

1 NOASC  
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4 **THE VEGAS LAWYERS**  
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Electronically Filed  
Jul 19 2021 11:17 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

10 Mailing Address:  
11 4030 S. Jones Boulevard, Unit 30370  
12 Las Vegas, Nevada 89173

13 *Attorney for Defendant*

14 **DISTRICT COURT**  
15 **CLARK COUNTY, NEVADA**

16 THE STATE OF NEVADA,  
17  
18 Plaintiff,

CASE NO.: C-18-334955-1  
DEPT.: 18 (3F)


19 vs.

20 DRYDEN, BRYAN WARREN,  
21  
22 Defendant.

**NOTICE OF APPEAL**

23 NOTICE IS HEREBY GIVEN that BRYAN WARREN DRYDEN, Petitioner, by and  
24 through his attorney, TONY L. ABBATANGELO, ESQ., does hereby appeal to the Supreme  
25 Court of the State of Nevada from the guilty finding entered in this action on the 8<sup>th</sup> day of July,  
26 2021.

27 DATED this 16<sup>th</sup> day of July, 2021.

28   
Tony L. Abbatangelo, Esq.  
Nevada Bar No. 3897

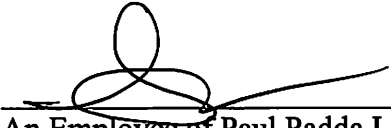
*Attorney for Petitioner/Defendant*

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Las Vegas, Nevada 89103  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that service of the above and foregoing **NOTICE OF APPEAL**  
was made this 14<sup>th</sup> day of July, 2021 to:

Office of the District Attorney  
200 Lewis Avenue, Third Floor  
Las Vegas, Nevada 89101  
Motions@clarkcountyda.com

  
An Employee of Paul Padda Law, PLLC

**CASE SUMMARY****CASE NO. C-18-334955-1**

State of Nevada  
vs  
Bryan Dryden

§  
§  
§  
§  
§  
§  
§  
§

Location: **Department 21**  
Judicial Officer: **Clark Newberry, Tara**  
Filed on: **09/19/2018**  
Case Number History:  
Cross-Reference Case Number: **C334955**  
Defendant's Scope ID #: **2585083**  
Grand Jury Case Number: **18AGJ051X**  
ITAG Case ID: **2161039**

**CASE INFORMATION**

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ATTEMPT SEXUAL ASSAULT	200.366.2b	F	08/29/2007		
Filed As: SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON	F	9/19/2018		Case Status:	<b>10/19/2018 Reactivated</b>
Arrest: 09/19/2018					

**Warrants**

Indictment Warrant - Dryden, Bryan (Judicial Officer: Bell, Linda Marie )

10/11/2018 10:43 AM Returned - Served

09/19/2018 11:00 AM Active

Fine: \$0





Bond: **\$150,000.00** Any**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number	C-18-334955-1
Court	Department 21
Date Assigned	01/04/2021
Judicial Officer	Clark Newberry, Tara
















**PARTY INFORMATION**

<b>Defendant</b>	<b>Dryden, Bryan Warren</b>	<i>Lead Attorneys</i> <b>Abbatangelo, Anthony L</b> <i>Retained</i> 702-707-7000(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)


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

09/19/2018	 Indictment <i>Indictment Warrant</i>
09/19/2018	 Indictment
09/24/2018	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate</i>
10/02/2018	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>Reporter's Transcript of Proceedings - Grand Jury - Hearing - 09/18/18</i>











**CASE SUMMARY**  
**CASE NO. C-18-334955-1**

12/07/2018	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy for Discovery Provided</i>
12/17/2018	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada <i>State's Notice of Witnesses and/or Expert Witnesses</i>
12/28/2018	 Filed Under Seal <i>Ex Parte Motion and Order for Release of Certified Medical Records and Order to File Under Seal</i>
01/04/2019	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy for Discovery Provided</i>
01/07/2019	Case Reassigned to Department 18 <i>Judicial Reassignment - From Judge Togliatti to Judge Holthus</i>
02/21/2019	 Supplemental Witness List Filed by: Plaintiff State of Nevada <i>State's Supplemental Notice of Witnesses and/or Expert Witnesses</i>
02/26/2019	 Order for Production of Inmate Party: Plaintiff State of Nevada <i>Order for Production of Inmate Bryan Dryden, Bac #1070536</i>
03/11/2019	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy for Discovery Provided</i>
03/18/2019	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>Receipt of Copy for Discovery Provided</i>
06/05/2019	 Motion Filed By: Defendant Dryden, Bryan Warren <i>Motion to Continue Trial</i>
11/05/2019	 Amended Indictment
11/05/2019	 Guilty Plea Agreement
12/18/2019	 PSI
12/18/2019	 PSI - Psychosexual Evaluation
01/06/2020	 Motion Filed By: Defendant Dryden, Bryan Warren <i>Motion to Withdraw Counsel</i>
01/06/2020	 Notice of Motion





**CASE SUMMARY**  
**CASE NO. C-18-334955-1**

03/02/2020	 Motion to Withdraw Plea Filed By: Defendant Dryden, Bryan Warren <i>Motion to Withdraw Guilty Plea (Prior to Sentencing)</i>
03/02/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/31/2020	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion to Withdraw Guilty Plea</i>
04/20/2020	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Status Check: Negotiations/Trial Setting - November 5, 2019</i>
06/08/2020	 Order for Production of Inmate <i>Order for Production of Inmate</i>
09/14/2020	 Order <i>Order for Video Appearance of Inmate from Nevada Department of Corrections Bryan Dryden, BAC #1070536</i>
09/17/2020	 Order Filed By: Defendant Dryden, Bryan Warren <i>Order For Video Appearance of Inmate from Nevada Department of Corrections</i>
10/16/2020	 Order <i>Order</i>
11/19/2020	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Evidentiary Hearing; Motion to Withdraw Plea - Day 1 - August 13, 2020</i>
11/19/2020	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Evidentiary Hearing; Motion to Withdraw Plea - Day 2 - October 13, 2020</i>
11/19/2020	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: Evidentiary Hearing; Motion to Withdraw Plea - Day 3</i>
12/10/2020	 Brief Filed By: Defendant Dryden, Bryan Warren <i>Brief in Support of Motion to Withdraw Guilty Plea</i>
12/30/2020	 Brief <i>State's Opposition to Defendant s Motion To Withdraw Guilty Plea</i>
01/04/2021	Case Reassigned to Department 21 <i>Judicial Reassignment to Judge Tara Clark Newberry</i>
01/05/2021	 Clerk's Notice of Hearing <i>Clerks Notice of Hearing</i>

**CASE SUMMARY**  
**CASE NO. C-18-334955-1**

01/05/2021	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
02/25/2021	 Order for Production of Inmate <i>201832654C-OPI-(DRYDEN BRYAN 04 01 2021 OPI AV)-001</i>
06/01/2021	 PSI - Supplemental PSI
06/03/2021	 PSI - Victim Impact Statements
07/14/2021	 Notice of Appeal (Criminal) Party: Defendant Dryden, Bryan Warren <i>Notice of Appeal</i>
07/14/2021	 Motion to Withdraw As Counsel Filed By: Defendant Dryden, Bryan Warren <i>Motion to Withdraw as Attorney of Record for Defendant</i>
07/14/2021	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
<b><u>HEARINGS</u></b>	
09/19/2018	 <b>Grand Jury Indictment (11:00 AM)</b> (Judicial Officer: Bell, Linda Marie)
<b>MINUTES</b>	
<b>Warrant</b> 09/19/2018 Inactive Indictment Warrant Matter Heard; Journal Entry Details: <i>Russell Walker, 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 18AGJ051X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-334955-1, Department IX. State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$150,000.00 BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. COURT FURTHER ORDERED, Exhibits 1-15 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F12046X DISMISSED per the State's request. I.W. (CUSTODY- NDC) 10/11/18 9:00 A.M. INITIAL ARRAIGNMENT (DEPT IX) ;</i>	
<b>SCHEDULED HEARINGS</b>	
 <b>Initial Arraignment (10/11/2018 at 9:00 AM)</b> (Judicial Officer: Togliatti, Jennifer) <b>10/11/2018, 10/25/2018, 11/08/2018</b>	
10/11/2018	 <b>Initial Arraignment (9:00 AM)</b> (Judicial Officer: Togliatti, Jennifer) <b>10/11/2018, 10/25/2018, 11/08/2018</b> Continued; Continued; Trial Date Set; Journal Entry Details: <i>Upon Court's inquiry, Defendant advised his true name is Bryan O'Neil Dryden. DEFT. DRYDEN ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. Mr. Abbatangelo requested 21 days from today for the filing of any writ. COURT ORDERED, counsel has 21 days from the filing of the Grand Jury transcript or today's date, whichever is later, to file a Writ. NIC (COC - NDC) 12/27/18 9:00 AM CALENDAR CALL 1/7/19 10:30 AM JURY TRIAL ;</i> Continued; Continued; Trial Date Set;





**CASE SUMMARY**  
**CASE NO. C-18-334955-1**

	Continued; Continued; Trial Date Set; Journal Entry Details: <i>Mr. Shaygan advised he will step in for arraignment. Matter TRAILED. Matter RECALLED. Mr. Shaygan requested two weeks for confirmation of counsel and arraignment, noting the Defendant has a pending writ against the Public Defender. COURT ORDERED, matter CONTINUED and SET for confirmation of counsel. NIC (COC - NDC) 10/25/18 9:00 AM INITIAL ARRAIGNMENT / CONFIRMATION OF COUNSEL (PD);</i>
10/25/2018	<b>Confirmation of Counsel (9:00 AM)</b> (Judicial Officer: Togliatti, Jennifer) Matter Heard;
10/25/2018	 <b>All Pending Motions (9:00 AM)</b> (Judicial Officer: Togliatti, Jennifer) Matter Heard; Journal Entry Details: <i>CONFIRMATION OF COUNSEL ... INITIAL ARRAIGNMENT Defendant not present. Court noted the Defendant was not transported due to medical issues. COURT ORDERED, Mr. Abbatangelo APPOINTED as counsel. Mr. Abbatangelo noted he has already received discovery and CONFIRMED as counsel. COURT ORDERED, arraignment CONTINUED. NIC (COC-NDC) 11/8/18 9:00 AM ARRAIGNMENT CONTINUED;</i>
12/27/2018	 <b>Calendar Call (9:00 AM)</b> (Judicial Officer: Togliatti, Jennifer) Vacated and Reset; Journal Entry Details: <i>CONFERENCE AT THE BENCH. Matter TRAILED. Matter RECALLED. Mr. Abbatangelo advised the Defendant will waive his speedy trial rights and requested the trial date be reset. Upon Court's inquiry, Defendant WAIVED his speedy trial rights. COURT ORDERED, trial date VACATED and RESET. NIC (COC - NDC) 3/21/19 9:00 AM CALENDAR CALL 4/1/19 10:30 AM JURY TRIAL ;</i>
01/07/2019	<b>CANCELED Jury Trial (10:30 AM)</b> (Judicial Officer: Togliatti, Jennifer) <i>Vacated - per Judge</i>
03/26/2019	 <b>Calendar Call (9:00 AM)</b> (Judicial Officer: Holthus, Mary Kay) Matter Heard; Journal Entry Details: <i>Ms. Luzaich stated she's appearing for Ms. DiaGiacomo. Mr. Abbatangelo announced he's not ready; State's missing an officer and CSA. Ms. Luzaich requested a continuance due to the Detective being out on a high risk pregnancy, she cannot come to court and is due in 30-45 days. Upon the inquiry of the Court, Mr. Abbatangelo noted his objection is to the content, not the form, advising he was informed by Ms. DiGiacomo and there's been a file review. Upon the inquiry of the Court, Defendant acknowledged his understanding of the unavailability of the witness. Colloquy regarding trial continuation. Ms. Luzaich stated the Defendant needs to be remanded on this case. Mr. Abbatangelo concurred, noting the Defendant has been informed he will go back to the prison until closer to trial. COURT ORDERED, Defendant REMANDED to custody; trial CONTINUED at the request of the State due to a missing essential witness. CUSTODY(NDC) 6-18-19 9:00 AM CALENDAR CALL 6-24-19 1:00 PM JURY TRIAL ;</i>
04/01/2019	<b>CANCELED Jury Trial (1:00 PM)</b> (Judicial Officer: Togliatti, Jennifer) <i>Vacated</i>
06/18/2019	 <b>Calendar Call (9:00 AM)</b> (Judicial Officer: Holthus, Mary Kay) Vacated and Reset; Journal Entry Details: <i>Mr. Abbatangelo indicated he had filed a Motion to Continue Trial, stating he would be out of the jurisdiction. Ms. Sudano indicated there wasn't an objection by the State. COURT ORDERED, trial VACATED and RESET. NIC (COC-NDC) 10/29/19 9:00 AM CALENDAR CALL 11/4/19 1:00 PM JURY TRIAL;</i>

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. C-18-334955-1**

06/24/2019	<b>CANCELED Jury Trial</b> (1:00 PM) (Judicial Officer: Holthus, Mary Kay) <i>Vacated - per Attorney or Pro Per</i>
10/29/2019	 <b>Calendar Call</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <b>10/29/2019, 10/31/2019</b> Matter Continued; Matter Heard; Journal Entry Details: <i>Upon Court's inquiry, Mr. Abbatangelo indicated he went to the jail to speak with Deft. and was not allowed contact with him. Additionally, Mr. Abbatangelo just received a new offer and needed to speak with Deft. MATTER TRAILED. MATTER RECALLED. Same parties present. After speaking with Deft. Mr. Abbatangelo indicated they would be proceeding to trial and Mr. Schwartz requested to start on Tuesday, November 5, 2019. Mr. Schwartz placed the offer on the record: Attempt Sexual Assault with five (5) to twenty (2) years, to run concurrent to Deft.'s case he is currently serving time on; however, that offer was rejected. Mr. Schwartz stated that offer was revoked as of that day. Court confirmed with Deft. that he was rejecting that offer. Deft. concurred. Colloquy between parties regarding credit for time served. Court inquired how long for trial, which Mr. Schwartz noted it should be done by Friday, November 8, 2019. COURT ORDERED, trial STANDS. CUSTODY (COC-NDC) 11/5/19 1:00 PM JURY TRIAL;</i> Matter Continued; Matter Heard; Journal Entry Details: <i>CONFERENCE AT BENCH. Following colloquy, Court noted it would continue the instant matter until Thursday, October 31, 2019. COURT ORDERED, matter CONTINUED; COURT FURTHER ORDERED, Deft. REMANDED to Clark County Detention Center (CCDC) pending trial. CUSTODY (COC-NDC) 10/31/19 9:00 AM CONTINUED: CALENDAR CALL;</i>
11/05/2019	 <b>Status Check: Negotiations/Trial Setting</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) Plea Entered; Journal Entry Details: <i>Amended Information FILED IN OPEN COURT. CONFERENCE AT BENCH. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. DRYDEN ARRAIGNED AND PLED GUILTY TO ATTEMPT SEXUAL ASSAULT (F). Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P &amp; P) and set for SENTENCING. COURT FURTHER ORDERED, Trial VACATED. CUSTODY (COC-NDC) 01/07/20 9:00 AM SENTENCING;</i>
11/05/2019	<b>CANCELED Jury Trial</b> (1:00 PM) (Judicial Officer: Holthus, Mary Kay) <i>Vacated - per Judge</i>
01/07/2020	 <b>Sentencing</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) Matter Continued; Journal Entry Details: <i>Upon Court's inquiry, Mr. Abbatangelo indicated Deft. would like to withdraw his Guilty Plea Agreement; therefore, he would need a new attorney and a potential evidentiary hearing. COURT ORDERED, Marisa Border APPOINTED for the limited purpose of looking into a possible withdrawal of Guilty Plea Agreement. Colloquy between parties. Following colloquy, COURT ORDERED, matter SET for a status check in 30 days. CUSTODY (COC-NDC) 2/4/20 9:00 AM STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA;</i>
01/30/2020	 <b>Motion</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Motion to Withdraw Counsel</i> Data Entry Error; Journal Entry Details: <i>Deft. not present. Ms. Border noted Deft. was not transported. Ms. Craggs noted the instant date should have been vacated. CONFERENCE AT BENCH. Court noted it didn't know if the instant Motion was on in error; however, COURT ORDERED, Motion to Withdraw Counsel was ON IN ERROR; and the Status check: Motion to Withdraw Guilty Plea VACATED and RESET for Ms. Border to get up to the prison to visit Deft. Ms. Border requested the status check be set on February 13, 2020. COURT SO ORDERED. CUSTODY (COC--NDC) 2/13/20 9:00 AM STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA;</i>



# CASE SUMMARY

CASE NO. C-18-334955-1

02/13/2020



**Status Check** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

**02/13/2020, 03/03/2020**

Matter Continued;

Briefing Schedule Set;

Journal Entry Details:

*Ms. Border indicated she filed Motion to Withdraw Plea; however, she didn't know if anyone received a copy. Court indicated it didn't, along with Ms. Craggs. Court noted the State would need time to respond. COURT ORDERED the following Briefing Schedule: State to file Response by March 31, 2020, Ms. Border to file Reply by April 7, 2020, and matter CONTINUED for Argument. CUSTODY (COC-NDC) 4/14/20 9:00 AM ARGUMENT: MOTION TO WITHDRAW PLEA;*

Matter Continued;

Briefing Schedule Set;

Journal Entry Details:

*Ms. Border requested matter be continued for two weeks for her to go and see Deft. at the prison. No objection by Ms. Craggs. COURT ORDERED, matter CONTINUED. CUSTODY (COC) 3/3/20 9:00 AM CONTINUED: STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA ;*

04/14/2020

**Motion to Withdraw Plea** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

Matter Continued;

04/14/2020

**Argument** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

Matter Heard;

04/14/2020



**All Pending Motions** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

Matter Heard;

Journal Entry Details:

*ARGUMENT...DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA (PRIOR TO SENTENCING) Ms. Border indicated Deft. was transported; however, she wasn't expecting him to be present. Further, Ms. Border noted both parties were going to submit on Motion. MATTER TRAILED for Ms. Craggs to be present. MATTER RECALLED. Ms. Craggs present. Ms. Border noted she submitted on Motion after receiving the State's Opposition. COURT ORDERED, Defendant's Motion to Withdraw Guilty Plea (Prior to Sentencing) was hereby DENIED as set forth in the State's Opposition. Ms. Craggs indicated she was concerned with the big issue of withdrawing plea as to Mr. Abbatangelo. Court inquired if Ms. Border wanted to stay on the case; however, Ms. Border noted it might still have to be approved through Drew Christiansen. Ms. Craggs noted it was a stipulated sentence to run concurrent to sentence Deft. was serving. Additionally, Ms. Craggs noted victim wanted to speak at sentencing. Colloquy between parties. Statements by Ms. Border noting she didn't believe there were any hard feelings between Mr. Abbatangelo and Deft. Deft. advised the Court he was previously prepared to go to trial; however, Mr. Abbatangelo had Deft. remanded. Colloquy between parties regarding counsel being appointed. Ms. Border noted she believed appointment would need to be approved. Court noted it would appoint new counsel for sentencing. Colloquy between parties regarding an evidentiary hearing. COURT FURTHER ORDERED, denial of instant Motion was hereby WITHDRAWN, and evidentiary hearing SET. Court noted it would need to be continued until the middle of June 2020 for actual witnesses to be present. Statements by Deft. Colloquy between parties. Following colloquy, Ms. Craggs requested transcripts of the actual plea; therefore, COURT FURTHER ORDERED, expedited transcripts to be provided to the State. The State to prepare Transport Order. CUSTODY (COC-NDC) 6/12/20 10:00 AM EVIDENTIARY HEARING...CONTINUED: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA (PRIOR TO SENTENCING) ;*

06/25/2020

**Evidentiary Hearing** (12:00 PM) (Judicial Officer: Holthus, Mary Kay)

**06/25/2020, 08/13/2020, 09/03/2020, 09/17/2020**

Matter Continued;

Matter Continued;

Matter Continued;





Matter Continued;

Matter Continued;

Matter Continued;




Matter Continued;

**CASE SUMMARY**  
**CASE NO. C-18-334955-1**

	<p>Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued;</p>
06/25/2020	<p><b>Motion to Withdraw Plea</b> (12:00 PM) (Judicial Officer: Holthus, Mary Kay) <b>06/25/2020, 08/13/2020, 09/03/2020</b></p> <p>Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued;</p>
06/25/2020	<p> <b>All Pending Motions</b> (12:00 PM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Matter Continued; Journal Entry Details: <i>EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA Parties not present. Counsel contacted chambers prior to court and requested matter be continued to August 13, 2020. COURT SO ORDERED. CUSTODY (COC-NDC) 8/13/20 9:00 AM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA;</i></p>
08/13/2020	<p> <b>All Pending Motions</b> (12:00 PM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Matter Continued; Journal Entry Details: <i>Deft. present in-custody via Bluejeans video conference. EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA Ms. Border advised there were issues with medical records, and she nor the District Attorney's Office, had received them; however, they could proceed with hearing without medical records. Statements by Ms. Craggs indicating previous Motion filed by Deft. with the same issue as the instant case, all which the Supreme Court affirmed. Colloquy between parties. Witness Tony Abbatangelo, Esq., SWORN and TESTIFIED. Upon Court's inquiry, Deft. agreed to waive attorney client privilege between him and Mr. Abbatangelo in order for the hearing to proceed. COURT ORDERED, matter CONTINUED for two weeks to proceed with evidentiary hearing. CUSTODY (COC-NDC) 9/3/20 12:00 PM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA;</i></p>
09/03/2020	<p> <b>All Pending Motions</b> (12:00 PM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Matter Continued; Journal Entry Details: <i>EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA Ms. Border not present. Parties were advised they didn't need to appear. Court indicated due to what parties needed, ORDERED, matter CONTINUED for two weeks. CUSTODY (COC-NDC) 9/17/20 1:30 PM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA ;</i></p>
09/17/2020	<p><b>Motion to Withdraw Plea</b> (1:00 PM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Matter Continued;</p>
09/17/2020	<p> <b>All Pending Motions</b> (1:00 PM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Matter Continued; Journal Entry Details: <i>EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA Deft. not present. Ms. Border indicated the instant matter was supposed to be an evidentiary hearing. Further Ms. Border</i></p>




# CASE SUMMARY

CASE NO. C-18-334955-1

	<p><i>noted they took the steps that were necessary; however, was informed it wasn't done properly. Ms. Border requested matter be continued for two weeks. Ms. Craggs requested three weeks due to her schedule. Colloquy between parties. Following colloquy, COURT ORDERED, matter CONTINUED. CUSTODY (COC-NDC) 10/13/20 1:00 PM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA;</i></p>
10/13/2020	<p><b>Evidentiary Hearing</b> (1:00 PM) (Judicial Officer: Holthus, Mary Kay)  <b>10/13/2020, 10/29/2020</b>  Matter Continued;  Set Status Check;  Matter Continued;  Set Status Check;</p>
10/13/2020	<p><b>Motion to Withdraw Plea</b> (1:00 PM) (Judicial Officer: Holthus, Mary Kay)  Matter Continued;</p>
10/13/2020	<p> <b>All Pending Motions</b> (1:00 PM) (Judicial Officer: Holthus, Mary Kay)  Matter Continued;  Journal Entry Details:  <i>Deft. present in-custody via Bluejeans video conference. EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA Ms. Border noted they left off with Mr. Abbatangelo's testimony at the previous hearing, and the matter was reset due to the prison's schedule. Additionally, Ms. Border noted Mr. Abbatangelo didn't receive the Bluejeans information; therefore, parties agreed to let Deft. testify first. Witness, Bryan Dryden, SWORN and TESTIFIED. Witness, Anthony Abbatangelo, SWORN and TESTIFIED. Following testimony, the Nevada Department of Corrections (NDC) allotted time for Bluejeans access was set to expire. Court noted it would reset the instant matter as soon as possible. Colloquy between parties. Following colloquy, COURT ORDERED, matter CONTINUED. CUSTODY (COC-NDC) 10/27/20 1:30 PM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA CLERK'S NOTE: Following court proceedings and due to the Nevada Department of Corrections (NDC) Bluejeans access schedule, the matter was continued from October 27, 2020 to October 29, 2020. //10-15-20/ dy;</i></p>
10/27/2020	<p><b>CANCELED Motion to Withdraw Plea</b> (1:30 PM) (Judicial Officer: Holthus, Mary Kay)  <i>Vacated</i></p>
10/29/2020	<p><b>Motion to Withdraw Plea</b> (1:30 PM) (Judicial Officer: Holthus, Mary Kay)  Matter Continued;</p>
10/29/2020	<p> <b>All Pending Motions</b> (1:30 PM) (Judicial Officer: Holthus, Mary Kay)  Matter Heard;  Journal Entry Details:  <i>Bryan Schwartz, Esq. and Genevieve Craggs, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA Testimony presented by Deft. Mr. Schwartz requested for the admission of exhibits that were STIPULATED to by parties. Exhibits presented and ADMITTED (see worksheet). Court noted the transcript would be ordered and then parties could set a briefing schedule. Ms. Craggs indicated the State would prepare and Order for the Transcripts. Following colloquy, COURT ORDERED, status check SET in two weeks as to transcripts and at that time the briefing schedule would be set. Court inquired if Deft. agreed to the briefing schedule being set without him being present, Deft. concurred. Court advised Deft. he would be brought back for argument. Deft. concurred. CUSTODY (COC-NDC) 11/12/20 12:00 PM STATUS CHECK: TRANSCRIPTS/ SET BRIEFING SCHEDULE;</i></p>
11/12/2020	<p> <b>Status Check</b> (12:00 PM) (Judicial Officer: Holthus, Mary Kay)  <b>11/12/2020, 11/19/2020</b>  STATUS CHECK: TRANSCRIPT/ SET BRIEFING SCHEDULE  Matter Continued;  Briefing Schedule Set;  Journal Entry Details:  <i>Genevieve Craggs, Esq. and Marisa Border, Esq. present via Bluejeans video conference. Deft. not present. Colloquy between parties regarding Order for Transcripts. Court noted the</i></p>

# CASE SUMMARY

## CASE NO. C-18-334955-1

	<p><i>Order was sent; however, wasn't sent to the Department Inbox. Court further noted, Deft. was being quarantined and a briefing schedule would need to be set. COURT ORDERED, the following briefing schedule: Ms. Border to file Opening Brief by December 10, 2020, State to file Response by December 24, 2020, and matter CONTINUED for Argument. Colloquy between parties regarding Deft.'s presence. Ms. Craggs noted she would prepare a Transport Order. CUSTODY (COC-NDC) 1/7/21 9:00 AM ARGUMENT ;</i></p> <p>Matter Continued; Briefing Schedule Set; Journal Entry Details: <i>Genevieve Craggs, Esq. and Marisa Border, Esq. present via Bluejeans video conference. Deft. not present. Court advised parties it didn't receive the Transcript Order. Ms. Border noted matter was set to check that the Transcript was filed. Colloquy between parties. Following colloquy, COURT DIRECTED Ms. Craggs to submit to the Order, and ORDERED matter CONTINUED one week. CUSTODY (COC-NDC) 11/19/20 12:00 PM CONTINUED: STATUS CHECK: TRANSCRIPT/ SET BRIEFING SCHEDULE;</i></p>
01/07/2021	<p> <b>Argument (3:00 PM)</b> (Judicial Officer: Holthus, Mary Kay)</p> <p><b>01/07/2021, 01/28/2021</b></p> <p>Referred; Denied; Referred; Denied; Journal Entry Details: <i>Deft. not present, in Nevada Dept. of Corrections. Ms. Border stated the parties would like this matter sent back to Dept. 18 for Judge Holthus to decide the motion. COURT ORDERED, argument and the State's opposition are SET before Judge Holthus for the limited purpose of deciding this motion; however, this matter is to be returned to its department thereafter; matter SET for Status Check. Ms. Border stated this matter would go back to Mr. Abbatangelo thereafter, as she was only appointed on the motion to withdraw the guilty plea agreement. CUSTODY (COC-NDC) 1/28/21 - 11:00 AM - ARGUMENT ... STATUS OPPOSITION TO DEFT.'S MOTION TO WITHDRAW GUILTY PLEA 2/11/21 - 1:30 PM - STATUS CHECK: SENTENCING / RESET TRIAL;</i></p>
01/28/2021	<p><b>Motion (11:00 AM)</b> (Judicial Officer: Holthus, Mary Kay)</p> <p><i>State's Opposition to Defendant's Motion to Withdraw Guilty Plea</i></p> <p>Denied;</p>
01/28/2021	<p> <b>All Pending Motions (11:00 AM)</b> (Judicial Officer: Holthus, Mary Kay)</p> <p>Matter Heard; Journal Entry Details: <i>Genevieve Craggs, Esq. and Marisa Border, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. ARGUMENT...STATE'S OPPOSITION TO DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA Court noted it had read everything. Ms. Craggs submitted. Ms. Border submitted. Arguments by Deft. Colloquy between Ms. Border and Deft. as to a Petition being filed. Following colloquy, Court indicated it sat through the evidentiary hearing and testimony, and it didn't FIND there was a basis for Deft. to withdraw his Guilty Plea Agreement; therefore, ORDERED, Motion to Withdraw Guilty Plea Agreement was hereby DENIED as set forth in the briefs and the State's Opposition. The State to prepare the Order with findings. MATTER RECALLED. Ms. Border and Deft. not present. Ms. Craggs requested a sentencing date. COURT ORDERED. matter SET for sentencing, and date set for status check VACATED. CUSTODY (COC-NDC) 2/11/21 11:00 AM SENTENCING CLERK'S NOTE: The above minute order has been distributed to: Marisa Border, Esq. (mborderlaw@gmail.com). //2-3-21/ dy;</i></p>
02/11/2021	<p> <b>Sentencing (11:00 AM)</b> (Judicial Officer: Holthus, Mary Kay)</p> <p><b>02/11/2021, 02/25/2021, 04/01/2021</b></p> <p>Matter Continued; Matter Continued; Set Status Check; Journal Entry Details: <i>Barbara Schifalacqua, Esq. and Anthony Abbatangelo, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. Deft. indicated he didn't</i></p>

# CASE SUMMARY

CASE NO. C-18-334955-1

have a chance to speak with Mr. Abbatangelo; additionally, Deft. noted there were discrepancies in the Pre-sentence Investigation (PSI) report and he needed to go over some things with Mr. Abbatangelo. Court indicated it would give Deft. time to go over the PSI with his attorney. COURT ORDERED, matter SET for status check in 30 days. Court indicated if Mr. Abbatangelo found that the PSI needed to go back to Parole and Probation and figured out there were errors, to contact the State. Court noted it wouldn't keep having victim come back. CUSTODY (COC-NDC) 5/6/21 11:00 AM STATUS CHECK: SENTENCING;

Matter Continued;

Matter Continued;

Set Status Check;

Journal Entry Details:

Bryan Schwartz, Esq. and Anthony Abbatangelo, Esq. present via Bluejeans video conference. Deft. not present. Court noted Deft. wasn't transported. Mr. Schwartz noted the State did an Order to Transport. Court noted the victim speaker was on the line. COURT ORDERED, matter CONTINUED for four weeks. COURT DIRECTED parties to reach out the it's Judicial Executive Assistant to set up video with the prison. Parties concurred. CUSTODY (COC-NDC) 3/25/21 11:00 AM CONTINUED: SENTENCING;

Matter Continued;

Matter Continued;

Set Status Check;

Journal Entry Details:

Genevieve Craggs, Esq. and Anthony Abbatangelo, Esq. present via Bluejeans video conference. Deft. not present. Upon Court's inquiry, Ms. Craggs noted they did do a Transport Order; however, they would be requesting a continuance. No objection by Mr. Abbatangelo. Ms. Craggs noted the victim was not available; therefore, she would be requesting a couple of weeks. COURT ORDERED, matter CONTINUED. CUSTODY (COC-NDC) 2/25/21 11:00 AM CONTINUED: SENTENCING;

02/11/2021

**CANCELED Status Check (1:30 PM)** (Judicial Officer: Silva, Cristina D.)

Vacated

Status Check: Set Sentencing / Reset Trial

05/06/2021



**Status Check (11:00 AM)** (Judicial Officer: Holthus, Mary Kay)

**05/06/2021, 06/10/2021, 07/08/2021**

STATUS CHECK: SENTENCING

Matter Continued;

Matter Continued;

Defendant Sentenced;

Journal Entry Details:

Deft. present via Video Conference; Counsel and Victim Speaker Kala Blush present via Bluejeans. DEFT DRYDEN ADJUDGED GUILTY of ATTEMPT SEXUAL ASSAULT (F). Ms. DiGiacomo submitted on the negotiations, requested restitution, and stated Deft. is not entitled to any credit for time served. Argument by Mr. Dryden, statement by Deft. Colloquy and argument regarding NRS 176.055, subsection (1). Victim Speaker KALA BLUSH SWORN IN and TESTIFIED. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, a \$3.00 DNA Collection fee, a \$967.00 Psychosexual Evaluation Fee, and \$2,575.81 Restitution to Clark County Social Services, Deft. SENTENCED to a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT WITH case 09C258241, with ZERO (0) DAYS credit for time served. COURT FURTHER ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment. Deft. to Register as a sex offender in accordance with NRS 179D.460 within 48 hours after sentencing. BOND, if any, EXONERATED. CUSTODY (NDC - COC);

Matter Continued;

Matter Continued;

Defendant Sentenced;

Matter Continued;

Matter Continued;

Defendant Sentenced;

Journal Entry Details:

Bryan Schwartz, Esq. and Anthony Abbatangelo, Esq. present via Bluejeans video conference. Deft. not present. Court inquired if parties were ready to set sentencing; however, Mr. Abbatangelo indicated he spoke to Deft. and there was an issue with the Pre-sentence

**CASE SUMMARY**

**CASE NO. C-18-334955-1**

*Investigation (PSI) report. Mr. Abbatangelo noted that Deft. indicated there should be a successful completion of probation. Mr. Abbatangelo informed the Court he wasn't sure where Deft. was for the instant hearing. Court noted the instant matter was set for a status check on sentencing, and inquired if Mr. Abbatangelo reached out to the State for the file to be sent back to Parole and Probation. Mr. Abbatangelo indicated he did not. Upon Court's inquiry, Mr. Abbatangelo informed the Court on page-4 of the PSI it was not reflecting a 1988 Honorable Discharge from probation in Colorado. Further statements by Mr. Abbatangelo. Colloquy between parties. Following colloquy, COURT DIRECTED Mr. Schwartz to see if the PSI could be sent back to be looked into, which Mr. Schwartz concurred. COURT ORDERED, another status check SET. COURT FURTHER DIRECTED Mr. Schwartz to prepare a Transport Order or set up a phone call. Mr. Schwartz concurred. CUSTODY (COC-NDC) 6/10/21 11:00 AM CONTINUED: STATUS CHECK: SENTENCING;*

07/27/2021

**Motion to Withdraw as Counsel (1:30 PM)** (Judicial Officer: Clark Newberry, Tara)  
*Motion to Withdraw as Attorney of Record for Defendant*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 19, 2018**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**September 19, 2018      11:00 AM      Grand Jury Indictment**

**HEARD BY:** Bell, Linda Marie

**COURTROOM:** RJC Courtroom 17A

**COURT CLERK:** Kimberly Estala

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

**JOURNAL ENTRIES**

- Russell Walker, 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 18AGJ051X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-18-334955-1, Department IX.

State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$150,000.00 BAIL; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment.

COURT FURTHER ORDERED, Exhibits 1-15 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 18F12046X DISMISSED per the State's request.

I.W. (CUSTODY- NDC)

10/11/18 9:00 A.M. INITIAL ARRAIGNMENT (DEPT IX)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 11, 2018**

C-18-334955-1      State of Nevada  
vs  
Bryan Dryden

**October 11, 2018      9:00 AM      Initial Arraignment**

**HEARD BY:** Bell, Linda Marie

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Dryden, Bryan Warren	Defendant
	Rose, Laura Jean	Attorney
	Shaygan-Fatemi, Kambiz	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Shaygan advised he will step in for arraignment. Matter TRAILED.

Matter RECALLED. Mr. Shaygan requested two weeks for confirmation of counsel and arraignment, noting the Defendant has a pending writ against the Public Defender. COURT ORDERED, matter CONTINUED and SET for confirmation of counsel.

NIC (COC - NDC)

10/25/18 9:00 AM INITIAL ARRAIGNMENT / CONFIRMATION OF COUNSEL (PD)



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 25, 2018**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**October 25, 2018      9:00 AM      All Pending Motions**

**HEARD BY:** Togliatti, Jennifer      **COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Rubina Feda

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Dryden, Bryan Warren	Defendant
	Shaygan-Fatemi, Kambiz	Attorney
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

**JOURNAL ENTRIES**

- CONFIRMATION OF COUNSEL ... INITIAL ARRAIGNMENT

Defendant not present.

Court noted the Defendant was not transported due to medical issues. COURT ORDERED, Mr. Abbatangelo APPOINTED as counsel. Mr. Abbatangelo noted he has already received discovery and CONFIRMED as counsel. COURT ORDERED, arraignment CONTINUED.

NIC (COC-NDC)

11/8/18 9:00 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 08, 2018**

C-18-334955-1      State of Nevada  
vs  
Bryan Dryden

**November 08, 2018      9:00 AM      Initial Arraignment**

**HEARD BY:** Togliatti, Jennifer

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Defendant advised his true name is Bryan O'Neil Dryden. DEFT. DRYDEN ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. Mr. Abbatangelo requested 21 days from today for the filing of any writ. COURT ORDERED, counsel has 21 days from the filing of the Grand Jury transcript or today's date, whichever is later, to file a Writ.

NIC (COC - NDC)

12/27/18 9:00 AM CALENDAR CALL

1/7/19 10:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 27, 2018**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**December 27, 2018      9:00 AM      Calendar Call**

**HEARD BY:** Togliatti, Jennifer

**COURTROOM:** RJC Courtroom 10C

**COURT CLERK:** Athena Trujillo

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff
	Villani, Jacob J.	Attorney

**JOURNAL ENTRIES**

- CONFERENCE AT THE BENCH. Matter TRAILED.

Matter RECALLED. Mr. Abbatangelo advised the Defendant will waive his speedy trial rights and requested the trial date be reset. Upon Court's inquiry, Defendant WAIVED his speedy trial rights. COURT ORDERED, trial date VACATED and RESET.

NIC (COC - NDC)

3/21/19 9:00 AM CALENDAR CALL

4/1/19 10:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 26, 2019**

C-18-334955-1      State of Nevada  
vs  
Bryan Dryden

**March 26, 2019      9:00 AM      Calendar Call**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Keith Reed**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Dryden, Bryan Warren	Defendant
	Luzaich, Elissa	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. Luzaich stated she's appearing for Ms. DiaGiacomo. Mr. Abbatangelo announced he's not ready; State's missing an officer and CSA. Ms. Luzaich requested a continuance due to the Detective being out on a high risk pregnancy, she cannot come to court and is due in 30-45 days. Upon the inquiry of the Court, Mr. Abbatangelo noted his objection is to the content, not the form, advising he was informed by Ms. DiGiacomo and there's been a file review. Upon the inquiry of the Court, Defendant acknowledged his understanding of the unavailability of the witness. Colloquy regarding trial continuation. Ms. Luzaich stated the Defendant needs to be remanded on this case. Mr. Abbatangelo concurred, noting the Defendant has been informed he will go back to the prison until closer to trial. COURT ORDERED, Defendant REMANDED to custody; trial CONTINUED at the request of the State due to a missing essential witness.

CUSTODY(NDC)

6-18-19 9:00 AM CALENDAR CALL

**C-18-334955-1**

6-24-19 1:00 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 18, 2019**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**June 18, 2019      9:00 AM      Calendar Call**

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff
	Sudano, Michelle L.	Attorney

**JOURNAL ENTRIES**

- Mr. Abbatangelo indicated he had filed a Motion to Continue Trial, stating he would be out of the jurisdiction. Ms. Sudano indicated there wasn't an objection by the State. COURT ORDERED, trial VACATED and RESET.

NIC (COC-NDC)

10/29/19 9:00 AM CALENDAR CALL

11/4/19 1:00 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 29, 2019**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**October 29, 2019      9:00 AM      Calendar Call**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Gail Reiger

**REPORTER:**

**PARTIES**

**PRESENT:**      Abbatangelo, Anthony L      Attorney  
                                 Craggs, Genevieve C.      Attorney  
                                 Dryden, Bryan Warren      Defendant  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- CONFERENCE AT BENCH. Following colloquy, Court noted it would continue the instant matter until Thursday, October 31, 2019. COURT ORDERED, matter CONTINUED; COURT FURTHER ORDERED, Deft. REMANDED to Clark County Detention Center (CCDC) pending trial.

CUSTODY (COC-NDC)

10/31/19 9:00 AM CONTINUED: CALENDAR CALL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 31, 2019**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**October 31, 2019      9:00 AM      Calendar Call**

**HEARD BY:**   Holthus, Mary Kay

**COURTROOM:**   RJC Courtroom 03F

**COURT CLERK:**   Dara Yorke

**RECORDER:**    Patti Slattery

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Dryden, Bryan Warren	Defendant
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Abbatangelo indicated he went to the jail to speak with Deft. and was not allowed contact with him. Additionally, Mr. Abbatangelo just received a new offer and needed to speak with Deft. MATTER TRAILED.

MATTER RECALLED. Same parties present. After speaking with Deft. Mr. Abbatangelo indicated they would be proceeding to trial and Mr. Schwartz requested to start on Tuesday, November 5, 2019. Mr. Schwartz placed the offer on the record: Attempt Sexual Assault with five (5) to twenty (2) years, to run concurrent to Deft.'s case he is currently serving time on; however, that offer was rejected. Mr. Schwartz stated that offer was revoked as of that day. Court confirmed with Deft. that he was rejecting that offer. Deft. concurred. Colloquy between parties regarding credit for time served. Court inquired how long for trial, which Mr. Schwartz noted it should be done by Friday, November 8, 2019. COURT ORDERED, trial STANDS.

CUSTODY (COC-NDC)



11/5/19 1:00 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 05, 2019**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**November 05, 2019      9:00 AM**

**Status Check:  
Negotiations/Trial Setting**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**    Natalie Ortega

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Dryden, Bryan Warren	Defendant
	Jones, Jr., John T.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Amended Information FILED IN OPEN COURT.

CONFERENCE AT BENCH. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. DRYDEN ARRAIGNED AND PLED GUILTY TO ATTEMPT SEXUAL ASSAULT (F). Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for SENTENCING. COURT FURTHER ORDERED, Trial VACATED.

CUSTODY (COC-NDC)

01/07/20 9:00 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 07, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**January 07, 2020      9:00 AM      Sentencing**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Abbatangelo indicated Deft. would like to withdraw his Guilty Plea Agreement; therefore, he would need a new attorney and a potential evidentiary hearing. COURT ORDERED, Marisa Border APPOINTED for the limited purpose of looking into a possible withdrawal of Guilty Plea Agreement. Colloquy between parties. Following colloquy, COURT ORDERED, matter SET for a status check in 30 days.

CUSTODY (COC-NDC)

2/4/20 9:00 AM STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 30, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**January 30, 2020      9:00 AM      Motion**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Patti Slattery

**REPORTER:**

**PARTIES**

**PRESENT:**      Border, Marisa      Attorney  
                                 Craggs, Genevieve C.      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Deft. not present. Ms. Border noted Deft. was not transported. Ms. Craggs noted the instant date should have been vacated. CONFERENCE AT BENCH. Court noted it didn't know if the instant Motion was on in error; however, COURT ORDERED, Motion to Withdraw Counsel was ON IN ERROR; and the Status check: Motion to Withdraw Guilty Plea VACATED and RESET for Ms. Border to get up to the prison to visit Deft. Ms. Border requested the status check be set on February 13, 2020. COURT SO ORDERED.

CUSTODY (COC--NDC)

2/13/20 9:00 AM STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 13, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**February 13, 2020      9:00 AM      Status Check**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. Border requested matter be continued for two weeks for her to go and see Deft. at the prison. No objection by Ms. Craggs. COURT ORDERED, matter CONTINUED.

CUSTODY (COC)

3/3/20 9:00 AM CONTINUED: STATUS CHECK: MOTION TO WITHDRAW GUILTY PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**March 03, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**March 03, 2020      9:00 AM      Status Check**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. Border indicated she filed Motion to Withdraw Plea; however, she didn't know if anyone received a copy. Court indicated it didn't, along with Ms. Craggs. Court noted the State would need time to respond. COURT ORDERED the following Briefing Schedule: State to file Response by March 31, 2020, Ms. Border to file Reply by April 7, 2020, and matter CONTINUED for Argument.

CUSTODY (COC-NDC)

4/14/20 9:00 AM ARGUMENT: MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 14, 2020**

C-18-334955-1      State of Nevada  
vs  
Bryan Dryden

**April 14, 2020****12:00 AM****All Pending Motions****HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Lower Level Arraignment**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- ARGUMENT...DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA (PRIOR TO SENTENCING)

Ms. Border indicated Deft. was transported; however, she wasn't expecting him to be present. Further, Ms. Border noted both parties were going to submit on Motion. MATTER TRAILED for Ms. Craggs to be present.

MATTER RECALLED. Ms. Craggs present. Ms. Border noted she submitted on Motion after receiving the State's Opposition. COURT ORDERED, Defendant's Motion to Withdraw Guilty Plea (Prior to Sentencing) was hereby DENIED as set forth in the State's Opposition. Ms. Craggs indicated she was concerned with the big issue of withdrawing plea as to Mr. Abbatangelo. Court inquired if Ms. Border wanted to stay on the case; however, Ms. Border noted it might still have to be approved through Drew Christiansen. Ms. Craggs noted it was a stipulated sentence to run concurrent to sentence Deft. was serving. Additionally, Ms. Craggs noted victim wanted to speak at sentencing. Colloquy between parties. Statements by Ms. Border noting she didn't believe there were any hard

feelings between Mr. Abbatangelo and Deft. Deft. advised the Court he was previously prepared to go to trial; however, Mr. Abbatangelo had Deft. remanded. Colloquy between parties regarding counsel being appointed. Ms. Border noted she believed appointment would need to be approved. Court noted it would appoint new counsel for sentencing. Colloquy between parties regarding an evidentiary hearing. COURT FURTHER ORDERED, denial of instant Motion was hereby WITHDRAWN, and evidentiary hearing SET. Court noted it would need to be continued until the middle of June 2020 for actual witnesses to be present. Statements by Deft. Colloquy between parties. Following colloquy, Ms. Craggs requested transcripts of the actual plea; therefore, COURT FURTHER ORDERED, expedited transcripts to be provided to the State. The State to prepare Transport Order.

CUSTODY (COC-NDC)

6/12/20 10:00 AM EVIDENTIARY HEARING...CONTINUED: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA (PRIOR TO SENTENCING)



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 25, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**June 25, 2020**

**12:00 AM**

**All Pending Motions**

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA

Parties not present. Counsel contacted chambers prior to court and requested matter be continued to August 13, 2020. COURT SO ORDERED.

CUSTODY (COC-NDC)

8/13/20 9:00 AM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 13, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**August 13, 2020      12:00 AM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Dryden, Bryan Warren	Defendant
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. present in-custody via Bluejeans video conference.

**EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA**

Ms. Border advised there were issues with medical records, and she nor the District Attorney's Office, had received them; however, they could proceed with hearing without medical records. Statements by Ms. Craggs indicating previous Motion filed by Deft. with the same issue as the instant case, all which the Supreme Court affirmed. Colloquy between parties. Witness Tony Abbatangelo, Esq., SWORN and TESTIFIED. Upon Court's inquiry, Deft. agreed to waive attorney client privilege between him and Mr. Abbatangelo in order for the hearing to proceed. COURT ORDERED, matter CONTINUED for two weeks to proceed with evidentiary hearing.

**CUSTODY (COC-NDC)**

9/3/20 12:00 PM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 03, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**September 03, 2020    12:00 AM      All Pending Motions**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03A

**COURT CLERK:**    Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Conlin, Elise M	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA

Ms. Border not present. Parties were advised they didn't need to appear. Court indicated due to what parties needed, ORDERED, matter CONTINUED for two weeks.

CUSTODY (COC-NDC)

9/17/20 1:30 PM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 17, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**September 17, 2020      1:00 PM**

**All Pending Motions**

**HEARD BY:**   Holthus, Mary Kay

**COURTROOM:**   RJC Courtroom 03F

**COURT CLERK:**   Dara Yorke

**RECORDER:**   Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA

Deft. not present. Ms. Border indicated the instant matter was supposed to be an evidentiary hearing. Further Ms. Border noted they took the steps that were necessary; however, was informed it wasn't done properly. Ms. Border requested matter be continued for two weeks. Ms. Craggs requested three weeks due to her schedule. Colloquy between parties. Following colloquy, COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC)

10/13/20 1:00 PM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 13, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

---

**October 13, 2020**

**1:00 PM**

**All Pending Motions**

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Dryden, Bryan Warren	Defendant
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. present in-custody via Bluejeans video conference.

**EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA**

Ms. Border noted they left off with Mr. Abbatangelo's testimony at the previous hearing, and the matter was reset due to the prison's schedule. Additionally, Ms. Border noted Mr. Abbtangelo didn't receive the Bluejeans information; therefore, parties agreed to let Deft. testify first.

Witness, Bryan Dryden, SWORN and TESTIFIED.

Witness, Anthony Abbatangelo, SWORN and TESTIFIED.

Following testimony, the Nevada Department of Corrections (NDC) allotted time for Bluejeans access was set to expire. Court noted it would reset the instant matter as soon as possible. Colloquy between

parties. Following colloquy, COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC)

10/27/20 1:30 PM CONTINUED: EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA

CLERK'S NOTE: Following court proceedings and due to the Nevada Department of Corrections (NDC) Bluejeans access schedule, the matter was continued from October 27, 2020 to October 29, 2020. //10-15-20/ dy

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 29, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**October 29, 2020      1:30 PM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Angelica Michaux

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Dryden, Bryan Warren	Defendant
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Bryan Schwartz, Esq. and Genevieve Craggs, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

**EVIDENTIARY HEARING...MOTION TO WITHDRAW PLEA**

Testimony presented by Deft. Mr. Schwartz requested for the admission of exhibits that were STIPULATED to by parties. Exhibits presented and ADMITTED (see worksheet). Court noted the transcript would be ordered and then parties could set a briefing schedule. Ms. Craggs indicated the State would prepare and Order for the Transcripts. Following colloquy, COURT ORDERED, status check SET in two weeks as to transcripts and at that time the briefing schedule would be set. Court inquired if Deft. agreed to the briefing schedule being set without him being present, Deft. concurred. Court advised Deft. he would be brought back for argument. Deft. concurred.

**CUSTODY (COC-NDC)**



11/12/20 12:00 PM STATUS CHECK: TRANSCRIPTS/ SET BRIEFING SCHEDULE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 12, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**November 12, 2020      12:00 AM      Status Check**

**HEARD BY:**   Holthus, Mary Kay

**COURTROOM:**   RJC Courtroom 03F

**COURT CLERK:**   Dara Yorke

**RECORDER:**   Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Genevieve Craggs, Esq. and Marisa Border, Esq. present via Bluejeans video conference.

Deft. not present. Court advised parties it didn't receive the Transcript Order. Ms. Border noted matter was set to check that the Transcript was filed. Colloquy between parties. Following colloquy, COURT DIRECTED Ms. Craggs to submit to the Order, and ORDERED matter CONTINUED one week.

CUSTODY (COC-NDC)

11/19/20 12:00 PM CONTINUED: STATUS CHECK: TRANSCRIPT/ SET BRIEFING SCHEDULE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 19, 2020**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**November 19, 2020      12:00 AM      Status Check**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**    Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Genevieve Craggs, Esq. and Marisa Border, Esq. present via Bluejeans video conference.

Deft. not present. Colloquy between parties regarding Order for Transcripts. Court noted the Order was sent; however, wasn't sent to the Department Inbox. Court further noted, Deft. was being quarantined and a briefing schedule would need to be set. COURT ORDERED, the following briefing schedule: Ms. Border to file Opening Brief by December 10, 2020, State to file Response by December 24, 2020, and matter CONTINUED for Argument. Colloquy between parties regarding Deft.'s presence. Ms. Craggs noted she would prepare a Transport Order.

CUSTODY (COC-NDC)

1/7/21 9:00 AM ARGUMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 07, 2021**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**January 07, 2021      3:00 PM      Argument**

**HEARD BY:** Clark Newberry, Tara      **COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Andrea Natali

**RECORDER:** Robin Page

**REPORTER:**

**PARTIES**

**PRESENT:**      Border, Marisa      Attorney  
                                 Einhorn, Kelsey R.      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Deft. not present, in Nevada Dept. of Corrections. Ms. Border stated the parties would like this matter sent back to Dept. 18 for Judge Holthus to decide the motion. COURT ORDERED, argument and the State's opposition are SET before Judge Holthus for the limited purpose of deciding this motion; however, this matter is to be returned to its department thereafter; matter SET for Status Check. Ms. Border stated this matter would go back to Mr. Abbatangelo thereafter, as she was only appointed on the motion to withdraw the guilty plea agreement.

CUSTODY (COC-NDC)

1/28/21 - 11:00 AM - ARGUMENT ... STATUS OPPOSITION TO DEFT.'S MOTION TO  
WITHDRAW GUILTY PLEA

2/11/21 - 1:30 PM - STATUS CHECK: SENTENCING / RESET TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 28, 2021**

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C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

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**January 28, 2021      11:00 AM      All Pending Motions**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Border, Marisa	Attorney
	Craggs, Genevieve C.	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Genevieve Craggs, Esq. and Marisa Border, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

ARGUMENT...STATE'S OPPOSITION TO DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA

Court noted it had read everything. Ms. Craggs submitted. Ms. Border submitted. Arguments by Deft. Colloquy between Ms. Border and Deft. as to a Petition being filed. Following colloquy, Court indicated it sat through the evidentiary hearing and testimony, and it didn't FIND there was a basis for Deft. to withdraw his Guilty Plea Agreement; therefore, ORDERED, Motion to Withdraw Guilty Plea Agreement was hereby DENIED as set forth in the briefs and the State's Opposition. The State to prepare the Order with findings.

MATTER RECALLED. Ms. Border and Deft. not present. Ms. Craggs requested a sentencing date. COURT ORDERED. matter SET for sentencing, and date set for status check VACATED.

CUSTODY (COC-NDC)

2/11/21 11:00 AM SENTENCING

CLERK'S NOTE: The above minute order has been distributed to: Marisa Border, Esq.  
(mborderlaw@gmail.com). //2-3-21/ dy

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 11, 2021**

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C-18-334955-1      State of Nevada  
vs  
Bryan Dryden

---

**February 11, 2021      11:00 AM      Sentencing**

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Abbatangelo, Anthony L      Attorney  
Craggs, Genevieve C.      Attorney  
State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Genevieve Craggs, Esq. and Anthony Abbatangelo, Esq. present via Bluejeans video conference.

Def't. not present. Upon Court's inquiry, Ms. Craggs noted they did do a Transport Order; however, they would be requesting a continuance. No objection by Mr. Abbatangelo. Ms. Craggs noted the victim was not available; therefore, she would be requesting a couple of weeks. COURT ORDERED, matter CONTINUED.

CUSTODY (COC-NDC)

2/25/21 11:00 AM CONTINUED: SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 25, 2021**

---

C-18-334955-1      State of Nevada  
                                 vs  
                                 Bryan Dryden

---

**February 25, 2021      11:00 AM      Sentencing**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Abbatangelo, Anthony L      Attorney  
                                 Schwartz, Bryan A.      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Bryan Schwartz, Esq. and Anthony Abbatangelo, Esq. present via Bluejeans video conference.

Deft. not present. Court noted Deft. wasn't transported. Mr. Schwartz noted the State did an Order to Transport. Court noted the victim speaker was on the line. COURT ORDERED, matter CONTINUED for four weeks. COURT DIRECTED parties to reach out the it's Judicial Executive Assistant to set up video with the prison. Parties concurred.

CUSTODY (COC-NDC)

3/25/21 11:00 AM CONTINUED: SENTENCING



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 01, 2021**

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C-18-334955-1      State of Nevada  
vs  
Bryan Dryden

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**April 01, 2021      11:00 AM      Sentencing**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03C

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Dryden, Bryan Warren	Defendant
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Barbara Schifalacqua, Esq. and Anthony Abbatangelo, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

Deft. indicated he didn't have a chance to speak with Mr. Abbatangelo; additionally, Deft. noted there were discrepancies in the Pre-sentence Investigation (PSI) report and he needed to go over some things with Mr. Abbatangelo. Court indicated it would give Deft. time to go over the PSI with his attorney. COURT ORDERED, matter SET for status check in 30 days. Court indicated if Mr. Abbatangelo found that the PSI needed to go back to Parole and Probation and figured out there were errors, to contact the State. Court noted it wouldn't keep having victim come back.

CUSTODY (COC-NDC)

5/6/21 11:00 AM STATUS CHECK: SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 06, 2021**

C-18-334955-1      State of Nevada  
vs  
Bryan Dryden

**May 06, 2021      11:00 AM      Status Check**

**HEARD BY:** Holthus, Mary Kay      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Schwartz, Bryan A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Bryan Schwartz, Esq. and Anthony Abbatangelo, Esq. present via Bluejeans video conference.

Deft. not present. Court inquired if parties were ready to set sentencing; however, Mr. Abbatangelo indicated he spoke to Deft. and there was an issue with the Pre-sentence Investigation (PSI) report. Mr. Abbatangelo noted that Deft. indicated there should be a successful completion of probation. Mr. Abbatangelo informed the Court he wasn't sure where Deft. was for the instant hearing. Court noted the instant matter was set for a status check on sentencing, and inquired if Mr. Abbatangelo reached out to the State for the file to be sent back to Parole and Probation. Mr. Abbatangelo indicated he did not. Upon Court's inquiry, Mr. Abbatangelo informed the Court on page-4 of the PSI it was not reflecting a 1988 Honorable Discharge from probation in Colorado. Further statements by Mr. Abbatangelo. Colloquy between parties. Following colloquy, COURT DIRECTED Mr. Schwartz to see if the PSI could be sent back to be looked into, which Mr. Schwartz concurred. COURT ORDERED, another status check SET. COURT FURTHER DIRECTED Mr. Schwartz to prepare a Transport Order or set up a phone call. Mr. Schwartz concurred.

CUSTODY (COC-NDC)

6/10/21 11:00 AM CONTINUED: STATUS CHECK: SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 08, 2021**

C-18-334955-1      State of Nevada  
vs  
Bryan Dryden

**July 08, 2021      11:00 AM      Status Check**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Erin Burnett  
Shelley Boyle

**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

<b>PRESENT:</b>	Abbatangelo, Anthony L	Attorney
	Digiacomio, Sandra K.	Attorney
	Dryden, Bryan Warren	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. present via Video Conference; Counsel and Victim Speaker Kala Blush present via Bluejeans.

DEFT DRYDEN ADJUDGED GUILTY of ATTEMPT SEXUAL ASSAULT (F). Ms. DiGiacomo submitted on the negotiations, requested restitution, and stated Deft. is not entitled to any credit for time served. Argument by Mr. Dryden, statement by Deft. Colloquy and argument regarding NRS 176.055, subsection (1). Victim Speaker KALA BLUSH SWORN IN and TESTIFIED.

COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, a \$3.00 DNA Collection fee, a \$967.00 Psychosexual Evaluation Fee, and \$2,575.81 Restitution to Clark County Social Services, Deft. SENTENCED to a MINIMUM of SIXTY (60) MONTHS and a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT WITH case 09C258241, with ZERO (0) DAYS credit for time served. COURT FURTHER ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of

probation, parole or imprisonment. Deft. to Register as a sex offender in accordance with NRS 179D.460 within 48 hours after sentencing.

BOND, if any, EXONERATED.

CUSTODY (NDC - COC)

CASE NO. C-18-334955-1  
DEPT. NO. IX  
CDDA JACOB VILLANI (SVU)

**Defendant(s):** BRYAN WARREN DRYDEN, aka, Bryan Dryden #2585083

**Case No(s):** 18AGJ051X (RANDOMLY TRACKS TO DC IX & X)

**Charge(s):** (1) CT - SEXUAL ASSAULT WITH USE OF A DEADLY WEAPON (Category A  
Felony - NRS 200.364, 200.366, 193.165 - NOC 50097)

**Def. Counsel(s):** UNKNOWN

WARRANT (3 WEEKS)

DEFT IN CUSTODY @ NDOC (18F12046X- AW ISSD 7/10 IN JC 3)

LVJC CASE TO BE DSM'D: 18F12046X

**Exhibits:**

- WA 1. Proposed Indictment
- WA 2. Jury Instructions
- WA 3. Photo
- WA 4. Photo Sheet
- WA 5. Photo
- WA 6. Photo Sheet
- WA 7. Photo
- WA 8. Photo
- WA 9. Photo
- WA 10. Photo
- WA 11. Photo
- WA 12. Photo
- WA 13. Photo
- WA 14. Photo
- WA 15. Photo

Exhibits 1 - 15 to be lodged with the Clerk of the Court.

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# EXHIBIT(S) LIST

Case No.: C334955

HEARING Date: 9/17/20, 10/13/20, 10/29/20

Dept. No.: 18

Judge: MARY KAY HOLTHUS

Court Clerk: DARA YORKE

Plaintiff: STATE OF NEVADA

Recorder: YVETTE SISON / ANGELICA MICHAUX  
Counsel for Plaintiff: GENEVIEVE CRAGAS

vs.

Defendant: BRYAN DRYDEN

BRYAN SCHWARTZ  
Counsel for Defendant: MARISA BOROGER

HEARING BEFORE THE COURT

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted	
1	MOTION TO WITHDRAW GUILTY PLEA	10/29/20	STIP	10/29/20	WA
2	MOTION TO WITHDRAW OPA MINUTES	10/29/20			WA
3	GUILTY PLEA AGREEMENT	10/29/20			WA
4	JOC 2009	10/29/20			WA
5	ENTRY OF PLEA MINUTES	10/29/20			WA
6	NV SUPREME COURT ORDER OF AFFIRMANCE	10/29/20	↓	↓	WA



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

TONY L. ABBATANGELO, ESQ.  
4030 S. JONES BLVD., UNIT 30370  
LAS VEGAS, NV 89173

DATE: July 15, 2021  
CASE: C-18-334955-1

**RE CASE:** STATE OF NEVADA vs. BRYAN WARREN DRYDEN

NOTICE OF APPEAL FILED: July 14, 2021

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

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



Case Appeal Statement

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



Order



Notice of Entry of Order

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

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

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



# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

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

STATE OF NEVADA,

Plaintiff(s),

vs.

BRYAN WARREN DRYDEN,

Defendant(s).

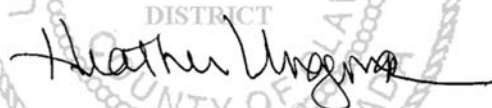
Case No: C-18-334955-1

Dept No: XXI

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 15 day of July 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

