" done if done voluntarily and intentionally, and not because of
6 mistake or accident or other innocent reason. The intention or purpose for which the victim
7 was held against his or her will is a question of fact to be determined by your consideration
8 of the evidence. The intention may be inferred from the defendant's conduct and all other
9 circumstances.

1
2 When a defendant is accused of First Degree Kidnapping with the specific intent to
3 commit an unlawful act and is also accused of the unlawful act itself, the defendant may not
4 be convicted of the kidnapping if the movement and/or confinement of the victim was
5 merely incidental to the unlawful act.

6 In this case, whether the movement and/or confinement of the victim is incidental to
7 the offense of robbery or whether the risk of harm to the victim was increased thereby is a
8 question for you to determine after considering all the facts and circumstances in the case.

9 In order for you to find the defendant guilty of both First Degree Kidnapping and an
10 associated offense of Robbery, you must also find beyond a reasonable doubt either:

- 11 1) that any movement or restraint of the victim was not incidental to the robbery;
 - 12 2) that any incidental movement or restraint of the victim substantially increased the
13 risk of harm to the victim over and above that necessarily present in the robbery;
 - 14 3) that any incidental movement or restraint of the victim substantially exceeded that
15 required to complete the robbery;
 - 16 4) that the victim was physically restrained and such restraint substantially increased
17 the risk of harm to the victim; or
 - 18 5) the movement or restraint had an independent purpose or significance.
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A person unlawfully attempts to use physical force against the person of another or intentionally places another person in reasonable apprehension of immediate bodily harm by or through the use of a deadly weapon is guilty of Assault With a Deadly Weapon.

To constitute an assault, it is not necessary that any actual injury be inflicted.

A protected person is defined as an officer, health care provider, school employee, taxicab driver, or a transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event by a person who knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator or a sports official.

The elements of an attempt to commit a crime are:

- (1) The intent to commit the crime;
- (2) Performance of some act towards its commission; and
- (3) Failure to consummate its commission.

1
2 You are instructed that if you find the defendant guilty of Robbery, Attempt Robbery,
3 Kidnapping, or Assault on a Protected Person, you must also determine whether or not a
4 deadly weapon was used in the commission of this crime.

5 If you find beyond a reasonable doubt that a deadly weapon was used in the
6 commission of such an offense, then you shall return the appropriate guilty verdict reflecting
7 “With Use of a Deadly Weapon”.

8 If, however, you find that a deadly weapon was not used in the commission of such an
9 offense, but you find that it was committed, then you shall return the appropriate guilty
10 verdict reflecting that a deadly weapon was not used.

A deadly weapon is any instrument which, if used in the ordinary manner contemplated by its design and construction, will or is likely to cause substantial bodily harm or death; or any weapon or device, instrument, material or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing substantial bodily harm or death.

The definition includes any device, whether loaded or unloaded, operable or inoperable, designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.

You are instructed that a firearm is a deadly weapon.

A conspiracy is an agreement between two or more persons for an unlawful purpose. To be guilty of conspiracy, a defendant must intend to commit, or to aid in the commission of, the specific crime agreed to. The crime is the agreement to do something unlawful; it does not matter whether it was successful or not.

A person who knowingly does any act to further the object of a conspiracy, or otherwise participates therein, is criminally liable as a conspirator. However, mere knowledge or approval of, or acquiescence in, the object and purpose of a conspiracy without an agreement to cooperate in achieving such object or purpose does not make one a party to conspiracy. Conspiracy is seldom susceptible of direct proof and is usually established by inference from the conduct of the parties. In particular, a conspiracy may be supported by a coordinated series of acts, in furtherance of the underlying offense, sufficient to infer the existence of an agreement.

A conspiracy to commit a crime does not end upon the completion of the crime. The conspiracy continues until the co-conspirators have successfully gotten away and concealed the crime.

A person who conspires to commit the crime of Robbery with another is guilty of
Conspiracy to Commit Robbery.

It is not necessary in proving a conspiracy to show a meeting of the alleged conspirators or the making of an express or formal agreement. The formation and existence of a conspiracy may be inferred from all circumstances tending to show the common intent and may be proved in the same way as any other fact may be proved, either by direct testimony of the fact or by circumstantial evidence, or by both direct and circumstantial evidence.

Each member of a criminal conspiracy is liable for each act and bound by each declaration of every other member of the conspiracy if the act or the declaration is in furtherance of the object of the conspiracy.

The act of one conspirator pursuant to or in furtherance of the common design of the conspiracy is the act of all conspirators. Every conspirator is legally responsible for a specific intent crime of a co-conspirator so long as the specific intent crime was intended by the defendant. A conspirator is also legally responsible for a general intent crime that follows as one of the probable and natural consequence of the object of the conspiracy even if it was not intended as part of the original plan and even if he was not present at the time of the commission of such act.

Evidence that a person was in the company or associated with one or more other persons alleged or proven to have been members of a conspiracy is not, in itself, sufficient to prove that such person was a member of the alleged conspiracy. However, you are instructed that presence, companionship, and conduct before, during, and after the offense are circumstances from which one's participation in the criminal intent may be inferred.

Where two or more persons are accused of committing a crime together, their guilt may be established without proof that each personally did every act constituting the offense charged.

All persons concerned in the commission of a crime who either directly and actively commit the act constituting the offense or who knowingly and with criminal intent aid and abet in its commission or, whether present or not, who advise and encourage its commission, with the intent that the crime be committed, are regarded by the law as principals in the crime thus committed and are equally guilty thereof.

A person aids and abets the commission of a crime if he knowingly and with criminal intent aids, promotes, encourages or instigates by act or advice, or by act and advice, the commission of such crime with the intention that the crime be committed.

The State is not required to prove precisely which defendant actually committed the crime and which defendant aided and abetted.

The credibility or believability of a witness should be determined by his manner upon the stand; his relationship to the parties, his fears, motives, interests or feelings, his opportunity to have observed the matter to which he testified, the reasonableness of his statements and the strength or weakness of his recollections.

If you believe that a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

A witness who has special knowledge, skill, experience, training or education in a particular science, profession, or occupation is an expert witness. An expert witness may give his opinion as to any matter in which he is skilled.

You should consider such expert opinion and weigh the reasons, if any, given for it. You are not bound, however, by such an opinion. Give it the weight to which you deem it entitled, whether that be great or slight, and you may reject it, if, in your judgment, the reasons given for it are unsound.

Burglary, First Degree Kidnapping with Use of a Deadly Weapon, Robbery with Use of a Deadly Weapon, and Attempt Robbery with Use of a Deadly Weapon are all specific intent crimes. Defendant cannot be liable under conspiracy and/or aiding and abetting theory for those crimes for acts committed by a co-conspirator, unless Defendant also had the requisite specific intent.

Robbery is a general intent crime. As such, Defendant may be liable under conspiracy theory for Robbery for acts committed by a co-conspirator which are one of the probable and natural consequences of the object of the conspiracy.

Specific intent is the intent to accomplish the precise act which the law prohibits. General intent is the intent to do that which the law prohibits. It is not necessary for the prosecution to prove that the defendant intended the precise harm or the precise result which eventuated if a crime is a general intent crime.

1
2 Although you are to consider only the evidence in the case in reaching a verdict, you
3 must bring to the consideration of the evidence your everyday common sense and judgment
4 as reasonable men and women. Thus, you are not limited solely to what you see and hear as
5 the witnesses testify. You may draw reasonable inferences from the evidence which you feel
6 are justified in the light of common experience, keeping in mind that such inferences should
7 not be based on speculation or guess.

8 A verdict may never be influenced by sympathy, prejudice or public opinion. Your
9 decision should be the product of sincere judgment and sound discretion in accordance with
10 these rules of law.
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In your deliberation you may not discuss or consider the subject of punishment, as that is a matter which lies solely with the court. Your duty is confined to the determination of the guilt or innocence of the Defendant.

During the course of this trial, and your deliberations, you are not to:

- (1) communicate with anyone in any way regarding this case or its merits-either by phone, text, Internet, or other means;
- (2) read, watch, or listen to any news or media accounts or commentary about the case;
- (3) do any research, such as consulting dictionaries, using the Internet, or using reference materials;
- (4) make any investigation, test a theory of the case, re-create any aspect of the case, or in any other way investigate or learn about the case on your own.

When you retire to consider your verdict, you must select one of your number to act as foreperson who will preside over your deliberation and will be your spokesperson here in court.

During your deliberation, you will have all the exhibits which were admitted into evidence, these written instructions and forms of verdict which have been prepared for your convenience.

Your verdict must be unanimous. As soon as you have agreed upon a verdict, have it signed and dated by your foreperson and then return with it to this room.

If, during your deliberation, you should desire to be further informed on any point of law or hear again portions of the testimony, you must reduce your request to writing signed by the foreperson. The officer will then return you to court where the information sought will be given you in the presence of, and after notice to, the district attorney and the Defendant.

Playbacks of testimony are time-consuming and are not encouraged unless you deem it a necessity. Should you require a playback, you must carefully describe the testimony to be played back so that the court recorder can arrange his/her notes. Remember, the court is not at liberty to supplement the evidence.

Now you will listen to the arguments of the parties who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever the parties may say, you will bear in mind that it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between the Defendant and the State of Nevada.

GIVEN:


DISTRICT JUDGE

MAY 04 2022

BY, RO'SHELL HURTADO, DEPUTY

JURL

DISTRICT COURT

CLARK COUNTY, NEVADA

State of Nevada

vs

Mario Trejo

CASE NO. : C-18-335315-1

DEPT. NO.: Department 24

JURY LIST

1 Joseph Munninger	7. Michael Duszak
2. Tanner Dickens	8. Dean Silvett
3. Kyle Shenett	9. Shadam Broderick
4. Evelyn Izaguirre	10. Jenny Gong
5. Garret Prentice	11. Mariya Veleva
6. Sophia Miller	12. Carolina Calumpit

ALTERNATES

1. Shane Haycock	3.
2. Matthew Ang	4.

C-18-335315-1
JURL
Jury List
4991163



MAY 04 2022

BY, RO'SHELL HURTADO, DEPUTY
2:10 PM

1 VER

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5
6 DISTRICT COURT
CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

10 MARIO TREJO,

11 Defendant.

CASE NO: C-18-335315-1

DEPT NO: XXIV

12
13 VERDICT

14
15 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
16 follows:

17 **COUNT 1** - BURGLARY WHILE IN POSSESSION OF A FIREARM

18 *(Please check the appropriate box, select only one)*

- 19 ☒ Guilty of Burglary While in Possession of a Firearm
20 ☐ Guilty of Burglary
21 ☐ Not Guilty

22
23 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
24 follows:

25 **COUNT 2** - ROBBERY WITH USE OF A DEADLY WEAPON

26 *(Please check the appropriate box, select only one)*

- 27 ☒ Guilty of Robbery with Use of a Deadly Weapon
28 ☐ Guilty of Robbery
☐ Not Guilty

C-18-335315-1
VER

Verdict
4991164



1
2
3 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
4 follows:

5 **COUNT 3** - ROBBERY WITH USE OF A DEADLY WEAPON

6 *(Please check the appropriate box, select only one)*

- 7 ☒ Guilty of Robbery with Use of a Deadly Weapon
8 ☐ Guilty of Robbery
9 ☐ Not Guilty
10

11 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
12 follows:

13 **COUNT 4** - ROBBERY WITH USE OF A DEADLY WEAPON

14 *(Please check the appropriate box, select only one)*

- 15 ☒ Guilty of Robbery with Use of a Deadly Weapon
16 ☐ Guilty of Robbery
17 ☐ Not Guilty
18

19 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
20 follows:

21 **COUNT 5** - ROBBERY WITH USE OF A DEADLY WEAPON

22 *(Please check the appropriate box, select only one)*

- 23 ☒ Guilty of Robbery with Use of a Deadly Weapon
24 ☐ Guilty of Robbery
25 ☐ Not Guilty
26

27 ///

28 ///

1 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
2 follows:

3 **COUNT 6** - ROBBERY WITH USE OF A DEADLY WEAPON

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of Robbery with Use of a Deadly Weapon
6 ☐ Guilty of Robbery
7 ☐ Not Guilty
8

9 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
10 follows:

11 **COUNT 7** - ROBBERY WITH USE OF A DEADLY WEAPON

12 *(Please check the appropriate box, select only one)*

- 13 ☒ Guilty of Robbery with Use of a Deadly Weapon
14 ☐ Guilty of Robbery
15 ☐ Not Guilty
16

17 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
18 follows:

19 **COUNT 8** - ROBBERY WITH USE OF A DEADLY WEAPON

20 *(Please check the appropriate box, select only one)*

- 21 ☒ Guilty of Robbery with Use of a Deadly Weapon
22 ☐ Guilty of Robbery
23 ☐ Not Guilty
24

25 ///

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///

1 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
2 follows:

3 **COUNT 9** - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of First Degree Kidnapping with Use of a Deadly Weapon
6 ☐ Guilty of First Degree Kidnapping
7 ☐ Not Guilty

8 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
9 follows:

10
11 **COUNT 10** - ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY
12 WEAPON

13 *(Please check the appropriate box, select only one)*

- 14 ☒ Guilty of Assault on a Protected Person with Use of a Deadly Weapon
15 ☐ Guilty of Assault on a Protected Person
16 ☐ Not Guilty

17 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
18 follows:

19
20 **COUNT 11** - ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY
21 WEAPON

22 *(Please check the appropriate box, select only one)*

- 23 ☒ Guilty of Assault on a Protected Person with Use of a Deadly Weapon
24 ☐ Guilty of Assault on a Protected Person
25 ☐ Not Guilty

26 ///

27 ///

1 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
2 follows:

3 **COUNT 12** - CONSPIRACY TO COMMIT ROBBERY

4 *(Please check the appropriate box, select only one)*

- 5 ☒ Guilty of Conspiracy to Commit Robbery
6 ☐ Not Guilty
7

8 We, the jury in the above entitled case, find the Defendant MARIO TREJO, as
9 follows:

10 **COUNT 13** - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON

11 *(Please check the appropriate box, select only one)*

- 12 ☒ Guilty of Attempt Robbery with Use of a Deadly Weapon
13 ☐ Guilty of Attempt Robbery
14 ☐ Not Guilty
15

16
17 DATED this 4th day of May, 2022

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Eighth Judicial District Court
Clark County

Steven D. Grierson

The State of Nevada
Plaintiff,

Case No.: C-18-3353-15-1
Dept. No.: 24

-VS-

Mario B. Trejo #2717641
Defendant, prose

Notice of Appeal

Notice is hereby given that Mario B. Trejo
Defendant in prose, hereby appeals to the
Supreme Court of Nevada from the verdict
of guilty and the order of conviction entered
in this action on the 4th day of May of
the year 2020.

Signed: Mario B. Trejo
Defendant in prose

Mario B. Trejo

CLERK OF THE COURT

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MAY 11 2022

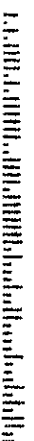
Motion A

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Las Vegas, N.V. 89155



ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
MICHAEL J. SCHWARTZER
Chief Deputy District Attorney
Nevada Bar #010747
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

MARIO BLADIMIR TREJO,
#2717641

Defendant.

CASE NO: C-18-335315-1

DEPT NO: XXIV

**ORDER DENYING DEFENDANT'S MOTION TO SUPPRESS EVIDENCE
PURSUANT TO EDCR RULE 3.20**

DATE OF HEARING: 4/18/2022
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 18th day of April, 2022, the Defendant being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, MICHAEL J. SCHWARTZER, Chief Deputy District Attorney, based on the pleadings and good cause appearing therefor,

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1 IT IS HEREBY ORDERED that Defendant motion is DENIED for being untimely
2 pursuant to Nevada Rules of Criminal Procedure Rule 8(1)(a) and Nev. R. Prac. Eight Jud.
3 Dist. Ct. 3.20(a) and that Defendant failed to provide the court with any good cause for the
4 untimely filing.

5 Additionally, the Court finds from review of the transcripts and audio recordings
6 provided in the moving papers that Defendant's motion is without merit.

7 Dated this 9th day of June, 2022

8 
9

10 STEVEN B. WOLFSON
11 Clark County District Attorney
Nevada Bar #001565

C5A 51E 3BF6 713A
Erika Ballou
District Court Judge

12
13 BY /s/ MICHAEL J. SCHWARTZER
14 MICHAEL J. SCHWARTZER
15 Chief Deputy District Attorney
Nevada Bar #010747

16
17 CERTIFICATE OF MAILING

18 I hereby certify that service of the above and foregoing was made this ____ day of
19 March, 2022, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

20 MARIO BLADIMIR TREJO, #2717641
21 CLARK COUNTY DETENTION CENTER
22 330 S. CASINO CENTER BLVD.
LAS VEGAS, NEVADA 89101

23 BY /s/ E. D.
24 Secretary for the District Attorney's Office

25
26
27
28 ed/GU

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-18-335315-1

7 vs

DEPT. NO. Department 24

8 Mario Trejo
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 6/9/2022

15 Public Defender's Office

pdclerk@clarkcountynv.gov

16 Alex Henry

Alexander.Henry@ClarkCountyNV.gov

17 DeLois Williams

Delois.Williams@clarkcountynv.gov

18 Michael Schwartzer

Michael.Schwartzter@clarkcountyda.com

19 DC 24 Law Clerk DC 24

dept24lc@clarkcountycourts.us

20 DA .

Motions@ClarkCountyDA.com

21 CCDC Court Services

dsdcourtservices@lvmpd.com

Heather S. Smith
CLERK OF THE COURT

JOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MARIO BLADIMIR TREJO
#2717641

Defendant.

CASE NO. C-18-335315-1

DEPT. NO. XXIV

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant had been found guilty after a jury trial, appeared before the Court, Pro Se, adjudged guilty to the crimes of COUNT 1 – BURGLARY WHILE IN POSSESSION OF A FIREARM (Category B Felony) in violation of NRS 205.060; COUNT 2 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 3 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 4 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 5 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 6 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in

violation of NRS 200.380, 193.165; COUNT 7 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 8 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165; COUNT 9 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category A Felony) in violation of 200.310, 200.320, 193.165; COUNT 10 – ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of 200.471; COUNT 11 – ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of 200.471; COUNT 12 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of 200.380, 199.480; COUNT 13 – ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of 200.380, 193.330, 193.165; thereafter, on the 15th day of June, 2022, the Defendant, Pro Se, was present in court for sentencing.

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment Fee, \$9,500.00 Restitution to VC2288360 and \$180.00 to Victims of Crime, and \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00 DNA Collection Fee, the Defendant is sentenced to the Nevada Department of Corrections as follows: **COUNT 1** – a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS; **COUNT 2** – a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon, to run

1 CONCURRENT with COUNT 1; **COUNT 3** – a MAXIMUM of ONE HUNDRED
2 EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72)
3 MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a MINIMUM
4 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon, to run
5 CONCURRENT with COUNTS 1 and 2; **COUNT 4** - a MAXIMUM of ONE HUNDRED
6 EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72)
7 MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a MINIMUM
8 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon, to run
9 CONCURRENT with COUNTS 1, 2 and 3; **COUNT 5** - a MAXIMUM of ONE
10 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-
11 TWO (72) MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a
12 MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
13 Weapon, to run CONCURRENT with COUNTS 1 - 4; **COUNT 6** - a MAXIMUM of ONE
14 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-
15 TWO (72) MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a
16 MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
17 Weapon, to run CONCURRENT with COUNTS 1 - 5; **COUNT 7** - a MAXIMUM of ONE
18 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-
19 TWO (72) MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a
20 MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
21 Weapon, to run CONCURRENT with COUNTS 1 - 6; **COUNT 8** - a MAXIMUM of ONE
22 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-
23 TWO (72) MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a
24 MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
25 Weapon, to run CONCURRENT with COUNTS 1 - 6; **COUNT 8** - a MAXIMUM of ONE
26 HUNDRED EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-
27 TWO (72) MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a
28

1 MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
2 Weapon, to run CONCURRENT with COUNTS 1 - 7; **COUNT 9** - a MAXIMUM of LIFE
3 with a MINIMUM parole eligibility of ONE HUNDRED TWENTY (120) MONTHS, plus
4 a CONSECUTIVE term of TWO HUNDRED FORTY (240) MONTHS with a MINIMUM
5 parole eligibility of SIXTY (60) MONTHS for the Use of a Deadly Weapon, to run
6 CONCURRENT with COUNTS 1 - 8; **COUNT 10** - a MAXIMUM of SEVENTY-TWO
7 (72) MONTHS with a MINIMUM parole eligibility of TWENTY-EIGHT (28) MONTHS to
8 run CONCURRENT to COUNTS 1 - 9; **COUNT 11** - a MAXIMUM of SEVENTY-TWO
9 (72) with a MINIMUM parole eligibility of TWENTY-EIGHT (28) MONTHS to run
10 CONCURRENT to COUNTS 1 - 10; **COUNT 12** - a MAXIMUM of SEVENTY-TWO
11 (72) MONTHS with a MINIMUM parole eligibility of TWENTY-EIGHT (28) MONTHS to
12 run CONCURRENT to COUNTS 1 - 11; **COUNT 13** - a MAXIMUM of ONE
13 HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-
14 EIGHT (48) MONTHS, plus a CONSECUTIVE term of THIRTY (30) MONTHS with a
15 MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
16 Weapon, to run CONCURRENT with COUNTS 1 - 12; with ONE THOUSAND THREE
17 HUNDRED EIGHTY-TWO (1,382) DAYS credit for time served. The AGGREGATE
18 TOTAL sentence is LIFE MAXIMUM with a MINIMUM of ONE HUNDRED EIGHTY
19 (180) MONTHS. COURT FURTHER ORDERED, pursuant to NRAP 46(A)(b)(1) Direct
20 Appeal From a Judgment of Conviction, Public Defender's Office appointed.
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Dated this 16th day of June, 2022



219 37E DBDD 635B
Erika Ballou
District Court Judge

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1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 State of Nevada

CASE NO: C-18-335315-1

7 vs

DEPT. NO. Department 24

8 Mario Trejo
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 6/16/2022

15 Public Defender's Office

pdclerk@clarkcountynv.gov

16 Alex Henry

Alexander.Henry@ClarkCountyNV.gov

17 DeLois Williams

Delois.Williams@clarkcountynv.gov

18 Michael Schwartz

Michael.Schwartz@clarkcountynyda.com

19 DC 24 Law Clerk DC 24

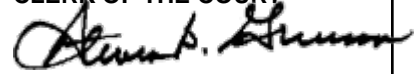
dept24lc@clarkcountycourts.us

20 DA .

Motions@ClarkCountyDA.com

21 CCDC Court Services

dsdcourtservices@lvmpd.com



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

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

11 THE STATE OF NEVADA,)
12)
13 Plaintiff,) CASE NO. C-18-335315-1
14)
15 v.) DEPT. NO. XXIV
16)
17 MARIO BLADIMIR TREJO,)
18)
19 Defendant.)
20)
21 NOTICE OF APPEAL

22 TO: THE STATE OF NEVADA

23 STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY,
24 NEVADA and DEPARTMENT NO. XXIV OF THE EIGHTH JUDICIAL
25 DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE
26 COUNTY OF CLARK.

27 NOTICE is hereby given that Defendant, Mario Bladimir
28 Trejo, presently incarcerated in the Nevada State Prison, appeals
to the Supreme Court of the State of Nevada from the judgment
entered against said Defendant on the 16th day of June, 2022,
whereby he was convicted of Ct. 1 - Burglary While in Possession
of a Firearm; Ct. 2 - Ct. 8 - Robbery With Use of a Deadly Weapon;
Ct. 9 - First Degree Kidnapping with Use of a Deadly Weapon; Ct.
10 - Assault on a Protected Person with Use of a Deadly Weapon;
Ct. 11 - Assault on a Protected Person with Use of a Deadly

1 Weapon; Ct. 12 - Conspiracy to Commit Robbery; Ct. 13 - Attempt
2 Robbery With Use of a Deadly Weapon and sentenced to \$25 Admin.
3 Fee; \$9,500 Restitution to VC2288360 and \$180 to Victims of Crime
4 and \$150 DNA Analysis Fee including testing to determine genetic
5 markers plus \$3 DNA collection fee; Ct. 1 - 24-60 months; Ct. 2 -
6 72-180 months plus a consecutive term of 12-30 months for the Use
7 of a Deadly Weapon to run concurrent with Ct. 1 - Ct. 3 - 72-180
8 months plus a consecutive term of 12-30 months for the Use of a
9 Deadly Weapon to run concurrent with Cts. 1 and 2; Ct. 4 - 72-180
10 months plus a consecutive term of 12-30 months for the Use of a
11 Deadly Weapon to run concurrent with Cts. 1, 2, and 3. Ct. 5 -
12 30-72 months plus a consecutive term of 12-30 months for the Use
13 of a Deadly Weapon to run concurrent with Cts. 1-4, Ct. 6 - 72-180
14 months plus a consecutive term of 12-30 months for the Use of a
15 Deadly Weapon to run concurrent with Cts. 1-5; Ct. 7- 72-180
16 months plus a consecutive term of 12-30 months for the Use of a
17 Deadly Weapon to run concurrent with Cts. 1-6; Ct. 8 - 72-180
18 months plus a consecutive term of 12-30 months for the Use of a
19 Deadly Weapon to run concurrent with Cts. 1-7; Ct. 9 - 120-Life in
20 prison with a consecutive term of 60-240 months for the Use of a
21 Deadly Weapon to run concurrent with Cts. 1-8; Ct. 10 - 28-72
22 months in prison concurrent to Cts. 1-9; Ct. 11 - 28-72 months in
23 run concurrent to Cts. 1-10; Ct. 12 - 28-72 months in prison to
24 run concurrent to Cts. 1-11; Ct. 13 - 48-120 months plus a
25 consecutive term of 12-30 months for the Use of a Deadly Weapon to
26 run concurrent with Cts. 1-12; 1,382 days CTS. The aggregate
27 total sentence is 180 months to Life in prison. Court further
28 ordered, pursuant to NRAP 46(A)(b)(1) Direct Appeal from a

1 Judgment of Conviction, Public Defender's office appointed.

2 DATED this 28th day of June, 2022.

3 DARIN F. IMLAY
4 CLARK COUNTY PUBLIC DEFENDER

5
6 By: /s/ William M. Waters
7 WILLIAM M. WATERS, #9456
8 Chief Deputy Public Defender
9 309 S. Third Street, Ste. 226
10 Las Vegas, Nevada 89155
11 (702) 455-4685
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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that service of the above and foregoing
was made this 28th day of June, 2022, by Electronic Filing to:

District Attorneys Office
E-Mail Address:

PDMotions@clarkcountyda.com

Jennifer.Garcia@clarkcountyda.com

Eileen.Davis@clarkcountyda.com

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

Felony/Gross Misdemeanor

COURT MINUTES

October 04, 2018

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

October 04, 2018 11:00 AM Grand Jury Indictment

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

COURT CLERK: Estala, Kimberly

RECORDER: Vincent, Renee

REPORTER:

PARTIES PRESENT:

Michael J. Schwartz

Attorney for Plaintiff

State of Nevada

Plaintiff

JOURNAL ENTRIES

Raymond Jatkowski, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 18BGJ002X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-335315-1, Department XXIII.

State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$500,000.00 BAIL with House Arrest; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment.

COURT FURTHER ORDERED, Exhibits 1-10 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F16522X and 18F16756X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done.

I.W. (CUSTODY)

10/15/18 9:30 A.M. INITIAL ARRAIGNMENT (DEPT XXIII)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 15, 2018

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

**October 15, 2018 9:30 AM All Pending Motions Initial Arraignment;
Indictment Warrant
Return**

HEARD BY: Bonaventure, Joseph T.

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

PARTIES

PRESENT:	Henry, Alexander C.	Attorney for Defendant
	Schwartzner, Michael J.	Attorney for Plaintiff
	State of Nevada	Plaintiff
	Trejo, Mario Bladimir	Defendant

JOURNAL ENTRIES

- Deft. present in custody on the returned warrant. DEFT. TREJO ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter SET for trial.

CUSTODY

03-27-19 9:30 AM CALENDAR CALL

04-01-19 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 05, 2018

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

**December 05, 2018 9:30 AM Motion to Set Bail Deft's Motion for
Setting of Reasonable
Bail**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

PARTIES

PRESENT:	Henry, Alexander C.	Attorney for Defendant
	Schwartzter, Michael J.	Attorney for Plaintiff
	State of Nevada	Plaintiff
	Trejo, Mario Bladimir	Defendant

JOURNAL ENTRIES

- Court noted Deft. is requesting \$75,000.00 bail and electronic monitoring. Argument by the State noting the violent nature of this case and advised Judge Herndon set the bail after hearing the facts. COURT ORDERED, motion DENIED. Bail STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 23, 2019

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

**January 23, 2019 9:30 AM Defendant's Motion for Setting of Reasonable Bail
with Electronic Monitoring**

HEARD BY: Miley, Stefany

COURTROOM: RJC Courtroom 12C

COURT CLERK: April Watkins

RECORDER: Jessica Kirkpatrick

PARTIES

PRESENT:	Henry, Alexander C.	Attorney for Deft.
	Schwartzner, Michael J.	Attorney for Pltff.
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Per Court Service Officer, Deft. transported to University Medical Center (UMC). CONFERENCE AT THE BENCH. COURT ORDERED, motion GRANTED; bail MODIFIED to a TOTAL of \$75,000.00 with a CONDITION of HOUSE ARREST. Court stated if Deft. does not stay out of trouble or fails to appear at calendar call, bench warrant will issue. Trial date STANDS.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 27, 2019

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

March 27, 2019 9:30 AM Calendar Call

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

PARTIES

PRESENT:	Henry, Alexander C.	Attorney for Defendant
	Schwartzter, Michael J.	Attorney for Plaintiff
	State of Nevada	Plaintiff
	Trejo, Mario Bladimir	Defendant

JOURNAL ENTRIES

- Counsel advised they were not prepared for trial and requested a continuance. There being no opposition, COURT ORDERED, trial date VACATED and RESET.

CUSTODY

10-09-19 9:30 AM CALENDAR CALL

10-14-19 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 09, 2019

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

October 09, 2019 9:30 AM Calendar Call

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

PARTIES

PRESENT:	Giles, Michael G	Attorney for Plaintiff
	Henry, Alexander C.	Attorney for Defendant
	State of Nevada	Plaintiff
	Trejo, Mario Bladimir	Defendant

JOURNAL ENTRIES

- Counsel advised Deputy Schwartzer is agreeable to a continuance. Upon Court's inquiry, counsel advised Deft. needs a bail setting in order to have much needed surgery and noted Deft. would reside with his father. Argument by the State requesting order be served upon Metro. CONFERENCE AT THE BENCH. Statement by the Court. COURT ORDERED, trial date VACATED and RESET. FURTHER, future motion regarding bail setting is OFF CALENDAR as moot.

CUSTODY

03-18-20 9:30 AM CALENDAR CALL

03-23-20 1:00 PM TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****April 06, 2020**

C-18-335315-1 State of Nevada
vs
Mario Trejo

April 06, 2020	3:30 PM	Motion for Own Recognizance Release/Settting Reasonable Bail	Defendant's Motion for Setting of Reasonable Bail with House Arrest Based on the Changed Circumstances Brought About by the Covid-19 Crisis
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HEARD BY: Miley, Stefany**COURTROOM:** RJC Lower Level Arraignment**COURT CLERK:** Katherine Streuber**RECORDER:** Maria Garibay**PARTIES**

PRESENT:	Henry, Alexander C. Schwartzter, Michael J. State of Nevada Trejo, Mario Bladimir	Attorney for Defendant Attorney for Plaintiff Plaintiff Defendant
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JOURNAL ENTRIES

- Argument by counsel noting Deft. had no criminal history, stated Deft. would reside at one of his father's tri-plexes and pointed out the jail was not transporting Deft. to doctor for treatment for his tracheotomy. Argument by the State pointing out this is the defense's fourth request, noted the violence of the case, advised Deft. is not a U.S. citizen and believed Deft. to be a flight risk and a danger to the community. Court stated its findings and ORDERED, motion DENIED. Trial date STANDS.

CUSTODY

PRINT DATE: 04/09/2020

Page 1 of 2

Minutes Date: April 06, 2020

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 10, 2020

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

June 10, 2020 3:30 PM Calendar Call

HEARD BY: Miley, Stefany **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Katherine Streuber

RECORDER: Maria Garibay

PARTIES

PRESENT:	Henry, Alexander C.	Attorney for Defendant
	Schwartzter, Michael J.	Attorney for Plaintiff
	State of Nevada	Plaintiff
	Trejo, Mario Bladimir	Defendant

JOURNAL ENTRIES

- Counsel advised they are not prepared for trial and requested a continuance. State advised they had opposition and noted they were not available for October trial stack. Argument by counsel. Colloquy regarding schedules. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

01-20-21 9:30 AM CALENDAR CALL

01-25-21 1:00 PM TRIAL BY JURY

Felony/Gross Misdemeanor

COURT MINUTES

January 20, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

January 20, 2021 08:30 AM Calendar Call

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Mario Bladimir Trejo Defendant

Michael J. Schwartzter Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Alexander Henry, Esq. and Michael Schwartzter, Esq. present via Bluejeans video conference.
Deft. present in-custody via Bluejeans video conference.

The Court noted Deft. waived his right to a speedy trial on 10/5/2018; advised counsel trial dates would not go forward as planned due to Covid-19. Colloquy regarding trial dates. Following colloquy, COURT ORDERED, trial dates VACATED and RESET.

CUSTODY

05/17/2021 8:30 AM CALENDAR CALL

05/24/2021 9:00 AM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

March 24, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

March 24, 2021 08:30 AM Motion to Dismiss Counsel

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Alexander Henry, Esq. and Michael Schwartzner, Esq. present via Bluejeans video conference.
Deft. present in-custody via Bluejeans video conference.

Mr. Henry indicated Deft. had a tracheotomy and is unable to speak and communicates by writing. Colloquy regarding special setting. Following colloquy, COURT ADVISED it's staff would reach out to counsel with the date of special setting.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

March 31, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

March 31, 2021 01:30 PM Motion to Withdraw as Counsel

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Mario Bladimir Trejo Defendant

JOURNAL ENTRIES

Alexander Henry, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

Deft. argued to remove Mr. Henry as counsel and to represent himself without standby counsel. Court foretold canvassed the Deft. Statement by Mr. Henry. COURT FINDS, Deft. had waived his right to counsel knowingly and voluntarily. COURT FURTHER FINDS, Deft. had full understanding of the waiver and its consequences, therefore, ORDERED, motion GRANTED.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

April 26, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 26, 2021 08:30 AM Motion for Medical OR to set Reasonable Bail

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Michael Schwartzner, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

Upon Court's inquiry, Mr. Schwartzner indicated he filed an opposition on Thursday. COURT ORDERED, matter CONTINUED to review opposition.

CUSTODY

CONTINUED TO 04.28.2021 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 28, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 28, 2021 08:30 AM Motion for Medical OR to set Reasonable Bail

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Michael Schwartzer, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

Upon Court's inquiry, Deft. indicated he hadn't reviewed the States opposition. COURT ORDERED, matter CONTINUED to let Deft. review the opposition.

CUSTODY

CONTINUED TO 05.05.2021 8:30 AM

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

May 05, 2021 08:30 AM Motion for Medical OR to set Reasonable Bail

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Slattery, Patti

REPORTER:

PARTIES PRESENT:

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Michael Schwartzer, Esq. present via Bluejeans video conference. Deft. not present.

The Court noted Deft. had a medical appointment; ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO 05.10.2021 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

May 10, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

May 10, 2021 08:30 AM Motion for Medical OR to set Reasonable Bail

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Lord, Rem

RECORDER: Pierson, Toshiana

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Colloquy regarding the video evidence in the case. Clark County Detention Center Officer Hyche read a statement in open court prepared by the Defendant, Mr. Schwartzer argued in opposition to the motion. COURT stated findings and ORDERED, Motion for Medical or to Set Reasonable Bail DENIED; bail to remain at \$75,000.00 cash or surety with house arrest as previously set. Colloquy regarding scheduling, COURT FURTHER ORDERED, Defendant's Motion to Suppress Digital Evidence is MOOT and taken OFF CALENDAR.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

May 17, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

May 17, 2021 08:30 AM Calendar Call

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Michael Schwartzner, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

The Court noted Deft. WAIVED his right on October 15, 2018. Colloquy regarding trial dates. Mr. Schwartzner anticipated two-weeks to try. COURT ORDERED, trial date VACATED and RESET.

CUSTODY

10.11.2021 8:30 AM CALENDAR CALL

10.18.2021 1:00 PM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

June 02, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

June 02, 2021 08:30 AM Motion to Dismiss States Motion of Opposition

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

David L. Stanton Attorney for Plaintiff

Mario Bladimir Trejo Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

David Stanton, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

The Court noted it was a Motion to Reconsider; ORDERED, Motion to Dismiss States Motion of Opposition DENIED.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

October 11, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

October 11, 2021 08:30 AM Motion to Dismiss Stand By Counsel...Motion for Proper in Court
Disability...Calendar Call...

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Michael Schwartzner, Esq. present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

Motion to Dismiss Stand By Counsel...Motion for Proper in Court Disability...Calendar Call...

As to: Motion to Dismiss Standby Counsel: The Court noted no opposition from the State, however, stated it Stand by counsel would be helpful during trial; ORDERED, Motion to Dismiss Stand By Counsel DENIED.

As to: Motion for Proper in Court Disability: The Court noted an Interpreter would assist Deft.; ORDERED, Motion for Proper in Court Disability GRANTED.

As to: Calendar Call: Colloquy regarding new facts from Deft. and trial dates. Following colloquy, COURT ORDERED, trial date VACATED and RESET.

CUSTODY

01.12.2022 8:30 AM CALENDAR CALL

01.24.2022 1:00 PM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

December 13, 2021

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

December 13, 2021 08:30 AM Motion to Suppress Witness Testimony/Impeachment

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Jones, Michelle

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Deft. present in-custody.

The Court noted it read the Motion. Oral argument by Deft. COURT STATED IT'S FINDINGS, ORDERED, Motion to Suppress DENIED; advised Ms. Sullivan to prepare an order.

CUSTODY

CLERK'S NOTE: This Minute Order was prepared using JAVS.//01.22.2022rh

Felony/Gross Misdemeanor

COURT MINUTES

January 03, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

January 03, 2022 08:30 AM Motion to Dismiss Case/Prosecutorial Misconduct and Perjury

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Ronald James Evans Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Ron Evans Esq. present via Bluejeans video conference. Defendant present in custody via Bluejeans video conference.

The Court noted it had read Defendant's Motion and Opposition and inquired if Defendant or The State had anything to add. Defendant provided argument. COURT ORDERED; Defendant's Motion to Dismiss Case/ Prosecutorial Misconduct and Perjury is DENIED.
-State is to prepare the Order.

IN CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

January 07, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

January 07, 2022 10:00 AM Minute Order

HEARD BY: Ballou, Erika COURTROOM: Chambers

COURT CLERK: Hurtado, Ro'Shell

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

It having come to the attention of the Court that the hearing on March 31, 2021, at 1:30 pm was partially outside the presence of the State as attorney-client privileged issues were discussed, it is ORDERED that the JAVS for the portion of the hearing outside the presence of the State be SEALED.

CLERK S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jessica Mason, to all registered parties for Odyssey File & Serve.//jm

Felony/Gross Misdemeanor

COURT MINUTES

January 12, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

January 12, 2022 08:30 AM Calendar Call

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Deft. present in-custody via Bluejeans video conference.

The Court noted it had received a letter from Deft. regarding recusal. Mr. Schwartzner indicated Deft. needed to file a Motion. Colloquy regarding trial. Following colloquy, COURT ORDERED, matter SET for central calendar call.

CUSTODY

01.19.2022 2:00 PM CENTRAL CALENDAR CALL LLA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 13, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

January 13, 2022 6:45 AM Minute Order

HEARD BY: Ballou, Erika

COURTROOM: Chambers

COURT CLERK:
Ro'Shell Hurtado

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- It coming to the attention of the Court that the Notice of Rescheduling electronically filed on January 12, 2022, at 4:10 pm (item #45) contained a typographical error, this Notice is hereby ordered STRICKEN.

Felony/Gross Misdemeanor

COURT MINUTES

January 19, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

January 19, 2022 08:30 AM Status Check: Reset Trial Date

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Deft. present in-custody via Bluejeans video conference.

The Court noted it is ready to proceed with trial, however, due to the Order from the Chief Judge trials over 5 calendar days would need to rescheduled. Colloquy regarding trial dates and Motions. Following colloquy, COURT ORDERED, trial date SET; ADVISED special setting would need to be set for all pending matters; further advised chambers would contact counsel regarding a date.

CUSTODY

03.21.2022 8:30 AM CALENDAR CALL

03.28.2022 1:00 PM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

February 03, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

February 03, 2022 01:30 PM Evidentiary Hearing

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Deft. present in-custody via Bluejeans video conference.

The Court noted it needed a new Faretta canvass to make sure Deft. understood the possible aggregate sentence if all charges run consecutive to one another based on the Miles case; further noted Deft. can't speak; he responded by thumbs up or down or gave Officer written responses to read. While being canvassed, Mr. Schwartzner extended an offer to Deft. Deft. refused offer. Due to time constraints, COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO 02.04.2022 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

February 04, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

February 04, 2022 08:30 AM Evidentiary Hearing

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK:

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Mario Bladimir Trejo Defendant

Ronald James Evans Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Deft. present in-custody via Bluejeans video conference.

The Court continued faretta canvass; ACCEPTED canvass and allowed Deft. to act as his own counsel. Mr. Evans noted Deft. had incomplete knowledge of some of the elements of the offenses. Deft. indicated he would research all of the elements. The Court REITERATED Mr. Henry's roll as stand-by counsel. Deft. inquired about an expert. COURT ADVISED, Deft. to look into filling a Widdis Motion.

Felony/Gross Misdemeanor

COURT MINUTES

March 21, 2022

C-18-335315-1 State of Nevada
vs
Mario Trejo

March 21, 2022 08:30 AM All Pending Motions

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Natali, Andrea

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

APPEARANCES CONTINUED: CCDC Corrections Officer present and advised the Deft. was present, but could not speak, and was writing down his responses.

CALENDAR CALL ... STATE'S MOTION TO ADMIT AUDIOVISUAL TESTIMONY AT TRIAL ON OST

COURT SO NOTED and ADVISED, the Deft. previously waived his right to a speedy trial within 60 days. Upon Court's inquiry, as to whether the Deft. had seen the motion, Deft. stated there was no objection as long as he could cross examine the witnesses. COURT SO NOTED. Mr. Schwartzner anticipated the trial would last up to two weeks; however, with the Deft.'s issues the trial could last three weeks. Deft. so acknowledged. COURT NOTED, it was out of the jurisdiction 4/8/22 through 4/14/22; therefore, ADVISED, it could start this trial 4/18/22, but it would run into its civil stack, as it did not want this trial to be sent to overflow. Deft. so agreed. Upon Court's inquiry, regarding whether a settlement conference (SC) was anticipated to be fruitful, Mr. Schwartzner stated he was open to a SC; however, the Deft. had already been provided with his lowest offer, and that was rejected and he received a voice mail from the Deft. indicating the Deft. did not want to engage in any further negotiations. COURT SO NOTED and ADVISED, it thought this matter could be settled. Colloquy regarding 4/18/22 being the first week of the Court's civil stack. Upon Court's further inquiry, regarding whether the parties would agree to reset the trial on 5/23/22, Deft. stated he did not agree to reset the trial to that date. COURT SO NOTED and ORDERED, Jury Trial VACATE and RESET for a special setting. Deft. stated there was not an offer that he would accept as the offers seemed to be getting worse. Mr. Schwartzner stated the Deft. had filed two motions, but one was set on a different date; therefore, requested all of the motions be heard on the same date. Additionally, Mr. Schwartzner stated he was taking no position on the Widdis motion, he had no opposition to the Brady motion, and would only be arguing on the Suppression of Evidence motion. COURT SO AGREED, and FURTHER ORDERED, the Deft.'s ProSe Person Motion Brady Motion of Discovery is VACATED and RESET to be heard on 3/23/22 along with the other motion settings.

CUSTODY

Printed Date: 3/23/2022

Page 1 of 2

Minutes Date:

March 21, 2022

Prepared by: Andrea Natali

3/23/22 - 8:30 AM - DEFENDANT'S PROPER PERSON MOTION TO SUPPRESS
EVIDENCE ... DEFENDANT'S PROPER PERSON WIDDIS/EXPENDITURE ALLOWANCE
MOTION ... DEFENDANT'S PROSE PERSON MOTION BRADY MOTION OF DISCOVERY

4/11/22 - 8:30 AM - CALENDAR CALL

4/18/22 - 1:00 PM - JURY TRIAL - FIRM

CLERK'S NOTE: The above statements by the Deft. were written by the Deft. and read out loud by the CCDC CO in open court. Subsequent to the Court Proceedings, COURT ORDERED, the State's Motion to Admit Audiovisual Testimony GRANTED, as it had originally intended to grant the motion in open court (3/21/22 amn).

Felony/Gross Misdemeanor

COURT MINUTES

March 23, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

March 23, 2022 08:30 AM Deft.'s Proper Person Motion to Suppress Evidence...Deft.'s
Proper Person Widdiss/Expenditure Allowance Motion...Deft.'s
Prose Person Motion Brady Motion of Discovery...

HEARD BY: Ballou, Erika

COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Mario Bladimir Trejo

Defendant

Michael J. Schwartz

Attorney for Plaintiff

State of Nevada

Plaintiff

JOURNAL ENTRIES

Deft.'s Proper Person Motion to Suppress Evidence...Deft.'s Proper Person
Widdiss/Expenditure Allowance Motion...Deft.'s Prose Person Motion Brady Motion of
Discovery...

With there being no objection from the State, COURT ORDERED, Deft.'s Proper Person
Widdiss/Expenditure Allowance Motion; Deft.'s Prose Person Motion Brady Motion of
Discovery GRANTED.

As to: Deft.'s Proper Person Motion to Suppress Evidence: Mr. Schwartz argued no points of
authority. The Court concurred; ORDERED, Deft.'s Proper Person Motion to Suppress
Evidence DENIED; advised Mr. Schwartz to prepare an order.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

April 11, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 11, 2022 08:30 AM CALENDAR CALL...STATE'S MOTION IN LIMINE TO
PRECLUDE DEFT.'S FROM MAKING IRRELEVANT
ARGUMENTS...DEFT. PROSE PERSON PRETRIAL MOTION
TO SUPPRESS EVIDENCE...

HEARD BY: Bonaventure, Joseph T. COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry	Attorney for Defendant
Mario Bladimir Trejo	Defendant
Michael J. Schwartzter	Attorney for Plaintiff
State of Nevada	Plaintiff

JOURNAL ENTRIES

Michael Schwartzter, Esq. and Alexander Henry, Esq. (standby) present via Bluejeans video conference. Deft. present in-custody via Bluejeans video conference.

CALENDAR CALL...STATE'S MOTION IN LIMINE TO PRECLUDE DEFT.'S FROM MAKING
IRRELEVANT ARGUMENTS...DEFT. PROSE PERSON PRETRIAL MOTION TO SUPPRESS
EVIDENCE...

As to State's Motion In Limine To Preclude DEFT.'S From Making Irrelevant Arguments and
DEFT. Prose Person Pretrial Motion To Suppress Evidence: COURT ORDERED, matter
CONTINUED for Judge Ballou.

As to Calendar Call: Parties announced ready to proceed to trial. COURT ORDERED, matter
SET for central calendar call.

CUSTODY

04.13.2022 2:00 PM CENTRAL CALENDAR CALL LLA

CONTINUED TO 04.18.2022 8:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 13, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 13, 2022 02:00 PM Central Calendar Call

HEARD BY: Bluth, Jacqueline M. COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Tucker, Michele

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

State of Nevada Plaintiff

JOURNAL ENTRIES

Defendant Trejo PRESENT in custody.

Ms. Heap advised there are outstanding motions and stand by counsel is not present. Ms. Heap further advised the defendant is unable to speak and writes his questions down. Court STATED the motions will be heard the morning of trial and ORDERED, trial date STANDS.

4/18/22 11:00 AM JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

April 18, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 18, 2022 08:30 AM State's Motion in Limine to Preclude Defendant From Making
Irrelevant Arguments...Defendant's ProSe Pret

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Deft. present in-custody via Bluejeans video conference.

State's Motion in Limine to Preclude Defendant From Making Irrelevant
Arguments...Defendant's ProSe Pretrial Motion to Suppress Evidence...

As to State's Motion in Limine to Preclude Defendant From Making Irrelevant Arguments: Deft.
stated he had no intention to make irrelevant arguments. COURT ORDERED, instant Motion
GRANTED; advised Mr. Schwartzer to prepare the order.

As to Defendant's ProSe Pretrial Motion to Suppress Evidence: Deft. argued timing on the
jail's mailing system. Mr. Schwartzer argued Deft. had ample time and tried to file motion with
no authority. The Court canvassed Deft. he would be treated the same as any other attorney;
ORDERED, Defendant's Pro Se Pretrial Motion to Suppress Evidence DENIED; advised Mr.
Schwartzer to prepare the order.

CUSTODY

Felony/Gross Misdemeanor

COURT MINUTES

April 18, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 18, 2022 11:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquerie, present.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Arguments by counsel regarding Motion to Suppress. Following arguments, COURT ORDERED, Motion to Suppress DENIED; advised Mr. Schwartzner to prepare an order. Colloquy regarding trial schedule.

PROSPECTIVE JURY PANEL PRESENT:

Introductions by the Court and counsel. Clerk called the roll. Prospective Jury SWORN IN and Voir Dire BEGINS. Conferences at the Bench.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:

Arguments by counsel regarding cause challenges.

PROSPECTIVE JURY PANEL PRESENT:

Court recessed and ORDERED, jury selection CONTINUED.

CONTINUED TO 04.19.2022 10:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 19, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 19, 2022 10:30 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquerie, present.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:
Arguments by counsel regarding cause challenges.PROSPECTIVE JURY PANEL PRESENT:
Introductions by the Court and counsel. Clerk called the roll. Prospective Jury SWORN IN
and Voir Dire CONTINUED. Conferences at the Bench.OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:
Arguments by counsel regarding cause challenges.PROSPECTIVE JURY PANEL PRESENT:
Court recessed and ORDERED, jury selection CONTINUED.

CONTINUED TO 04.20.2022 11:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 20, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 20, 2022 11:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquerie, present.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:
Arguments by counsel regarding cause challenges.PROSPECTIVE JURY PANEL PRESENT:
Introductions by the Court and counsel. Clerk called the roll. Prospective Jury SWORN IN
and Voir Dire CONTINUED. Conferences at the Bench.OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY PANEL:
Arguments by counsel regarding cause challenges.PROSPECTIVE JURY PANEL PRESENT:
Court recessed and ORDERED, jury selection CONTINUED.

CONTINUED TO 04.21.2022 8:45 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 21, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 21, 2022 08:45 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika **COURTROOM:** RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Jeanette Encinas, present.

PROSPECTIVE JURY PANEL PRESENT:

Voir Dire continued. Jury and three alternates SELECTED and SWORN. Court recessed and ORDERED, matter CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy regarding witnesses.

CONTINUED TO 04.22.2022 9:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 22, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 22, 2022 09:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquerie, present.

JURY PANEL PRESENT:

Opening statements by Mr. Schwartzner and Deft. Testimony and exhibits presented (see worksheets). Conference at bench. COURT ORDERED, matter CONTINUED.

CONTINUED TO 04.25.2022 11:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 25, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 25, 2022 11:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Jeanette Encinas, present.

JURY PANEL PRESENT:

Testimony and exhibits presented (see worksheets). Conference at bench. COURT
ORDERED, matter CONTINUED.

CONTINUED TO 04.26.2022 10:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 26, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 26, 2022 10:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Xiemna Fiene, present.

OUTSIDE THE PRESENCE OF THE JURY:
Colloquy regarding 911 call and discovery.

JURY PANEL PRESENT:

Testimony and exhibits presented (see worksheets). Conference at bench. COURT
ORDERED, matter CONTINUED.

CONTINUED TO 04.27.2022 10:30 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 27, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 27, 2022 10:30 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Curameng, Aimee

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquerie, present.

JURY PANEL PRESENT:

Testimony and exhibits presented (see worksheets). Conference at bench. COURT
ORDERED, matter CONTINUED.

CONTINUED TO 04.28.2022 9:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 28, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 28, 2022 09:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Curameng, Aimee

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquerie and Jeanette Encinas, present.

OUTSIDE THE PRESENCE OF THE JURY:

Juror 15 excused due to illness. Colloquy regarding Deft.'s surgery.

JURY PANEL PRESENT:

Testimony and exhibits presented (see worksheets). Conference at bench. COURT
ORDERED, matter CONTINUED.

CONTINUED TO 04.29.2022 9:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

April 29, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

April 29, 2022 09:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Curameng, Aimee

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzer Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquerie, present.

JURY PANEL PRESENT:

Testimony and exhibits presented (see worksheets). Conference at bench. COURT
ORDERED, matter CONTINUED.

CONTINUED TO 05.03.2022 11:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

May 02, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

May 02, 2022 11:00 AM Jury Trial

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Baccurie, present.

OUTSIDE PRESENCE OF THE JURY:

Deft. indicated there was a possibility he would be going to surgery. Colloquy regarding possible surgery and witness. Following colloquy, COURT ORDERED, Ms. McKnickle EXCLUDED from testifying.

JURY PANEL PRESENT:

Testimony and exhibits presented (see worksheet). State RESTS. COURT ORDERED, matter CONTINUED.

CONTINUED TO 05.03.2022 11:00 AM

Felony/Gross Misdemeanor

COURT MINUTES

May 03, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

May 03, 2022 11:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquire, present.

OUTSIDE THE PRESENCE OF THE JURY:

Colloquy and argument regarding Court's canvas of Deft. and his 5th Amendment Right to Testify, medical records, witness testimony, and discussions during the bench conferences.

JURY PANEL PRESENT:

Testimony continued. Bench Conferences. Deft's. testimony presented. Deft. RESTS.

OUTSIDE THE PRESENCE OF THE JURY:

Jury Instructions SETTLED.

JURY PANEL PRESENT:

Closing arguments by Mr. Schwartzner. COURT ORDERED, trial CONTINUED.

CUSTODY

05.04.2022 11:00 AM - JURY TRIAL

Felony/Gross Misdemeanor

COURT MINUTES

May 04, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

May 04, 2022 11:00 AM Jury Trial - FIRM

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Alexander C. Henry Attorney for Defendant

Hilary Heap Attorney for Plaintiff

Mario Bladimir Trejo Defendant

Michael J. Schwartzner Attorney for Plaintiff

State of Nevada Plaintiff

JOURNAL ENTRIES

JURY PANEL PRESENT:

Closing arguments by Deft. State's rebuttal argument by Mr. Schwartzner. At the hour of 12:08 p.m. the Jury RETIRED to begin deliberations.

JURY PANEL PRESENT:

At the hour of 2:10 p.m. the Jury returned with their verdicts as follows:

As to COUNTS 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F) - GUILTY

As to COUNTS 2, 3, 4, 5, 6, 7, 8, - ROBBERY WITH USE OF A DEADLY WEAPON (F) - GUILTY ON ALL COUNTS

As to COUNT 9 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F) - GUILTY

As to COUNTS 10, 11 - ASSAULT ON A PROTECTED PERSON WITH USE OF DEADLY WEAPON (F) - GUILTY

As to COUNT 12 - CONSPIRACY TO COMMIT ROBBERY (F) - GUILTY

As to COUNT 13 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (F) - GUILTY

COURT thanked and EXCUSED the Jury panel.

OUTSIDE THE PRESENCE OF THE JURY PANEL:

COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing.

CUSTODY

06.15.2022 9:30 AM SENTENCING

Felony/Gross Misdemeanor

COURT MINUTES

May 10, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

May 10, 2022 09:00 AM Juror Chasity McKay

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK: Hurtado, Ro'Shell

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

Upon Court's inquiry, Ms. McKay indicated at lunch she had got sick and left. The Court ADVISED Ms. McKay she needed to let someone know before leaving; further advised her of the consequences of leaving jury selection without being properly excused.

Felony/Gross Misdemeanor

COURT MINUTES

June 15, 2022

C-18-335315-1 State of Nevada
 vs
 Mario Trejo

June 15, 2022 09:30 AM Sentencing

HEARD BY: Ballou, Erika COURTROOM: RJC Courtroom 12C

COURT CLERK:

RECORDER: Schofield, Susan

REPORTER:

PARTIES PRESENT:

Hilary Heap	Attorney for Plaintiff
Krystal D. Bradford	Attorney for Defendant
Mario Bladimir Trejo	Defendant
Michael J. Schwartzer	Attorney for Plaintiff
State of Nevada	Plaintiff

JOURNAL ENTRIES

Interpreter, Marie Bacquerie, present.

DEFT. TREJO had been FOUND GUILTY after a jury trial of COUNT 1 - BURGLARY WHILE IN POSSESSION OF A FIREARM (F); COUNTS 2,3,4,5,6,7,8 - ROBBERY WITH USE OF A DEADLY WEAPON (F); COUNT 9 - FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (F); COUNTS 10, 11 - ASSAULT ON A PROTECTED PERSON WITH USE OF DEADLY WEAPON (F); COUNT 12 - CONSPIRACY TO COMMIT ROBBERY (F) and COUNT 13 - ATTEMPT ROBBERY WITH USE OF A DEADLY WEAPON (F). Statement by Mr. Schwartzer. Statement by Deft. Victim Impact statements by Jennifer Incera, Julianna Saldana, Thomas Carrigy, Melody Howard, and Adriane Serrano. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, Restitution in the amount of \$9,500.00 to VC2288360 and \$180.00 to Victims of Crime and a \$3.00 DNA Collection fee, Deft. SENTENCED as follows:

as to COUNT 1 to a MINIMUM of TWENTY-FOUR (24) MONTHS and a MAXIMUM of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC);

as to COUNT 2 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNT 1;

as to COUNT 3 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNTS 1 - 2;

as to COUNT 4 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNTS 1 - 3;

as to COUNT 5 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNTS 1 - 4;

as to COUNT 6 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNTS 1 - 5;

as to COUNT 7 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNTS 1 - 6;

as to COUNT 8 to a MINIMUM of SEVENTY-TWO (72) MONTHS and a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNTS 1 - 7;

as to COUNT 9 to a MINIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MAXIMUM of LIFE plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNTS 1 - 8;

as to COUNT 10 to a MINIMUM of TWENTY-EIGHT (28) MONTHS and a MAXIMUM of SEVENTY-EIGHT (78) MONTHS in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNT 1 - 9;

as to COUNT 11 to a MINIMUM of TWENTY-EIGHT (28) MONTHS and a MAXIMUM of SEVENTY-EIGHT (78) MONTHS in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNT 1 - 10;

as to COUNT 12 to a MINIMUM of TWENTY-EIGHT (28) MONTHS and a MAXIMUM of SEVENTY-EIGHT (78) MONTHS in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNT 1 - 11;

as to COUNT 13 to a MINIMUM of FORTY-EIGHT (48) MONTHS and a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS plus a CONSECUTIVE term of a MINIMUM of TWELVE (12) MONTHS and a MAXIMUM of THIRTY (30) MONTHS for the Use of a Deadly Weapon in the Nevada Department of Corrections (NDC), to run CONCURRENT TO COUNTS 1 -12; with ONE THOUSAND THREE HUNDRED EIGHTY-TWO (1,382) DAYS credit for time served. The AGGREGATE TOTAL sentence is a MINIMUM of ONE HUNDRED EIGHT (180) MONTHS and a MAXIMUM of LIFE in the Nevada Department of Corrections (NDC). COURT FURTHER ORDERED, pursuant to NRAP 46(A)(b)(1) Direct Appeal From a Judgment of Conviction, Public Defender's Office appointed.

BOND, if any, EXONERATED.

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MARIO TREJO,) No. 84724
)
 Appellant,)
)
 v.)
)
 THE STATE OF NEVADA,)
)
 Respondent.)
)

DARIN F. IMLAY Clark County Public Defender 309 South Third Street Las Vegas, Nevada 89155-2610 Attorney for Appellant	STEVE WOLFSON Clark County District Attorney 200 Lewis Avenue, 3 rd Floor Las Vegas, Nevada 89155 AARON FORD Attorney General 100 North Carson Street Carson City, Nevada 89701-4717 (702) 687-3538 Counsel for Respondent
--	--

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 16 day of February 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

MARIO TREJO, #1258166
HIGH DESERT STATE PRISON
P.O. BOX 650
INDIAN SPRINGS, NV 89070

BY /s/ Rachel Howard
Employee, Clark County Public Defender's Office