

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 ARTHUR MOORE,

3 Appellant,

4 v.

5 STATE OF NEVADA,

6 Respondent.

Nevada Supreme Court Case No.: 82747

District Court Case No.: 016287 **Electronically Filed** Nov 01 2021 10:54 a.m.

District Court Dept. No.: 11 **Elizabeth A. Brown**
Clerk of Supreme Court

7
8 **APPENDIX VOLUME I**

9 (Appeal from Judgment of Conviction and
10 Sentence in the Eighth Judicial District Court)

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1 **Moore, Arthur v. State of Nevada Appendix Volume I**

2 **District Court Case No. C316287, Appeal #82747**

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12
13 DATED this 29th day of October, 2021.

14 Submitted by:

15 /s/ Dan M. Winder

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Nevada Bar No. 001569

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ORIGINAL

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IND
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FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

JUL 07 2016

BY, S. Boyle
S. BOYLE, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO: C-16-316287-1

-vs-

DEPT NO: XI

ARTHUR MOORE, #2578207
NADIN HIKO, #2705863
DEVONTE WASH, #2721553
DEVON PHILLIPS, # 3025541

Defendants.

INDICTMENT

STATE OF NEVADA }
COUNTY OF CLARK } ss.

The Defendants above named, ARTHUR MOORE, NADIN HIKO, DEVONTE WASH and DEVON PHILLIPS, accused by the Clark County Grand Jury of the crime(s) of MURDER WITH USE OF A DEADLY WEAPON (Category A Felony - NRS 200.010, 200.030, 193.165 - NOC 50001; ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.010, 200.030, 193.330, 193.165 - NOC 50031); ASSAULT WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.471 - NOC 50201); CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147) and ROBBERY WITH USE OF A DEADLY WEAPON (Category B

///

C-16-316287-1
IND
Indictment
4562711



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1 Felony - NRS 200.380, 193.165 - NOC 50138), committed at and within the County of Clark,
2 State of Nevada, on or about the 20th day of February, 2009, as follows:

3 COUNT 1 - MURDER WITH USE OF A DEADLY WEAPON

4 did then and there wilfully, unlawfully, feloniously, and with malice aforethought, kill
5 ARIC BRILL, a human being, in the following manner, to wit: by shooting at and into the
6 body of ARIC BRILL with a firearm, the actions of the Defendants and/or unknown co-
7 conspirators resulting in the death of the said ARIC BRILL, said killing having been (1)
8 willful, deliberate and premeditated; and/or (2) having occurred during the perpetration or
9 attempted perpetration of a robbery; said Defendants and/or unknown co-conspirators being
10 responsible under one or more of the following principles of criminal liability, to-wit: (1) by
11 directly committing the act; and/or (2) by said Defendants and/or unknown co-conspirators
12 aiding or abetting each other, with the specific intent that a killing occur, by counseling,
13 encouraging, commanding or procuring the other to commit the offense, Defendants
14 ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON
15 PHILLIPS and/or unknown co-conspirators accompanying each other to the crime scene at 65
16 Beasley, the Defendants ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH
17 and/or DEVON PHILLIPS and/or unknown co-conspirators pointing a firearm at TERRELL
18 MOORE and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH BENTLY and/or
19 SHANNON WILLIAMS, one or more of the Defendants and/or unknown co-conspirators
20 telling TERRELL MOORE and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH
21 BENTLY and/or SHANNON WILLIAMS not to run or the Defendants and/or unknown co-
22 conspirators would shoot, as one or more of the Defendants and/or unknown co-conspirators
23 took property from TERRELL MOORE and ANGELO GILBERT, as SHANNON
24 WILLIAMS and/or JOSEPH BENTLY and/or ARIC BRILL were running from the crime
25 scene, one or more of the Defendants and/or unknown co-conspirators started shooting in the
26 direction of ARIC BRILL and JOEPSH BENTLEY, shooting into the body of ARIC BRILL
27 resulting in the death of ARIC BRILL, the Defendants and/or unknown co-conspirators
28 encouraging one another throughout by actions and words, the Defendants acting in concert

1 throughout; and/or (3) by the Defendants and/or unknown co-conspirators conspiring with
2 each other, with the specific intent that a killing occur.

3 COUNT 2 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON

4 did then and there wilfully, unlawfully, feloniously, and knowingly, did then and there,
5 without authority of law, and malice aforethought, willfully and feloniously attempt to kill
6 JOSEPH BENTLY, a human being, by shooting at the said JOSEPH BENTLY with a deadly
7 weapon, to-wit: a firearm, the Defendants and/or unknown co-conspirators being responsible
8 under one or more of the following principles of criminal liability, to-wit: (1) by directly
9 committing the act; and/or (2) by said Defendants and/or unknown co-conspirators aiding or
10 abetting each other, with the specific intent that a killing occur, by counseling, encouraging,
11 commanding or procuring the other to commit the offense, Defendants ARTHUR MOORE
12 and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON PHILLIPS and/or unknown
13 co-conspirators accompanying each other to the crime scene at 65 Beasley, the Defendants
14 ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON
15 PHILLIPS and/or unknown co-conspirators pointing a firearm at TERRELL MOORE and/or
16 ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH BENTLY and/or SHANNON
17 WILLIAMS, one or more of the Defendants and/or unknown co-conspirators telling
18 TERRELL MOORE and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH
19 BENTLY and/or SHANNON WILLIAMS not to run or the Defendants and/or unknown co-
20 conspirators would shoot, as one or more of the Defendants and/or unknown co- conspirators
21 took property from TERRELL MOORE and ANGELO GILBERT, and/or SHANNON
22 WILLIAMS and/or JOSEPH BENTLY and/or ARIC BRILL were running from the crime
23 scene, one or more of the Defendants and/or unknown co-conspirators started shooting in the
24 direction of ARIC BRILL and JOEPSH BENTLEY, shooting into the body of JOSEPH
25 BENTLEY, the Defendants and/or unknown co-conspirators encouraging one another
26 throughout by actions and words, the Defendants and/or unknown co-conspirators acting in
27 concert throughout; and/or (3) by the Defendants and/or unknown co-conspirators conspiring
28 with each other, with the specific intent that a killing occur.

1 COUNT 3 - ASSAULT WITH A DEADLY WEAPON

2 did then and there wilfully, unlawfully, feloniously and intentionally place another
3 person in reasonable apprehension of immediate bodily harm and/or did unlawfully attempt to
4 use physical force against another person, to-wit: SHANNON WILLIAMS, with use of a
5 deadly weapon, to-wit: a firearm, by displaying said firearm and/or pointing said firearm at
6 SHANNON WILLIAMS and/or shooting at SHANNON WILLIAMS with said firearm, the
7 Defendants being responsible under one or more of the following principles of criminal
8 liability, to-wit: (1) by directly committing the act; and/or (2) by said Defendants and/or
9 unknown co-conspirators aiding or abetting each other, by counseling, encouraging,
10 commanding or procuring the other to commit the offense, Defendants ARTHUR MOORE
11 and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON PHILLIPS and/or unknown
12 co-conspirators accompanying each other to the crime scene at 65 Beasley, the Defendants
13 ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON
14 PHILLIPS and/or unknown co-conspirators pointing a firearm at SHANNON WILLIAMS,
15 one or more of the Defendants telling TERRELL MOORE and/or ANGELO GILBERT and/or
16 ARIC BRILL and/or JOSEPH BENTLY and/or SHANNON WILLIAMS not to run or the
17 Defendants and/or unknown co-conspirators would shoot while Defendants and/or unknown
18 co-conspirators displayed and/or pointed said firearms at SHANNON WILLIAMS and/or
19 shooting at SHANNON WILLIAMS, as one or more of the Defendants and/or unknown co-
20 conspirators took property from TERRELL MOORE and ANGELO GILBERT, the
21 Defendants and/or unknown co-conspirators encouraging one another throughout by actions
22 and words, the Defendants acting in concert throughout; and/or (3) by the Defendants and/or
23 unknown co-conspirators conspiring with each other to commit the crime of assault with a
24 deadly weapon each with the intent to commit the crime.

25 COUNT 4 - ASSAULT WITH A DEADLY WEAPON

26 did then and there wilfully, unlawfully, feloniously and intentionally place another
27 person in reasonable apprehension of immediate bodily harm and/or did unlawfully attempt to
28 use physical force against another person, to-wit: TERRELL MOORE, with use of a deadly

1 weapon, to-wit: a firearm, by displaying said firearm and/or pointing said firearm at
2 TERRELL MOORE and/or shooting at TERRELL MOORE with said firearm, the Defendants
3 and/or unknown co-conspirators being responsible under one or more of the following
4 principles of criminal liability, to-wit: (1) by directly committing the act; and/or (2) by said
5 Defendants and/or unknown co-conspirators aiding or abetting each other, by counseling,
6 encouraging, commanding or procuring the other to commit the offense, Defendants
7 ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON
8 PHILLIPS and/or unknown co-conspirators accompanying each other to the crime scene at 65
9 Beasley, the Defendants ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH
10 and/or DEVON PHILLIPS and/or unknown co-conspirators pointing a firearm at SHANNON
11 WILLIAMS, one or more of the Defendants and/or unknown co-conspirators telling
12 TERRELL MOORE and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH
13 BENTLY and/or SHANNON WILLIAMS not to run or the Defendants and/or unknown co-
14 conspirators would shoot while Defendants and/or unknown co-conspirators displayed and/or
15 pointed said firearms at TERRELL MOORE and/or shooting at TERRELL MOORE, as one
16 or more of the Defendants and/or unknown co-conspirators took property from TERRELL
17 MOORE and ANGELO GILBERT, the Defendants and/or unknown co-conspirators
18 encouraging one another throughout by actions and words, the Defendants and/or unknown
19 co-conspirators acting in concert throughout; and/or (3) by the Defendants and/or unknown
20 co-conspirators conspiring with each other to commit the crime of assault with a deadly
21 weapon each with the intent to commit the crime.

22 COUNT 5 - ASSAULT WITH A DEADLY WEAPON

23 did then and there wilfully, unlawfully, feloniously and intentionally place another
24 person in reasonable apprehension of immediate bodily harm and/or did unlawfully attempt to
25 use physical force against another person, to-wit: ANGELO GILBERT, with use of a deadly
26 weapon, to-wit: a firearm, by displaying said firearm and/or pointing said firearm at ANGELO
27 GILBERT and/or shooting at ANGELO GILBERT with said firearm, the Defendants and/or
28 unknown co-conspirators being responsible under one or more of the following principles of

1 criminal liability, to-wit: (1) by directly committing the act; and/or (2) by said Defendants
2 and/or unknown co-conspirators aiding or abetting each other, by counseling, encouraging,
3 commanding or procuring the other to commit the offense, Defendants ARTHUR MOORE
4 and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON PHILLIPS and/or unknown
5 co-conspirators accompanying each other to the crime scene at 65 Beasley, the Defendants
6 ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON
7 PHILLIPS and/or unknown co-conspirators pointing a firearm at ANGELO GILBERT, one
8 or more of the Defendants and/or unknown co-conspirators telling TERRELL MOORE and/or
9 ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH BENTLY and/or SHANNON
10 WILLIAMS not to run or the Defendants and/or unknown co-conspirators would shoot while
11 Defendants and/or unknown co-conspirators displayed and/or pointed said firearms at
12 ANGELO GILBERT and/or shooting at ANGELO GILBERT, as one or more of the
13 Defendants and/or co-conspirators took property from TERRELL MOORE and ANGELO
14 GILBERT, the Defendants and/or co-conspirators encouraging one another throughout by
15 actions and words, the Defendants and/or unknown co-conspirators acting in concert
16 throughout; and/or (3) by the Defendants and/or unknown co-conspirators conspiring with
17 each other to commit the crime of assault with a deadly weapon each with the intent to commit
18 the crime.

19 COUNT 6 - CONSPIRACY TO COMMIT ROBBERY

20 did then and there meet with each other and between themselves, and each of them with
21 the other, wilfully, unlawfully, and feloniously conspire and agree to commit a crime, to-wit:
22 robbery, and in furtherance of said conspiracy, Defendants did commit the acts as set forth in
23 Counts 7 and Count 8, said acts being incorporated by this reference as though fully set forth
24 herein.

25 COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON

26 did then and there wilfully, unlawfully, and feloniously take personal property, to-wit:
27 lawful money of the United States, from the person of TERRELL MOORE, or in his presence,
28 by means of force or violence or fear of injury to, and without the consent and against the will

1 of the said TERRELL MOORE, said Defendants and/or unknown co-conspirator using a
2 deadly weapon, to-wit: a firearm, during the commission of said crime; the said Defendants
3 and/or unknown co-conspirators being responsible under one or more of the following
4 principles of criminal liability, to-wit: (1) by directly committing the act; and/or (2) by said
5 Defendants and/or unknown co-conspirators aiding or abetting each other, by counseling,
6 encouraging, commanding or procuring the other to commit the offense, Defendants
7 ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON
8 PHILLIPS and/or unknown co-conspirators accompanying each other to the crime scene at 65
9 Beasley, the Defendants ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH
10 and/or DEVON PHILLIPS and/or unknown co-conspirators pointing a firearm at TERRELL
11 MOORE and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH BENTLY and/or
12 SHANNON WILLIAMS, one or more of the Defendants telling TERRELL MOORE and/or
13 ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH BENTLY and/or SHANNON
14 WILLIAMS not to run or the Defendants and/or unknown co-conspirators would shoot, as one
15 or more of the Defendants and/or unknown co-conspirators took property from TERRELL
16 MOORE and ANGELO GILBERT, and/or SHANNON WILLIAMS and/or JOSEPH
17 BENTLY and/or ARIC BRILL were running from the crime scene, one or more of the
18 Defendants and/or unknown co-conspirators started shooting in the direction of ARIC BRILL
19 and JOEESH BENTLEY, shooting into the body of ARIC BRILL and/or JOSEPH BENTLEY
20 resulting in the death of ARIC BRILL, the Defendants and/or unknown co-conspirators
21 encouraging one another throughout by actions and words, the Defendants and/or unknown co-
22 conspirators acting in concert throughout; and/or (3) by Defendants and/or unknown co-
23 conspirators conspiring with each other to commit the offense whereby each is vicariously
24 liable for the foreseeable acts of the other made in furtherance of the conspiracy.

25 COUNT 8 - ROBBERY WITH USE OF A DEADLY WEAPON

26 did then and there wilfully, unlawfully, and feloniously take personal property, to-wit:
27 lawful money of the United States, from the person of ANGELO GILBERT, or in his presence,
28 by means of force or violence or fear of injury to, and without the consent and against the will

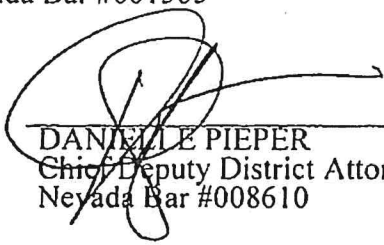
1 of the said ANGELO GILBERT, said Defendants and/or unknown co-conspirators using a
2 deadly weapon, to-wit: a firearm, during the commission of said crime; the said Defendants
3 and/or unknown co-conspirators being responsible under one or more of the following
4 principles of criminal liability, to-wit: (1) by directly committing the act; and/or (2) by said
5 Defendants and/or unknown co-conspirators aiding or abetting each other, by counseling,
6 encouraging, commanding or procuring the other to commit the offense, Defendants
7 ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE WASH and/or DEVON
8 PHILLIPS and/ or unknown co-conspirators accompanying each other to the crime scene at
9 65 Beasley, the Defendants ARTHUR MOORE and/or NADIN HIKO and/or DEVONTE
10 WASH and/or DEVON PHILLIPS and/or unknown co-conspirators pointing a firearm at
11 TERRELL MOORE and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH
12 BENTLY and/or SHANNON WILLIAMS, one or more of the Defendants and/or unkown co-
13 conspirators telling TERRELL MOORE and/or ANGELO GILBERT and/or ARIC BRILL
14 and/or JOSEPH BENTLY and/or SHANNON WILLIAMS not to run or the Defendants would
15 shoot, as one or more of the Defendants and/or unknown co-conspirators took property from
16 TERRELL MOORE and ANGELO GILBERT, and/or SHANNON WILLIAMS and/or
17 JOSEPH BENTLY and/or ARIC BRILL were running from the crime scene, one or more of
18 the Defendants and/or unknown co-conspirators started shooting in the direction of ARIC
19 BRILL and JOEPSH BENTLEY, shooting into the body of ARIC BRILL and/or JOSEPH
20 BENTLEY resulting in the death of ARIC BRILL, the Defendants and/or unknown co-
21 conspirators encouraging one another throughout by actions and words, the Defendants and/or
22 unknown co-conspirators acting in concert throughout; and/or (3) by Defendants and/or
23 ///
24 ///
25 ///
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1 unknown co-conspirators conspiring with each other to commit the offense whereby each is
2 vicariously liable for the foreseeable acts of the other made in furtherance of the conspiracy.

3 DATED this _____ day of July, 2016.

4 STEVEN B. WOLFSON
5 Clark County District Attorney
6 Nevada Bar #001565

7 BY

8 
9 DANIELLE PIEPER
10 Chief Deputy District Attorney
11 Nevada Bar #008610

12
13 ENDORSEMENT: A True Bill

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15 
16 Foreperson, Clark County Grand Jury
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1 Names of Witnesses and testifying before the Grand Jury:

2 BENTLEY, JOSEPH, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

3 BRILL, KAREN, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

4 COOK, DARIN, LVMPD

5 GILBERT, ANGELO, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

6 JACKSON, TATIANA, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

7 KRUSE, EDWARD, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

8 MOORE, TERREL, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

9 WILLIAMS-SUTTON, SHANNON, c/o CCDA, 200 Lewis Avenue, Las Vegas, NV

10 Additional Witnesses known to the District Attorney at time of filing the Indictment:

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28 15BGJ096A-D/mc/GJ

ORIGINAL

1 **GPA**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 DANIELLE K. PIEPER
6 Chief Deputy District Attorney
7 Nevada Bar #008610
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

MAR 03 2020

BY,

HALY PANNULLO, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

C-16-316287-1
GPA
Guilty Plea Agreement
4900763



9 THE STATE OF NEVADA,
10 Plaintiff,

11 -VS-

12 ARTHUR MOORE,
13 #2578207

14 Defendant.

CASE NO: C-16-316287-1

DEPT NO: XX

15 **GUILTY PLEA AGREEMENT**

16 I hereby agree to plead guilty to: **COUNT 1 - MURDER (SECOND DEGREE)**
17 **(Category A Felony - NRS 200.010, 200.030.2 - NOC 50010); COUNT 2 - CONSPIRACY**
18 **TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147);**
19 **and COUNT 3 - ROBBERY (Category B Felony - NRS 200.380 - NOC 50137), as more**
20 **fully alleged in the charging document attached hereto as Exhibit "1".**

21 My decision to plead guilty is based upon the plea agreement in this case which is as
22 follows:

23 Both parties stipulate to ten (10) to twenty-five (25) years in the Nevada Department of
24 Corrections (NDOC) for the Second Degree Murder. Further, the State will retain the right to
25 argue as to Counts 2 and 3. Additionally, both parties stipulate that Count 2 will run
26 consecutive to Count 1, and Count 3 will run consecutive to Counts 1 and 2.

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1 I agree to the forfeiture of any and all weapons or any interest in any weapons seized
2 and/or impounded in connection with the instant case and/or any other case negotiated in
3 whole or in part in conjunction with this plea agreement.

4 I understand and agree that, if I fail to interview with the Department of Parole and
5 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,
6 by affidavit review, confirms probable cause against me for new criminal charges including
7 reckless driving or DUI, but excluding minor traffic violations, the State will have the
8 unqualified right to argue for any legal sentence and term of confinement allowable for the
9 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
10 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without
11 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite
12 twenty-five (25) year term with the possibility of parole after ten (10) years.

13 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
14 plea agreement.

15 CONSEQUENCES OF THE PLEA

16 I understand that by pleading guilty I admit the facts which support all the elements of
17 the offense(s) to which I now plead as set forth in Exhibit "1".

18 **As to Count 1**, I understand that as a consequence of my plea of guilty the Court must
19 sentence me to imprisonment in the Nevada State Prison for Life with the possibility of parole
20 with eligibility for parole beginning at ten (10) years; OR a definite term of twenty-five (25)
21 years with eligibility for parole beginning at ten (10) years. I understand that I am not eligible
22 for probation for the offense to which I am pleading guilty.

23 **As to Count 2**, I understand that as a consequence of my plea of guilty the Court must
24 sentence me to imprisonment in the Nevada Department of Corrections for a minimum term
25 of not less than one (1) year and a maximum term of not more than six (6) years. The minimum
26 term of imprisonment may not exceed forty percent (40%) of the maximum term of
27 imprisonment. I understand that I may also be fined up to \$5,000.00. I understand that I am
28 eligible for probation for the offense to which I am pleading guilty. I understand that, except

1 as otherwise provided by statute, the question of whether I receive probation is in the discretion
2 of the sentencing judge.

3 As to **Count 3**, I understand that as a consequence of my plea of guilty the Court must
4 sentence me to imprisonment in the Nevada Department of Corrections for a minimum term
5 of not less than two (2) years and a maximum term of not more than fifteen (15) years. The
6 minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of
7 imprisonment. I understand that, except as otherwise provided by statute, the question of
8 whether I receive probation is in the discretion of the sentencing judge.

9 I understand that the law requires me to pay an Administrative Assessment Fee.

10 I understand that, if appropriate, I will be ordered to make restitution to the victim of
11 the offense(s) to which I am pleading guilty and to the victim of any related offense which is
12 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
13 reimburse the State of Nevada for any expenses related to my extradition, if any.

14 I understand that I must submit to blood and/or saliva tests under the Direction of the
15 Division of Parole and Probation to determine genetic markers and/or secretor status.

16 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,
17 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or
18 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation
19 and may receive a higher sentencing range.

20 I understand that if more than one sentence of imprisonment is imposed and I am
21 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
22 the sentences served concurrently or consecutively.

23 I understand that information regarding charges not filed, dismissed charges, or charges
24 to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

25 I have not been promised or guaranteed any particular sentence by anyone. I know that
26 my sentence is to be determined by the Court within the limits prescribed by statute.

27 I understand that if my attorney or the State of Nevada or both recommend any specific
28 punishment to the Court, the Court is not obligated to accept the recommendation.

1 I understand that if the offense(s) to which I am pleading guilty was committed while I
2 was incarcerated on another charge or while I was on probation or parole that I am not eligible
3 for credit for time served toward the instant offense(s).

4 I understand that if I am not a United States citizen, any criminal conviction will likely
5 result in serious negative immigration consequences including but not limited to:

- 6 1. The removal from the United States through deportation;
- 7 2. An inability to reenter the United States;
- 8 3. The inability to gain United States citizenship or legal residency;
- 9 4. An inability to renew and/or retain any legal residency status; and/or
- 10 5. An indeterminate term of confinement, with the United States Federal
11 Government based on my conviction and immigration status.

12 Regardless of what I have been told by any attorney, no one can promise me that this
13 conviction will not result in negative immigration consequences and/or impact my ability to
14 become a United States citizen and/or a legal resident.

15 I understand that the Division of Parole and Probation will prepare a report for the
16 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
17 sentencing, including my criminal history. This report may contain hearsay information
18 regarding my background and criminal history. My attorney and I will each have the
19 opportunity to comment on the information contained in the report at the time of sentencing.
20 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also
21 comment on this report.

22 WAIVER OF RIGHTS

23 By entering my plea of guilty, I understand that I am waiving and forever giving up the
24 following rights and privileges:

- 25 1. The constitutional privilege against self-incrimination, including the right
26 to refuse to testify at trial, in which event the prosecution would not be
allowed to comment to the jury about my refusal to testify.

27 //

28 //

2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense(s) charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify against me.
4. The constitutional right to subpoena witnesses to testify on my behalf.
5. The constitutional right to testify in my own defense.
6. The right to appeal the conviction with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this conviction, including any challenge based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings as stated in NRS 177.015(4). However, I remain free to challenge my conviction through other post-conviction remedies including a habeas corpus petition pursuant to NRS Chapter 34.

VOLUNTARINESS OF PLEA

I have discussed the elements of all of the original charge(s) against me with my attorney and I understand the nature of the charge(s) against me.

I understand that the State would have to prove each element of the charge(s) against me at trial.

I have discussed with my attorney any possible defenses, defense strategies and circumstances which might be in my favor.

All of the foregoing elements, consequences, rights, and waiver of rights have been thoroughly explained to me by my attorney.

I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial would be contrary to my best interest.

I am signing this agreement voluntarily, after consultation with my attorney, and I am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement.

//

//


1 I am not now under the influence of any intoxicating liquor, a controlled substance or
2 other drug which would in any manner impair my ability to comprehend or understand this
3 agreement or the proceedings surrounding my entry of this plea.

4 My attorney has answered all my questions regarding this guilty plea agreement and its
5 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

6 DATED this 3 day of March, 2020.

7
8 
9 ARTHUR MOORE
Defendant

10 AGREED TO BY:

11 
12 DANIELLE K. PIEPER
13 Chief Deputy District Attorney
14 Nevada Bar #008610

1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the
5 charge(s) to which guilty pleas are being entered.
- 6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.
- 8 3. I have inquired of Defendant facts concerning Defendant's immigration status
9 and explained to Defendant that if Defendant is not a United States citizen any
10 criminal conviction will most likely result in serious negative immigration
11 consequences including but not limited to:
 - 12 a. The removal from the United States through deportation;
 - 13 b. An inability to reenter the United States;
 - 14 c. The inability to gain United States citizenship or legal residency;
 - 15 d. An inability to renew and/or retain any legal residency status; and/or
 - 16 e. An indeterminate term of confinement, by with United States Federal
17 Government based on the conviction and immigration status.

18 Moreover, I have explained that regardless of what Defendant may have been
19 told by any attorney, no one can promise Defendant that this conviction will not
20 result in negative immigration consequences and/or impact Defendant's ability
21 to become a United States citizen and/or legal resident.

- 22 4. All pleas of guilty offered by the Defendant pursuant to this agreement are
23 consistent with the facts known to me and are made with my advice to the
24 Defendant.
- 25 5. To the best of my knowledge and belief, the Defendant:
 - 26 a. Is competent and understands the charges and the consequences of
27 pleading guilty as provided in this agreement,
 - 28 b. Executed this agreement and will enter all guilty pleas pursuant hereto
voluntarily, and
 - c. Was not under the influence of intoxicating liquor, a controlled
substance or other drug at the time I consulted with the Defendant as
certified in paragraphs 1 and 2 above.

Dated: This 3 day of March, 2020.

EMILY STRAND

lm/GU

1 **AIND**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 DANIELLE PIEPER
6 Chief Deputy District Attorney
7 Nevada Bar #008610
8 BINU PALAL
9 Chief Deputy District Attorney
10 Nevada Bar #010178
11 200 Lewis Avenue
12 Las Vegas, Nevada 89155-2212
13 (702) 671-2500
14 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,

12 Plaintiff,

13 -vs-

14 ARTHUR MOORE,
15 #2578207

16 Defendant.

CASE NO: C-16-316287-1

DEPT NO: XX

**SECOND AMENDED
INDICTMENT**

17 STATE OF NEVADA }
18 COUNTY OF CLARK } ss.

19 The Defendant above named, ARTHUR MOORE, accused by the Clark County Grand
20 Jury of the crime(s) of MURDER (SECOND DEGREE) (Category A Felony - NRS
21 200.010, 200.030.2 - NOC 50010); CONSPIRACY TO COMMIT ROBBERY (Category
22 B Felony - NRS 200.380, 199.480 - NOC 50147); and ROBBERY (Category B Felony -
23 NRS 200.380 - NOC 50137), committed at and within the County of Clark, State of Nevada,
24 on or about the 20th day of February, 2009, as follows:

25 COUNT 1 - MURDER (SECOND DEGREE)

26 did willfully, unlawfully, feloniously, and with malice aforethought, kill ARIC
27 BRILL, a human being by shooting at and into the body of the said ARIC BRILL; the
28 Defendant being responsible under one or more of the following principles of criminal

EXHIBIT "1"

1 liability, to-wit: (1) by directly committing the act; and/or (2) by said Defendant aiding or
2 abetting and/or conspiring with NADIM HIKO, aka Nadin Hiko and/or DEVONTE WASH
3 and/or DAVON PHILLIPS and/or unknown co-conspirators, with the specific intent that a
4 killing occur, by counseling, encouraging, commanding or procuring the other to commit the
5 offense, Defendant ARTHUR MOORE and/or NADIM HIKO, aka Nadin Hiko and/or
6 DEVONTE WASH and/or DAVON PHILLIPS and/or unknown co-conspirators
7 accompanying each other to the crime scene at 65 Beasley, the Defendant ARTHUR MOORE
8 and/or NADIM HIKO, aka Nadin Hiko and/or DEVONTE WASH and/or DAVON PHILLIPS
9 and/or unknown co-conspirators pointing a firearm at TERRELL MOORE and/or ANGELO
10 GILBERT and/or ARIC BRILL and/or JOSEPH BENTLY and/or SHANNON WILLIAMS,
11 one or more of the Defendants and/or unknown co-conspirators telling TERRELL MOORE
12 and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH BENTLY and/or
13 SHANNON WILLIAMS not to run or the Defendants and/or unknown co-conspirators would
14 shoot, as one or more of the Defendants and/or unknown co-conspirators took property from
15 TERRELL MOORE and ANGELO GILBERT, as SHANNON WILLIAMS and/or JOSEPH
16 BENTLY and/or ARIC BRILL were running from the crime scene, one or more of the
17 Defendants and/or unknown co-conspirators started shooting in the direction of ARIC BRILL
18 and JOSEPH BENTLEY, shooting into the body of ARIC BRILL resulting in the death of
19 ARIC BRILL, the Defendants and/or unknown co-conspirators encouraging one another
20 throughout by actions and words, the Defendants acting in concert throughout; and/or (3) by
21 the Defendants and/or unknown co-conspirators conspiring with each other, with the specific
22 intent that a killing occur.

23 COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

24 did then and there meet with NADIM HIKO, aka Nadin Hiko and/or DEVONTE
25 WASH and/or DAVON PHILLIPS and/or unknown co-conspirators and between themselves,
26 and each of them with the other, wilfully, unlawfully, and feloniously conspire and agree to
27 commit a crime, to-wit: robbery, and in furtherance of said conspiracy, Defendants did commit
28

1 the acts as set forth in Count 3, said acts being incorporated by this reference as though fully
2 set forth herein.

3 COUNT 3 - ROBBERY

4 did then and there wilfully, unlawfully, and feloniously take personal property, to-wit:
5 lawful money of the United States, from the person of TERRELL MOORE and/or ANGELO
6 GILBERT, or in their presence, by means of force or violence or fear of injury to, and without
7 the consent and against the will of the said TERRELL MOORE and/or ANGELO GILBERT;
8 the Defendant being responsible under one or more of the following principles of criminal
9 liability, to-wit: (1) by directly committing the act; and/or (2) by said Defendants and/or
10 unknown co-conspirators aiding or abetting each other, by counseling, encouraging,
11 commanding or procuring the other to commit the offense, Defendants ARTHUR MOORE
12 and/or NADIM HIKO, aka Nadin Hiko and/or DEVONTE WASH and/or DAVON PHILLIPS
13 and/or unknown co-conspirators accompanying each other to the crime scene at 65 Beasley,
14 the Defendants ARTHUR MOORE and/or NADIM HIKO, aka Nadin Hiko and/or DEVONTE
15 WASH and/or DAVON PHILLIPS and/or unknown co-conspirators pointing a firearm at
16 TERRELL MOORE and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH
17 BENTLY and/or SHANNON WILLIAMS, one or more of the Defendants telling TERRELL
18 MOORE and/or ANGELO GILBERT and/or ARIC BRILL and/or JOSEPH BENTLY and/or
19 SHANNON WILLIAMS not to run or the Defendants and/or unknown co-conspirators would
20 shoot, as one or more of the Defendants and/or unknown co-conspirators took property from
21 TERRELL MOORE and ANGELO GILBERT, and/or SHANNON WILLIAMS and/or
22 JOSEPH BENTLY and/or ARIC BRILL were running from the crime scene, one or more of
23 the Defendants and/or unknown co-conspirators started shooting in the direction of ARIC
24 BRILL and JOSEPH BENTLEY, shooting into the body of ARIC BRILL and/or JOSEPH
25 BENTLEY resulting in the death of ARIC BRILL, the Defendants and/or unknown co-
26 conspirators encouraging one another throughout by actions and words, the Defendants and/or
27 unkown co-conspirators acting in concert throughout; and/or (3) by Defendants and/or unkown


28 //

1 co-conspirators conspiring with each other to commit the offense whereby each is vicariously
2 liable for the foreseeable acts of the other made in furtherance of the conspiracy.

3 DATED this 21st day of March, 2020.

4 STEVEN B. WOLFSON
5 Clark County District Attorney
6 Nevada Bar #001565

7 BY

 10178
8 DANIELLE PIEPER
9 Chief Deputy District Attorney
10 Nevada Bar #008610

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Heather B. Smith
CLERK OF THE COURT

1 JOCP

2
3
4 DISTRICT COURT
5 CLARK COUNTY, NEVADA
6

7 THE STATE OF NEVADA,

8 Plaintiff,

CASE NO. C-16-316287-1

9 -vs-

DEPT. NO. XII

10 ARTHUR MOORE
11 #2578207

12 Defendant.
13

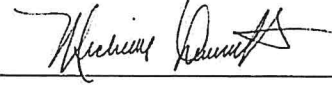
14 JUDGMENT OF CONVICTION
15 (PLEA OF GUILTY)
16

17 The Defendant previously appeared before the Court with counsel and entered a plea of
18 guilty to the crimes of COUNT 1 – MURDER (SECOND DEGREE) (Category A Felony) in
19 violation of NRS 200.010, 200.030.2; COUNT 2 – CONSPIRACY TO COMMIT ROBBERY
20 (Category B Felony) in violation of NRS 200.380, 199.480; and COUNT 3 – ROBBERY
21 (Category B Felony) in violation of NRS 200.380; thereafter, on the 25th day March, 2021, the
22 Defendant was present in court for sentencing with counsel ARNOLD WEINSTOCK, ESQ.,
23 and good cause appearing,
24

25 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition
26 to the \$25.00 Administrative Assessment, \$8,281.93 Restitution payable to Victims of Crime
27 and \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00 DNA
28

1 Collection Fee, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as
2 follows: COUNT 1 - a MAXIMUM of TWENTY-FIVE (25) YEARS with a MINIMUM
3 Parole Eligibility of TEN (10) YEARS; COUNT 2 - a MAXIMUM of SEVENTY-TWO (72)
4 MONTHS with a MINIMUM Parole Eligibility of TWENTY-EIGHT (28) MONTHS,
5 CONSECUTIVE to COUNT 1; and COUNT 3 - a MAXIMUM of FIFTEEN (15) YEARS with
6 a MINIMUM Parole Eligibility of SIX (6) YEARS, CONCURRENT with COUNT 2 and
7 CONSECUTIVE to COUNT 1; with ONE THOUSAND SEVEN HUNDRED FIFTY-NINE
8 (1,759) DAYS credit for time served. The AGGREGATE TOTAL sentence is FORTY (40)
9 YEARS MAXIMUM with a MINIMUM of SIXTEEN (16) YEARS.
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Dated this 1st day of April, 2021



0D8 EC4 1D4F D8E3
Michelle Leavitt
District Court Judge

1 CSERV

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-16-316287-1

7 vs

DEPT. NO. Department 12

8 Arthur Moore
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: 4/1/2021

15 Osvaldo Fumo

ozzie@fumolaw.com

16 Dept 12 Law Clerk

dept12lc@clarkcountycourts.us

17 Emily Strand

emily@fumolaw.com

18 Danielle Pieper

danielle.pieper@clarkcountyda.com

19 Dan Winder

winderdanatty@aol.com



1 **NOTC**
DAN M. WINDER, ESQ.
2 Nevada State Bar No.: 001569
ARNOLD WEINSTOCK, ESQ.
3 Nevada Bar No. 000810
LAW OFFICE OF DAN M. WINDER, P.C.
4 3507 West Charleston Blvd.
Las Vegas, NV 89102
5 Telephone: (702) 474-0523
Facsimile: (702) 474-0631
6 email: winderdanatty@aol.com

7 Attorney for Defendant

8 **EIGHTH JUDICIAL DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 STATE OF NEVADA)

11 Plaintiff,)

12 vs.)

13 ARTHUR MOORE,)

14 Defendant.)

Case No.: C-16-316287-1

Dept. No.: XII

15 **NOTICE OF APPEAL**

16 COMES NOW, the Defendant, ARTHUR MOORE, by counsel, DAN M. WINDER, ESQ.
17 and files his Notice of Appeal to the Supreme Court of Nevada, from the Judgment of Conviction,
18 filed on April 1, 2021, the Court's sentencing of March 25, 2021 and all pre-trial and post-trial
19 rulings, in the above-captioned cause of action.

20 Dated this 6th day of April, 2021.

21 LAW OFFICE OF DAN M. WINDER, P.C.

22
23
24 By: /s/ Dan M. Winder
DAN M. WINDER, ESQ.
Nevada State Bar No.: 001569
25
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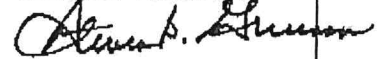
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CERTIFICATE OF SERVICE

The undersigned does, hereby, certify that a copy of the foregoing NOTICE OF APPEAL was duly served by depositing a copy of the same in the United States Mail, postage, pre-paid, on the 6th day of April, 2021, addressed as follows:

Steven B. Wolfson, Esq.
Clark County District Attorney
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
Attorneys for Respondent

/s/ Sherrie L. Martin
An Employee of Dan M. Winder, Esq.



DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

ARTHUR MOORE,

Defendant.

CASE NO. C-16-316287-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

FRIDAY, FEBRUARY 19, 2021

RECORDER'S TRANSCRIPT OF PROCEEDINGS
HEARING RE: MOTION TO WITHDRAW PLEA; AND DEFENDANT'S MOTION
TO WITHDRAW GUILTY PLEA AND PROCEED TO TRIAL

APPEARANCES:

For the State:

DANIELLE K. PIEPER
Chief Deputy District Attorney

For the Defendant:

DAN M. WINDER, ESQ.
ARNOLD WEINSTOCK, ESQ.

RECORDED BY: SARA RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, FRIDAY, FEBRUARY 19, 2021, 11:34 A.M.

2 * * * * *

3 THE COURT: Page 1, State versus Arthur Moore, C316287. Mr. Moore is
4 present and he's in custody. Who's here for the State?

5 MS. PIEPER: Danielle Pieper on behalf of the State.

6 THE COURT: Thank you. And for the defense? I saw Mr. Weinstock.
7 Mr. Weinstock, are you still there?

8 MR. WEINSTOCK: I am here, Your Honor, and so is Dan Winder with me,
9 Your Honor.

10 THE COURT: Okay.

11 MR. WINDER: Good morning, Your Honor.

12 THE COURT: Thank you. Good morning.

13 It's your motion, do you want to add anything?

14 MR. WEINSTOCK: Your Honor, I think it's been pretty well briefed, I would
15 just state that based upon the information that we have and, again, Mr. Winder and I
16 were not there, obviously, on the time of the plea but I'm relying on my client's
17 statements that he did not fully understand the parameters of the plea, that he was
18 informed by Mr. Fumo and his associate that everything was going to be run
19 concurrent. And that's the only real issue, Your Honor. He's not trying to get out of
20 his plea. He's just trying to get what he understood and what he believed the plea
21 was was that he was going to be pleading to a second degree with the other counts
22 being running concurrent and a stipulated 10-to-25 year sentence. And that's
23 basically all he is asking for is that his belief of a 10-to-25 year sentence be honored
24 or if not, then his plea get set aside because based upon -- and as I put in the brief,
25 Your Honor, he does have some remedial problems as to his understanding and his

1 education. And we believe that coupled with all the other reasons that we raised in
2 our motion, which have never really been addressed by the State in their opposition,
3 would justify either the enforcement of what our client believed was supposed to be
4 the deal which is going to be a 10-to-25 year stipulated sentence with the other
5 counts running concurrent or allow him to withdraw his plea and let him proceed to
6 trial.

7 THE COURT: Okay. Thank you.

8 Does the State wish to be heard? Ms. Pieper?

9 MS. PIEPER: Judge, only that -- Judge, only that, you know, we've written
10 our opposition, I think it was clear from the Court's canvass as well as the statement
11 of facts regarding the settlement conference that the defendant did know what he
12 was facing and what he was looking at. In fact, in the plea canvass, Mr. Palal
13 actually went over it to make sure that it was clear to the defendant. Other than that,
14 Your Honor, we'll submit on what we've written.

15 THE COURT: Okay. Thank you.

16 At this --

17 MR. WEINSTOCK: And if I may, Your Honor? I would just --

18 THE COURT: Of course, go ahead.

19 MR. WEINSTOCK: I would just point out that in the transcript, even Mr. Fumo
20 initially referred to the sentence to be running concurrent, then he said consecutive,
21 then he said concurrent, then he said consecutive, and Mr. Palal even stated on the
22 record that he understood that the plea agreement was somewhat inartfully named
23 and it was confusing and there were interlineations that were done that my client,
24 based upon his background and education, indicates to me and Mr. Winder that he
25 did not understand and therefore is asking for either to grant him his understanding

1 or to allow him to withdraw his plea.

2 THE COURT: Okay. Thank you very much. At this time the Court's going to
3 deny the motion to withdraw the plea.

4 And then, Mr. Weinstock and Mr. Winder, are you going to stay on for
5 sentencing?

6 MR. WEINSTOCK: Yes, we would do so, Your Honor.

7 THE COURT: Okay. Then we'll set the matter for sentencing.

8 THE CLERK: Judge, do you know if a P.S.I. is already done?

9 THE COURT: Yeah.

10 THE CLERK: Okay.

11 THE COURT: It's all ready to go.

12 THE CLERK: Court's indulgence. Can I set it on a regular session?

13 THE COURT: Sure, of course.

14 THE CLERK: Does March 4th work for the parties?

15 MR. WEINSTOCK: Your Honor, could we --

16 MS. PIEPER: State will be ready.

17 MR. WEINSTOCK: Could we have a week or two later? We're going to need
18 to meet with our client, go over the P.S.I. with him and we're also going to have to --
19 to truthfully prepare a sentencing memorandum to the Court, so I'd ask --

20 THE COURT: Okay.

21 MR. WEINSTOCK: -- for 30 days or so.

22 THE COURT: 30 days is fine.

23 THE CLERK: March 25th, 11:00 a.m.

24 THE COURT: Okay.

25 MS. PIEPER: Thank you.

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THE COURT: And the State of Nevada is to prepare the order.

MS. PIEPER: Thank you, Your Honor.

MR. WEINSTOCK: Thank you, Your Honor.

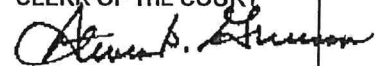
THE COURT: Thank you.

PROCEEDING CONCLUDED AT 11:39 A.M.

ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-video recording of this proceeding in the above-entitled case.



SARA RICHARDSON
Court Recorder/Transcriber



DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

ARTHUR MOORE,

Defendant.

CASE NO. C-16-316287-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

THURSDAY, MARCH 25, 2021

**RECORDER'S TRANSCRIPT OF PROCEEDINGS
SENTENCING**

APPEARANCES:

For the State:

BINU G. PALAL
Chief Deputy District Attorney

For the Defendant:

DAN M. WINDER, ESQ.
ARNOLD WEINSTOCK, ESQ.

RECORDED BY: SARA RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, THURSDAY, MARCH 25, 2021, 12:15 P.M.

2 * * * * *

3 THE COURT: State versus Arthur Moore, case C316287.

4 MR. ZADROWSKI: Wait, wait, Your Honor, I missed that. What case did you
5 call?

6 THE COURT: Page 12.

7 MR. PALAL: Got it, Bernie.

8 MR. ZADROWSKI: I still didn't hear. There's too much noise. What was it?

9 THE COURT: Page 12.

10 MR. ZADROWSKI: Thank you.

11 THE COURT: Okay. Mr. Moore is present. He's in custody. Who's here for
12 the State?

13 MR. PALAL: Binu Palal on behalf of the State, Your Honor.

14 THE COURT: Who's here for the defense? Who's here for the --

15 MR. ZADROWSKI: Oh, sorry.

16 MS. BRILL KELLEY: Karen --

17 THE COURT: Who's here for the defense? Is Mr. Winder's office, are you
18 here? Mr. Weinstock? Mr. Winder?

19 THE CLERK: Mr. Weinstock was on.

20 THE COURT: Mr. Weinstock?

21 MR. WEINSTOCK: Good morning, Your Honor, Arnold Weinstock, bar
22 number 810, Mr. Winder is here with me.

23 MR. WINDER: Good afternoon, Your Honor, Dan Winder, bar number 1569.

24 THE COURT: Okay. If you are not speaking right now, I'd just like you to
25 mute your microphone. I know that we have some victim speakers, so if you could